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現職

中央研究院法律學研究所助研究員 (2020 年 7 月至今)

學歷

紐約大學法學博士 (2016 年 9 月)
博士論文: Yu-Jie Chen. 2016. *Socialization in Isolation: Taiwan's Practice of Human Rights Treaties as a Non-UN Member State*. 318 pages.
紐約大學法學碩士, 國際法專業 (2008 年 5 月)
國立政治大學法學碩士 (2005 年 7 月)
國立政治大學法學士 (2000 年 6 月)

研究主題

國際人權法, 聚焦於人權、國際法與國際關係交叉之面相, 研究地域為中國、台灣和兩岸關係。

經歷

香港大學法學院全球學術研究員 (2019 年 8 月至 2020 年 6 月)
中央研究院博士後研究學者 (2017 年 7 月至 2019 年 6 月)
紐約大學法學院亞美法研究所 (2015 年 7 月至 2017 年 6 月任顧問; 2012 年 6 月至 2015 年 6 月任兼職研究學者; 2010 年 7 月至 2011 年 8 月任資深研究學者; 2009 年 7 月至 2010 年 6 月任研究學者)
紐約大學法學院 Robert L. Bernstein 國際人權研究員 (2008 年 6 月至 2009 年 6 月)
理律法律事務所律師 (2005 年 9 月至 2007 年 3 月)
合法律師事務所律師 (2002 年 3 月至 2003 年 1 月)
理律法律事務所實習律師 (2001 年 8 月至 2001 年 12 月)

專業資格

台灣律師 (2001 年)

研究成果

1. 期刊論文

陳玉潔, 2020 年 12 月, [〈《港版國安法》: 香港法制的破洞、人權的缺口〉](#), 《台灣人權學刊》, 第 5 卷第 4 期, 頁 131-157。

陳玉潔, 2020 年 6 月, [〈國際人權公約審查 2.0——台灣給世界的啟示〉](#), 《台灣人權學刊》, 第 5 卷第 3 期, 頁 43-62。

- Yu-Jie Chen. 2019. [“China’s Challenge to the International Human Rights Regime.”](#) *NYU Journal of International Law and Politics* 51:1179-1222.
- Nien-chung Chang-Liao and Yu-Jie Chen. 2019. [“Transitional Justice in Taiwan: Changes and Challenges.”](#) *Washington International Law Journal* 28(3): 619-644. (Second Author)
- Han-Wei Liu, Ching-Fu Lin and Yu-Jie Chen. 2019. [“Beyond State v Loomis: Artificial Intelligence, Government Algorithmization and Accountability.”](#) *International Journal of Law and Information Technology* 27(2): 122-141. (Third Author)
- Yu-Jie Chen, Ching-Fu Lin and Han-Wei Liu. 2018. [“‘Rule of Trust’: The Power and Perils of China’s Social Credit Megaproject.”](#) *Columbia Journal of Asian Law* 32(1): 1-36. (First Author)
- Yu-Jie Chen and Jerome A. Cohen. 2018. [“China-Taiwan Repatriation of Criminal Suspects: Room for Human Rights?.”](#) *Hong Kong Law Journal* 48(3): 1029-1066. (First Author) (SSCI)
- Yu-Jie Chen and Jerome A. Cohen. 2018. [“China-Taiwan Relations Re-examined: The ‘1992 Consensus’ and Cross-strait Agreements.”](#) *University of Pennsylvania Asian Law Review* 14(1): 1-40. (Co-first Author)
- Yu-Jie Chen. 2018. [“Localizing Human Rights Treaty Monitoring: Case Study of Taiwan as a Non-UN Member.”](#) *Wisconsin International Law Journal* 35(2): 277-324. (Invited submission; awarded Annual Distinguished Paper, Section on East Asian Law and Society, Association of American Law Schools.)
- Yu-Jie Chen. 2015. [“Human Rights in China-Taiwan Relations: How Taiwan Can Engage China.”](#) *Hong Kong Law Journal* 45(2): 565-589. (SSCI)
- 陳玉潔，2014年6月，〈國際人權實證方法概述〉，《台灣人權學刊》，第2卷第3期，頁171-189。

