

演講者：Nicholas Blake 爵士



Sir Nicholas Blake 法官是英國劍橋大學 Magdalene 學院畢業，主修歷史。他並且完成 Inns of Court School of Law 的法律訓練，取得英國大律師的資格。1974 年他成為英格蘭和威爾斯大律師公會會員。

Blake 法官鑽研普通法系實務，他尤其著重社會救助法，冤案，移民，難民和與公法相關領域的問題。

1994 年 Blake 法官被任命為英國女王資深大律師，並且在大不列顛最高審級的法院（主要為上訴法院和上議院受理上訴委員會），為許多指標性的難民法、人權、和與之相關的案件提供辯護。此外，他也在一些歐洲國際法庭執行業務，如設於盧森堡的歐洲聯盟法院、設於史特拉斯堡的歐洲人權法院，其它還有如英國樞密院司法委員會、位於哥斯大黎加聖荷西的美洲人權法院，以及隸屬於大英國協的法院。

1998 年他被任命為可接觸特定機密資訊的特別代訟人（Special Advocate）。

他在 1994 年至 1997 年間擔任移民執業律師公會主席 (the Chairman of Immigration Lawyers Practitioners Association)。他同時也是行政法律師協會 (Administrative Law bar Association) 的會員（該會是國際法律人協會，International Commission of Jurists, 在大不列顛的會員組織）。

2000 年他參與創辦倫敦 Matrix Chambers 協會，並且成為首任主席，而 Matrix Chambers 是一個由廣泛對國際法有興趣的律師所組成的團體，他也曾經在香港和斐濟出過庭。

2004 年他應英國國防部之邀，參與調查四位年輕軍人在英格蘭薩理 (Surrey) 的 Deepcut 部隊營房死亡的案件，並提出著名的 Deepcut 調查報告。這個報告在 2006 年出爐，報告中提出多項疏失，並且針對如何改善部隊人員福利提出具體建議，這些建議後來都被採納且遵循。

2000 年他被指派為兼職法官，2002 年為高等法院暫委法官 (Deputy High Court Judge)，同年並且成為中殿法律學院委員。2007 年 11 月他被任命為高等法院皇后分院 (High Court of Justice, Queen's Bench Division) 的法官。目前他也被授命為可聽訟行政案件的授命法官 (nominated judge)。而在 2010 年 2 月 15 日英國移民暨難民上訴法庭成立後，Blake 法官亦被任命為首任行政庭長。Blake 法官過去積極主張移民暨難民也應成立上訴法院，以修正初級法院每年約 8000 件上訴案中的法律謬誤。

他的著作等身，包括，New Nationality Law, 1983; Butterworths; Immigration Law and Practice, 3rd edn 1991, 4th edn 1995 (all jointly McDonald); (jtly with Fransman) Human Rights Act and Immigration (2000); (2000-2005) contributor to Jackson Immigration Law; (jtly with Husain) Immigration Asylum and Human Rights, 2002.

(註：國際法律人協會是是一個由 60 名法官和律師組成的國際人權組織，其秘書處設在瑞士日內瓦，負責加強法官和律師在捍衛人權和法治方面的角色。)

SPEAKER : The Honourable Mr. Justice Blake

Sir Nicholas Blake graduated from Magdalene College, Cambridge where he read History and the Inns of Court School of Law. He was called to the Bar of England and Wales in 1974.

He developed a common law practice, with a particular interest in social assistance law, miscarriages of justice, immigration, asylum and related questions of public law.

He was appointed a Queen's Counsel in 1994, and in that capacity has argued a great many leading cases on refugee law, human rights and the like before the most senior Courts in the United Kingdom (the Court of Appeal and the Appellate Committee of the House of Lords) and in international tribunals in Europe including the European Court of Justice in Luxembourg and the European Court of Human Rights in Strasbourg, as well as the Judicial Committee of the Privy Council, the Inter American Court of Human Rights in San Jose Costa Rica, and a number of other courts of the Commonwealth.

In 1998 he was appointed a Special Advocate.

He was the Chairman of Immigration Lawyers Practitioners Association from 1994 to 1997. He is a member of Administrative Law bar Association and Justice (the British affiliate of the International Commission of Jurists).

In 2000 he was a founder member and first Chair of Matrix Chambers London, a group of advocates with particular interests in international law questions across the broad spectrum of legal practice, and has appeared in cases in Hong Kong and Fiji.

In 2004 he was asked by the Ministry of Defence to review the circumstances surrounding the deaths of four young soldiers at the Deepcut army barracks in Surrey, England and make recommendations. His report, The Deepcut Review was published in 2006 and identified failings in standards of care and made recommendations to improve the welfare of recruits to the military that were accepted and have been acted on.

