



Asian Law Centre
Melbourne Law School



School of Law
Vietnam National University, Hanoi



LAW ON THE STATE OF EMERGENCY

ONLINE CONFERENCE

16-17 JUNE 2020

JOINTLY ORGANISED BY:

School of Law, Vietnam National
University, Hanoi

Asian Law Centre, Melbourne Law
School, The University of Melbourne

IN COOPERATION WITH:

The Institute of Legislative Studies
under the Standing Committee, the
National Assembly of Vietnam

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VNU Team

Academic Convenor: Associate Professor Vu Cong Giao

Administrator: Dr Mai Van Thang

Assistants: Ms Nghiem Minh Giang, Phi Huyen Trang, Bui Tien Dat

ALC Team

Academic Convenor: Professor Sarah Biddulph

Manager: Ms Kathryn Taylor

Centre Administrator: Ms Debbie Yu

Venue

Zoom

Website

<http://go.unimelb.edu.au/e7nj>

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DAY 1: TUESDAY 16 JUNE, 2020

9:00am-9:05am (12:00pm-12:05pm)	INTRODUCTIONS AND ZOOM INSTRUCTIONS	Professor Sarah Biddulph Director, Asian Law Centre Associate Professor Vu Cong Giao School of Law, Vietnam National University, Hanoi
9:05am-9:15am (12:05pm-12:15pm)	WELCOME FROM MELBOURNE LAW SCHOOL	Professor Pip Nicholson Dean, Melbourne Law School, The University of Melbourne
9:15am-9:25am (12:15pm-12:25pm)	WELCOME FROM VIETNAM NATIONAL UNIVERSITY	Associate Professor Dr Nguyen Thi Que Anh Dean, School of Law, Vietnam National University, Hanoi
9:25am-10:15am (12:25pm-1:15pm)	LEGISLATION / CONSTITUTION	CHAIR: Professor Sarah Biddulph, The University of Melbourne, Australia
	Discussion of the following papers:	
	A State of Emergencies in the International Convention on Human Rights and the National Constitution	Nguyen Dang Dung and Nguyen Thuy Duong Vietnam National University, Hanoi, Vietnam
	Japanese Government's Actions Against COVID-19 under the Directives of Constitutional and Administrative Law	Yuichiro Tsuji Meiji University, Japan
	Singapore's Legislative Response to the COVID-19 'Emergency'	Darius Lee National University of Singapore, Singapore
	Making Law on State of Emergency in Vietnam: From the Perspective of Constitutional Rights Limitation	Bui Tien Dat Vietnam National University, Hanoi, Vietnam
	"Tangled up in Green": The Tight Connection between COVID-19 and the Environment	Domenico Amirante Università della Campania, Italy
	Vietnam Law on Land Requisition in the State of Emergency	Phan Trung Hien Cantho University, Vietnam

10:15am-11:05am (1:15pm-2:05pm)	HUMAN RIGHTS	CHAIR: Professor Sriprapha Petcharamesree, Mahidol University, Thailand
	Discussion of the following papers:	
	The Protection of Human Rights in Emergency Situations: The Prevention of COVID-19	Nguyen Dinh Toan Ministry of Natural Resources and Environment, Vietnam
	Assurance of the Human Rights in an Emergency under the Legal Regulations of Vietnam	Vu Hong Anh and Phan Trung Ly Institute for Legislative Studies, Vietnam
	Chinese Laws on Protecting Human Rights in State of Emergency and Experiences for Vietnam	Nguyen Minh Tam Hunan Normal University, China
	Digital Rights in State of Emergency in Vietnam During COVID-19 Pandemic: Balancing between Freedom of Expression and Public Order	Pham Hai Chung and Ngo Thi Minh Huong Vietnam National University, Hanoi, Vietnam
	Authority and Application of Restrictions on Human Rights as a Result of Emergency Measures under the Laws of Vietnam and Considerations	Nguyen Thi Minh Ha and Ta Duc Hoa Vietnam National University, Hanoi, Vietnam
	Principle of Proportionality in Limiting Human Rights and Its Application in Case of Emergency	Dau Cong Hiep Hanoi Law University, Vietnam
	State Emergency and the Enjoyment of Human Rights in the Time of Pandemic in ASEAN	Yuyun Wahyuningrum Representative of Indonesia to the ASEAN Intergovernmental Commission on Human Rights, Indonesia
11:05am-12:05pm (2:05pm-2:55pm)	MARTIAL LAW / CRIMINAL JUSTICE / EMERGENCY	CHAIR: Dr Yukiko Nishikawa, Doshisha University, Japan
	Discussion of the following papers:	
	The Right not to be Tortured in State of Emergency under International Human Rights Law and Vietnamese Law	Pham Thanh Son People's Security Academy, Vietnam
	Completing the Criminal Justice and Law on State of Emergency Satisfying the Requirements of Judicial Publicity and Transparency in Vietnam	Nguyen Ngoc Chi Vietnam National University, Hanoi, Vietnam
	Vietnamese Law on State of Emergency on Defense, Martial Law and Curfew, and Issues Raised	Minh Do Duc Vietnam National University, Hanoi, Vietnam