2. 專書 (論文集) 之一章

- 陳玉潔，2021年，〈2020年司法人權觀察——政法系統意識形態化，人權侵害常態制度化〉，《2020中國人權觀察報告》，即將出版，台北：財團法人臺灣民主基金會。(經兩名審查人匿名審查)
- Yu-Jie Chen. Forthcoming 2021. [“Human Rights Treaty Monitoring 2.0: Taiwan’s Local Innovation and Implications for Global Practice.”](#) *Taiwan and International Human Rights Treaties*. Taiwan: Taiwan Foundation for Democracy.
- Yu-Jie Chen and Jerome A. Cohen. Forthcoming 2021. [“Freedom from Arbitrary Detention in Asia: Lessons from China, Taiwan and Hong Kong.”](#) eds. David Law, Holning Lau and Alex Schwartz. *Oxford Handbook of Constitutional Law in Asia*. UK: Oxford University Press. (First Author).

- Yu-Jie Chen. 2020. [“Human Rights in the Chinese Administration of Justice—Institutionalized Human Right Abuses Heighten Global Concerns.”](#) *China Human Rights Report 2019*. pp. 83-114. Taiwan: Taiwan Foundation for Democracy.
- 陳玉潔·2020年·〈[司法人權觀察：司法人權侵害制度化·引發國際社會警覺

Yu-Jie Chen. 2019. \[“Isolated but Not Oblivious: Taiwan’s Acceptance of the Two Major Human Rights Covenants.”\]\(#\) eds. Jerome A. Cohen, William P. Alford and Chang-fa Lo. *Taiwan and International Human Rights: A Story of Transformation*. pp. 207-225. Singapore: Springer.

Yu-Jie Chen. 2019. \[“Human Rights in the Chinese Administration of Justice.”\]\(#\) *China Human Rights Report 2018*. pp. 83-112. Taiwan: Taiwan Foundation for Democracy.

陳玉潔·2019年·〈\[司法人權觀察

Yu-Jie Chen. 2013. \\[“Lawyers’ Activism and the Expansion of the Right to Counsel in Taiwan.”\\]\\(#\\) eds. Mike McConville and Eva Pils. *Comparative Perspectives on Criminal Justice in China*. pp. 209-233. Cheltenham, UK, and Northampton, MA: Edward Elgar.\]\(#\)](#)

3. 學術會議論文

- Yu-Jie Chen. 2020. **“‘One China’ Framings in China-Taiwan Relations: Fictionality, Fragility and A Stalemate.”** *One China Framework and World Politics Workshop*. Georgia Institute of Technology, Sam Nunn School of International Affairs. Online Workshop. September 18 & 25, 2020.
- Yu-Jie Chen. 2019. **“China and International Human Rights: Law, Politics and Global Governance.”** *China’s Legal Construction Program at 40 Years: Towards an Autonomous Legal System?*. University of Michigan Law School and Lieberthal Rogel Center for Chinese Studies at the University of Michigan. Ann Arbor, Michigan, USA. Oct. 11-13, 2019.
- Yu-Jie Chen. 2019. **“China’s Challenge to the International Human Rights Regime.”** Presented at the following conferences:
- *Law and Society Association Annual Meeting*. Washington DC, USA. May 30-June 2, 2019.
 - *China Law Works-in-Progress Workshop of the Center for Chinese Legal Studies*. Columbia Law School. New York, New York, USA. May 14, 2019.
 - *Annual Research Presentation at Institutum Iurisprudentiae of Academia Sinica*. Taipei, Taiwan. Jan. 22, 2019.
- Yu-Jie Chen. 2018. **“Human Rights under Attack: China’s Activism, America’s Withdrawal and the EU’s Struggle at the Human Rights Council.”**

Multilateralism at Peril: The Uneasy Triangle of EU, US and China. Institute of European and American Studies, Academia Sinica, Taipei, Taiwan, Nov. 5-6, 2018.

Yu-Jie Chen. 2018. **“China-Taiwan Relations Re-examined: The “92 Consensus” and Cross-strait Agreements.”** (First Author; Co-author: Jerome A. Cohen) Presented at the following conferences:

- *Association for Asian Studies 2019 Annual Conference*. Denver, Colorado, USA. March 21-24, 2019.
- *Taiwan and the World in Transition: Opportunities and Challenges*. Kennesaw State University. Kennesaw, Georgia, USA. Nov. 9-11, 2018.
- *Annual Convention of the World Congress of Taiwan Studies*. Academia Sinica. Taipei, Taiwan. Sep. 6-8, 2018.

