

Chien-Huei Wu

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Dr. Chien-Huei Wu is currently Associate Research Professor in Academia Sinica, Taipei, Taiwan. He received his PhD degree in European University Institute, Florence in 2009. Since then, he worked as Assistant Professor in National Chung Cheng University, Chiayi, Taiwan for a short period. Before pursing his doctoral degree in Florence, he worked for the Ministry of Justice in Taiwan as a district attorney. In 2011-12, he advised the Ministry in drafting prisoner transfer legislation in Taiwan with a view to facilitating the prisoner transfer between Taiwan and China, and Taiwan and Germany. His research interests cover EU external relations law and international economic law. He follows closely EU-China and EU-ASEAN relations and pays particular attention to Asian regionalism and WTO-IMF linkage. He has just published a new book by Martinus Nijhoff entitled "WTO and the Greater China: Economic Integration and Dispute Resolution".

RESEARCH INTERESTS

International Organisation: IMF, World Bank, WTO

International Political/Economic/Trade issues: EU External Relations Law

EU External Economic and Trade Law

EU Trilateral Trade Negotiation

Comparative Regional Integration between EU and ASEAN and their Dispute Resolution

Mechanism.

Global Governance: Multilevel Governance and Multilevel

Constitutionalism

EU in Global/Regional/Domestic Legal Order Reshaping/Reformulating Global Economic

Governance

Impact of Global/Regional Legal Order on

Domestic Legal Order

EU Legal Order: Interaction between ECtHR, CJEU, Member

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States' Constitutional/Supreme Courts Internal Market

EDUCATION

| <u>EDUCATION</u> | |
|--------------------|---------------------------------------------------------------------------------------------------------------------------|
| 2006 – 2009 | PhD in Law, European University Institute, Florence, Italy |
| 2005 – 2006 | Master of Research in Laws, European University Institute, Florence, Italy |
| 2 -16 July 2006 | Diploma in International Trade Law , Academy of International Trade Law in Macau, Macau, China. |
| 2001 – 2004 | Master of Laws , Graduate School of Law, National Taiwan University, Taipei, Taiwan. |
| 1993 – 1998 | BA and LLB , Department of Foreign Languages and Literature/Law, National Taiwan University, Taipei, Taiwan |
| EXPERIENCE | |
| 2014 - Present | Associate Research Professor, Institute of European and American Studies, Academia Sinica, Taipei, Taiwan |
| July - August 2014 | Visiting Professor, University of Cologne, Germany |
| 2010 - 2014 | Assistant Research Fellow, Institute of European and American Studies, Academia Sinica, Taipei, Taiwan |
| November 2013 | Visiting Professor, University of Passau, Germany |
| July – August 2013 | Visiting Fellow, World Trade Institute, University of Bern, Bern, Switzerland. |
| 2009 - 2010 | Assistant Professor of Law, National Chung Cheng University, Chiayi, Taiwan |
| 2001 - 2005 | Prosecutor, Taiwan Taipei District Court Prosecutorial Office, Taipei, Taiwan |
| 1999 - 2001 | Intern Prosecutor, Cultivating Institute of the Prosecutor and Judge, Taipei, Taiwan |

ACADEMIC HONOURS

2014 Winner of Ta-You Wu Memorial Award, Ministry of Science and Technology

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| 2013 - 2016 | Project for Excellent Junior Research Investigators, Ministry of |
|-------------|---------------------------------------------------------------------------------|
| | Science and Technology |
| 2012 | Winner of Publications of Significant Research Achievements, Academia Sinica |
| 2003 | Winner of Government Scholarship from the Ministry of Education |

PUBLICATION

(1) Books

Wu, Chien-Huei (2012/05). WTO and the Greater China: Economic Integration and Dispute Resolution. Leiden, Boston: Martinus Nijhoff.

(2) Book Chapters

吳建輝 (2014)。〈認真對待憲法:如何開始思考對外經貿政策—國際經貿法之憲法化〉,楊光華(主編),《第十四屆國際經貿法學發展學術研討會論文集》(頁 93-150)。台北:國際經貿組織暨法律研究中心。Wu, Chien-Huei (2014). Taking the Constitution Seriously: How to Start Thinking about External Trade Policies? The Constitutionalization of International Trade Law. In C. Yang (Ed.), 14th International Trade Law Conference Proceedings. Taipei: Center of International Trade Law and Policy 93-150.

