

**Carole J. Petersen**

Professor, William S. Richardson School of Law and  
Director, Spark M. Matsunaga Institute for Peace  
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**EDUCATION**

**Harvard Law School**, Cambridge, Massachusetts  
Juris Doctor, *cum laude*, June 1984

**University of Chicago**, Illinois  
Bachelor of Arts, with honors in economics, June 1981.

**University of Hong Kong**, Hong Kong  
Postgraduate Diploma in the Law of the People's Republic of China, with  
distinction, June 1994

**ACADEMIC EMPLOYMENT**

**University of Hawaii at Manoa (2006-present)**

Tenured Full Professor and Director of the Spark M. Matsunaga Institute for Peace and Conflict Resolution; joint appointment in the William S. Richardson School of Law. Teaching includes: International Law; Gender and Law; and International Human Rights. Also serving as the Faculty Advisor to the Jessup International Moot Court Team.

**University of Hong Kong (1991-2006)**

Associate Professor of Law. Also served as the Director of the Centre for Comparative and Public Law (2001-04); as Deputy Head of the Department of Law (2002-03); and as Academic Director of the full-time CPEC, an accelerated program in law for graduates in other disciplines offered jointly by the School of Professional and Continuing Education (SPACE) and the Faculty of Law (1992-1999). Teaching included Equality and Non-discrimination; Constitutional Law; Human Rights in Hong Kong; and Law of Contract.

**City University of Hong Kong, Department of Law (1989-1991)**

Lecturer in Law. Taught Hong Kong Legal System; Law of Contract; and Law of Tort.

**LEGAL PRACTICE**

**Cades Schutte Fleming & Wright**, Honolulu, Sep. 1988-May 1989 (litigation associate)

**O'Sullivan Graev & Karabell**, New York City, Feb. 1986-May 1988 (litigation associate).

**Simpson Thacher & Bartlett**, New York City, Sep. 1984-Feb. 1986 (litigation associate).

**ADDITIONAL CONSULTANCIES AND PROFESSIONAL APPOINTMENTS**

Facilitator and Consultant, *Workshops for the Timor-Leste Secretary of State for the Promotion of Equality and the Timor-Leste Provedor for Human Rights and Justice*, organized by UN Women and the International Women's Rights Action Watch-Asia Pacific, Dili, Timor Leste, October 2014.

Trainer, *Workshop on Disability Rights in China*, organized by the University of Hong Kong's Centre for Comparative and Public Law, Hong Kong, October 2014.

Trainer, *Workshop on Monitoring Implementation of the Convention on the Rights of Persons with Disabilities*, organized by China Vision and Handicap International, Beijing, July 2013.

Trainer, *Workshop on Disability Rights in China*, organized by the University of Hong Kong's Centre for Comparative and Public Law, Hong Kong, June 2013.

Trainer and Consultant, *National Human Rights Education Annual Meeting*, sponsored by Sichuan University, the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, the Norwegian Center for Human Rights, and the Danish Institute of Human Rights, Chengdu, March 2013.

Trainer and Consultant, *Research Capacity Building Workshop on Multidisciplinary Human Rights Research on Disability Issues in China*, Wuhan University Public Interest and Development Law Institute and Raoul Wallenberg Institute of Human Rights, Wuhan, June-July 2012.

Trainer, *Workshop on Disability Rights for NGOs from Mainland China and Hong Kong*, organized by the International Disability Alliance and the University of Hong Kong's Centre for Comparative and Public Law, Hong Kong, February 2012.

Trainer, *Fifth Workshop on International Human Rights Law for University Teachers from Western China*, Yunnan University, Kunming, August 2009 (organized and funded by the Norwegian Centre for Human Rights).

Trainer, *Third Workshop on International Human Rights Law for University Teachers from Western China*, Inner Mongolia, September 2007 (organized and funded by the Norwegian Centre for Human Rights).

Member, technical cooperation programme assisting the Chinese government to promote and apply International Labour Organization (ILO) Convention No. 111 (2008-09).

Member, Task Force on Equal Pay for Work of Equal Value, Hong Kong Equal Opportunities Commission (2002-06).

Consultant to the Honourable Anna Wu, former member of the Hong Kong Legislative Council; assisted in drafting the Equal Opportunities Bill and the Human Rights and Equal Opportunities Commission Bill (1993-95) and in presentations to the Bills Committee.

## **RESEARCH & PUBLICATIONS**

### **Books and Monographs**

Jan Currie, Carole J. Petersen, and Ka-Ho Mok, *ACADEMIC FREEDOM IN HONG KONG* (Lanham, MD: Lexington Books 2006).

