

KONFERENZBERICHTE

Fourth Annual Symposium on Anti-Discrimination: “Problems of Theory and Practice”

Constitutional Research Institute (CRI), China University of Politics and Law (CUPL), Beijing, 26.–27. October 2013

Since 2010, the Constitutional Research Institute (CRI), founded in 2004, has organized annual conferences on anti-discrimination. The series is financed by the Ford Foundation. In 2013 there were 68 registered conference participants and 27 presentations were given. These ranged from the results of academic research projects to personal narratives of individual discrimination. More than 25 universities and research centers from all over China were represented. NGO delegates came from oneplusone (*Yijiayi*), The Beijing Center for Lesbians (*Beijing nü tongzhi zhongxin*; *Beijing lala shalong*), Danlan Gay Gay wang, a Dalian hotline for gay disabled people, PFLAG China (*Tongxinglian qinyouhui*), Yirenping Center (for disabled people), Aibai (an organization for/of homosexuals), and the Beijing Gender Health Education Institute (BGHEI, *Beijing ji'ande zixun zhongxin*) for homosexuals, among others. The choice of NGOs reflects the key topics of the 2013 conference: discrimination of disabled and LGBT people.

CUPL law school professor Liu Xiaonan, lead organizer of the conference and author-editor of a number of books on anti-discrimination issues that have come out of the annual meetings, has described the kind of cooperation network she intends to build. This would educate and link activists, members of the media, legal and academic experts. To maximize the impact of their activities, NGOs need broad media coverage. Chinese journalists writing about an event will want to include expert opinions, cited as part of the article. Well-trained NGOs are able to provide such expert contacts, for example to university professors they know. NGOs' public actions can also make them vulnerable, so it is useful and supportive to know personally human rights and anti-discrimination lawyers, several of whom participated in the conference.

Liu Xiaonan thinks that awareness of discrimination needs to be increased throughout the Chinese population and the media. Her findings show that even law school graduates are unaware of discrimination in employment and that it is possible to apply legal means against it. As well as members of the media, she especially hopes to reach government employees, including judges. Judges have not yet been willing to accept anti-discrimination cases, reasoning that there is “no law” that applies. And the invitation of government employees, including delegates of the mass organizations of the Chinese Communist Party such as the Women's Federation or the Workers Union, has become increasingly difficult in recent years. Governmental or mass organizations' affiliates have to report to their superiors in advance and apply for permission to attend. Nevertheless, internationally renowned senior Women's Federation's officials Jiang Yongping (an expert on informal labour and women migrant workers) and Liu Bohong (gender issues) have participated in the conference both as speakers and panel chairs. As they are now approaching retirement age, it is hoped that there will be more participation from younger Federation colleagues.

The areas of discrimination addressed in the 2013 symposium were deliberately selective. Organizers had decided that problems, the understanding and the principles of discrimination

and strategies against it could be generalized based on a limited number of examples. While the informalization of work was addressed, the discrimination of migrant workers was not. Conference speakers focused on discrimination against the disabled and against LGBT and homosexual groups, whereas women's discrimination in employment and discrimination against the elderly was not specifically mentioned. Thus, the three groups most massively affected — migrant workers, women and the elderly — were not highlighted. While migrant workers and women are widely discussed elsewhere, an inclusion of the growing number of aged people being victims of discrimination is strongly suggested for next year's symposium. Besides, the choice of groups affected by discrimination might well lead to the marginalization of the issue, and one wonders, if this kind of selection has been a good idea.

In a separate session, the use of law to prevent discrimination in China was discussed. A series of books published recently in Beijing and Wuhan introduce the concept of "gender and law" to law schools. The main authors, Li Ao (Wuhan University), Liu Minghui (Chinese Women's University), and Guo Mingzheng (Northwestern Polytechnical University, Xi'an), were all present and engaged in a fruitful discussion on how to best include gender issues in law studies. Experience has shown that it is difficult to formally establish a completely new course program. But gender can be included in general studies and even in translation seminars. To achieve this, there must be training for law school teachers in gender awareness and knowledge. The "Young Scholars Training" offered by CRI represents a step in this direction.

Liu Minghui complained that the increasing number of laws makes it difficult to point out the deficits concerning gender discrimination in each of them. But the conference showed that a sufficient number of feminist law professors exists to make drafts of laws more compatible with gender equality. Examples also prove that numerous women are willing to take their cases and the laws to court. Most recently, the biggest hindrance has been the judges. Conference participants agreed in their hope for a decisive ruling on employment discrimination, or on sexual harassment by the Supreme Court that all judges would have to adhere to. Finally, to empower all present in their attempts to gender mainstream society by gendering the laws, the conference concluded with a media training.

Astrid Lipinsky

Asia-Europe Legal History Forum 2nd Annual Symposium: "Concepts and Processes. Asian-European Legal Exchanges in Modern Times"

Beijing, 04.–06. November 2013

The Asia-Europe Legal History Forum (*Ya-Ou falüshi luntan*) was inaugurated in August 2012 with a Symposium on Periodization and Codification held both at the Max Planck Institute for European Legal History, Frankfurt and at the University of Vienna, Austria.

The original idea for such a forum was put forward by Professor Chen Hwei-syin from the National Chengchi University in Taiwan, who received her Dr. iur. from Regensburg University in Germany, is fluent in German and was looking for a German counterpart in her research on Chinese legal history.

Currently, research on Chinese legal history has already spread to East Asian countries and is institutionalized in the form of a conference series there. For example, the bi-annual East Asian Conference on Philosophy of Law series, founded in Japan in 1996, has since been held in Hong Kong, in the People's Republic of China, and in Taiwan, among other countries. The most recent 8th Conference was held in Taiwan in 2012. Conference languages are Chinese, Japanese and Korean. While translation among these languages is provided, a translation into