Yu-Jie Chen. 2018. **“Artificial Intelligence and Social Control in China: Powers and Perils.”** (First Author; Co-authors: Ching-Fu Lin and Han-Wei Liu) *Information Ethics Roundtable, Annual Conference*. University of Copenhagen. Copenhagen, Denmark. May 17-18, 2018.

Yu-Jie Chen. 2018. **“China-Taiwan Relations: The Rule of Law and the Rule of ‘Carrots and Sticks’”** (Co-first Author: Jerome A. Cohen) Presented at the following conferences:

- *International Studies Association, 59th Annual Convention*. San Francisco, California, USA. Apr. 4-7, 2018.
- *China and Global Governance: Between the International Rule of Law and the International Rule of Power*. University of California, Hastings College of the Law. San Francisco, California, USA. Apr. 6, 2018.

Yu-Jie Chen. 2017. **“China-Taiwan Repatriation of Criminal Suspects: Room for Human Rights?”** (First Author; Co-author: Jerome A. Cohen) Presented at the following conferences:

- *Annual research presentation at Institutum Iurisprudentiae, Academia Sinica*. Academia Sinica. Taipei, Taiwan. Jan. 23, 2018.
- *Asian Law and Society Association Annual Conference*. National Chiao Tung University School of Law. Hsinchu City, Taiwan. Dec. 15-16, 2017.
- *Works-in-Progress Workshop at the U.S.-Asia Law Institute*. New York University School of Law. New York, New York, USA. Nov. 20, 2017.

Yu-Jie Chen. 2017. **“Localizing Human Rights Treaty Monitoring: Case Study of Taiwan as a Non-UN Member.”** Presented at the following conferences:

- *Association of American Law Schools Annual Meeting*. San Diego, California, USA. Jan. 3-6, 2018.
- *Chinese (Taiwan) Society of International Law Annual Meeting*. Taipei, Taiwan. Dec. 23, 2017.
- *Asian Law and Society Association Annual Conference*. National Chiao Tung University School of Law. Hsinchu City, Taiwan. Dec. 15-16, 2017.

陳玉潔，2017，〈台灣與兩人權公約：規範傳播與社會行動〉，發表於第 50 屆「公法新秀論壇」，國立台灣大學法律學院，2017 年 10 月 13 日。

Yu-Jie Chen. “**How International Law Spreads: Lessons from Taiwan as a Non-UN Member State.**” *China Law Works-in-Progress Workshop*, Center for Chinese Legal Studies of Columbia Law School. New York, New York, USA. Apr. 7, 2017.

Yu-Jie. “**Human Rights Treaty Review 2.0: The Taiwan Experience.**” *Wisconsin International Law Journal symposium: Regional Human Rights Systems in Crisis*. University of Wisconsin-Madison Law School. Madison, Wisconsin, USA. Mar. 31, 2017.

Yu-Jie Chen. “**De Facto Compliance with Human Rights Treaties: Taiwan in the Context of Transnational Legal Orders.**” *Law and Society Association Annual Meeting*. New Orleans, Louisiana. USA. June 2-5, 2016.

Yu-Jie Chen. “**Attitudes of the People’s Republic of China and Taiwan toward International Human Rights Scrutiny: Implications for Cross-Strait Relations.**” *Mapping International Engagement in China’s Human Rights: An Interdisciplinary Inquiry*. National Chengchi University. Taipei, Taiwan. December 9-10, 2013.

Yu-Jie Chen. “**The Right to Counsel during Police Interrogation in Taiwan.**” *Criminal Justice in China: Comparative Perspectives*. Chinese University of Hong Kong. Hong Kong, China. May 6-8, 2011.

4. 學術書評

Yu-Jie Chen. 2021. “[Review of ‘The Trouble with Taiwan: History, the United States and a Rising China.’](#)” *The Journal of Asian Studies* 80(1): 172-173.