Wu, Chien-Huei (2014). Greater Coherence in Global Economic Policymaking: Progress and Prospect. In C. Herrmann, M. Krajewski & J. P. Terhechte (Eds.), *European Yearbook of International Economic Law*. Heidelberg, Dordrecht, London, New York: Springer 67-92.

Wu, Chien-Huei (2013/12). Legal Aspects of the WTO/IMF Relationship Revisited. In M. Cremona, P. Hilpold, N. Lavranos, S. S. Schneider & A. Ziegler (Eds.), Reflections on the Constitutionalisation of International Economic Law: Liber Amicorum for Ernst-Ulrich Petersmann. Leiden: Brill 277-290.

吳建輝 (2013/10)。〈歐盟對外經貿協定的多重面向與治理模型〉。收錄於李貴英、李顯峰(主編),《歐債陰影下的歐洲聯盟新財經政策》(頁 145-193)。台北:臺大出版中心。 Wu, Chien-Huei (2013/10). The Many Faces and Governance Mode of EU External Economic Agreements. In C. Li & H. F. Lee (Eds.), *The New Economic and Financial Policies of the EU under the Shadow of European Debt Crisis*. Taipei: National Taiwan University Press. 145-193.

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- Wu, Chien-Huei (2013/01). Access to Raw Materials: The EU's Pursuit of New Trading Rules on Export Control. In B. V. Vooren, S. Blockmans & J. Wouters (Eds.), *The EU's Role in Global Governance—The Legal Dimension*. Oxford: Oxford University Press. 178-192.
- 吳建輝 (2012/12)。〈國際組織之可課責性:以世界衛生組織與其 H1N1 新流感決策為例〉。 收錄於吳全峰(主編),《2011 科技發展與法律規範雙年刊——健康、科學與人權》(頁 385-451)。台北:中央研究院法律學研究所。Wu, Chien-Huei (2012/12). The Accountability of International Organization: A Case Study of the World Health Organization and its H1N1 New Pandemic Decision-Making. In C. F. Wu (Ed.), Biannual of Technology Development and Legal Norms—Human Rights Dimension of Science and Health. Taipei: Institutum Iurisprudentiae, Academia Sinica. 385-451.
- 吳建輝 (2012/10)。〈試論 2004/24/EC 歐盟傳統草藥製品指令之管制結構與其適法性〉。收錄於楊光華 (主編),《第十二屆國際經貿法學發展學術研討會論文集》(頁 137-183)。台北:國際經貿組織暨法律研究中心。Wu, Chien-Huei (2012/10). The Regulatory Structure and Legality of 2004/24/EC Tradition Herbal Medicine Regulation. In C. Yang (Ed.), 12th International Trade Law Conference Proceedings. Taipei: Center of International Trade Law and Policy. 137-183.
- Wu, Chien-Huei (2012/09). Beyond European Conditionality and Chinese Non-Interference: Articulating EU-China-Africa Trilateral Relations. In J. Wouters, T. de Wilde, P. Defraigne & J. C. Defraigne (Eds.), *China, the European Union and Global Governance*. Cheltenham, UK; Northampton, Mass.: Edward Elgar Publishing. 106-121.
- 吳建輝 (2012/04)。〈歐洲化的外部經貿法面向:以印度與巴基斯坦對於歐盟普遍性優惠待遇之回應為例〉。收錄於黃偉峰(主編),《歐洲化之衝擊》(頁 281-302)。台北:五南。 Wu, Chien-Huei (2012/04). The External Economic Dimension of Europeanization: The Generalized System of Preferences as an Example. In W. F. Huang (Ed.), *The Impact of Europeanization*. Taipei: Wunan. 281-302. (in Traditional Chinese)
- Wu, Chien-Huei (2012/01). A New Landscape in the WTO: Economic Integration among China, Taiwan, Hong Kong, and Macao. In C. Herrmann & J. P. Terhechte (Eds.), *European Yearbook of International Economic Law* (Vol. 3). Heidelberg, Dordrecht, London, New York: Springer. 241-270.
- Wu, Chien-Huei (2011/11). Foreign Direct Investment as Common Commercial Policy: EU External Economic Competence After Lisbon. In P. J. Cardwell (Ed.), *EU External Relations Law and Policy in the Post-Lisbon Era*. Heidelberg, Dordrecht, New York: TMC

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Asser/Springer. 375-400.

