

Law & Sexuality: Recent Developments in East Asia

Two landmark decisions on law and sexuality from 2006 came from East Asian jurisdictions: Hong Kong and South Korea. In *Leung v. Secretary of Justice*, the Hong Kong Court of Appeal held that disparate age-of-consent laws regarding heterosexual and homosexual intercourse violated Hong Kong's Basic Law and Bill of Rights. The unanimous three-judge panel set new precedent by recognizing sexual orientation as a proscribed ground of discrimination, giving sexual orientation equal footing as other proscribed grounds of discrimination, such as sex and race. In the case of *In re Change of Name and Correction of Family Register* ("*Family Register*"), the Supreme Court of South Korea held that the country's statutory scheme, in conjunction with the country's constitution, requires the government to legally recognize certain transsexuals for their post-operative sex. In reaching its holding, the majority stated that "a transsexual has right to enjoy the dignity and value of a human being, to seek happiness and to lead a humane life."

At next week's Williams Institute Works-in-Progress Series, Holning Lau will discuss his forthcoming essay, in which he explores the significance of these two decision—both in their respective jurisdictions and in comparative analyses with American law. In addition to discussing his forthcoming essay, Professor Lau will discuss the research that he will be performing in Hong Kong this spring.