Randall Peerenboom, Carole J. Petersen, and Albert H. Y. Chen, eds., *HUMAN RIGHTS IN ASIA: A COMPARATIVE LEGAL STUDY OF TWELVE ASIAN JURISDICTIONS, FRANCE, AND THE UNITED STATES* (London & New York: Routledge 2006).

Fu Hualing, Carole J. Petersen, and Simon Young, eds., *NATIONAL SECURITY AND FUNDAMENTAL FREEDOMS: HONG KONG'S ARTICLE 23 UNDER SCRUTINY* (Hong Kong: Hong Kong University Press, 2005).

Carole J. Petersen, Janice Fong and Gabrielle Rush, *ENFORCING EQUAL OPPORTUNITIES: INVESTIGATION AND CONCILIATION OF DISCRIMINATION COMPLAINTS IN HONG KONG* (Hong Kong: Centre for Comparative and Public Law, 2003).

### **Journal Articles and Book Chapters (sole author except where co-author noted)**

*Sex Work, Migration, and the United States Trafficking In Persons Report: Promoting Rights or Missing Opportunities for Advocacy?* 25 *INDIANA INTERNATIONAL & COMPARATIVE LAW REVIEW* 115 (2015).

*Reproductive Justice, Public Policy, and Abortion on the Basis of Fetal Impairment: Lessons from International Human Rights Law and the Potential Impact of the Convention on the Rights of Persons with Disabilities*, 28 *JOURNAL OF LAW AND HEALTH* 121 (2015).

*Equal Opportunities Law Reform in Hong Kong: The Impact of International Norms and Civil Society Advocacy*, in Michael Tilbury, Simon N.M. Young, and Ludwig Ng (eds.), *REFORMING LAW REFORM: PERSPECTIVES ON LAW REFORM PROCESSES IN HONG KONG AND BEYOND* (HKU Press, 2014) (co-authored with Kelley Loper).

*The Convention on the Rights of Persons with Disabilities: Using International Law to Promote Social and Economic Development in the Asia Pacific*, 35(2) *UNIVERSITY OF HAWAI'I LAW REVIEW* (2013).

*Sexual Orientation and Gender Identity in Hong Kong: A Case for the Strategic Use of Human Rights Treaties and the International Reporting Process*, 14(2) *ASIAN-PACIFIC LAW & POLICY JOURNAL* 28-83 (2013).

*Preserving Traditions or Breaking the Mold? A Comparative Study of the Impact of Transnational Human Rights Processes in the People's Republic of China and the Hong Kong Special Administrative Region*, in Kyriaki Topidi and Lauren Fielder, eds., *TRANSNATIONAL LEGAL PROCESSES AND HUMAN RIGHTS* (Ashgate Publishing Ltd. 2013).

*Sex Offender Registration and the Convention on the Rights of the Child: Legal and Policy Implications of Registering Juvenile Sex Offenders*, 3(1) *WILLIAM & MARY POLICY REVIEW* 1- 35 (2011) (co-authored with Susan M. Chandler).

*Bridging the Gap? The Role of Regional and National Human Rights Institutions in the Asia Pacific*, 13(1) *ASIAN-PACIFIC LAW & POLICY JOURNAL* 174-209 (2011).

*Gender Diversity and Human Rights Treaty Bodies: Is there a Role for the Committee on the Rights of Persons With Disabilities?* Chapter in Alexander Schuster, ed., *EQUALITY AND JUSTICE: SEXUAL ORIENTATION AND GENDER IDENTITY IN THE XXI CENTURY* (pp. 161- 176 (Editrice Universitaria Udinese, Italy 2011).

*International Norms and Domestic Law Reform: The Difficult Birth of Hong Kong's Racial Discrimination Law*, 6(2) *DIRECTIONS* 13-21 (Canadian Race Relations Foundation 2011).

*Population Policy and Eugenic Theory: Implications of China's Ratification of the United Nations Convention on the Rights of Persons with Disabilities*, 8 *CHINA: AN INTERNATIONAL JOURNAL* 85-109 (2010).

*Inclusive Education and Conflict Resolution: Building a Model to Implement Article 24 of the Convention on the Rights of Persons with Disabilities in the Asia Pacific*, 40 *HONG KONG LAW JOURNAL* 481-512 (2010).

