

Eurasia Economic Forum "Silk Road Academic Belt" International Symposium 2019

and

The First Annual Conference of China International Investment Arbitration Forum

Multilateral Reform of Investor-State Dispute Resolution: A Dialogue among Different Approaches

15-16 September 2019

Xi'an, China

## Conference Programme

The First Draft of 29 June 2019, subject to adjustment

Silk Road Institute for International and Comparative Law (SRIICL)  
Collaborative Innovation Centre for Silk Road Economic Belt Legal and Policy Studies  
China International Investment Arbitration Forum (CIIAF)

Media Partner



<b>Registration: 14:00 - 18:00, 14 September 2019</b>	
20:00 – 21:30	Meetings of Chairman Board of China International Investment Arbitration Forum
<b>Conference Day One: 15 September 2019</b>	
<b>TIME</b>	<b>PROGRAMME</b>
08:00 – 08:30	REGISTRATION
08:30 – 09:00	OPENING CEREMONY OF THE CONFERENCE Opening Address Inauguration of the Annual Report of CIIAF
09:00 – 09:30	GROUP PHOTO & TEA BREAKS
09:30 – 10:30	KEYNOTE SPEECH
10:30 – 12:00	Session 1: Theoretical Foundations of ISDS Reform
12:00 – 13:00	LUNCH
13:00 – 14:30	Session 2: Rules Amendment of the ICSID
14:30 – 14:45	POSTERS & TEA BREAKS
14:45 – 16:15	Session 3: ISDS Reform under UNCITRAL
16:15 – 16:30	POSTERS & TEA BREAKS
16:30 – 18:00	Session 4: Modernization of Energy Charter Treaty
18:00 – 19:30	WELCOME DINNER
<b>Conference Day Two: 16 September 2019</b>	
08:00 – 09:30	Session 5: European Approach to ISDS Reform
09:30 – 09:45	POSTERS & TEA BREAKS
09:45 – 11:15	Session 6: Asian Pacific Approach to ISDS Reform
11:15 – 11:30	POSTERS & TEA BREAKS
11:30 – 13:00	Session 7: China's Role in ISDS Reform
13:00 – 13:15	CLOSING CEREMONY OF THE CONFERENCE

<b>Pre-Conference</b>	<b>14 September 2019</b>
<b>14:00 – 18:00</b>	Registration
<b>20:00 – 21:00</b>	<b>Meetings of Chairman Board of China International Investment Arbitration Forum</b>

<b>Day One</b>	<b>15 September 2019</b>
<b>08:00 – 08:30</b>	Registration
<b>08:30 – 09:00</b>	<b>Opening Ceremony of The Conference</b>
	Opening Address 1. Meg Kinnear, Secretary General of ICSID 2. Representative from People’s Supreme Court (tbc) 3. Present, Xi’an Jiaotong University (tbc) Inauguration of the Annual Report of CIIAF
<b>09:00 – 09:30</b>	Group Photo and Tea Breaks
<b>09:30 – 10:30</b>	Keynote Speech 1. Representative from MFA (tbc) 2. Representative from MOFCOM (tbc) 3. Representative from China International Investment Arbitration Forum (CIIAF) (tbc)
<b>10:30 – 12:00</b>	<b>Session 1: The Theoretical Foundations of ISDS Reform</b>
	Chairperson: Speaker: 1. Muthucumaraswamy Sornarajah (Emeritus Professor, National Singapore University): 2. Shotaro Hamamoto (Professor, Kyoto University): 3. Manjiao Chi (Professor, University of International Business and Economics): Arbitration Appeal as an ISDS Reform Option 4. Qinglin Zhang (Professor, Shanghai University of International Business and Economics): On the Enhancing of State’s Characteristics in the Reform of Investor-State Dispute Settlement 5. Jun Zhao (Professor, Zhejiang University): Investment Dispute Settlement Mechanism: Reform or Reconstruction 6. Mohammad Hamdy (Visiting Assistant Professor, Tulane University): The Mainstream View in Investment Arbitration and the Institutional Reform Agenda: A Reappraisal 7. Carlo Vittorio Giabardo (Postdoctoral Research Fellow, University of Girona): Alternative Dispute Resolution Mechanisms in Investor-State Dispute Resolution: Rights-Based vs Interests-Based Approaches and the Role of Investment Mediation Questions and Answers
<b>12:00 – 13:00</b>	Lunch
<b>13:00 – 14:30</b>	<b>Session 2: The Rules Amendment of the ICSID</b>

