



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***

Alexandra Carter, Clinical Professor of Law, Director of Clinical Education, Columbia Law School &
Shawn Watts, Lecturer in Law and Associate Director, Edson Queiroz Foundation Mediation Program, Columbia Law School

12:30-13:40 **Lunch** (B1 Floor, Fu Gui Room)

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

Chair: Stephan Wilske, Partner, Gleiss Lutz

8. ***The Treatment of (National) Taxes in Tax and Non-Tax (International) Agreements: Challenges for International Arbitration***

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-Like Mechanisms in 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***

Teresa 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 in Arbitration Procedure***

Sally Harpole, Attorney (California), Solicitor (Hong Kong), Chartered Arbitrator, 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 (1 Floor, Grand Garden Restaurant)**

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. ***One Belt One Road and International Arbitration***

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

14:40-15:00 **Coffee Break**

15:00-16:30 **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

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