



北京仲裁委员会
Beijing Arbitration Commission
北京国际仲裁中心
Beijing International Arbitration Center

2022 ANNUAL SUMMIT ON COMMERCIAL DISPUTE RESOLUTION IN CHINA



Co-organizers



Supporting Organizations



About The Summit

Annually since 2013, the Beijing Arbitration Commission/Beijing International Arbitration Center (BAC/BIAC) has launched the Annual Review and Preview on Commercial Dispute Resolution in China and organized correlated annual roadshows.

Over the years, the Annual Summit on Commercial Dispute Resolution in China has become a main forum for Chinese legal professionals to exchange insights with their international counterparts. Previous successful Summits held in Europe, North America and South East Asia, which gathered influential practitioners and generated many thoughtful ideas, are encouraging.

The 2022 Annual Summit gathers speakers from multiple jurisdictions, who will share their insights on the new trends and challenges in a wide range of fields of commercial dispute resolution in China, including commercial arbitration, commercial mediation, construction, energy, investment, finance, international trade and intellectual property.

Recent Summits have been held in



2022 ANNUAL SUMMIT ON COMMERCIAL DISPUTE RESOLUTION IN CHINA

Event Agenda

15:00-15:10 Welcome Address

- Moderator:** Mr. TAO Jingzhou, Member of the International Commercial Expert Committee of the China International Commercial Court of the SPC
- Speaker:** Dr. CHEN Fuyong, Deputy Secretary General of the BAC/BIAC

15:10-16:10 Session One: Annual Review on Commercial Arbitration and Mediation in China

- Moderator:** Professor Loukas Mistelis, QMUL
- Speakers:** Ms. Helen Shi, Partner of Fangda Partners
Ms. ZHAO Fang, Partner of Hui Zhong Law Firm
- Commentators:** Amb. (r.) David Huebner, FCI Arb, C.Arb, Coll Arb
Dr. Helena HC Chen, Managing Partner of Chen & Chang, Attorneys-at-Law

16:10-17:10 Session Two: Annual Review on Construction and Energy Dispute Resolution in China

- Moderator:** Mr. Joe Tirado, JAMS Mediator, Arbitrator and Neutral Evaluator
- Speakers:** Mr. CUI Jun, Managing Director of Frontier & Partner
Mr. Leslie Zhang, General Counsel and Vice-President of United Energy Group Limited
- Commentators:** Dr. Narong Leungbootnak, THAC Arbitrator, Associate Professor of Khon Kaen University
Mr. Charles Wong, Senior Associate of Herbert Smith Freehills

17:10-18:10 Session Three: Annual Review on Financial and Investment Dispute Resolution in China

- Moderator:** Mr. Girgis Abd El-Shahid, Managing Partner of Shahid Law Firm
- Speakers:** Ms. LYU Qi, Founder of Beijing Fnlegor Corp.
Ms. WU Ying, Partner of TianTong Law Firm
- Commentators:** Ms. Cuijun SHI, Vice President and General Counsel of TotalEnergies China
Mr. Ernest Yang, Partner of DLA Piper, Head of Litigation & Regulatory, Hong Kong; Co-Head of International Arbitration, Asia Pacific

18:10-19:10 Session Four: Annual Review on International Trade and IP Dispute Resolution in China

- Moderator:** Ms. Brenda Horrigan, Independent Arbitrator
- Speakers:** Mr. LIAO Ming, Partner of Tahota (Beijing) Law Firm
Ms. LI Fengfeng, Partner of Lifang & Partners
- Commentators:** Mr. Jeffrey Benz, FCI Arb, FColl Arb, CEDS, IMI Certified, CEDR Accredited, JAMS/4 New Square
Mr. Gary Benton, C.Arb, FCI Arb, FColl Arb

19:10-19:25 Closing Remarks

- Moderator:** Dr. Colin ONG, KC, Member of the International Commercial Expert Committee of the China International Commercial Court of the SPC
- Speaker:** Ms. Teresa CHENG, SC, Former Secretary for Justice of the Hong Kong SAR

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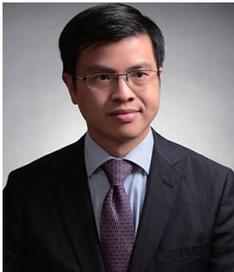
About the Speakers



Mr. TAO Jingzhou

Member of the International Commercial Expert Committee of the China International Commercial Court of the SPC

Jingzhou Tao is an independent arbitrator of the Arbitration Chambers. He has been Avocat à la Cour de Paris since 1991. He has more than 30 years, experience in advising for the Fortune 500 companies on China-related matters and also the Chinese companies on cross-border mergers and acquisitions and arbitration and litigation. He has acted as counsel, chief arbitrator or party-nominated arbitrator in over one hundred international arbitration proceedings. He is a Member of the ICC International Court of Arbitration (1999-2018), the Advisory Committee of China International Economic and Trade Arbitration Commission, the International Advisory Board of the Hong Kong International Arbitration Centre, Advisory Board of Foundation International for Arbitration Advocacy (FIAA) and the Board of Global Arbitration Review. He has also served as Vice Chairman of the Arbitration Committee of the International Bar Association (IBA) and Co-Chair of the Asia Pacific Forum of IBA.