陳玉潔，2019年，〈[秋菊與雪蓮尋求正義之路](#)〉，《台灣人權學刊》，第5卷第1期，頁227-234，2019年6月。

陳玉潔，〈[書評：Criminal Defense in China: The Politics of Lawyers at Work by Sida Liu and Terence C. Halliday, Cambridge University Press/中國刑辯律師—法治與不自由體制之博奕？](#)〉，《臺灣民主季刊》，第16卷第1期，頁171-178，2019年3月。

5. 他類文章

陳玉潔、郭銘禮，〈[專題介紹：訪談國家人權報告國際審查專家](#)〉，《台灣人權學刊》，第4卷第2期，頁103-109，2017年12月。

陳玉潔，2013年，〈[對台灣人權報告國際審查的一些觀察](#)〉，《台灣人權學刊》，第2卷第1期，頁161-165，2013年6月。

Yu-Jie Chen. 2011. Commentary. “[One Problem, Two Paths: A Taiwanese Perspective on the Exclusionary Rule in China.](#)” *NYU Journal of International Law and Politics* 43: 713-728.

研究獎助及計畫補助

Global Academic Fellowship, University of Hong Kong, Faculty of Law (2019-2020).

Academia Sinica Postdoctoral Fellowship, Institutum Iurisprudentiae, Academia Sinica (2017-2019).

Research Grant, Improving China-Taiwan Relations by Promoting Due Process of Law (Co-Investigator, Principal Investigator: Jerome A. Cohen) (2015-2019).

Robert L. Bernstein Fellowship in International Human Rights, NYU School of Law (2008-2009).

學術與公共服務

中研院法學期刊出版委員會第 16 屆委員 (2020 年 12 月 1 日至 2021 年 11 月 30 日)

中央研究院《中研院訊》第 28 屆編輯委員會委員 (2021 年 1 月 1 日至 2021 年 12 月 31 日)

台灣人權學刊編輯委員會委員 (2013 年至今)

主要翻譯

孔傑榮、陸梅吉著，陳玉潔、陳彥嘉譯，[《邁向法治：台灣「流氓」制度的興廢與中國大陸「勞動教養」的未來》](#)，208 頁，台北：元照出版，2013 年。

學術演講與座談 (節選)

陳玉潔，報告人，「司法人權觀察——政法系統意識型態化，人權侵害常態制度化」，2020 中國人權觀察報告：期末總結發表會議，臺灣民主基金會，台北，2020 年 12 月 21 日。

Yu-Jie Chen. 2020. Panelist. “Arbitrary Detention in China, including Hong Kong.” Celebrating Jerry Cohen & Six Decades of U.S.-Asia Cooperation in Law (online program), U.S.-Asia Law Institute, NYU School of Law. New York, USA. October 6, 2020.

陳玉潔，評論人，吳建輝副研究員學術演講：“Autonomy Lost: Hong Kong Human Rights and Democracy Act and Hong Kong's Separate Customs Territory Status”，中央研究院歐美研究所，2020 年 7 月 28 日。

陳玉潔，報告人，「司法人權觀察——司法人權侵害制度化，引發國際社會警覺」，2019 中國人權觀察報告：期末總結發表會議，臺灣民主基金會，台北，2019 年 12 月 12 日。

Yu-Jie Chen. 2019. Presenter. “A Critique of China's Social Credit System.” King's College London. London, UK. December 3, 2019.

Yu-Jie Chen. 2019. Discussant. “Harvard Law School Library Book Talk: Taiwan and International Human Rights: A Story of Transformation (Jerome A. Cohen, William P. Alford & Chang-Fa Lo eds., Springer 2019).” Harvard Law School Library & East Asian Legal Studies at Harvard Law School, Harvard Law School. Cambridge, Massachusetts, USA. October 8, 2019.

Yu-Jie Chen. 2019. Paper Discussant. “Social Credit Regulation in China: ‘Civilizing’ a Society in the Digital Age.” Monash Business School, Monash University. Melbourne, Australia. July 25, 2019. (Online participation).

Yu-Jie Chen. 2019. Paper Discussant. “Transitional Justice in Global Perspectives.” Institute of Political Science, Academic Sinica. Taipei, Taiwan. March 9, 2019.

Yu-Jie Chen. 2019. Panelist. Artificial Intelligence and Global Governance, National Tsinghua University Institute of Law for Science and Technology. Hsingchu, Taiwan. January 9, 2019.

