Conference on Dispute Resolution in Asia and Beyond: Progress and Trends

Connie Fan Multi-media Conference Room
4/F Cheng Yick-chi Building, City University of Hong Kong

17-18 May 2018 (Thursday – Friday)

Programme

Day 1: 17 May 2018 (Thursday)

9:30 – 10:00 Registration

Opening Speech

10:00 – 10:15 Mr Lester Garson HUANG, JP (Council Chairman, City University of Hong Kong)

Dr Lei CHEN (Associate Dean & Associate Professor; Director, Centre for Chinese and Comparative Law, School of Law, City University of Hong Kong)

Dr André JANSSEN (Associate Professor, School of Law, City University of Hong Kong; Conference Co-Convenor)

10:15 – 10:25 Group Photo
### Panel 1: Commercial Arbitration (1)
**Moderator:** Ms Kim ROONEY (*Barrister-at-Law, Gilt Chambers; International Arbitrator*)

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<tr>
<th>Time</th>
<th>Topic</th>
<th>Speakers</th>
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<td>10:25 – 10:45</td>
<td><strong>Challenges of Chinese International Commercial Arbitration: Viewed by the China Academy of Arbitration Law (CAAL)</strong></td>
<td>Dr Jian CHEN (<em>Vice Secretary-General, China Academy of Arbitration Law</em>)</td>
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<td>10:45 – 11:05</td>
<td><strong>Recognition and Enforcement of Foreign Arbitral Awards in Mainland China — An Empirical Survey</strong></td>
<td>Dr Lei CHEN (<em>Associate Dean &amp; Associate Professor; Director, Centre for Chinese and Comparative Law, School of Law, City University of Hong Kong</em>) &amp; Ms Hao WANG (<em>Presiding Judge, Hainan Higher People’s Court</em>)</td>
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<td>11:05 – 11:25</td>
<td><strong>Latest Development of Chinese International Arbitration — From the Perspective of SCIA’s Innovation</strong></td>
<td>Dr Xiaochun LIU (<em>President, Shenzhen Court of International Arbitration</em>) &amp; Mr Xiongfei LI (<em>Secretary of the Council, Shenzhen Court of International Arbitration</em>)</td>
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<td>11:25 – 11:45</td>
<td><strong>Important Changes in Korean Arbitration — from the Perspective of the Korean Commercial Arbitration Board</strong></td>
<td>Mr Heehwan KWON (<em>Acting Secretary General, KCAB (Korean Commercial Arbitration Board) INTERNATIONAL</em>)</td>
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<td>11:45 – 12:15</td>
<td><strong>Discussion</strong></td>
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<td>12:15 – 13:45</td>
<td><strong>Lunch (Staff Lounge, 9/F Amenities Building, City University of Hong Kong)</strong></td>
<td>(<em>Only for Moderators, Speakers and Invited Guests</em>)</td>
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### Panel 2: Commercial Arbitration (2)
**Moderator:** Mr David HOLLOWAY (*Assistant Professor, School of Law, City University of Hong Kong*)

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<td>13:45 – 14:05</td>
<td><strong>Reflections on the Key Ingredients for Successful Reform of International Commercial Arbitration in the Asia Pacific</strong></td>
<td>Dr Weixia GU (<em>Associate Professor, Faculty of Law, The University of Hong Kong</em>)</td>
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<td>14:05 – 14:25</td>
<td><strong>Institutional Limits on Party Autonomy to Enhance Efficiency, Expediency or Efficacy of International Commercial Arbitration</strong></td>
<td>Dr Winnie MA Jo-Mei (<em>Deputy Secretary-General, Chinese Arbitration Association, Taipei</em>)</td>
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14:25 – 14:45  **Interim Injunction in Mainland China**  
Ms Fang ZHAO (Partner, Hui Zhong Law Firm, Shanghai)

14:45 – 15:05  **Conflict of Laws Rules Adopted by Chinese Courts and Arbitral Tribunals in the Context of Cross-Border Dispute**  
Mr Patrick ZHENG (Partner & Head of Dispute Resolution, Llinks Law LLP, Beijing)

15:05 – 15:35  Discussion

15:35 – 15:55  Tea Break

**Panel 3: Investment Arbitration**  
Moderator: Mr Brad WANG (Managing Counsel, CIETAC Hong Kong Arbitration Center)

15:55 – 16:15  **Bridging the Gap between International Commercial and Investment Arbitration**  
Prof Franco FERRARI (Professor of Law and Director of the Center for Transnational Litigation, Arbitration and Commercial Law, New York University School of Law)