- 吳建輝 (2011/11)。〈專家與公民社會在生物科技爭端的角色:以歐洲法院、歐洲專利局與世界貿易組織爭端解決機制為核心〉。收錄於洪德欽(主編),《歐盟與美國生物科技政策》(頁 127-189)。台北:中央研究院歐美研究所。Wu, Chien-Huei (2011/11). The Role of Experts and Civic Society in Bio-technology Disputes: An Comparative Analysis of European Court of Justice, European Patent Office and WTO Dispute Settlement Mechanism. In D. C. Horng (Ed.), *Biotechnology Policy in the EU and the USA*. Taipei: Institute of European and American Studies, Academic Sinica. 127-189.
- 王韻茹、吳建輝(2011/01)。〈專家審議委員會在衛生法制之角色——以毒品審議委員會與管制藥品審議委員會為例〉。收錄於羅昌發、林彩瑜、楊培侃(主編),《兩岸當代重要衛生法議題研究》(頁 177-221)。台北:元照出版公司。Wang, Yun-Ru and <u>Wu</u>, <u>Chien-Huei</u> (2011/01). The Role of Expert Review Committee in Health Regulations— Examining the Expert Review Committee on Narcotics and Expert Review Committee on Controlled Substances. In C. F. Lo et al. (Eds.), *Current Research Issues on Sanitary Regulations across the Taiwan Strait*. Taipei: Angle Publishing House. 177-221.

Wu, Chien-Huei (2010/01). The ASEAN Economic Community under the ASEAN Charter; Its External Economic Relations and Dispute Settlement Mechanisms. In C. Herrmann & J. P. Terhechte (Eds.), *European Yearbook of International Economic Law* (Vol. 1). Heidelberg, Dordrecht, London, New York: Springer. 331-357.

(3) Refereed Journal Articles

- Wu, Chien-Huei (2014/09). One Country, Two State Immunity Doctrines: A Pluralistic Depiction of the Congo Case. *National Taiwan University Law Review*, 9(2): 197-232.
- 吳建輝 (2014/09)。〈歐盟作為規則產生者:以其在能源憲章公約之參與為例〉。《歐美研究》,第 44 卷第 3 期,頁 239-305。Wu, Chien-Huei (2014/09). EU as a Rule-Generator: Examining its Participation in the Energy Charter Treaty. *EurAmerica*, 44(3): 239-305.
- 吳建輝 (2014/05)。〈對外經貿談判的解構與重塑〉,《台灣本土法學雜誌》,第 247 期,頁 5-12。Wu, Chien-Huei (2014/05). The Reformat of External Trade Negotiation. *Taiwan Law Journal*, 247: 5-12.
- Wu, Chien-Huei (2013/09). Monetary Cooperation in the East Asian Context: Progress and Challenges. *Asian Journal of WTO and International Health Law and Policy*, 8(2): 583-604.