*Stuck on Formalities? A Critique of Hong Kong's Legal Framework for Gender Equality*, in Fanny M. Cheung and Eleanor Holroyd, eds., *MAINSTREAMING GENDER IN HONG KONG SOCIETY*, pp. 401-439 (Hong Kong: Chinese University Press, 2009).

*China's Ratification of the Convention on the Rights of Persons With Disabilities: the Implications for Hong Kong*, 38 HONG KONG LAW JOURNAL 611-644 (2008).

*Higher Education Restructuring and Academic Freedom in Hong Kong*, 6(1) THE JOURNAL OF COMPARATIVE ASIAN DEVELOPMENT 143-63 (2007) and 6(5) POLICY FUTURES IN EDUCATION 589-88 (2008) (co-authored with Jan Currie).

*Trafficking of Mainland Chinese Women Into Hong Kong's Sex Industry: Problems of Identification and Response*, 2 ASIA-PACIFIC JOURNAL ON HUMAN RIGHTS AND THE LAW 35-84 (2007) (co-authored with Robyn Emerton and Karen Joe Laidler).

*Embracing Universal Standards? The Role of International Human Rights Treaties in Hong Kong's Constitutional Jurisprudence*, in Fu Hualing, Lison Harris, and Simon N. M. Young, eds., INTERPRETING HONG KONG'S BASIC LAW: THE STRUGGLE FOR COHERENCE, pp. 33-53 (New York: Palgrave Macmillan, 2007).

*Bureaucratic Justice: The Incarceration of Mainland Chinese Women Working in Hong Kong's Sex Industry*, 51(1) INTERNATIONAL JOURNAL OF OFFENDER THERAPY AND COMPARATIVE CRIMINOLOGY 52-67 (2007) (co-authored with Karen Joe Laidler and Robyn Emerton).

*Filipino Nightclub Hostesses in Hong Kong: An Analysis of Vulnerability to Trafficking and Human Rights Violations*, in Kevin Hewison and Ken Young, eds., TRANSNATIONAL MIGRATION AND WORK IN ASIA, pp. 126-143 (Oxford & New York: Routledge 2006) (co-authored with Robyn Emerton).

*A Progressive Law with Weak Enforcement? An Empirical Study of Hong Kong's Disability Law*, 25(4) DISABILITY STUDIES QUARTERLY (Fall 2005).

*Negotiating Respect: Sexual Harassment and the Law in Hong Kong*, 7 INTERNATIONAL JOURNAL OF DISCRIMINATION AND THE LAW 127-168 (2005).

*Racial Equality and the Law: Creating an Effective Statute and Enforcement Model for Hong Kong*, 34 HONG KONG LAW JOURNAL 459-80 (2004).

*Engendering a Legal System: The Unique Challenge of Postcolonial Hong Kong*, in Eliza Lee, ed., GENDER AND CHANGE IN HONG KONG: GLOBALIZATION, POSTCOLONIALISM, AND CHINESE PATRIARCHY, pp. 23-48 (University of British Columbia Press 2003) .

*The Paris Principles and Human Rights Institutions: Is Hong Kong Slipping Further Away from the Mark?* 33 HONG KONG LAW JOURNAL 513-22 (2003).

*Recent Developments in Hong Kong Equal Opportunities Law*, in Richard Wu and Felix Chan, eds., LAW LECTURES FOR PRACTITIONERS 2002, pp. 41-66 (Hong Kong, Singapore & Malaysia: Sweet & Maxwell Asia, 2003).

*The International Convention on the Elimination of All Forms of Discrimination Against Women: A Comparison of Its Implementation and the Role of Non-Governmental Organizations in the United Kingdom and Hong Kong*, 26 HASTINGS INTERNATIONAL AND COMPARATIVE LAW REVIEW 1-50 (2002) (co-authored with Harriet Samuels).

*National Security Offences and Civil Liberties in Hong Kong: A Critique of the Government's 'Consultation' on Article 23 of the Basic Law*, 32 HONG KONG LAW JOURNAL 457-70 (2002).

*The Right to Equality in the Public Sector: An Assessment of Post-Colonial Hong Kong*, 32 HONG KONG LAW JOURNAL 103-34 (2002).

*Investigation and Conciliation of Employment Discrimination Claims in the Context of Hong Kong*, 5 EMPLOYEE RIGHTS AND EMPLOYMENT POLICY JOURNAL 627-69 (2001).

*Preserving Academic Freedom in Hong Kong: Lessons from the 'Robert Chung Affair'*, 30 HONG KONG LAW JOURNAL 165-76 (2000).

