

## 香港城市更新中的公民参与

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关键字：城市更新；公民参与；社区

### 摘要/Abstract

近十年来，香港政府积极推动旧街区的市区重建与及对城市版图和地方功能的大规模改造，引发一系列社区重建中产生的对社会、政治、文化和生态等议题的社会关注乃至公众参与，也极大影响了香港公民社会以及基层参与式民主的发展势态，香港的公民社会也随着香港公民的积极参与而逐渐呈现。本文回顾了香港公民参与的演变，并通过对湾仔-利东街、中环-嘉咸街和新界东北-菜园村三个城市更新案例中公民参与的过程叙事和比较研究，讨论了公民参与对于香港公民社会发展的意义。

In recent decade, the Hong Kong government actively promote urban renewal of the old blocks and large-scale transformation of urban landscape and local features, triggered a series of social concern and public participation about the social, political, cultural and ecological issues which from community reconstruction, also tremendously influence the development in Hong Kong's civil society and participatory democracy at the grass-roots level, Hong Kong's civil society is also present gradually along with the actively participate of Hong Kong citizens. This article will focus on the evolution of this kind of citizen participation, as well as to the meaning of civil society in Hong Kong.

## 地方公共品供给对劳动力迁移的影响——基于广东省的实证

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关键字：劳动力迁移；公共品；蒂布模型

### 摘要/Abstract

在中国城市化进程加快、劳动力迁移浪潮高涨、户籍政策正逐步放开的背景下，本文提出基于地级市层面的数据对蒂布（Tiebout）模型进行实证检验的命题，分析地方公共品供给对劳动力迁移的影响。本文使用广东省2004~2011年21个地级市面板数据实证发现，基础设施、教育服务水平对劳动力净迁移（即净迁入）具有显著的正向影响，公路通车里程增长率越高，普通中学师生比越高，则劳动力净迁移率越高，“用脚投票”机制得到体现。而受公共品的拥挤效应等机制的作用，医疗卫生服务水平、空气质量水平对劳动力净迁移的影响并不显著。

As China's urbanization process speeds up, the scale of migration becomes larger, and the restriction on China's household registration system goes relaxed. This paper aims to test Tiebout's mechanism based on China's city level data and analyze the relationship between labor migration and the provision of local public goods. Using the panel data set of 21 cities in Guangdong province from 2004 to 2011, we find a positive impact of infrastructure and education on net migration. The higher the growth rate of highway mileage is, or the higher the teacher to student ratio is, the higher the net migration rate is. This shows that people vote with their feet. However, because of the crowding effect, the impacts of medical service and air quality on migration are not significant.

# 经济增长、电力消费与环境污染关系研究——来自珠江三角洲的证据

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关键字：电力消费 经济增长 环境污染 面板VAR 面板协整检验

## 摘要/Abstract

本文主要基于珠江三角洲9个城市1996-2011年的面板数据，运用IPS、LLC、Fisher以及individual ADF单位根检验、Westerlund多变量面板协整检验、面板误差修正模型、面板脉冲响应分析与面板格兰杰因果分析对经济增长、电力消费与环境污染三者的关系进行分析。实证结果表明：第一，三个变量均为非平稳序列，且存在长期稳定的协整关系，当三者的均衡关系在短期内偏离长期均衡时，将以57.16%的调整速度将其调整至均衡；第二，电力消费与经济增长存在双向格兰杰因果关系，而电力消费、经济增长分别对环境污染存在单向格兰杰因果关系；第三，珠三角地区9个城市环境污染对GDP的弹性系数排前四位的分别是：佛山、肇庆、惠州、广州，而排在最后两位的是中山和深圳。

