



2021 Young Scholars Workshop Webinar 3: Challenges and Opportunities in International Dispute Settlement Mechanism

Herbert Smith Freehills China International Business & Economic Law (CIBEL) Centre

Event Details

Event Date:	Friday, 06 August 2021
Time:	2:30pm-4:00pm AEST
Format:	Virtual roundtable via Microsoft Teams Live
Duration:	1.5 hours
Moderator:	Associate Professor Kun Fan Member, Herbert Smith Freehills CIBEL Centre. UNSW Law & Justice

Agenda

Webinar 3: Challenges and Opportunities in International Dispute Settlement Mechanism	
2:30pm-4:00pm AEST	
2:30pm (AEST)	<p>Welcome and Introduction</p> <p>Associate Professor Kun Fan Member, Herbert Smith Freehills CIBEL Centre, UNSW Law and Justice</p> <div style="display: flex; align-items: flex-start;">  <div> <p>Associate Professor Kun Fan, PhD <i>summa cum laude</i> (University of Geneva), LL.M (NYU) is an award-winning scholar in the area of international arbitration, mediation and comparative legal studies. She is author of the book <i>Arbitration in China: A Legal and Cultural Analysis</i> (Hart Publishing) and has published extensively on cutting-edge issues in a variety of leading international journals. She was named Norton Rose Fulbright Faculty Scholar in Arbitration & Commercial Law in 2017 and received numerous awards in recognition of her academic contribution. She also has extensive experience in ADR practice, and has worked as counsel, legal expert, secretary for the arbitration tribunal, arbitrator and domain names panelist in a number of international arbitrations and domain name disputes, and has overseen over a hundred arbitrations</p> </div> </div>

	<p>administered by the ICC International Court of Arbitration when she worked as a Deputy Counsel. She is called to the New York Bar, an Academic Council Member of the Institute of Transnational Arbitration, a Domain Names Panelist of the HKIAC and the ADNDRC, a Member of the Chartered Institute of Arbitrators, an Accredited Mediator of the HKMAAL, and an Arbitrator of a number of arbitration institutions.</p>
<p>2:33 pm (AEST)</p>	<p>Dispute Prevention Mechanisms in ISDS: Towards a Plural Investment Law Regime</p> <p>Dr Chen Yu PhD Graduate, McGill University Faculty of Law</p> <div data-bbox="280 622 563 958" data-label="Image"> </div> <p>Dr Chen Yu has recently successfully defended her PhD thesis at McGill University Faculty of Law. Her research interests include international investment and trade law, international adjudication and international relations. She holds an LLM (thesis) degree from McGill, and Bachelor of Economics & Bachelor of Law from Nankai University. She has published in ICSID Review and the Journal of World Investment & Trade, and presented in various academic conferences. She has worked as research assistant, teaching fellow and associate supervisory fellow at McGill Law, and as research assistant (intern) in United Nations Economic and Social Commission for Asia and the Pacific. Starting this October, she will be joining NUS law as a postdoctoral fellow.</p>
<p>2:46pm (AEST)</p>	<p>Human Rights in Investment Treaty Arbitration</p> <p>Mr Raymond Gao PhD Scholar, Australian National University</p> <div data-bbox="292 1249 571 1507" data-label="Image"> </div> <p>Mr Raymond Gao is a PhD scholar focusing on transnational data governance (cross-border personal data flows), investment law and international arbitration, trade law and geoeconomics, and comparative information privacy. His scholarship has been published in Columbia Journal of Transnational Law, Tsinghua China Law Review, among others.</p>

<p>2:59pm (AEST)</p>	<p>The COVID-19 Crisis and Investment Contracts Under the ICSID Convention: Force Majeure and Hardship Revisited</p> <p>Dr Lucas Clover Alcolea Future Postdoctoral Associate, Scheinman Institute on Dispute Resolution, Cornell University</p>  <p>Dr Lucas Clover Alcolea completed his Doctorate in Civil law at McGill University under the supervision of Professor Fabien G�linas in May 2021 and will be working as a postdoctoral associate in the Scheinman Institute on Conflict Resolution at Cornell University’s ILR School from August 2021 onwards. He has written several articles on trust arbitration and investment law and his doctoral thesis is due to be published by Edward Elgar Publishing in Spring 2022 (‘The Arbitration of Trust Disputes’). During his time at McGill University he worked as a research assistant to various professors and in that role was responsible for organising the Nappert Prize in International Arbitration, as well as carrying out research on the intersection between human rights and investment law. Lucas also completed traineeships with various law firms in Zurich, Paris and Geneva in the area of private client law and international arbitration.</p>
<p>3:12pm (AEST)</p>	<p>Commercial Reservation as the Achilles’ Heel? New York Convention’s Applicability to Investment Treaty Arbitration Awards</p> <p>Ms Yue Zhao PhD Candidate, University of Geneva</p>  <p>Ms Yue Zhao is a PhD candidate at Law School, University of Geneva. She holds a LLM from the same university and a Mphil degree from Remin University of China. She is conducting research on commercial arbitration, investment arbitration and comparative private law under the supervision of Professor Gabrielle Kaufmann-Kohler. Her dissertation focuses on recognition and enforcement of investment arbitration awards. Yue contributed to the fifth volume of the ICCA Reports Series, Compendium of Chinese Commercial Arbitration Laws, and Yearbook Commercial Arbitration 2021. She also assisted in research projects at the Geneva Center for International Dispute Settlement. She was granted JonesDay International Fellowship and O’Melveny & Myers Scholarship. Yue was a visiting researcher at the Danish National Research Foundation’s Centre of Excellence for International Courts (iCourts) and is proceeding with her research at the International Institute for the Unification of Private Law (UNIDROIT).</p>

<p>3:25pm (AEST)</p>	<p>Rethinking international investment governance of transnational economic crimes: A new understanding based on the global governance theory</p> <p>Ms Yueming Yan PhD Candidate, McGill University; Global PhD Fellow, Singapore Management University</p> <div data-bbox="288 443 525 792">  </div> <p>Ms Yueming Yan is a doctoral student at McGill University Faculty of Law and is a Global PhD Fellow at Singapore International Dispute Resolution Academy at Singapore Management University Yong Pung How School of Law. Her research areas cover international investment law and arbitration, China's law and arbitration, comparative law, and empirical legal studies. She has published several articles on anti-corruption and investment law, including in Oxford's Journal of International Economic Law, in Routledge's the Rule of Law in China and Comparative Perspectives Series, and in Routledge's Transnational Law and Governance Series. Yueming is the Founder of Transnational Law Frontiers (TNLF), a non-profit organisation for junior legal scholars to communicate, collaborate, and contribute to legal scholarship. Yueming also holds a Master of Law degree from Xiamen University and a Bachelor of Law degree from Zhongnan University of Economics and Law in China.</p>
<p>3:38pm (AEST)</p>	<p>Q&A Moderator: Professor Kun Fan</p>
<p>3:57pm (AEST)</p>	<p>Closing remarks</p>