



Chinese Arbitration Association, Taipei



Asian Center for WTO & Int'l
Health Law and Policy

**2016 Taipei International Conference on
Arbitration and Mediation**

2016 年台北仲裁與調解國際研討會

Grand Hotel, 12th Floor

No.1, Sec. 4, Zhongshan N. Rd., Zhongshan Dist., Taipei City

台北市中山北路四段 1 號圓山飯店 12 樓崑崙廳

Conference Program

Monday, August 29, 2016

8:30-9:00 Coffee and registration

9:00-9:10 Welcome and opening remarks

Fuldien Li (李復甸), Chairman, Chinese Arbitration Association, Taipei (CAA)

Tsai-yu Lin (林彩瑜), Professor, NTU College of Law and Director, ACWH

9:10-11:00 **Session I: Some Fundamental Issues and Recent Development in Arbitration and Mediation**

Chair: Chang-fa Lo (羅昌發), Justice, Constitutional Court, Taiwan, ROC

1. ***New Features in Arbitral Procedure: Increasing Efficiency and Autonomy or Increasing Time and Costs?***

Patricia Shaughnessy, Professor, Stockholm University

2. ***Government as a Party in International Commercial Arbitration***

Anselmo Reyes, Arbitrator, International Judge of the Singapore International Commercial Court

3. ***Predictability of “Public Policy” in Article V of the New York Convention under Mainland China’s Judicial Practice***

Helena Chen (陳希佳), Head of Beijing Office and Partner, Pinsent Masons LLP

4. ***When Arbitrators Get the Law Wrong: Does International Commercial Arbitration Need an Appeal Mechanism?***

Simon Dunbar, Partner, King & Spalding

11:00-11:15 **Group Photos and Coffee Break**

11:15-12:30 **Session I (continue)**

5. ***Enforcement of Awards Against State and State-Owned Entities: The Long March?***

Emmanuel Jacomy, International Arbitration Group, Shearman & Sterling LLP

6. ***Transparency, Accountability and Regulatory Frameworks in Private Arbitral Institutions – In Search of a Problem to a Solution?***

Shaun Wei-Han Lee, Supervising Associate, JWS Asia Law Corporation

7. ***Developing a Mediation Clinic Model for Taiwanese Legal Education***

Shawn Watts, Adjunct Professor, Columbia Law School &

Alexandra Carter, Clinical Professor of Law, Director of Clinical Education, Columbia Law School

12:30-13:40 **Lunch**

13:40-15:30 **Session II: Investment Dispute Settlement Mechanisms**

Chair: Stephan Wilske, Partner, Gleiss Lutz

8. ***The Settlement of Tax Disputes under Investment Treaties***

Julien Chaisse, Professor, The Chinese University of Hong Kong

9. ***Investment Arbitral Tribunals' Power to Review Investors' Criminal Misconduct?***

Tsai-yu Lin (林彩瑜), Professor, NTU College of Law and Director, ACWH

10. ***Transparency of Investment Dispute Resolution and Court-Type Mechanisms in the Recent FTAs***

Joanna Jemielniak, Associate Professor and Ph.D. Program Coordinator, Centre of Excellence for International Courts (iCourts), Faculty of Law, University of Copenhagen

11. ***An Assessment of the Rules Concerning the Appointment of Arbitrators under the EU's Investment Court System***

Chi-Chung Kao (高啟中), Associate Professor, Department of Ocean and Border Governance, National Quemoy University, Kinmen, Taiwan, R.O.C.

15:30-15:40 **Coffee Break**

15:40-17:30 **Session II (continue)**

12. ***Amicus Curiae Briefs in International Dispute Settlement Mechanisms***

Teressa Cheng (鄭若驊), Chairperson, HKIAC

13. ***Is the Emergency Arbitrator Procedure Suitable for Investment Arbitration?***

Janice Lee, Associate Counsel & Business Development Manager, Singapore International Arbitration Centre

14. ***Investment Arbitration under "Mega-Regional" Free Trade Agreements: A 21st Century Model***

Mark Feldman, Associate Professor Law, School of Transnational Law, Peking University

15. ***Procedures, People and Perspectives: Obstacles to the Mediation of Investment Disputes***

Lisa Toohey, Associate Professor, The University of New South Wales, UNSW

Tuesday, August 30, 2016:

9:00-10:30 **Session III: Language Issues in Arbitration Procedure**

Chair: Nigel N. T. Li (李念祖), Partner, Lee and Li

16. ***Linguistics and Language Issues in International Arbitration – Problems, Pitfalls and Paranoia***

Stephan Wilske, Partner, Gleiss Lutz

17. ***Language Issues in Arbitration Procedure***

Sally Harpole (何蓉), Attorney at Law, Solicitor, Chartered Arbitrator, Accredited Mediator

18. ***Languages in International Arbitration and Due Process***

Sherlin Hsieh-lien Tung, Attorney-at-Law (California & New York) Litigation and Arbitration Counsel/Semperit AG Holding

10:30-10:40 **Coffee Break**

10:40-12:10 **Session III (continue)**

19. ***Is There Any Role for Linguists Among Lawyers in Arbitration?***

Rajesh Sharma, Senior lecturer, RMIT University

20. ***Simultaneous Translation of Witness Testimony in International Arbitration Hearings***

Joshua D H Karton, Associate Professor, Queen's University

21. ***Beyond Semantics and Semiotics – Arguing for a Clearer Set of Arbitration Rules on the Issue of Translation***

Chang-fa Lo (羅昌發), Justice, Constitutional Court, Taiwan, ROC

12:10-13:30 **Lunch**

13:30-14:30 **Session IV: Implications of Mega Projects for Investment/Commercial Arbitration**

– **“One Belt One Road” as an Example**

Chair: Pi-song Tsai (蔡碧松), Attorney-at-Law, Wong & Co. Law Offices

22. ***Arbitration and “One Belt One Road”***

Jing Zhou Tao (陶景洲), Managing Partner, Beijing Representative Office, Dechert LLO

23. ***Implications of “One Belt One Road” for Investment/Commercial Arbitration in the Greater China Region***

Fan Yang (揚帆), Assistant Professor, School of Law, City University of Hong Kong

14:30-14:40 **Coffee Break**

14:40-16:00 **Roundtable Discussion on the Draft New Arbitration Rules for CAA’s International Arbitration**

Chair: Fuldien Li (李復甸), Chairman, Chinese Arbitration Association, Taipei (CAA)

Rapporteur: Winnie Jo-Mei Ma (馬若梅), Honorary Assistant Professor of Law, Bond University, Australia

Discussants: Invited Conference Speakers

16:00 **Closing remarks**

END

The Agenda of 2016 Taipei International Conference on Arbitration and Mediation is also published by Transnational Dispute Management (TDM, ISSN 1875-4120), which is a comprehensive and innovative information service on the management of international disputes, with a focus on the rapidly evolving area of investment arbitration, but also in other significant areas of international investment (such as oil, gas, energy, infrastructure, mining, utilities etc). It deals both with formal adjudicatory procedures (mainly investment and commercial arbitration), but also mediation/ADR methods, negotiation and managerial ways to manage transnational disputes efficiently. See <http://www.transnational-dispute-management.com> for more information.



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