

**2015 Taipei International Conference on  
Arbitration and Mediation**

Hosts

Chinese Arbitration Association, Taipei (CAA)  
Asian Center for WTO & International Health Law and Policy, College of Law,  
National Taiwan University (ACWH)  
Chinese Taipei APEC Engineer Monitoring Committee

Date: September 6-7, 2015

Venue: Howard Civil Service International House, 14<sup>th</sup> Floor

**Agenda**

<b>Day 1: September 6, 2015 (Sunday)</b>		
<b>Time</b>	<b>Topics</b>	<b>Speakers</b>
8:30-9:00	Registration	
9:00-9:20	<p><b>Opening Remarks</b></p> <p>1. Fuldien Li (李復甸), Chairman, Chinese Arbitration Association, Taipei (CAA)</p> <p>2. Tsai-yu Lin (林彩瑜), Professor, NTU College of Law and Director, ACWH</p> <p><b>Signing Ceremony</b></p> <p>Dr. Fuldien Li (李復甸), Chairman, CAA &amp; DDr. Alexander Petsche, Representative and Board Member, Vienna International Arbitral Centre (VIAC)</p>	
<p><b>Session 1</b> 9:20-10:50</p>	<p><b>Government's Role in Promoting or Attracting Commercial Arbitration</b></p> <p><b>Chair: Mr. Samuel Wong (王則左)</b></p>	
	1.	<p><i>The Dual Role of the Malaysian Government in Alternative Dispute Resolution – Conflict or Accountability?</i></p> <p>Sundra Rajoo, Director, Kuala Lumpur Regional Centre for Arbitration (KLRCA)</p>
	2.	<p><i>Government as a Facilitator in Commercial Arbitration in Mainland</i></p> <p>YU Jian-long (于健龍), Deputy Director &amp; Secretary General, China International Economic and</p>

		<i>China</i>	Trade Arbitration Commission (CIETAC)
	3.	<i>Feasibility of Transforming Taiwan into an Arbitration Center in Asia-Pacific Region: Difficulties and Possible Solutions</i>	Pei-kan Yang (楊培侃), Associate Professor, Department of International Business, National ChengChi University, Taiwan
10:50-11:10	<b>Tea Break and Group Photos</b>		
Session 2 11:10-12:10	<b>Procedural Issues in International Commercial Arbitration</b> <b>Chair: Dr. Pi-song Tsai (蔡碧松)</b>		
	4.	<i>Sanctions Against Counsel in International Arbitration – Possible, Desirable or Conceptual Confusion?</i>	Stephan Wilske, Partner, Gleiss Lutz
	5.	<i>New Vienna Rules and the New Austrian Arbitration Law</i>	DDr. Alexander Petsche, Representative and Board Member, VIAC; Partner, Baker & McKenzie
12:10-13:40	<b>Lunch Break</b>		
Session 3 13:40-15:40	<b>Substantive Law Issues in International Commercial Arbitration</b> <b>Chair: Dr. Stephan Wilske</b>		
	6.	<i>Arbitration and the CISG</i>	Ingeborg Schwenzer, Professor, University of Basel
	7.	<i>Commercial Arbitral Tribunal's and Domestic Court's Interpretation of Treaties</i>	Chang-fa Lo (羅昌發), Constitutional Court Justice; NTU Law Professor
	8.	<i>The Law Applicable to the Substance of Arbitral Dispute: Arbitrators' Choice in Absence of Parties' Choice</i>	Winnie Jo-Mei Ma (馬若梅), Honorary Assistant Professor of Law, Bond University, Australia
	9.	<i>International Arbitration and the Fragmentation of Transnational Commercial Law</i>	Joshua D H Karton, Associate Professor, Queen's University Faculty of Law and Visiting Associate Professor, National

		Taiwan University College of Law
15:40-16:00	<b>Tea Break</b>	
<b>Session 4</b> 16:00-17:40	<b>Recent Development of International Commercial Mediation</b> <b>Chair: Dr. Fuldien Li (李復甸)</b>	
	10.	<i>New Developments in International Mediation: USA, UK, Asia, India and the European Union</i> Danny McFadden, Managing Director, Centre for Effective Dispute Resolution (CEDR)
	11.	<i>Recent Developments in International Mediation: Singapore's Unique Approach</i> Josephine Hadikusumo, Adjunct Faculty, Singapore International Mediation Centre (SIMC) & Eunice Chua, First Deputy Chief Executive Officer, SIMC
	12.	<i>The Promotion of Draft Convention on the Cross-border Enforcement of iMSA</i> Chang-fa Lo (羅昌發), Justice, Constitutional Court; Professor, NTU Law & Winnie Ma (馬若梅), Honorary Assistant Professor, Faculty of Law, Bond University, Australia
<b>Day 2: September 7, 2015 (Monday)</b>		
<b>Session 5</b> 9:00-10:50	<b>Issues in Investment Arbitration</b> <b>Chair: Prof. Chang-fa Lo (羅昌發)</b>	
	13.	<i>Is Modifying BIT a Feasible Solution to Limit Investor's Existing Access to Investment Arbitration?</i> Tsai-yu Lin (林彩瑜), Professor, NTU College of Law and Director, ACWH
	14.	<i>Use (and Abuse?) of Multi-tiered Dispute Resolution Clauses in Recent Commercial and Investment Arbitrations: Issues and Lessons for the Parties</i> Emmanuel Jacomy, International Arbitration Lawyer, Shearman & Sterling LLP (Singapore)

	15.	<i>Using the Doctrine of Piercing the Corporate Veil In Resolving Nationality Planning Issue in International Investment Arbitration</i>	Chieh Lee (李潔), LLM, College of Law, National Taiwan University
10:50-11:00	<b>Tea Break</b>		
11:00-12:00	16.	<i>The Impact of Amicus Curiae Submissions in Investment Treaty Arbitration</i>	Emily Choo Wan Ning, Practice Fellow, Centre for International Law (CIL), Law, National University of Singapore
	17.	<i>The Principle of Effective Interpretation in the World Trade Organization and Investment Arbitration: Difference in Parameters?</i>	Tomoko Ishikawa, Associate Professor, University of Tsukuba
12:00	<b>Concluding Remarks</b> , by Tsai-yu Lin (林彩瑜), Director, ACWH		