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- Wu, Chien-Huei (2013/09). The Evolution of EU-ASEAN Relations: Legal Framework and Policy Change. *National Taiwan University Law Review*, 8(2): 329-372.
- 吳建輝 (2013/09)。〈歐盟作為規範性權力:以國際刑事法秩序之建立為例〉。《歐美研究》,第 43 卷第 3 期,頁 537-593。Wu, Chien-Huei (2013/09). EU as a Normative Power: Examining its Contribution to International Criminal Justice. *EurAmerica*, 43(3): 537-593.
- 吳建輝 (2013/03)。〈歐盟做為全球環境行為者:以其在氣候變化網要公約之參與為例〉。《歐美研究》,第 43 卷第 1 期,頁 27-87。Wu, Chien-Huei (2013/03). EU as a Global Environment Actor—A Case Study of Its Participation in the UNFCCC. *EurAmerica*, 43(1): 27-87.
- 吳建輝 (2012/12)。〈歐盟對外經貿法之發展:法律與政策變遷〉。《歐美研究》,第 42 卷第 4 期,頁 753-839。Wu, Chien-Huei (2012/12). The Evolution of EU External Economic Law—Legal and Policy Changes. *EurAmerica*, 42(4): 753-839.
- Wu, Chien-Huei (2012/11). Beyond Liberalization: Health-Related Aspects of EU External Economic Agreements. *European Foreign Affairs Review*, 17: 511-532.
- Wu, Chien-Huei (2010/09). EU's Participation in the WHO and FCTC: A Good Case for "EU as a Global Actor?" *Asian Journal of WTO and International Health Law and Policy*, 5(2): 467-496.
- Wu, Chien-Huei (2010/05). Mutual Recognition of Arbitral Awards among Taiwan, China, Hong Kong and Macau: Regulatory Framework and Judicial Development. *Contemporary Asia Arbitration*, 3(1): 65-97.
- Lo, Chang-Fa; Lin, Tsai-Yu; Chang, Fong-Ching; Wu, Chuan-Feng; Yang, Pei-Kan; Wu, Chien-Huei; Chi, Chung; Chan, Chi-Wei; Huang, Yun-Ya; Lee, Tsung-Ling; Wang, Pei-Ju; Yang, Shih-Yu; Yeh, Eric Yi-Hsin. (2010/03). Reducing Tobacco Growing in Taiwan and Government Interaction: Challenges and Opportunities. *Asian Journal of WTO and International Health Law and Policy*, 5(1): 207-247.
- Wu, Chien-Huei (2008/09). Mission (Im)possible: Could the WTO Save Chinese Courts? *National Taiwan University Law Review*, 3(2): 61-110.
- Wu, Chien-Huei (2008/02). How Does TRIPS Transform Chinese Administrative Law? *Global Jurist*, 8(1Topics): Article 6.
- Wu, Chien-Huei (2008/01). One Country, Two Systems, and Three Memberships: Legal and

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Economic Integration between China and its Two SARs. *Global Jurist*, 7(3Advances): Article 7.

(4) Refereed Conference Papers and other Articles

- 吳建輝 (2014/10)。〈歐洲聯盟加入歐洲人權公約之法律問題〉,發表於「歐洲人權」學術研討會,台北:中央研究院歐美研究所/台大法律學院人權與法理學中心,2014年10月17日至18日。Wu, Chien-Huei (2014/10), *The Legal Problem of the EU Accession to the ECHR*, presented in <u>Human Rights in Europe</u>, Taipei: Institute of European and American Studies, Academia Sinica/Human Rights Center, College of Law, National Taiwan University, October 17-18, 2014. (in Traditional Chinese)
- Wu, Chien-Huei (2013/10). Access to Raw Materials: The Boundary and Linkage of Trade and Investment Regimes, presented in Natural Resources Grabbing: Erosion or Legitimate Exercise of State Sovereignty?, Cagliari (Sardinia), Italy, October 4-5, 2013.
- Wu, Chien-Huei (2013/06). *Monetary Integration and Financial Cooperation in Asian Context*, presented in <u>Asia WTO Research Network Annual Conference & ACWH at 10: Asia's</u> Plurilateral Trade Agreements: TPP, ASEAN and Beyond, Taipei, Taiwan, June 15-16, 2013.
- 吳建輝 (2013/05)。〈歐盟作為規則產生者:歐盟與能源憲章公約〉,發表於「能源安全與歐美政策回應」學術研討會,台北:中央研究院歐美研究所,2013 年 5 月 17 日至 18 日。Wu, Chien-Huei (2013/05). EU as a Rule-Generator: The EU and Energy Charter Treaty, presented in Energy Security and Policy Responses by the EU and the USA, Taipei: Institute of European and American Studies, Academia Sinica, May 17-18, 2013.
- Wu, Chien-Huei (2013/05). Beyond the ASEAN Way: The Legalization of Dispute Settlement Mechanisms in ASEAN, ASEAN plus Three and Even More, presented in ILA-ASIL Asia-Pacific Research Forum: International Law and Dispute Resolution: Challenges in the Asia Pacific, Taipei: Chinese (Taiwan) Society of International Law et al., May 15-16, 2013.
- Wu, Chien-Huei (2012/09). *The Fragmentation of the Multilateral Trading System: The Case of Trading Rules on Export Restrictions*, presented in The 5th ESIL Biennial Conference, Valencia, Spain, September 13-15, 2012.
- Wu, Chien-Huei (2012/09). *EU's Response to Food Crisis: Trade, Development and Humanitarian Aid*, presented in <u>International Conference on Beyond Lisbon Treaty:</u>

 <u>Re-examining EU Institutions and Governance</u>, Taipei: Institute of European and American Studies, Academia Sinica, September 7-8, 2012.