16:15 – 16:35  **Are They or are They Not? The Compatibility of Arbitration Clauses in Bilateral Investment Treaties (BITs) with European Union Law**  
Dr André JANSSEN (Associate Professor, School of Law, City University of Hong Kong; Conference Co-Convenor)

16:35 – 16:55  **China’s BIT Regime and Foreign Investment Protection in Global and Domestic Contexts**  
Prof Wei SHEN (Dean & Professor, Shandong University Law School)

16:55 – 17:15  **Implementing Investor-State Mediation in China’s Next Generation Investment Treaties**  
Ms Carrie SHANG (ADR Legal Counsel, Hong Kong International Arbitration Centre (HKIAC))

17:15 – 17:45  Discussion

18:15  Dinner (Hung Kee Seafood Restaurant, Sai Kung)  
(* Only for Moderators, Speakers and Invited Guests)
Day 2: 18 May 2018 (Friday)

Panel 4: General Trend of Dispute Resolution (1)
Moderator: Mr Ronald SUM (Partner, Locke Lord)

9:30 – 9:50  A Cross-Border View of Progress and Trends in European-Asian Dispute Resolution
Prof Richard KREINDLER (Partner, Cleary Gottlieb Steen & Hamilton LLP, Frankfurt/New York)

9:50 – 10:10  Progress and Trends in Dispute Resolution Worldwide: An Asian Perspective
Datuk Prof Sundra RAJOO (Director, Asian International Arbitration Centre)

Mr Paolo MARZOLINI (Partner, Patocchi & Marzolini Geneva)

10:30 – 11:00  Discussion

11:00 – 11:20  Tea Break

Panel 5: General Trend of Dispute Resolution (2)
Moderator: Ms Ziyi HUANG (Deputy Counsel, Hong Kong International Arbitration Centre)

11:20 – 11:40  Rising Costs in International Arbitration: Is Arbitration Still Better Than Litigation?
Ms Sherlin TUNG (Senior Associate, CMS Hasche Sigle)

11:40 – 12:00  Court’s Assistance on On-going Off-shore Arbitration Cases in Both Chinese Mainland and Hong Kong (A Comparative Study)
Mr Brad WANG (Managing Counsel, CIETAC Hong Kong Arbitration Center)

12:00 – 12:30  Discussion

12:30 – 14:15  Lunch (Staff Lounge, 9/F Amenities Building, City University of Hong Kong)
(* Only for Moderators, Speakers and Invited Guests)
Panel 6: International Commercial Court (1)
Moderator: Dr Christopher TO (Adjunct Professor, School of Law, City University of Hong Kong; Independent Mediator, Adjudicator and Arbitrator)

Justice Quentin LOH Sze-On (Judge, Supreme Court of Singapore)

14:35 – 14:55 The Establishing of China’s International Commercial Court: Framework and Challenge
Judge Xiaoli GAO (Deputy Chief Judge, No. 4 Civil Trial Division, Supreme People’s Court, People’s Republic of China)

14:55 – 15:15 German Commercial Court
Prof Gerhard WAGNER (Professor of Law, Humboldt University Berlin)

15:15 – 15:45 Discussion

15:45 – 16:05 Tea Break

Panel 7: International Commercial Court (2)
Moderator: Ms Carrie SHANG (ADR Legal Counsel, Hong Kong International Arbitration Centre)

16:05 – 16:25 The Recognition and Enforcement of Judgments of International Commercial Courts
Justice Anselmo REYES (International Judge, Singapore International Commercial Court)

16:25 – 16:45 The Netherlands Commercial Court (NCC) — Challenges & Perspectives
Prof Jeroen VAN DER WEIDE (Counsellor at law and Associate Professor of Private Law, Institute for Private Law, Leiden Law School)

16:45 – 17:05 Dispute Resolution in the Context of the One Belt One Road Initiative
Mr David HOLLOWAY (Assistant Professor, School of Law, City University of Hong Kong)

17:05 – 17:35 Discussion
17:35 – 17:45  Dr Lei CHEN (Associate Dean & Associate Professor; Director, Centre for Chinese and Comparative Law, School of Law, City University of Hong Kong)

Dr André JANSSEN (Associate Professor, School of Law, City University of Hong Kong; Conference Co-Convenor)

18:30  Dinner (Wang Jia Sha, Shop G-23, Festival Walk, Kowloon Tong)
(* Only for Moderators, Speakers and Invited Guests)