Dr. Chen Fuyong

Deputy Secretary General of BAC/BIAC

Dr. Fuyong Chen is the Deputy Secretary General of Beijing Arbitration Commission/ Beijing International Arbitration Center (BAC/BIAC) and the Vice-President of Asia Pacific Regional Arbitration Group (APRAG). He is a qualified PRC lawyer with a LLB from China University of Political Science and Law, a LLM from Peking University and a PhD from Tsinghua University. Dr. Chen was a visiting researcher (2007-08) at the UC Berkeley School of Law and is a Research Fellow of the Center for the Study of Dispute Resolution at Renmin University of China. Dr. Chen is the General Editor of Beijing Arbitration Quarterly and has published over ten journal articles on commercial dispute resolution, including “Striving for Independence, Competence and Fairness: A Case Study of Beijing Arbitration Commission”, in *The American Review of International Arbitration*, v.18/no.3. His dissertation titled “The Unfinished Transformation: An Empirical Analysis of the Current Status and Future Trends of China’s Arbitration Institutions” was awarded 2010 Beijing Excellent Doctoral Dissertation. Dr. Chen is also the co-author of *Chinese Arbitration Law* (LexisNexis 2015), *China Arbitration Handbook* (Sweet & Maxwell 2011), and *International Commercial Arbitration Practice: 21st Century Perspectives* (LexisNexis 2016). He has extensive experience in handling various commercial disputes through arbitration and mediation and is a regular speaker at international conferences and seminars.



Professor Loukas Mistelis

QMUL

Professor Loukas Mistelis is an acknowledged authority on international dispute resolution. In 2006 he was listed as one of the “leading lights in international arbitration”, is listed on the Who’s Who Commercial Arbitration since 2007, as well as the 2017 and 2018 GAR Thought Leaders in International Arbitration and is now listed amongst thought leaders and is also a member of the ICSID Panel of Arbitrators and recipient of the GAR Award for best lecture of 2013. Loukas Mistelis is the Clive Schmitthoff Professor of Transnational Law and Arbitration and Director of the School of International Arbitration, Queen Mary University of London. He has been a visiting professor or scholar at National University of Singapore, Columbia Law School, NYU Law School, Keio University, Tokyo, LUISS, Rome and Catholic University of Portugal, Lisbon. He is a member of the Academic Committee of the Institute of Transnational Arbitration and a member of the Advisory Board of EFILA, a member of the Academic Committee of AIPN and President of the Court of CEDRAC (Cyprus Eurasia Dispute Resolution & Arbitration Centre). Professor Mistelis was educated in Greece, France, Germany and Japan. He has been a member of the Athens Bar since 1993. He is fluent in English, German and Greek, and has good knowledge of French, and basic knowledge of Polish, Russian and Spanish. His substantial arbitration experience includes more than 70 arbitrations and covers ad hoc and ICC, ICSID, LCIA, UNCITRAL, SCC, Swiss Chambers, GCC Arbitration Centre and Moscow cases. He has also acted as counsel and expert in commercial and investment arbitration proceedings. His publications (in English, German, Greek and Russian) include more than 65 referred articles and 14 books, including *Comparative International Commercial Arbitration* (2013, with Lew and Kröll), *Mandatory Rules in International Arbitration* (2009, with Bermann), *Concise International Arbitration* (2nd edition, 2016), *The Role of Arbitration in Shipping Law* (2016, with Goldby) and the multi-volum.



Ms. Helen Shi

Partner of Fangda Partners

Helen is the director and a partner of the Beijing office of Fangda Partners, and the Vice President of the ICC Court of Arbitration. She used to serve as the co-chair of the IBA Asia Pacific Arbitration Group and a member of the Hong Kong International Arbitration Center (HKIAC)’s Proceedings Committee. She is also a listed arbitrator at a number of arbitration institutions, including China International Economic and Trade Arbitration Commission (CIETAC). Having been praised as “an icon of arbitration” by Chambers & Partners, she has handled more than 100 cases in a wide range of industries, including share transfer, mergers and acquisitions, oil and gas, hospitality and construction. As an advocate, she has represented clients under the ICC, SIAC, HKIAC, CIETAC and UNCITRAL Arbitration Rules. Sitting as an arbitrator, she has presided over more than 50 cases. She has also provided legal expert opinion and testified as Chinese legal expert before courts in Hong Kong and Canada and in HKIAC arbitrations and an ad hoc arbitration seated in London. Ms. Shi is admitted to practice in both the PRC and the State of New York.



Ms. ZHAO Fang

Partner of Hui Zhong Law Firm

Ms. Zhao is the managing partner of Hui Zhong' s Shanghai office (in the name of Yun Zheng). Ms. Zhao has been practicing PRC law for over 20 years. She was also called to the Bar of England and Wales. She has been acting for clients both before the Chinese courts including the Supreme People' s Court and various international arbitration institutions including HKIAC, ICC, SIAC, CAS, etc. The clients she served cover a wide range of industries and her expertise lies in international trade, foreign investment, energy, telecommunication, construction, intellectual property, employment, sports, and entertainment. Other than a trial lawyer, she sits as an arbitrator in commercial arbitration cases. Ms. Zhao is on the official panel lists of HKIAC, CIETAC, BAC/BIAC, SHIAC, SCIA and LAC. She is an accredited civil- commercial mediator of ADR-ODR International in London and was especially invited by the Qianhai Cooperation Zone People' s Court as the court' s mediator for foreign related cases. Ms. Zhao is a visiting lecturer at the Law School of Beijing University, Fudan University, China University of Political Science and Law, University of International Business and Economics and East China University of Political Science and Law. Ms. Zhao has been ranked by Chambers & Partners as one of the leading practitioners in the field of Arbitration in China.



Amb. (r.) David Huebner

FCI Arb, C. Arb, Coll Arb

Ambassador (Ret.) David Huebner, FCI Arb, C. Arb, Coll Arb joins JAMS following more than 25 years of practice experience in arbitration, cross-border disputes, and intellectual property practice, as well as government service. He has handled more than 300 arbitrations in the United States and three dozen jurisdictions around the world as neutral or advocate, and has particular expertise in the technology (including semiconductors, hardware, software, haptics, materials, AI, internet, and gaming), life sciences (including pharma, biotech, clinical trials, medical devices, and healthcare), telecom, and entertainment sectors, as well as in energy, infrastructure, construction, and investment disputes.

