



Court of Final Appeal Rules in CUHK's Favour Senate Discretion on Language of Instruction Re-affirmed



Previously, The Chinese University of Hong Kong (CUHK) had successfully defended its long-standing policy of bilingualism before the Court of First Instance and the Court of Appeal. The Appellant had asked those Courts to overturn the Senate's acceptance of the recommendations of the Committee on Bilingualism which encourage the academic departments to adopt for each course and for each teaching activity the most appropriate teaching language based on educational grounds and having regard to the nature of the subject concerned and other considerations. After the Court of Appeal's dismissal of the Appellant's case in July 2010, the Appellant had filed an appeal to the Court of Final Appeal.

Today, the Appellant withdrew his appeal which was dismissed by the Court of Final Appeal with costs. The Senate's decision therefore stands.

The University is pleased that the issues have been finally resolved. Ever since its foundation, the University has upheld the policy of bilingualism (*liangwen sanyu*) which has enabled it to develop into an internationally renowned centre of excellence. Today's ruling is of great importance for the University, its students and teachers, and for Hong Kong and beyond. It re-affirms the future enjoyment of the right to academic freedom, and the University's ability to continue to provide a public service as an international centre of academic excellence.



終審法院判中大勝訴 再次確定教務會有權決定授課語言



早前，香港中文大學（中大）在高等法院原訟法庭及上訴法庭裁決下，成功維護大學長久以來奉行的雙語教學政策。上訴人要求法院推翻中大教務會接納雙語政策委員會對各學系可根據教學目標、科目性質及其他考慮，自行為每一科目和每一教學活動選擇最適合之授課語言的建議。上訴法庭於2010年7月裁定上訴人敗訴，上訴人稍後向終審法院提出上訴。

上訴人今天撤銷其上訴，終審法院隨即駁回其上訴，並頒令上訴人須支付有關堂費。教務會的決定得以確立。

大學欣見事件最終得到解決。自成立以來，大學一直奉行行之有效的雙語政策（兩文三語），並賴之以發展成為享譽國際的學術殿堂。今天的裁決關乎大學未來是否繼續享有學術自由的權利，以及繼續肩負作為國際學術重鎮的使命，對大學及其師生，在本港以至國際上皆有重大意義。