*The Failure of the Hong Kong Court of Appeal to Recognize and Remedy Disability Discrimination*, 30 HONG KONG LAW JOURNAL 6-21 (2000) (cited by the Hong Kong Court of Final Appeal in *Ma Bik Yung v Ko Chuen*, [2001] 4 HKC 119, at 132).

*Implementing Equal Pay for Work of Equal Value: A Feminist Perspective*, in PROCEEDINGS: EQUAL PAY FOR WORK OF EQUAL VALUE, pp. 52-69 (Hong Kong Equal Opportunities Commission, 2000).

*Equal Opportunities: A New Field of Law for Hong Kong*, in Raymond Wacks, ed., THE NEW LEGAL ORDER IN HONG KONG, pp. 595-625 (Hong Kong University Press, 1999).

*Implementing Equality: An Analysis of Two Recent Decisions Under Hong Kong's Anti-Discrimination Laws*, 29 HONG KONG LAW JOURNAL 178-94 (1999).

*Preserving Institutions of Autonomy in Hong Kong: The Impact of 1997 on Academia and the Legal Profession*, 22 SOUTHERN ILLINOIS UNIVERSITY LAW JOURNAL 337-68 (1998).

*Hong Kong's First Anti-Discrimination Laws and Their Potential Impact on the Employment Market*, 27 HONG KONG LAW JOURNAL 324-55 (1997).

*Values in Transition: The Development of the Gay and Lesbian Rights Movement in Hong Kong*, 19 LOYOLA OF LOS ANGELES INTERNATIONAL AND COMPARATIVE LAW JOURNAL 337-62 (1997).

*Equality as a Human Right: the Development of Anti-Discrimination Law in Hong Kong*, 34 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 334-88 (1996).

*No Longer a 'Tool of the State Plan'? An Analysis of the 1993 Amendments to China's Economic Contract Law*, 24 HONG KONG LAW JOURNAL 416-35 (1994).

*The Green Paper on Equal Opportunities for Women and Men: An Exercise in Consultation or Evasion?* 24 HONG KONG LAW JOURNAL 8-16 (1994).

*Reproduction and Family Planning: Individual Right or Public Policy?*, in Raymond Wacks, ed., HONG KONG, CHINA AND 1997: ESSAYS IN LEGAL THEORY, pp. 261-305 (Hong Kong: Hong Kong University Press, 1993).

*The Hong Kong Bill of Rights and Women: A Bait and Switch?* in William Fong, Andrew Byrnes, and George Edwards, eds., HONG KONG'S BILL OF RIGHTS: TWO YEARS ON, pp. 95-113 (Hong Kong: Faculty of Law, University of Hong Kong, 1993).

### **Selected Grants and Funded Research Projects**

Principal Investigator, *Enforcing Equal Opportunities in Hong Kong: a Study of Investigation, Conciliation, and other Enforcement Mechanisms* (HK Research Grants Council; completed in 2006).

Principal Investigator, *Migrant Domestic Workers under International and Domestic Law* (funded by a private donation; completed in 2006).

Co-investigator, with Robyn Emerton, *Trafficking of Mainland Chinese Women into Hong Kong* (funded by a University of Hong Kong research grant; completed in 2006).

### **Law Reform Submissions and Legislation**

*Hong Kong's Race Discrimination Bill: A Critique and Comparison with the Sex Discrimination and Disability Discrimination Ordinances*, June 2007, published on the Hong Kong Legislative Council's website (at <http://www.legco.gov.hk/yr06-07/english/bc/bc52/papers/bc52cb2-2232-1-e.pdf>). The government's response is at <http://www.legco.gov.hk/yr06-07/english/bc/bc52/papers/bc521029cb2-173-1-e.pdf>.

Co-author, with Fu Hualing, Kelley Loper, and Simon Young, *Group Submission to the Legislative Council, the Department of Justice, and the Security Bureau of the Hong Kong SAR on the National Security (Legislative Provisions) Bill*, Centre for Comparative and Public Law Occasional Paper No. 9, May 2003 (in hard-copy and at <http://www.hku.hk/ccpl/>).

Co-author, with Anna Wu, Andrew Byrnes, Adam Mayes, and Eric Chow, *Equal Opportunities Bill 1994*, published in HONG KONG GOVERNMENT GAZETTE, Legal Supplement No. 3, pp. 991-1275.

Co-author with Anna Wu, Andrew Byrnes, Adam Mayes, and Eric Chow, *Human Rights and Equal Opportunities Commission Bill*, published in Edwards and Byrnes, eds, *HONG KONG'S BILL OF RIGHTS: 1991-1994 AND BEYOND* (Faculty of Law, University of Hong Kong 1995), pp 83-140.