Most recently, Ambassador Huebner served as a partner in an AmLaw 100 law firm' s international arbitration and public international law practices. Previously, he has held senior positions in the Asia Pacific region, including as the American Ambassador to New Zealand and Samoa, chairman & CEO of a large international law firm, founding chief representative of an AmLaw 100 law firm in Shanghai, and special IPR policy assistant to a member of the National Diet of Japan in Tokyo. In 2016, President Obama appointed him as one of the four American designees to the panel of arbitrators of the International Centre for the Settlement of Investment Disputes. He is a graduate of Princeton University (summa cum laude) and Yale Law School.



Dr. Helena HC Chen

Managing Partner of Chen & Chang, Attorneys-at-Law

Dr. Chen is qualified in Taiwan, Mainland China and New York State. She is a Fellow of the Chartered Institute of Arbitrators and listed on the panels of arbitrators of CIETAC, SIAC, KLRCA, KCAB, ACICA, SHIAC, SCIA, BAC, CAA, LCIA-MIAC Arbitration Centre etc. She is an accredited adjudicator with KLRCA and listed as one of the Recommended Experts of the Construction Dispute Board (DB) of Beijing Arbitration Commission. Dr. Chen is a member of the SIAC Users Council, the Vice-Chairperson of the Mediation Center of CAA, Associate Mediator for the Singapore Mediation Centre and listed on the panel of mediators of CCPIT/CCOIC Mediation Center. She has experiences in acting as a sole arbitrator, a chair arbitrator and a party-appointed arbitrator in domestic and international disputes.

Dr. Chen has vast experiences in arbitration, infrastructure projects and cross-strait investment. She is an international consultant retained by the Asian Development Bank (ADB) and has been named to the International Who's Who of Construction Lawyers for many years from 2011 and was featured in a roundtable discussion by Who's Who Legal (Roundtable: Construction 2013). She is one of the founding Supervisors of Taiwan Construction Law Society and served as a director thereof. She writes and lectures widely on arbitration, mediation and construction law topics.

Dr. Chen led the Pinsent Masons team to prepare PPP Contract Guidelines on the request of the PPP Center of the Ministry of Finance of the PRC. She also prepared PPP case study reports and PPP sample contracts for the PPP Center of the Ministry of Finance of the PRC in the capacity as an international consultant with the Asian Development Bank.



Mr. Joe Tirado

JAMS Mediator, Arbitrator and Neutral Evaluator

Joe has over 30 years of dispute resolution experience and has handled hundreds of cases across a broad range of industry sectors as counsel, arbitrator, mediator, and expert determiner in over 60 jurisdictions worldwide.

Joe is recognized as a ranked individual for international arbitration and ADR in leading legal directories. Most recently Joe has been acknowledged in The Legal500 UK Hall of Fame which highlights the top arbitration practitioners who have received constant praise from their clients for continued excellence and who are at the pinnacle of the profession.

Since 2016 Joe has been Co-Head of International Arbitration and ADR at leading Spanish and Latin American firm, Garrigues.

Joe is a solicitor-advocate with full rights of audience before all civil courts in England & Wales. He is also an accredited commercial and Investor-State mediator, an ICSID conciliator and panel member of a number of leading arbitration and mediation panels.



Mr. CUI Jun

Managing Director of Frontier & Partner

Mr. Cui is the Managing Director of Frontier & Partner. He is acknowledged as the most active practitioner in international construction claim and dispute settlement. After studying at Law School of Peking University, he had worked in Middle East, Africa, Asia and Europe on international construction projects for 21 years since 1989. Mr. Cui is currently the managing director of Frontier and Partners, a practice specialising in international construction law. He is the panel arbitrators of the CIETAC, China Marine Arbitration Commission (CMAC), BAC/BIAC, China-Africa Joint Arbitration Center (CAJAC) etc., and the fellow of the Chartered Institute of Civil Engineering Surveyors (UK). His current caseload involves contract negotiation, construction claim for international construction projects, dispute resolution such as dispute adjudication board, domestic and international arbitration. Mr. Cui authored 13 books including Principle and Practice of FIDIC Contract, Principle and Practice of FIDIC Subcontract, translation of Construction Contract Claim etc., and more than 80 articles and papers dealing with aspects of international construction contracts.



Mr. Leslie Zhang

General Counsel and Vice-President of United Energy Group Limited

Leslie is the General Counsel and Vice-President of United Energy Group Limited, a Hong Kong listed company, and was a former director of the Project Management Section under the Legal Department of China National Offshore Oil Corporation. Leslie was involved in many global scale cross-board M&A transaction and was nominated by the SASAC as the “Cross-Border Transactions Export”, named by Legal 500 and Thomson Reuters ALB as one of the best general counsels in Asia Pacific for years. Leslie is a current board member of the International Petroleum Negotiator Association (AIPN) and a member of the Drafting Committee for AIPN, and also serves as visiting professor or lecturer in a number of universities including China University of Political Science and Law and Beijing Foreign Studies University. He is engaged as a professor and researcher in a number of research institution and appointed as the independent director of A-share listed companies. Leslie is currently listed on the panels of arbitrators of the BAC/BIAC, SHIAC and Wuhan Arbitration Commission (WHAC). Leslie has extensive experience in cross-border M&As / investments and the international oil and gas industry. Leslie is the author of many popular books including Cross-Board Mergers and Acquisitions – A Legal and Practical Guide, Mergers and Acquisitions: Great Era – The Capital Strategies for Growth, Ten Lessons to be Learned for Cross-Board M&A, Ten Advanced Lessons for Cross- Boarded M&A, Cross-Border Mergers and Acquisitions in the Oil and Gas Industry – A Legal and Practical Guide, and The Way to M&A Success, and co-authored 3 other English books on international oil and gas practices, including Joint Operating Agreements: Challenges and Concerns from Civil Law Jurisdictions, Understanding Joint Operating Agreements, and Local Content for the International Petroleum Industry.