He was appointed a Recorder in 2000; a Deputy High Court Judge in 2002 and became a Bencher of the Middle Temple in the same year.

In November 2007 he was appointed to the High Court of Justice, Queen's Bench Division. He is a nominated judge of the Administrative Court that deals with challenges to decisions of public authorities.

He was appointed first President of the newly created Immigration and Asylum Chamber of the United Kingdom Upper Tribunal with effect from 15 February 2010 where he has been concerned with establishing an appellate tribunal hearing some

8000 appeals a year from decisions of first tier judges that may be wrong on points of law.

His publications include : New Nationality Law, 1983; Butterworths; Immigration Law and Practice, 3rd edn 1991, 4th edn 1995 (all jointly McDonald);(jtly with Fransman) Human Rights Act and Immigration (2000);(2000-2005) contributor to Jackson Immigration Law; (jtlywith Husain) Immigration Asylum and Human Rights, 2002.

Since 2005 he has been a Trustee of the National Portrait Gallery, London.

演講者：Yves Charpenel 首席副檢察長



聯合國、歐盟執委會與歐洲理事會之刑法與刑法程序諮詢專家

2012：法國最高法院首席副檢察長

2010：歐盟與克羅埃西亞反貪共同計劃負責人

2010：法國公共反性剝削基金會 Fondation Scelles 會長

2010：法國內政部與司法部人口販賣受害人工作小組成員

2009：法國國家特別最高法庭副檢察長

2006：國際反貪聯合會(IAACA)會員

2005：法國最高法院副檢察長

2001：法國蘭斯(城市名)上訴法院檢察長

1998：法國司法部刑事與特赦事務司司長

1993：法國二海外省馬提尼克島與圭亞那上訴法院檢察長

1991：司法部長刑事事務技術顧問

1986：國家檢察官

1978：法國司法部法院資訊化委員會報告人

1976：法國海外省瓜德羅普群島法院法官

1974：法國國家司法官學院

SPEAKER：First Deputy General Prosecutor Yves Charpenel

Expert for the UN, the European Commission & the Council of Europe for criminal law & procedure

2012：first deputy general prosecutor of the French Supreme Court

2010：project leader for anti-corruption twinning project in Croatia

2010：president of the Foundation Scelles, of public utility, against human trafficking

2010：member of the task force on victims of trafficking (Ministries of Interior & Justice)

2009 : deputy state prosecutor of the Court of Justice of the Republic
2006 : member of IAACA(International Association of Anti-Corruption Authorities)
2005 : deputy general prosecutor of the French Supreme Court
2001 : general prosecutor of the Court of appeal of Reims
1998 : head of the criminal service (legislation & prosecution) of the French Department of Justice
1993 : general prosecutor of the Court of appeal of Martinique & French Guyana
1991 : advisor to the French Minister of Justice for criminal matters
1986 : district prosecutor
1978 : rapporteur of the committee on computer for courts of the Ministry of Justice
1976 : judge in Guadeloupe
1974 : National School of Magistrates

引言人/綜合座談主持人：黃默教授



現 職：東吳大學端木愷講座教授
總統府人權諮詢委員會委員
最高學歷：美國哥倫比亞大學政治學博士(1959-1969)
專長領域：西洋政治思想史、人權理論、國際人權法與人權運動、中國與台灣政治變遷
主要經歷：東吳大學人權學程主任(2006-2008)
東吳大學張佛泉人權研究中心主任(2001-2008)
東吳大學政治系教授兼系主任(1994-2000)
國立政治大學政研所客座教授(1992-1993)
國立台灣大學政治系客座副教授(1971-1972)
美國紐約州立大學政治系教授(1976-1993)

Moderator : Professor Mab Huang (Taiwan)

Current Positions : Joseph K. Twanmoh Chair Professor, Department of Political Science, Soochow University & Committee Member, Presidential Office Human Rights Consultative Committee

Highest Degree : Ph.D., Department of Political Science, Columbia University

Specialties : Western Political Philosophy, Human Rights

Main Experiences :

- ◆ Director, Human Rights Program, Soochow University (2006~2008)
- ◆ Director, Chang Fo-Chuan Center for Human Rights, Soochow University (2001~2008)
- ◆ Chair and Professor, Department of Political Science, Soochow University (1994~2000)

- ◆ Visiting Professor, Department of Political Science, National Chengchi University (1992~1993)
- ◆ Visiting Associate Professor, Department of Political Science , National Taiwan University (1971~1972)
- ◆ Professor, Department of Political Science, State University of New York (1976~1993)