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- Wu, Chien-Huei (2012/07). *Trade and Food Security: The Role of the WTO and Bretton Woods Institutions*, presented in 2012 ANZSIL 20th Annual Conference: International Law in the Next Two Decades: Form or Substance?, Wellington, New Zealand, July 5-7, 2012.
- Wu, Chien-Huei (2012/07). Judicial and Criminal Cooperation in the European Union. *Judicial Aspirations*, 103: 7-25.
- Wu, Chien-Huei (2012/05). EU before Chinese Courts: The EU's Response to Chinese Trade Defence Measures, presented in The European Union in International Affairs III, Belgium, May 3-5, 2012.
- Wu, Chien-Huei (2012/02). One Country Two State Immunity Doctrines: A Pluralistic Depiction of the Congo Case, presented in Young Scholars Workshop-Asian Approaches to International Law, Singapore, February 23-24, 2012.
- 吳建輝 (2011/11)。〈刑事判決承認與人犯移轉:歐美經驗與兩岸實踐〉,發表於「中國大陸與國際法律秩序」研究組群成果發表會,台北:中央研究院法律學研究所,2011 年 11 月 7 日。Wu, Chien-Huei (2011/11). The Recognition of Criminal Judgments and Prisoner Transfer: European and American Experiences and the Practices of Taiwan and China, presented in Workshop on China and International Legal Order, Taipei: Institutum Iurisprudentiae, Academia Sinica, November 7, 2011.
- Wu, Chien-Huei (2010/11). *EU-ASEAN Relations in the post-Lisbon Era*, presented in <u>European Integration at 60: Progress, Problems, Perspectives</u>, New Zealand, November 25-26, 2010.
- Wu, Chien-Huei (2010/10). Balance of Payments Measures under the World Trade Organization and Beyond, presented in Conference on Trade Remedy, Financial Crisis and the Challenge to the WTO, Taipei: International Trade Commission, Ministry of Economic Affairs (ITC) and Asian Center for WTO & International Health Law and Policy, College of Law, National Taiwan University, October 29, 2010.
- Wu, Chien-Huei (2010/07). *The Treatment of Foreigners under National Health Care Systems:*A Comparative Study of Taiwan and Singapore, presented in Conference on International Health and Trade, Taipei: Asian Center for WTO & International Health Law and Policy, College of Law, National Taiwan University, July 22, 2010.
- Wu, Chien-Huei (2010/06). *The Effective Control of Smokeless Tobacco under FCTC*, presented in 2010 International Conference on FCTC: Review and Prospect, Taipei: Bureau of Health Promotion, Department of Health, Taiwan, and Asian Center for WTO & International Health

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Law and Policy, Collage of Law, National Taiwan University, June 11-12, 2010.

(5) Forthcoming Publications

Wu, Chien-Huei (2015). A Mismatch between Ambition and Reality: The EU's Efforts to Counterbalance China and the US in East Asia. In C. Herrmann, M. Krajewski & J. P. Terhechte (Eds.), *European Yearbook of International Economic Law*. Heidelberg, Dordrecht, London, New York: Springer.

Wu, Chien-Huei (2015). Select Issues Regarding the EU's Concurrent Imposition of Anti-Dumping and Countervailing Duties against Chinese Coated Fine Papers: Analogue Country, Market Economy Treatment, Individual Treatment, and Double Remedy. *Asian Journal of WTO and International Health Law and Policy*.

Wu, Chien-Huei (2014). The Many Faces of States in International Investment Law: Supranational Organisation, Unrecognised State and Sub-State Entities. In S. Lalani and R. Polanco(Eds.), *The Role of the State in Investor-State Arbitration*. Martinus Nijhoff.