Dr. Narong Leungbootnak

THAC Arbitrator, Associate Professor of Khon Kaen University

Dr. Narong Leungbootnak has 28 years of working experience as Project Manager in Structure & Civil Design/ Construction management for various kind of projects ie. power plant, highrise building, hospital, commercial building, office building, academic building, residential building, industrial building, transportation and infrastructure, master plan.

Arbitrator, Thai Arbitration Institute, Office of the Court of Justice (TAI)

Arbitrator, Thailand Arbitration Center, Ministry of Justice (THAC)

Construction Arbitrator, Construction Solutions Academy in collaboration with Construction Lawyers Society

Construction Dispute Avoidance Consultant, Construction Solutions Academy in collaboration with Construction Lawyers Society

Construction Dispute Arbitrator, Construction Solutions Academy in collaboration with Construction Lawyers Society

Special Lecturer, Civil Engineering, Khon Kaen University

Special Lecturer, AIT Solutions, Asian Institute of Technology

Reference Price Committee and Entrepreneur Registration Committee, The Comptroller General's Department

Subcommittee on Construction Reference Price, The Comptroller General's Department

Subcommittee on Entrepreneur Registration, The Comptroller General's Department



Mr. Charles Wong

Senior Associate of Herbert Smith Freehills

Charles has experience on a wide range of complex cross-border transactions in the energy, resources and infrastructure sectors. His experience includes advising clients on acquisitions and sales, joint ventures, project development, procurement and construction contracts, commercial and shipping agreements as well as general corporate and commercial matters.

In particular, Charles advises clients on their investment and development in the oil and gas, LNG, renewable and power sectors, and has experience throughout the upstream acquisition, field development, production, transportation, storage and distribution.



Mr. Girgis Abd El-Shahid

Managing Partner of Shahid Law Firm

Girgis Abd El-Shahid is the Managing Partner at Shahid Law Firm. He specializes in dispute settlement, with a particular focus on energy-related disputes; mergers and acquisitions; corporate and commercial agreements; joint venture arrangements; banking and finance; securities offerings; telecommunications; and intellectual property.

Girgis focuses mainly on commercial arbitration, investment treaty arbitration and international law and is renowned for his special expertise in complex multiparty arbitrations. He is also recognized for his knowledge in handling all types of corporate and commercial disputes, from routine matters to large and complex multinational arbitrations. He is identified amongst the world's leading arbitration practitioners in Who's Who Legal: Future Leaders 2018 and Who's Who Legal: Energy 2017 "as being among the world's leading energy lawyers" and recognized by Chambers & Partners as one of Egypt's top arbitration litigators for 2018. Additionally, he is featured as a notable practitioner in the Chambers Dispute Resolution guide, recognized as "impressive – very driven and very business-oriented" and is acknowledged for his "solution-oriented, thorough and strategic" approach.



Ms. LYU Qi

Founder of Beijing Fnlegor Corp.

Ms. Lyu is the founder of Beijing Fnlegor Corp. She achieved her LL.M degree from Renmin University in 1999 and from TEMPLE University in 2019. She has been with financial legal area for over 20 years with bilingual working skills in Chinese and English. She is listed as arbitrator among the panel of Beijing Arbitration Center and Hainan Arbitration Center, while taking the role of deputy general secretary in China Banking Law Society. Ms. Lyu had been awarded as Outstanding Individual by National Department of Justice (2016) and was retained as Legal Counsel for China Banking Association. Recent years, she had been invited to given seminars and training for Law School of Peking University, China International Economic and Trade Commission, China Banking Association, Beijing Banking Regulatory Bureau, and World Bank on multiple legal themes covering Supply Chain Finance, Wealth Management, Financial innovation, Fintech, as well as Intellectual Property Finance. Her recent publications include Brief Analysis on Structural Design and Judicial Approaches over Bottom Returning Setting in L.L.P.in Wealth Management (2018) and Discussion on Legal Issues in the Securitization of Credit Assets in China (2014), and her translation of Principles of Banking Law (by Oxford Publishing House) is set to be published this year.



Ms. WU Ying

Partner of TianTong Law Firm

Ms. Wu is a partner of TianTong Law Firm and has intensive experience in cross border dispute resolution. She specializes in handling foreign-related commercial disputes governed by the Chinese courts, Chinese arbitration institutions and international arbitration institutions and managing overseas litigation proceedings. Ms. Wu previously worked for two leading international law firms for many years and has maintained long term cooperation with various foreign law firms. She has represented many domestic and foreign clients in a wide range of disputes, including financing, international trade, joint venture, bank guarantee, and EPC disputes. Ms. Wu is the ICC YAF (Young Arbitrators Forum) Representative of North Asia from 2021-2023 and is currently listed on the panels of arbitrators of Nanning Arbitration Commission.



Ms. Cuijun SHI

Vice President and General Counsel of TotalEnergies China

Cuijun (Katrina) Shi, Vice President & General Counsel of TotalEnergies China. TotalEnergies is a multi-energy company that produces and markets fuels, natural gas and electricity. Totalenergies is active in more than 130 countries with 100,000 employees in the globe. Before joining TotalEnergies, Katrina used to work for SIEMENS and State Grid, both are Fortune 500 companies. Before Katrina's in-house counsel career, Katrina used to practice in international law firms such as Herbert Smith Freehills Beijing Office and CMS Cameron McKenna Beijing Office. Now, Katrina is the panel arbitrator of Hongkong International Arbitration Commission (HKIAC), China International Economic and Trade Arbitration Commission (CIETAC) and Beijing Arbitration Commission/Beijing International Arbitration Center (BAC/BIAC) .