陳玉潔，報告人，「司法人權觀察」，2018 中國人權觀察報告：期末總結發表會議，臺灣民主基金會，台北，2018 年 12 月 12 日。

Yu-Jie Chen. 2018. Panelist. “China and the International Human Rights Regime in the Age of Trump.” 24th Annual Timothy A. Gelatt Dialogue on the Rule of Law in East Asia. New York University School of Law. New York, New York, USA. Nov. 19, 2018.

Yu-Jie Chen. 2018. Panelist. “When Climate Change Meets Human Rights.” Malta Legal Forum. Sustainability College Bruges. Bruges, Belgium. May 10-11, 2018.

陳玉潔，主講人，「台灣與兩人權公約：規範傳播與社會行動」，國立清華大學科技法律研究所，新竹，2017 年 10 月 13 日。

Yu-Jie Chen. 2017. Panelist. “Taiwan, Cross-Strait Relations, and Human Rights.” The 23rd Annual Timothy A. Gelatt Memorial Dialogue. U.S.-Asia Law Institute, NYU School of Law. New York, New York, USA. Nov. 6, 2017.

陳玉潔，座談人，「邁向法治—台灣流氓制度的廢除與中國大陸勞動教養的未來」，臺灣大學法律學院，台北，2013 年 12 月 11 日。

陳玉潔，主講人，「人權研究方法」，東吳大學人權學程，東吳大學，台北，2013 年 6 月 1 日。

Yu-Jie Chen. 2013. Panelist. “What Can China Learn from Taiwan About Ratifying the ICCPR?.” 18th Annual Timothy A. Gelatt Dialogue on the Rule of Law in East Asia. New York University School of Law. New York, New York, USA. Apr. 15, 2013.

Yu-Jie Chen. 2011. Discussant. “Taiwan's Constitutional Court: A Case Study of the Abolition of the Act for Eliminating Liumang (Hooligans) in Taiwan.” Criminal Justice and Taiwan's Constitutional Court: Comparative Perspectives. U.S.-Asia Law Institute of NYU School of Law & National Taiwan University. New York, New York, USA. Apr. 1-2, 2011.

Yu-Jie Chen. 2009. Panelist. “The Trial of Chen Shui-Bian: Implications for Taiwan, China, and the United States.” 15th Annual Timothy A. Gelatt Dialogue on the Rule of Law in East Asia. New York University School of Law. New York, New York, USA. Oct. 6, 2009.

公眾演講座談與政策討論 (節選)

- 陳玉潔，座談人，「港版國安，點解不安？——台港局勢與人道援助的現況與展望」，台北，2020年7月9日。
- 陳玉潔，座談人，「『709事件』五週年全球網絡紀念活動暨第四屆中國人權律師節」（線上會議），2020年7月7日。
- Yu-Jie Chen. 2019. Discussant. “Taiwan and International Human Rights.” The Winston Lord Roundtable Series on Asia, the Rule of Law, and U.S. Foreign Policy. Council on Foreign Relations. New York, New York, USA. October 4, 2019.
- 陳玉潔，座談人，「2019 中國人權觀察報告」，國立中興大學，台中，2019年6月10日。)
- Yu-Jie Chen. 2019. Discussant. “Tiananmen, China's Legal System, and Human Rights.” The Winston Lord Roundtable Series on Asia, the Rule of Law, and U.S. Foreign Policy. Council on Foreign Relations. New York, New York, USA. May 28, 2019.
- 陳玉潔，評論人，「世界人權宣言 70 週年紀念活動」，法務部舉辦，台北，2018年12月6日。)
- Yu-Jie Chen. 2018. Discussant. “Development of the Rule of Law and Human Rights in Taiwan.” The Winston Lord Roundtable Series on Asia, the Rule of Law, and U.S. Foreign Policy. Council on Foreign Relations. New York, New York, USA. Oct. 10, 2018.
- 陳玉潔，座談人，「不遣返原則及尋求庇護者之保護機制」公聽會，立法院，台北，2018年8月3日。
- Yu-Jie Chen. 2018. Panelist. “The Unbearable Heaviness of Becoming: Liu Xiaobo and Chinese Political Consciousness.” Annual Conference of Association for Asian Studies. Washington DC, USAL. Mar. 24, 2018.
- Yu-Jie Chen. 2017. Speaker. “Asia Law Weekly.” U.S.-Asia Law Institute, NYU School of Law. New York, New York, USA. Sept. 18, 2017.
- Yu-Jie Chen. 2017. Panelist. “Cross-Strait Relations and Taiwan’s Future.” The Winston Lord Roundtable Series on Asia, the Rule of Law, and U.S. Foreign Policy. Council on Foreign Relations. New York, New York, USA. Sept. 12, 2017.
- Yu-Jie Chen. 2017. Panelist. “Defending Dissent: Civil Society and Human Rights in the Global Crackdown.” Bernstein Institute for Human Rights Annual Symposium. New York University School of Law. New York, New York, USA. Apr. 13-14, 2017.
- Yu-Jie Chen. 2017. Speaker. “Human Rights in Today's Taiwan: Progress and Challenges.” Weatherhead East Asian Institute of Columbia University & the Center for Chinese Legal Studies of Columbia Law School. New York, New York, USA. Mar. 8, 2017.
- 陳玉潔，主講人，「兩岸關係的另一種想像：從人權出發」，哲學星期五@紐約，紐約，2016年10月14日。)