NATIONAL RESEARCH

(1) Funded by the Ministry of Science and Technology

《國際法秩序之建構與形塑暨歐盟角色之研究》The Construction and Reformulation of International Legal Order and the Role of the European Union, *Ministry of Science and Technology* (01/08/2013~31/07/2016, 102-2628-H-001-007-MY3)

《出口限制措施在世界貿易組織之規範以及其發展、糧食與能源安全意涵》The Regulation of Export Restriction under the World Trade Organisation and its Implication to Development Objective, Food Security and Energy Security, *Ministry of Science and Technology* (01/08/2012~31/10/2013, 101-2410-H-001-021-)

《後里斯本時期歐盟之對外經濟關係:以其在世界貿易組織與國際貨幣基金之角色及與東南亞國協之交往為核心》EU's External Economic Relations in the Post-Lisbon Era: A Global Actor within the WTO, IMF and an Effective Actor with ASEAN, *Ministry of Science and Technology* (01/08/2010~31/10/2012, 99-2410-H-001-110-MY2)

《經濟整合與貨幣整合法律之交互關係:全球化抑或區域化之面向及選擇》The Interrelationship between Economic Integration and Monetary Integration Law: Global/Regional Options and Approaches, *Ministry of Science and Technology*,

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 $(01/10/2009 \sim 31/08/2010, 98-2410-H)$

(2) Funded by Other Institutions

《世界衛生組織菸草控制框架公約參與計畫》Framework Convention on Tobacco Control Participation Project, *Ministry of Health and Welfare* (24/03/2014~31/12/2014, G1030103)

《國際經貿公共衛生法律諮詢及專題研析計畫》International Trade and Public Health Legal Counsel and Research Project, *Ministry of Health and Welfare* (16/04/2013~31/12/2013, 102I2108)

《國際經貿與衛生福利法律諮詢計畫》International Trade and Health and Welfare Legal Counsel Project, *Ministry of Health and Welfare* (19/03/2013~31/12/2013, M03L2062)

《永續發展在環境保護法制建構的比較研究》The Formation of Sustainable Development in Environmental Protection Law: A Comparative Study, *Academia Sinica* (07/2012~07/2015, AS-102-SS-A16)

《國際經貿與公共衛生法律諮詢及專題研析計畫》International Trade and Public Health Legal Counsel and Research Project, *Ministry of Health and Welfare* (08/06/2012~31/12/2012, 10112127)

《世界衛生組織菸草控制框架公約參與計畫》Framework Convention on Tobacco Control Participation Project, *Ministry of Health and Welfare* (08/05/2012~31/12/2012, CCY-101024)

《中國大陸與國際法律秩序 (二)》Mainland China and the International Legal Order II, institutum iurisprudentiae, Academia Sinica, (01/02/2012~31/01/2013)

《遣送人犯及移管受刑人法治之研究(含刑事判决之承認)》Legal Study of the Transfer of Inmates (Including Admit of Conviction), *Ministry of Justice*, (17/05/2011~16/05/2012, W1000303)

《國際經貿與公共衛生法律諮詢及事務支援計畫》International Trade and Public Health Legal Counsel and Support Project, *Ministry of Health and Welfare* (24/03/2011~31/12/2011, 100I2110)

《貿易救濟國際研討會規劃及執行》Trade Remedies International Conference Planning and Execution, International Trade Commission, Ministry of Economic Affairs, (11/2010)

《國際經貿法律與爭端案件進階研究訓練計畫》International Trade Law and Dispute Cases

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Advance Research Training Project, Bureau of Foreign Trade, Ministry of Economic Affairs (07/2010)

《經貿與公共衛生法律諮詢暨支援國際衛生事務計畫》Trade and Public Health Legal Counsel and Assisting International Health Affair Project, *Ministry of Health and Welfare* (03/2010~12/2010)

《美國貿易救濟案件之訴訟案例研究與問題研析》U.S. Trade Remedies Cases: Study of Lawsuit and Problem Analysis, *International Trade Commission, Ministry of Economic Affairs*, (03/2010~12/2010)

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WORKING LANGUAGES

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- English (advanced university level)
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