Mr. Ernest Yang

Partner of DLA Piper, Head of Litigation & Regulatory, Hong Kong;
Co-Head of International Arbitration, Asia Pacific

Ernest Yang is a partner at DLA Piper. He heads the Litigation & Regulatory Group in Hong Kong and is responsible for the International Arbitration practice in Asia. Ernest is a qualified Solicitor Advocate in England and Wales. Ernest recently passed the examination for Hong Kong legal practitioners to practise law in the Greater Bay Area in the People’s Republic of China.

Ernest's main area of practice is in commercial litigation and arbitration. He is experienced in handling international disputes covering areas such as sale of goods/trade and commodities, joint ventures, energy and offshore projects, international investment and technology. Ernest is experienced in handling arbitration disputes in a variety of venues including Australia, Beijing, Hong Kong, Singapore, Switzerland, London, and Stockholm before arbitral institutions such as the BIAC, CIETAC, HKIAC, ICC, LCIA, LMAA, SCC, SCMA, SHIAC and SIAC (in alphabetical order).

Ernest was appointed a member of the Chinese People’s Political Consultative Conference (CPPCC) in Shanghai in 2013, with a mandate to help Shanghai develop into an international arbitration centre. In 2015, Ernest was part of a team which submitted the proposal "Building Shanghai into a Ship and Aircraft Finance and Leasing Centre" to the China (Shanghai) Pilot Free Trade Zone. This proposal has been recognised as one of the "Outstanding Proposals of the Year" in 2016. Ernest was promoted to the Standing Committee of the CPPCC in Shanghai in January 2019.



Ms. Brenda Horrigan

Independent Arbitrator

Brenda Horrigan is an internationally recognised arbitration practitioner with 30 years of extensive global experience, having worked from the US, Paris, Moscow, Shanghai, Sydney and now Singapore.

Prior to establishing her own practice in 2021, Brenda was the Head of International Arbitration in Australia at Herbert Smith Freehills’ Sydney office. She commenced her career as a transactional lawyer and has spent nearly 20 years focussing exclusively on complex international commercial and investment treaty arbitration matters at both the arbitration and enforcement stages.

Brenda is the immediate past president of the Australian Centre for International Commercial Arbitration (ACICA) and remains a member of its Executive. She is a Fellow of the Chartered Institute of Arbitrators and is listed on the panels of numerous arbitral institutions.

Brenda has taught international arbitration as a Global Adjunct Professor of Law at New York University’s Shanghai campus and as a guest lecturer at the University of New South Wales. She is regularly invited to speak at conferences and seminars on arbitration and is consistently ranked in Chambers and in Global Arbitration Review’s Who’s Who: Legal as a leading arbitration practitioner.



Mr. LIAO Ming

Partner of Tahota (Beijing) Law Firm

Mr. Liao is a partner of Tahota (Beijing) Law Firm, with the main practicing areas of international trade and dispute resolution. He has been served as the leading counsel or participated in nearly 100 cases of representing Chinese and foreign clients in responding to international trade investigations, or in resolving cross-border trade and investment disputes. Mr. Liao is currently listed on the panels of arbitrators/ mediators of the BAC/BIAC, CAJAC, HKIAC, KCAB, Singapore International Mediation Centre (SIMC), AIAC, SHIAC, SHAC, HIAC, Tianjin Arbitration Commission, Chongqing Arbitration Commission, and many other Chinese and foreign arbitration institutions.



Ms. LI Fengfeng

Partner of Lifang & Partners

Ms. Li is a Partner of Lifang & Partners. Her main practice areas include intellectual property and competition law. She has participated in many important litigations and arbitrations covering intellectual property, anti-unfair competition and antitrust law, and serves as a legal adviser for several companies. Ms. Li previously worked at the Beijing IP Court and Beijing No.2 Intermediate People's Court for nearly a decade, during which she presided over or participated in nearly 1000 cases, including civil cases, commercial cases and intellectual property cases involving trademarks, copyright and patents. Through handling so many cases, she has accumulated abundant experience in resolving civil, commercial and intellectual property disputes. She understands the critical factors that affect the outcome of disputes. Because her deep legal knowledge, rich trial experience and strong professional ethics can be observed through her work, Ms. Li has gained much praise from clients. Ms. Li currently serves as a mediator of the Beijing Association for Alternative Dispute Resolution, a mediator of Beijing Sunshine Intellectual Property Mediation Center, and an arbitrator of the Beihai Arbitration Commission/Beihai Court of International Arbitration.



Mr. Jeffrey Benz

FCIArb, FCollArb, CEDS, IMI Certified, CEDR Accredited, JAMS/4 New Square

Jeffrey Benz is an accomplished international and domestic commercial arbitrator and mediator, with a focus on entertainment, sports and technology. He is a former General Counsel of the US Olympic Committee, former counsel to independent film producers and directors, and former athlete, he is one of only 400 Court of Arbitration for Sport (CAS) arbitrators and mediators worldwide. He is among the most frequently selected American sports and entertainment arbitrators. Benz has served as a neutral in several hundred large and complex arbitrations and mediations before the major administering global institutions, including in the US, China, Hong Kong, Taiwan, Switzerland, and the UK, including the Hong Kong International Arbitration Commission, Beijing Arbitration Commission, China International Economic and Trade Arbitration Commission (CIETAC), Shenzhen Court of International Arbitration, London Court of International Arbitration, ICC-USCIB, Court of Arbitration for Sport (CAS), Sport Resolutions UK, and Rugby Football Union (RFU). He is a member of the first Sino US Joint Arbitration Tribunal formed by JAMS.