- Yu-Jie Chen. 2016. Panelist. “Human Rights in Taiwan-China Relations.” Neo-totalitarian Turn? Or Any Possibility for Democratization? Xi Jinping, Inter-elite Conflict and Societal Resistance in China. China Democracy Forum. New York, New York, USA. Oct. 2, 2016.
- Yu-Jie Chen. 2016. Panelist. “The Taiwan Vote: A New Direction.” Asia Society. New York, New York, USA. Jan. 27, 2016.
- Yu-Jie Chen. 2014. Panelist. “Taiwan: Democracy in Transition, and Lessons Learned from Hong Kong.” Taiwanese American Student Association & Hong Kong Students and Scholars Society, Columbia University. New York, New York, USA. Apr. 17, 2014.
- Yu-Jie Chen. 2014. Panelist. “Human Rights Developments in Taiwan: Model for the Mainland?.” Promoting Human Rights in China: Domestic and International Levers for Change. 2014 China Symposium. U.S.-Asia Law Institute, NYU School of Law & Human Rights in China. New York, New York, USA. Apr. 3, 2014.
- Yu-Jie Chen. 2013. Panelist. “Reflections on Human Rights Law, Policy and Practice.” On the Eve of Historic Change: China and International Human Rights. NYU School of Law & Human Rights in China. New York, New York, USA. Apr. 23, 2013.
- Yu-Jie Chen. 2010. Discussant. “Law and Taiwan's Democratic Development.” The Winston Lord Roundtable on Asia, the Rule of Law, and U.S. Foreign Policy, Council on Foreign Relations. New York: Council on Foreign Relations. Oct. 4, 2010.

近期時評

- 陳玉潔、灰箭，[〈大逮捕之後，香港人權法律戰〉](#)，*《蘋果日報》*，2021年1月11日。
- 陳玉潔，[〈港版國安法評論系列〉](#)，中央研究院法律學研究所網站（同時刊載於*《風傳媒》*），2020年7月29日、2020年8月19日、2020年10月5日、2020年10月23日、2020年11月16日。
- Yu-Jie Chen. [“How Should Democracies Respond to China’s New National Security Law for Hong Kong.?”](#) *ChinaFile*. June 30, 2020.
- Yu-Jie Chen. [“Taiwan should improve its laws to help asylum-seeking Hongkongers.”](#) *Hong Kong Free Press*, June 6, 2020.
- Yu-Jie Chen. [“What Are the Right and the Wrong Ways for the U.S. to Support Taiwan?.”](#) *ChinaFile*. May 19, 2020.
- Yu-Jie Chen and Jerome A. Cohen. [“Trump Is Right That the WHO Has a China Problem. Cutting Funding Isn’t the Answer.”](#) *The Diplomat*. April 20, 2020.
- Yu-Jie Chen and Jerome A. Cohen. [“Why Does the WHO Exclude Taiwan?.”](#) *Council on Foreign Relations, in Brief*. April 9, 2020.

Yu-Jie Chen and Jerome A. Cohen. [“Beijing must come clean on arbitrary detention of Taiwanese or risk hurting its soft power ambitions.”](#) *South China Morning Post*. March 26, 2020.