Co-author, with Anna Wu, Andrew Byrnes, Adam Mayes, and Eric Chow, *Equal Opportunities Legislation and a Human Rights Commission for Hong Kong* (distributed in Hong Kong as part of a public consultation exercise relating to the legislation listed above, March 1994).

### **Occasional Papers**

*Forced Labour and Debt Bondage in Hong Kong: A Study of Indonesian and Filipina Migrant Domestic Workers*, Centre for Comparative and Public Law Occasional Paper No. 11, June 2006 (in hard-copy and at <http://www.hku.hk/ccpl/>) (co-authored with Peggy Lee).

*Migrant Nightclub/Escort Workers in Hong Kong: An Analysis of Possible Human Rights Violations*, Centre for Comparative and Public Law Occasional Paper No. 8, April 2003 (in hard-copy and at <http://www.hku.hk/ccpl/>) (co-authored with Robyn Emerton).

*Submission on the Proposals to Implement Article 23 of the Basic Law*, Centre for Comparative and Public Law Occasional Paper No. 6, December 2002 (in hard-copy and at <http://www.hku.hk/ccpl/>) (co-authored with Kelley Loper).

*Sexual Harassment in the Workplace*, Centre for Comparative and Public Law Occasional Paper No. 4, June 2002 (in hard-copy and at <http://www.hku.hk/ccpl/>).

### **Papers for Non-Governmental Organisations**

*Comments of the Hong Kong Federation of Women's Centres on the Implementation of the Beijing Platform for Action in the Hong Kong Special Administrative Region of China*, Feb. 2005 (prepared for panel discussion in conjunction with the 49<sup>th</sup> Session of the Commission on the Status of Women, United Nations, New York).

*Report on the United Nations Fourth World Conference on Women*, in REPORT FROM BPW HONG KONG (Hong Kong Association of Business and Professional Women, 1995).

*Submission of the Hong Kong Council of Women on the Equal Opportunities Bill*, Oct. 1994 (submitted to Bills Committee to Study the Equal Opportunities Bill, Legislative Council).



*Submission of the Hong Kong Council of Women on the Green Paper on Equal Opportunities for Women and Men*, Dec. 1993 (responding to Government consultation exercise) (general editor and co-author).

*Report by the Hong Kong Council of Women on the Third Periodic Report by Hong Kong under Article 40 of the International Covenant on Civil and Political Rights*, Mar. 1991 (submitted to United Nations Human Rights Committee) (general editor and co-author, with Carla Howarth, Carol Jones, and Harriet Samuels).

## **PROFESSIONAL AND COMMUNITY SERVICE**

Member, International Advisory Board, *Asia-Pacific Journal on Human Rights and the Law* (2013-present).

Member, Advisory Board, Centre for Comparative and Public Law, University of Hong Kong (2009-present).

Honorary Consultant, Hong Kong Federation of Women's Centres (2001-present). Assisted Centre with training events on the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Member, American Society of International Law (2006-present).

Member, Society for Disability Studies (2006-present).

Convener, Public Affairs Committee, Hong Kong Association of Business and Professional Women (1991-2002). Represented Association at the United Nations Fourth World Conference on Women, Beijing, 1995.

Member, Hong Kong Council of Women (1990-97). Drafted reports to United Nations treaty-monitoring bodies on women's rights; represented Council in public consultations and meetings with government departments on law reform proposals.

Volunteer lawyer for Vietnamese refugees (1989-90). Interviewed asylum seekers and drafted affidavits for legal actions challenging the Hong Kong government's refugee screening process.

Volunteer lecturer in the Hawaii Model UN program (for high school and college students) (2008-present).

## **UNIVERSITY COMMITTEES AND ACTIVITIES**

Member, Center for Chinese Studies, University of Hawaii at Manoa (2010-present).

Member, International Strategic Planning Task Force, University of Hawaii at Manoa (Spring 2009).

Member, Women's Studies Research Centre, University of Hong Kong (1995-2006).

Member, University of Hong Kong Task Force on Sexual Harassment (1997-98).

Member, University of Hong Kong Disability Action Committee (2002-2004).

Member, University of Hong Kong Equal Opportunities Committee (2004-06).

Member, Editorial Committee, HONG KONG LAW JOURNAL (1997-2004).

### **ADMITTED TO PRACTICE**

New York State Courts (1985); United States Federal Court for the Southern District of New York (1985).

Member of the American Bar Association.