In 2016, the BBC noted Mr. Benz is “widely regarded as amongst the most experienced judges” in world sport. According to Who’s Who Legal 2018 UK Bar, he is “widely recognised for his first-rate arbitration practice” and clients note he is ‘in a class of his own’ when it comes to complex sports disciplinary disputes.” He is a fellow of the Chartered Institute of Arbitrators and the College of Commercial Arbitrators and a CEDR Accredited Mediator. He is also an adjunct professor on dispute resolution at Pepperdine University Law School's Straus Institute.



Mr. Gary Benton

C.Arb, FCIArb, FCollArb

Gary Benton is an internationally recognized Arbitrator with expertise in international business, corporate investment, high tech, telecom, life sciences and emerging growth matters. His practice is focused on venture investment, technology development, distribution, licensing, infringement (trade secret, copyright and patent), DeFi/crypto and cybersecurity disputes. He has handled hundreds of cases around the world and serves on the panels of the leading international arbitral institutions in the US, Europe and Asia.

In addition to his arbitration practice, Gary is an Adjunct Professor of Law at Santa Clara University.

Gary is the founder and currently serves as the Chairman of the Silicon Valley Arbitration and Mediation Center (SVAMC), a non-profit educational foundation based in Palo Alto, California, that provides educational resources to the global technology sector. SVAMC.org. He is also the founder and lead of CalArb.org.





Dr. Colin ONG, KC

Member of the International Commercial Expert Committee of the China International Commercial Court of the SPC

Professor Dr. Ong is an English Queen's Counsel; lawyer in Brunei and Singapore; and a visiting law professor at Civil law jurisdictions. He has acted as counsel or arbitrator in over 350 international commercial and investment arbitrations. Dr. Ong is currently Chairman of International Advisory Board of Thailand Arbitration Center (THAC); President of Arbitration Association Brunei Darussalam(AABD); Advisor Governing Council, BANI(Indonesia); Appointing Council, Chinese-European Arbitration Centre (CEAC) (Germany); and Chairman, Advisory Board, (JIART)(Japan). FCIArb; FMIArb; FSIArb; DiplCARb; Chartered Arbitrator (CIArb) and Chartered Arbitrator (IDRRMI, HK). Advocate & Solicitor of the Supreme Courts of Brunei and Singapore. First ASEAN practitioner lawyer to be elected Master of the Bench of the Inner Temple (2010). First ASEAN national lawyer appointed English Queen's Counsel. He is currently the Chairman of the Regional Arbitral Institutes Forum and a Vice-President of APRAG.



Ms. Teresa CHENG, SC

Former Secretary for Justice of the Hong Kong SAR

Ms. Teresa Cheng, SC, is the Former Secretary for Justice of the Hong Kong Special Administrative Region of the People's Republic of China. Prior to her appointment as the Secretary for Justice, Ms. Cheng was a Senior Counsel in private practice, a chartered engineer, a chartered arbitrator, and an accredited mediator. She was frequently engaged as arbitrator or counsel in complex international commercial or investment disputes. Ms. Cheng was one of the founders and Chairman of the Asian Academy of International Law. Apart from being a Past Chairperson of the Hong Kong International Arbitration Centre, Ms. Cheng is also a Past Vice President of the International Council of Commercial Arbitration and a Past Vice President of the ICC International Court of Arbitration. In 2008, she became the first Asian woman elected through a global election as President of the Chartered Institute of Arbitrators. She served as Deputy Judge/Recorder in the Court of First Instance of the High Court of Hong Kong from 2011 to 2017. She is a member of the International Centre for Settlement of Investment Disputes Panel of Arbitrators, and was a member of the World Bank's Sanctions Board. Ms. Cheng is a Fellow of King's College in London, and was the Course Director of the International Arbitration and Dispute Settlement Course at the Law School of Tsinghua University in Beijing.

LOCAL ROOTS GLOBAL IMPACT

"The only local arbitration commission which meets or surpasses global standards" - The Economist Intelligence Unit
"The runner up for the up-and-coming regional arbitral institution of the year (2014)" - Global Arbitration Review



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Hearing Room

BAC/BIAC Model Clause

All disputes arising from or in connection with this contract shall be submitted to Beijing Arbitration Commission / Beijing International Arbitration Center for arbitration in accordance with its rules of arbitration in effect at the time of applying for arbitration. The arbitral award is final and binding upon both parties.

History and Development

The Beijing Arbitration Commission, also known as the Beijing International Arbitration Center (the BAC/BIAC), was established on 28 September 1995. Over the past two decades, the BAC/BIAC has become a leading arbitration institution in China with an international reputation for its independence, impartiality, professionalism and efficiency. Since 2013, the Commercial Dispute Resolution in China: An Annual Review and Preview has become a major source of information concerning the dispute resolution practice in China for practitioners at home and abroad, and has been highly recognized by experts in the industry. The BAC/BIAC has been invited as an observer for the UNCITRAL Working Group II since 2017. The BAC/BIAC was recommended as one of the arbitration institutions within the "one-stop" diversified international commercial dispute resolution platform established by the China International Commercial Court in 2018. The BAC/BIAC released Investment Arbitration Rules in 2019, which endeavors to provide a Chinese approach in response to investor-state dispute settlement reform. The BAC/BIAC also provides other alternative dispute resolution services such as commercial mediation and construction dispute board.

