

2018 Taipei International Conference on Arbitration and Mediation

2018年台北國際仲裁暨調解研討會

■ 時間 / Date : 2018年8月27-28日 / August 27-28, 2018

■ 地點 / Venue : 圓山飯店V樓敦睦廳(台北市中山北路四段1號)/Grand Hotel, VF(No.1, Sec. 4, Zhongshan N. Rd., Zhongshan Dist., Taipei City)

Day 1: Monday, August 27, 2018		
Time	Topics	Speakers
08:30-09:00	Registration	
	Welcome and Opening Remarks	
09:00-09:10	Fuldien Li (李復甸) , Chairman, Chinese Arbitration Association, Taipei (CAA) Tsai-Yu Lin (林彩瑜) , Professor, NTU College of Law; Director, ACWH	
	New Interactive Relations Between Court Systems and Arbitration Chair: Nigel N. T. Li (李念祖), Partner, Lee and Li	
Session 1 09:10-10:30	1. <i>International Commercial Courts and Arbitration – Alternatives, Substitutes or Trojan Horse?</i>	Stephan Wilske (韋德方) , Partner, Gleiss Lutz
	2. <i>The New Singapore International Commercial Court – Competing with Arbitration</i>	Gary Bell , Associate Professor, National University of Singapore
	3. <i>Specialized Courts: Keeping Arbitration on Top of Its Game?</i>	Janet Walker , Professor, Osgoode Hall Law School
	4. <i>Turning the Rivalrous Relations into Cooperative or Convergent Modes of Dispute Settlement Mechanism?</i>	Kim Rooney , Junior Counsel, Gilt Chambers
10:30-10:50	Group Photos and Coffee Break	
	New Interactive Relations Between Court Systems and Arbitration (continue) Chair: Doug Jones, Independent Arbitrator (Canada/London/Australia)	
Session 2 10:50-12:10	5. <i>Competition or Cooperation? Litigation, Arbitration and ADR in Mainland China</i>	Ling Yang (楊玲) , Deputy Secretary-General, HKIAC and Chief Representative (Shanghai Office)
	6. <i>Anti-Arbitration Injunctions in International Arbitration: Judicial Protection or Judicial Intervention?</i>	Ting-Wei Chiang (江庭緯) , LL.M. Candidate, NCTU School of Law
	7. <i>Litigation and Arbitration: Doctrines of Res Judicata</i>	Philip Yang (楊良宜) , Independent Arbitrator
	8. <i>Establishing a Clearer "Denial of Justice" Rule for Constitutional Courts' Decisions by Investment Arbitral Tribunals</i>	Jia-Jhen Liao (廖家振) , LL.M. Candidate, NTU College of Law
12:10-13:50	Lunch	
	Relations Among Litigation, Arbitration and Mediation: Party's Choice, Tax and Trade Chair: Winnie Jo-Mei Ma (馬若梅), Deputy Secretary-General, CAA	
Session 3 13:50-15:00	9. <i>Choice of Arbitration, Mediation and/or Litigation: The Party/Party Representative's Perspective</i>	Kathryn Sanger , Partner, Herbert Smith Freehills
	10. <i>Litigation, Arbitration and Mediation in International Tax: Whether This Results in Competitive or Collaborative/Comparative Relations</i>	Michelle Markham , Associate Professor, Bond University Faculty of Law
	11. <i>Bridging Appellate Review's Vacuum Through Institutional Mediation Outside the WTO</i>	Tsai-Yu Lin (林彩瑜) , Professor, NTU College of Law; Director, ACWH
15:00-15:20	Coffee Break	
	Ex Aequo et Bono and Lex Mercatoria in International Arbitration Chair: Stephan Wilske (韋德方), Partner, Gleiss Lutz	
Session 4 15:20-17:00	12. <i>A Postmodern Normative Quest for Deterritorialization: Applying the 'New' Lex Mercatoria in International Arbitration</i>	Horia Ciurtin , Research Fellow, EFILA; External PhD Researcher, University of Amsterdam
	13. <i>Ex Aequo et Bono Arbitration in the Contemporary World</i>	Jun Wang (王俊) , Senior Instructor, Macau University of Science and Technology Faculty of Law; Director, Capital Alliance ADR Advisory Services
	14. <i>Ex Aequo et Bono as a Response to Over-Judicialisation of International Arbitration: Is It Time to Overcome a Fear of Uncertainty?</i>	Nobumichi Teramura , PhD candidate, UNSW Law Faculty
	15. <i>Amiable Composition/Binding Arbitration</i>	Joe Tirado , Partner, Garrigues UK LLP
Day 2: Tuesday, August 28, 2018		
	Issues within Commercial Arbitration Regime Chair: Philip Yang (楊良宜), Independent Arbitrator	
Session 5 08:50-10:00	16. <i>Domestic and International Arbitration Regimes: Should They Be Combined or Separated?</i>	Doug Jones , Independent Arbitrator (Canada/London/Australia)
	17. <i>The Outsider's Identity in International Commercial Arbitration—from Group of Companies Doctrine to IBA Guidelines on Conflict of Interests</i>	Tsai-Fang Chen (陳在方) , Assistant Professor, NCTU School of Law
	18. <i>Will It Be Feasible to Introduce Third-Party Funding Mechanism to Commercial Arbitration in Taiwan?</i>	Zhen-Yi Wu (吳貞儀) , LL.M. Candidate, NTU College of Law
10:00-10:20	Coffee Break	
	Issues in Investment Arbitration Chair: Pi-jan Wu (吳必然), Attorney, LCS & PARTNERS Law Firm	
Session 6 10:20-12:00	19. <i>Insolvency in Investment Arbitration</i>	Lars Markert , Foreign Law Counsel, Nishimura & Asahi
	20. <i>Commercial and Investment Arbitration: Rules and Enforcement</i>	Wen-Ying Wang (王文英) , Secretary-General, CIETAC Hong Kong Arbitration Center
	21. <i>All Mighty CJEU? The Implication of Achmea Decision</i>	Ching-Wen Hsueh (薛景文) , Associate Professor, NCCU Department of International Business
	22. <i>Permeability of Investor's Legitimate Expectations in Investment Treaty Arbitration: Lessons from Human Rights Jurisprudence</i>	Nasiruddeen Muhammad , Assistant Professor, College of Law, University of Dubai
	23. <i>Prudential Examinations and Investment Disputes: From Judicialization, Negotialization, to Re-Judicialization</i>	Xin-Wei Huang (黃信維) , LL.M. Candidate, NTU College of Law
12:00-12:05	Closing Remarks Tsai-Yu Lin (林彩瑜) , Professor, NTU College of Law; Director, ACWH	