	<p>Chairperson:</p> <p>Speaker:</p> <ol style="list-style-type: none"> <li>1. Keynote Speaker: Meg Kinnear (Secretary General of ICSID)</li> <li>2. James Bacchus (University of Central Florida) (tbc)</li> <li>3. Jingxia Shi (Professor, University of International Business and Economics): Third Party Funding in International Investment Dispute Resolution: Focusing on Disclosure Obligation</li> <li>4. Liying Zhang (Professor, China University of Political Science and Law) &amp; Jingjing Li (Master Student, China University of Political Science and Law): The Latest Development and Problems of Third-Party Funding in Proposals for Amendment of the ICSID Rules 2019</li> <li>5. Stephanie Forrest (Associate, Wilmer Hale LLP) &amp; Elizabeth Whitsitt (Associate Professor, University of Calgary): Amendments to ICSID Arbitration Rules – The Expanded Provisions on Transparency</li> <li>6. Sergio Puig (Associate Professor, University of Arizona) (tbc)</li> </ol> <p>Questions and Answers</p>
<b>14:30 – 14:45</b>	<b>Posters &amp; Tea Breaks</b>
<b>14:45 – 16:15</b>	<b>Session 3: ISDS Reform under UNCITRAL</b>
	<p>Chairperson:</p> <p>Speaker:</p> <ol style="list-style-type: none"> <li>1. Corinne Montineri (the Secretary of the UNCITRAL Working Group III):</li> <li>2. Julien Chaisse (Professor, City University of Hong Kong)</li> <li>3. Maciej Zenkiewicz (Research Professor, University of Externado): ISDS Reform under UNCITRAL: Global South State's Fears and Chances</li> <li>4. Sheng Zhang (Associate Professor, Xi'an Jiaotong University): The Use of Mediation in International Investment Dispute Settlement</li> <li>5. Peng Wang (Lecturer, Xi'an Jiaotong University): Towards a Multilateral but Differentiated Investment Tribunal: One Permanent Body with Many Flexibility Mechanisms</li> <li>6. Achille NGWANZA (Membre de la Cour internationale d'arbitrage de la CCI, Et du MCCI Arbitration &amp; Mediation Center): Uncertainties Of Investor-State Dispute Resolution Under Ohada Arbitration Reform</li> </ol> <p>Questions and Answers</p>
<b>16:15 – 16:30</b>	<b>Posters &amp; Tea Breaks</b>
<b>16:30 – 18:00</b>	<b>Session 4: Modernization of Energy Charter Treaty</b>
	<p>Chairperson:</p> <p>Speaker:</p> <ol style="list-style-type: none"> <li>1. Alejandro Carballo Leyda (Legal Counsel of Energy Charter Secretariat):</li> <li>2. Rafael Leal-Arcas (Professor, Queen Mary University of London):</li> <li>3. Anatole Boute (Associate Professor, Chinese University of Hong</li> </ol>

	<p>Kong):</p> <ol style="list-style-type: none"> <li>4. Shixi Huang (Professor, Shandong University): Sustainability in Investor-State Dispute Settlement</li> <li>5. Wei Shen (Professor, Shanghai Jiao Tong University) &amp; Rexiti Maimutiming (PhD Candidate, Shanghai Jiao Tong University): ADRs in Investor-State Disputes Involving Developing Host States: is “More” always “Better”?</li> <li>6. Inga Martinkute (PhD in Law, National University of Singapore): ISDS Reform: Substantive Aspects of Investment Protection and Comparative Property Law</li> <li>7. Jingzhao Fan (PhD Candidate, Lomonosov Moscow State University): Eurasian Economic Union Approach to ISDS Reform: The Eurasian Economic Union Court and the Economic Court of the Commonwealth of Independent States</li> </ol> <p>Questions and Answers</p>
<b>18:00 – 19:30</b>	<b>Welcome Dinner</b>
<b>Day Two</b>	<b>16 September 2019</b>
<b>08:00 – 09:30</b>	<b>Session 5: European Approach to ISDS Reform</b>
	<p>Chairperson:</p> <p>Speaker:</p> <ol style="list-style-type: none"> <li>1. Colin Brown (Deputy Head of Unit, Dispute Settlement/Legal Affairs, DG TRADE, European Commission):</li> <li>2. Marc Bungenberg (Professor, Saarland University):</li> <li>3. Li Yuwen (Professor, Erasmus University Rotterdam):</li> <li>4. Fernando Dias Simões (Associate Professor, Chinese University of Hong Kong): Legal Representation in Investment Disputes along the Belt and Road</li> <li>5. Martin Andrew Jarrett (Lecturer, University of Mannheim): Shaping the Multilateral Investment Tribunal System into the Chinese Mould</li> <li>6. Ondrej Svoboda ( PhD Candidate, Charles University in Prague): Revival of EU Member States BITs as a Helping Hand in the European Reform Approach towards ISDS</li> <li>7. Vanina Sucharitkul (PhD Candidate, University Paris II; Senior Lecturer at University Descartes Paris 5): The European Approach To ISDS Reform: The Multilateral Permanent Tribunal</li> </ol> <p>Questions and Answers</p>
<b>09:30 – 09:45</b>	<b>Poster Session and Tea Breaks</b>
<b>09:45 – 11:15</b>	<b>Session 6: Asian Pacific Approach to ISDS Reform</b>
	<p>Chairperson:</p> <p>Speaker:</p> <ol style="list-style-type: none"> <li>1. Nils Eliasson (Chairperson of the HKIAC Proceedings Committee) (tbc)</li> <li>2. Michael Hwang (Former Chief Justice of DIFC Court):</li> <li>3. Jaemin Lee (Professor, Seoul National University):</li> </ol>