Advantages and Fees

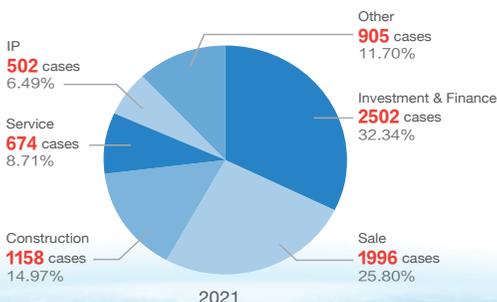
- As of December 31, 2021, 58,536 cases were filed with the BAC/BIAC. The total value in dispute under these cases amounts to RMB 622.95 billion. The BAC/BIAC possess extensive experiences in handling different types of commercial disputes.
- Parties involved in the BAC/BIAC administered cases are from 62 jurisdictions to date. In the past three years, the average duration to conclude a BAC/BIAC administered arbitration case is 97.9 days, reflecting the BAC/BIAC's effective dispute resolution service.
- The number of representatives is not limited. Foreign lawyers are allowed to represent parties in arbitration cases administered by the BAC/BIAC.
- Arbitration fees of the BAC/BIAC are comparatively lower than other international arbitration institutions.
- The BAC/BIAC is the first arbitration institution to adopt the international fee schedule in mainland China. Arbitration fees are divided into arbitrator's fees and administration fees. Arbitrators may charge on an hourly basis for arbitrator's fees. These approaches will better serve the parties to manage the cost of arbitration.
- According to the BAC Arbitration Rules newly revised in 2022, the two arbitrators nominated by the parties may jointly nominate the presiding arbitrator, and the arbitral tribunal may determine to hold the hearing virtually.

BAC/BIAC Figures

Types



www.bjac.org.cn



Caseload / Amount in Dispute



2022 ANNUAL SUMMIT ON COMMERCIAL DISPUTE RESOLUTION IN CHINA

Host Organization



**Beijing Arbitration Commission/
Beijing International Arbitration Center
(BAC/BIAC)**

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<http://www.bjac.org.cn>

Co-organizers



Co-organizers



Australian Centre for International Commercial Arbitration (ACICA)

The Australian Centre for International Commercial Arbitration (ACICA) is Australia's international dispute resolution institution. Established in 1985 as an independent, not-for-profit organisation, ACICA's objective is to promote and facilitate the efficient resolution of commercial disputes throughout Australia and internationally by arbitration and mediation, with the aim of delivering expediency and neutrality of process, enforceability of outcome and commercial privacy to parties in dispute.

ACICA's services include:

- Acting as an impartial appointment and administering body for all forms of alternative dispute resolution, under its own sets of Rules as well as ad hoc processes, including under the UNCITRAL Arbitration Rules
- Maintaining panels of international arbitrators and mediators which may be used as a resource for party appointments
- Providing Rules and model clauses to facilitate best practice in the conduct of arbitration and mediation
- Assisting parties in arranging facilities to manage their ADR processes, including room hire, transcription and translation services
- Acting as deposit-holder for tribunal and mediator fees in ADR processes, including cases being administered under other institutional rules
- Hosting seminars and conferences to provide thought leadership in international arbitration and mediation

ACICA is also the sole default appointing authority competent to perform the arbitrator appointment functions under the International Arbitration Act 1974 (Cth).

<https://acica.org.au/>

Supporting Organizations





Arbitration Foundation of Southern Africa (AFSA)

The Arbitration Foundation of Southern Africa (AFSA) is a private, non-profit dispute resolution authority which manages and administers the resolution of a wide range of local and international disputes by way of arbitration, mediation, adjudication, and related processes. AFSA's head office is in Sandton Johannesburg with branches in Cape Town, Pretoria, Durban, Eastern Cape and the Garden Route.

AFSA has an exceptionally good record of growth and achievement. It has pioneered almost all significant local advances in commercial dispute resolution in South Africa. It counts amongst its founding members many of the leading firms and institutions in the attorney, accounting, and advocate professions. Since its establishment in 1996 AFSA has administered more than 4000 disputes and since the promulgation of the International Arbitration Act in 2017, AFSA handles a wide range of international disputes making AFSA the premier dispute resolution authority on the African continent.

<https://arbitration.co.za/>



Asian International Arbitration Centre (AIAC)

The Asian International Arbitration Centre (AIAC) is a not-for-profit international arbitral institution, formed in pursuant to the host country agreement between the Government of Malaysia and the Asian-African Legal Consultative Organization (AALCO). Afforded with independence and immunity, the AIAC visions itself as a world-class institutional hub for the conduct of arbitration, and other ADR proceedings. The AIAC also offers both virtual and hybrid hearing services to tribunals that are operating on an ad hoc basis. As a testament to its front-line stance in paving the way for innovation in ADR, the AIAC aims to promote and expand its AIAC Arbitration Rules 2021 and the i-Arbitration Rules 2021 to cater to the growing demands of the global business community.

<http://www.aiac.world>

Co-organizers



Chartered Institute of Arbitrators (CIARB)

The Chartered Institute of Arbitrators (CIARB) is a leading professional membership organization representing the interests of alternative dispute resolution (ADR) practitioners worldwide. It has over 14,000 members located in over 130 countries supporting the global promotion, facilitation and development of all forms of private dispute resolution worldwide. Institute members cover the three main ADR disciplines of arbitration, construction adjudication and mediation.

<https://www.ciarb.org>



Cairo Regional Centre for International Commercial Arbitration (CRCICA)

The Cairo Regional Centre for International Commercial Arbitration (the “CRCICA” or the “Centre”) is an independent non-profit international organization established in 1979 under the auspices of the Asian African Legal Consultative Organization (“AALCO”), in pursuance of AALCO’s decision taken at the Doha Session in 1978 to establish regional centres for international commercial arbitration in Asia and Africa.