Based on the panel data of nine cities in the Pearl River Delta, this article mainly analysed the relationship among economic growth, electricity consumption and environmental pollution using the methodologies of IPS, LLC, Fisher's and individual ADF unit root test, Westerlund's multivariate panel cointegration test, panel error correction model, panel impulse-responses analysis and panel granger causality analysis. The empirical results show that: on one hand, the three variables are non-stationary series, and there is a long-term stable cointegration relationship among them; when there is bias away from the equilibrium, it will adjust back to equilibrium with a speed of 57.16%; On the other hand, there exist a bi-directional Granger causality between economic growth and electricity consumption, while there only exists single directional Granger causality between economic growth and environmental pollution and also between electricity consumption and environmental pollution; thirdly, comparing the elasticity coefficients of environmental pollution to GDP among the nine cities in the Pearl River Delta, we found the four cities with largest elasticity coefficients are foshan, zhaqing, huizhou, guangzhou and the last two cities are zhongshan and shenzhen.

# 规避“人工岛屿陷阱”：试析海洋岛礁的“经济生活”概念及海洋旅游的特殊价值

作者：白续辉

关键字：联合国海洋法公约；岛礁；经济生活；从宽解释；海洋旅游

## 摘要/Abstract

从实践来看，某些海洋旅游活动构成了对岛礁环境影响相对最小而经济效益较为显著的海洋经济活动，对稳妥地构建岛礁的“经济生活”体系具有不可替代的特殊价值。当前，马来西亚、越南等国正在有计划地开展南海旅游活动，以期为其宣示岛礁主权、主张相关海域权利创制依据。面对紧迫的形势，中国应当加快落实国务院《关于推进海南国际旅游岛建设发展的若干意见》等政策措施，积极投身南海地区的海洋旅游开发活动，从而为中国海洋经济质量与水平的提升提供新的战略新点，为中国今后明确自身的岛礁“经济生活”概念法律解释立场提供有力支撑。

Marine tourism activities have the characteristics of having relatively minimal impacts on the marine environment and more significant economic benefits, which is of irreplaceable special value for states to steadily build the "economic life" system of insular features in the ocean. Hence China should actively participate in the marine tourism development activities inside the South China Sea region, in order to provide strong support for the Chinese government to clarify its own stance on the "economic life" under the UNCLOS Article 121(3).

# 平衡表达自由与名誉权——基于《公民及政治权利国际公约》第19条的视角

作者：卜凌嘉

关键字：表达自由；名誉权；相称性原则；《公民及政治权利国际公约》第19条

## 摘要/Abstract

表达自由与名誉权都是重要法律权利，但在实践中为保护名誉权而制定的诽谤法有时会被滥用并成为压制批评的工具，因此有必要在表达自由与名誉权之间保持平衡。《公民及政治权利国际公约》第19条是国际人权法中表达自由的重要法律渊源，该条第3款规定为保护他人名誉可对表达自由予以必要的法律限制，这一规定为平衡表达自由与名誉权提供了权威的国际标准。根据人权事务委员会对第19条的一般性意见和有关实践，缔约国为保护名誉权而限制表达自由应当符合相称性原则。相称性原则的内容体现为：官员等公众人物的名誉权在有关公共利益尤其是政治领域的讨论中受到较多限制；缔约国应当慎重适用刑事诽谤法限制表达自由；缔约国的诽谤诉讼证明规则应当保障被告的抗辩权利，并在原告和被告之间合理分配证明责任；缔约国法庭在诽谤诉讼中应当避免适用过度惩罚措施。

Both freedom of expression and reputation are important rights; however, the defamation law has been abused to silent criticism in practices, therefore, it is necessary to strike a balance between freedom of expression and reputation. Article 19 of the International Covenant on Civil and Political Rights is an important legal source on freedom of expression in International human rights law, and its paragraph 3 provides that a restriction of freedom of expression is permissible only when it is provided by law and necessary for respect of the reputation of others, implying that the limitation on freedom of expression must be proportionate to the reputation to be protected. In accordance with the monitoring practice and interpretation by the Human Rights Committee, to balance between freedom of expression and reputation means that States parties should ensure that reputations of public figures including public officials in a debate on matters of public interest especially political issues should be subject to more restrictions than those of private individuals, an cautious application of criminal defamation law, the right of defense in libel suits and care should be taken to avoid excessive punitive measures for a defendant who failed in a libel action.