	<p>4. Jean HO (Associate Professor, National University of Singapore): Lessons for the Regional Comprehensive Economic Partnership from the ASEAN Comprehensive Investment Agreement and the Comprehensive and Progressive agreement for Trans-Pacific Partnership?</p> <p>5. Mark Feldman (Professor, Peking University)</p> <p>6. Danni Liang (Associate Professor, Sun Yat-sen University): ISDS Provisions under USMCA: A Path Backward or Forward?</p> <p>7. Walid Ben Hamida (Professor, University Paris-Saclay (Evry)): The Arab Approach to ISDS : The Original Arab Investment Court (tbc)</p> <p>Questions and Answers</p>
<b>11:15 – 11:30</b>	<b>Poster Session and Tea Breaks</b>
<b>11:30 – 13:00</b>	<b>Session 7: China's Role in ISDS Reform</b>
	<p>Chairperson:</p> <p>Speaker:</p> <p>1. Jingdong Liu (Researcher, Chinese Academy of Social Sciences): The Enforcement of International Investment Arbitration Awards in China</p> <p>2. Tong Qi (Professor, Wuhan University): Could the Decision of China's National Security Review of Foreign Investment be Subject to Judicial Review</p> <p>3. Li Chen (Professor, Fudan University): Issues of Jurisdiction of China's International Commercial Arbitration Institutions over International Investment Disputes Huawei Sun (Partner, Zhong Lun Law Firm):</p> <p>4. Xuehua Wang (Partner, Beijing Huanzhong &amp; Partners LLP): Are SOEs the Qualified Foreign Investors in International Investment Arbitration</p> <p>5. Luyao Che (Assistant Professor, China University of Political Science and Law): Reassessing the Rationale: On the Status of State-Owned Enterprises (SOEs) in ISDS Reform</p> <p>6. Lu Wang (Lecturer, University of New South Wales):</p> <p>7. Zhong Lin (Partner, Chen &amp; Co. Law Firm): The Substantive and Procedural Implications of the PRC Foreign Investment Law on China-Related Investment Dispute Resolution</p> <p>Questions and Answers</p>
<b>13:00 – 13:15</b>	<b>Closing Ceremony of the Conference</b>

#### Poster Speaker

Beketova Iuliia	Junior researcher	St Petersburg State University	Evolution of Investor-State Dispute Settlement system
YANG GAO	PhD Candidate	Australian National University	The Complex Regime of Investor-State Arbitration

MA Sai	PhD Candidate	Chinese University of Hong Kong	Foreign Investors' Rights <i>vis-a-vis</i> Environmental Interests: Is It Time for an ISDS Carve-Out?
Zhang Yuan Yuan	PhD Candidate	Chinese University of Hong Kong	Tackling Energy Export Restrictions in the Modernization of the Energy Charter Treaty
AVEEK CHAKRAVARTY	PhD Candidate	University of Turin	From dispute settlement to dispute management: co-operation and capacity building mechanisms for effective foreign investment governance in asia
Chunlei Zhao	PhD Candidate	Maastricht University	The Investor-State Dispute Settlement System in a China-EU Comprehensive Agreement on Investment: Setting a Sample of Integration
Hongwu Yin	Associate Professor	Hunan Normal University	Corrupt International Investments and ICSID Tribunals' Denial of Jurisdiction: Against the Law, Lose All?
Xiuyan Fei	Lecturer	East China University of Political Science and Law	Calibrating the Position of ISDS in the Spectrum of International Dispute Settlement
Tingting Deng	Asso Prof.	Central South University	Spotlight on the Reform of Investor-State Dispute Settlement: A Survey of Emerging Trends and China' s Options
Mark McLaughlin	PhD Candidate	China University of Political Science and Law	USMCA and the Evolution of US Investment Policy: Is the Sun Setting on Investor-State Dispute Settlement?
Yu Song	Master Student	Ocean University of China	Does bilateral political relations affect foreign direct investment? Evidence from Sino-Japanese relations
Jie Min	Master Student	Xi'an Jiaotong University	Investment Dispute Prevention and Resolution: What Lessons Could We Learn from Brazilian Model for the Multilateral Reform of Investment Arbitration?
Mengxue Zuo	PhD Candidate	Xi'an Jiaotong University	Research on Modernization of Energy Charter Treaty
Yu Lu	PhD Candidate	Xi'an Jiaotong University	Modernization of ICSID arbitration rules from the perspective of strategic competition
Xi Wang	PhD Candidate	University of Glasgow	Problems and Reforms of Arbitrators' Independence in ICSID

Xiaoxia Lin	Graduated Master Student	independent legal consultant	Investor' s Legitimate Expectations in Recent Energy Arbitration Awards: Implication for the modernisation of the Energy Charter Treaty
OLAOYE Kehinde Folake	PhD Candidate	Chinese University of Hong Kong	Reform of Investor-State Dispute Settlement in Africa