	State of Emergency, Paternalistic State and Criminal Justice: The Stories of China and Vietnam	Le Lan Chi Vietnam National University, Hanoi, Vietnam
	Corruption in the Times of COVID-19 Emergency	Roxana Bratu University of Sussex, UK
	Dynamic of Enforcing the Law on State of Emergency in Thailand	Eakpant Pindavanija Mahidol University, Thailand
12:05pm-1:00pm (2:55pm-3:00pm)	END OF DAY 1	

DAY 2: WEDNESDAY 17 JUNE, 2020

9:00am-9:05am (12:00pm-12:05pm)	INTRODUCTIONS AND ZOOM INSTRUCTIONS	Professor Sarah Biddulph Director, Asian Law Centre Associate Professor Vu Cong Giao School of Law, Vietnam National University, Hanoi
9:05am-9:55am (12:05pm-12:55pm)	HEALTH / EMERGENCY	CHAIR: Ms Paula O'Brien, The University of Melbourne, Australia
	Discussion of the following papers:	
	State of Epidemic Emergency in the Law of Vietnam and a Number of Countries in the World	Nguyen Hoang Anh Vietnam National University, Hanoi, Vietnam
	Frameworks for Australia's COVID-19 Emergency Public Health Response	Jonathan Liberman The University of Melbourne, Australia
	The State of Health Emergency and Fundamental Rights and Freedoms in Canada	Sébastien Lafrance Public Prosecution Service of Canada, Canada
	Authority and Procedures for Declaring an Emergency under the Law of Vietnam and Matters Raised	Pham Hong Thai and Ta Duc Hoa Vietnam National University, Hanoi, Vietnam
	The Limitation for an Emergency Situation to Protect the Rights	Le Quynh Mai People's Security Academy, Vietnam
	Does Indonesian COVID-19 Emergency Law Secure the Rule of Law and Human Rights?	Herlambang Wiratraman, Airlangga University, Indonesia
9:55am-10:45am (12:55pm-1:45pm)	RULE OF LAW AND ACCOUNTABILITY	CHAIR: Professor Sarah Biddulph The University of Melbourne, Australia
	Discussion of the following papers:	
	Japanese Response to the COVID-19 Pandemic: Politics of Emergency Powers, Human Rights and the Rule of Law	Yukiko Nishikawa Doshisha University, Japan
	COVID-19 Pandemic and the Emergency Law in the Rule of Law	Le Thi Nga Hue University, Vietnam
	Emergency Powers, Human Rights and Rule of Law	Dang Minh Tuan Vietnam National University, Hanoi, Vietnam

	Accountability and Public Health Emergency Powers under COVID-19	Paula O'Brien The University of Melbourne, Australia
	COVID-19 Emergency Measures in Ireland: Achieving Accountability and Protecting Rights	Fiona Donson University College Cork, Ireland
10:45am-11:35am (1:45-2:35pm)	ECONOMY AND WORKERS / LABOUR	CHAIR: Dr Bui Tien Dat, Vietnam National University, Hanoi, Vietnam
	Discussion of the following papers:	
	Role of the Bank in the State of Emergency	Pham Thi Hong Nghia People's Security Academy, Vietnam
	Contracts as Emergency Law: Injecting Certainty to Uncertain Times	Nguyen Xuan Thao Indiana University, USA
	Measuring "Public Health Emergency" and the Exigency of Indonesian Financial State Policy and Financial System Stability	Go Lisanawati University of Surabaya, Indonesia
	COVID-19: Singapore's Existing Laws and New Measures to Overcome the Pandemic	Sinapan Samydorai Taskforce on ASEAN Migrant Workers, Singapore
	Assurance of the Right to Work, the Right to have a Complete Life in Emergency Status: Some Experience from Vietnam	Chu Hong Thanh and Nguyen Thi Thanh Trade Union University, Vietnam
11:35am-11:55am (2:35pm-2:55pm)	GENERAL DISCUSSION	CHAIR: Professor Sarah Biddulph The University of Melbourne, Australia
11:55am-12:00pm (2:55pm-3:00pm)	CLOSING ADDRESS	Professor Sarah Biddulph Director, Asian Law Centre Associate Professor Vu Cong Giau, Vietnam National University School of Law



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