In 1979, an agreement was concluded between AALCO and the Egyptian Government for the establishment of CRCICA for an experimental period of three years. Pursuant to subsequent agreements concluded between AALCO and the Egyptian Government in 1983, 1986 and 1989, CRCICA continued to function for two additional similar periods, after which it was granted permanent status. Pursuant to the Headquarters Agreement concluded in 1987 between AALCO and the Egyptian Government, CRCICA’s status as an international organization was recognized and the Centre and its branches were endowed with all necessary privileges and immunities ensuring their independent functioning.

<http://www.crcica.org>

Supporting Organizations





Judicial Arbitration and Mediation Services, Inc. (JAMS)

JAMS successfully resolves and manages business and legal disputes by providing efficient, cost-effective and impartial ways of overcoming barriers at any stage of conflict. JAMS offers customized dispute resolution services locally and globally through a combination of industry-specific experience, first-class client service, top-notch facilities and highly trained panelists. Founded in 1979, JAMS is the world's largest private alternative dispute resolution (ADR) provider. Our panel includes more than 400 retired state and federal court judges and attorneys with proven track records and extensive practice area and industry expertise.

<https://www.jamsadr.com>



International Arbitration Centre of the Astana International Financial Centre (IAC)

Since 2018, the AIFC Court and International Arbitration Centre (IAC) have been operating in Kazakhstan for the first time in the Eurasian space, creating an attractive legal environment for investors and business development. While the former provides a common law court system based on the norms and principles of English law, the latter provides an independent, economical and expeditious alternative to court litigation, operating to the highest international standards to resolve civil and commercial disputes in the AIFC. One of the main goals of the AIFC Court and IAC is to become the number one platform for dispute resolution in Central Asia.

The Rt. Hon. The Lord Woolf CH became the AIFC Court's first Chief Justice from 1 January 2018. He retired on 31 January 2020 and from 1 February 2020 The Rt. Hon. The Lord Mance, the former Deputy President of the UK Supreme Court, was appointed as the new Chief Justice of the AIFC Court. Also, since 1 January 2018, Ms. Barbara Dohmann QC was appointed to be the IAC Chairman and Mr. Christopher Campbell-Holt was appointed as the Registrar and Chief Executive of the AIFC Court and IAC.

The current Chief Justice of the AIFC Court, Lord Mance, is supported by eight judges. The judges are amongst the most experienced and distinguished judges from the common law world. The IAC has in addition to its Chairman, Barbara Dohmann QC, a Panel of 41 outstanding arbitrators and mediators comprising highly experienced and multi-lingual professionals from around the world.

To date, 18 court judgments and orders of the AIFC Court have been made, and all of them have already been fully implemented throughout the Republic of Kazakhstan. Court decisions are available in Russian and English for the convenience of Kazakhstani entrepreneurs, as well as for their lawyers to understand the features of common law.

<https://iac.aifc.kz/>

Co-organizers



Centre for Commercial Law Studies, Queen Mary University of London (QMUL)

The Centre for Commercial Law Studies (CCLS) is part of the School of Law of Queen Mary University of London. Established in 1980 by Sir Roy Goode, its mission is to develop a body of knowledge and skills in the areas of commercial law – arbitration, intellectual property, taxation, financial law, banking law, information technology law and European law – that can be placed at the service of government, public bodies, overseas institutions, the legal profession, industry and commerce. It includes the Queen Mary Intellectual Property Research Institute (QMIPRI), a globally recognised centre for research and teaching in the field of intellectual property law, policy and practice.

<http://www.ccls.qmul.ac.uk>



Thailand Arbitration Center (THAC)

Arbitration in Thailand has established after Arbitration Act B.E. 2530 (1987) has come into force in B.E. 2530 (1987). Arbitration is a process of commercial dispute resolution which is simple, fast and less expensive. It will assist reduce cases that brought to the court so that judicial proceeding in general has been developed.

The government was well aware of the importance of arbitration so the establishment of Thailand Arbitration Center has been one of the essential and necessary policies. The standard of arbitration in Thailand has to improve to meet international standard in order to be the center of arbitration. Recently arbitration has been well-known worldwide as it has been used to resolve the dispute between cross-border parties. Furthermore, the establishment of Thailand Arbitration Center is a preparation on dispute resolution process for Thailand, as a member of ASEAN in B.E. 2558 (2015), in order to be the center of arbitration in ASEAN.

Thailand Arbitration Center (THAC) is established subject to the Act of Arbitration Center B.E. 2550 (2007). The purposes of THAC are to support and promote the international system of arbitration, to become a center of arbitration known widely for stipulating independent services on arbitration and to improve arbitration center in Thailand in order to meet the same standard as arbitration institutions in other countries.

<https://thac.or.th/>

Supporting Organizations



Supporting Organizations



Beijing LexPR Consulting Co., Ltd(LexPR)

LexPR is a professional legal public relation company in Beijing China with a deep understanding of the China's legal field market, the culture, and the communication method between China and other nations.

<https://eventsmap.cn>



Maxwell Chambers

The global pandemic has fundamentally changed the mode and means by which Dispute Resolution hearings are conducted. In addition to being the world's first integrated dispute resolution complex with best-in-class hearing facilities, Maxwell Chambers is also a one-stop shop providing a full suite of digital hearing solutions and support services, providing an end-to-end solution for clients.

<https://www.maxwellchambers.com/>



Wolters Kluwer

Wolters Kluwer enables legal, tax, finance, and healthcare professionals to be more effective and efficient. It provides information, software, and services that deliver vital insights, intelligent tools, and the guidance of subject-matter experts.

<http://www.wolterskluwer.com>



北京仲裁委员会
Beijing Arbitration Commission
北京国际仲裁中心
Beijing International Arbitration Center

2022 ANNUAL SUMMIT ON COMMERCIAL DISPUTE RESOLUTION IN CHINA

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BEIJING INTERNATIONAL ARBITRATION CENTER

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