



Public Law and Human Rights Forum

香港城市大學
City University of Hong Kong

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Workshop on National Security Laws in Comparative Perspective

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National Security has become a top priority for governments worldwide when responding to emerging global crises. Building on insights from our recent events discussing the Hong Kong National Security Law, on 20 – 21 March 2025 the Public Law and Human Rights Forum (CPLR) hosted a “Workshop on National Security Laws in Comparative Perspective”. The Workshop brought together a panel of distinguished legal scholars and experts from around the world to promote candid academic exchange on the approaches taken by different jurisdictions in building and enforcing national security laws, as well as to explore the implications of these various approaches for future legal development and reform.



Group Photo

From left to right: Dr Adrienne Lam, Dr Celeste Lo, Prof. Jiang Su, Prof. Anushka Singh, Prof. Paul B. Stephan, Prof. Guobin Zhu, Prof. Daniel Pascoe, Prof. Fabrice Hourquebie, Yotam Berger, P. Sean Morris, Prof. Milda Istiqomah, Prof. Xiaonan Yang, Prof. Zhaoxin Jiang

The workshop focused on three themes, “Doctrinal or Empirical Analyses of National Security”, “Comparative Analyses of National Security Across Borders”, and “National Security Laws and International Law”. A total of 14 authors presented their papers at the workshop: **Professor Su Jiang** from Peking University, PRC; **Professor Michael Head** from Western Sydney University,



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Australia; **Professor Fabrice Hourquebie**, University of Bordeaux, France; **Professor Zhaoxin Jiang**, Shandong University, PRC; **Professor Milda Istiqomah** from Brawijaya University, Indonesia; **Yotam Berger** from Stanford University, USA; **Professor Anushka Singh** from Ambedkar University Delhi, India; **Dr. Adrienne Lam** from The Education University of Hong Kong; **P. Sean Morris** from Helsinki University, Finland; **Professor Paul B. Stephan** from the University of Virginia, USA; **Professor Daniel Pascoe**, **Professor Guobin Zhu**, **Aaron Wong** and **Dr Celeste Lo** from City University of Hong Kong.

The event was moderated and inaugurated by **Professor Daniel Pascoe**, Associate Director of CPLR. Professor Pascoe welcomed all participants, introduced the background to the workshop, and set the tone for the event.



Prof. Daniel Pascoe
Photos by Reze Tsang

Subsequently, the workshop proceeded to the first theme, “Doctrinal or Empirical Analyses of National Security”. In this section, **Professor Su Jiang** introduced the concept of “Comprehensive National Security” and its significant impact on the national security regime in the PRC. **Professor Michael Head** explored the legal implications of the expanding definition of “national security” in Australia and how it has been reflected in post-2001 amendments to Australia’s Commonwealth Criminal Code, which extended “national security” to include Australia’s political, military, and economic responsibilities to other countries. **Professor Fabrice Hourquebie** examined the national security legal framework in France and emphasised how Article 16 of the French constitution allows the President to centralise powers in the face of national security threats.



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Professor Zhaoxin Jiang discussed how the critical change in US national security law in recent decades revolves around countering China's global influence. **Professor Daniel Pascoe** and **Professor Milda Istiqomah** explored Indonesia's existing piecemeal national security legal framework and the unique challenges the country faces in its national security. **Yotam Berger** primarily analysed administrative detention cases in the Supreme Court of Israel during the current Israel-Hamas War to suggest that even experienced courts may recalibrate their judicial review mechanisms during extreme crises.



Prof. Su Jiang



Yotam Berger and Prof. Fabrice Hourquebie



Prof. Daniel Pascoe and Prof. Milda Istiqomah

On the second day, the workshop proceeded to the second theme, “Comparative Analyses of National Security Across Borders”. **Professor Anusha Singh** explored how treating exceptional threats as routine ones has reconstructed national security landscapes and has reformed their relationship with human rights. Such trends are not only visible in India but also in various liberal democratic jurisdictions. **Dr Adrienne Lam** and **Aaron Wong** examined whether Hong Kong's sedition law achieves a balance between safeguarding national security and public order and protecting individuals' freedom of speech guaranteed by the Hong Kong Basic Law and the Hong Kong National Security Law. **Professor Guobin Zhu** and **Dr Celeste Lo** closely examined the national security judicial decisions in Hong Kong through the lens of jurisprudential regime theory. They observed competing interests from the Central People's Government and the regional executive and legislative branches of the HKSAR, may appear difficult to reconcile. **P. Sean Morris** focused on the development of the notion of 'socialist human rights' to illustrate the

proliferation of national security laws since the collapse of communism. **Professor Paul B. Stephan** examined states' outward-facing cybersecurity practices as a means of assessing national claims about international law and emphasised how political-economy analysis is a useful tool for comprehending comparative public law.



Aaron Wong and Dr Adrienne Lam



Prof. Anushka Singh



P. Sean Morris and Prof. Paul B. Stephan



Prof. Zhaoxin Jiang, Prof. Fabrice Hourquebie, Prof. Milda Istiqomah and Prof. Daniel Pascoe



Prof. Guobin Zhu, Dr Celeste Lo and P. Sean Morris

The workshop concluded with closing remarks by **Professor Guobin Zhu**, who summarised the discussions and expressed gratitude to all participants for their efforts in providing fruitful dialogue on National Security Laws in comparative perspective.