Symposium on
Legal Aspects of China’s Belt and Road Initiative

Global China Research Programme, HKIAPS, and Faculty of Law
The Chinese University of Hong Kong

Graduate Law Centre,
2/F, Bank of America Tower
Hong Kong

November 5, 2016

(CPD accreditation pending HK Law Society approval)

08:30 - 09:00 Registration and Coffee

09:00 - 09:10 Welcome

- Professor Fanny Cheung, Pro-Vice Chancellor of CUHK and Co-Director of HKIAPS
- Professor Christopher Gane, Dean of CUHK Law Faculty

09:10 - 09:20 Keynote Address: China’s Belt and Road Initiative in Context

- Dr. Markus Ederer, Secretary of State, Federal Foreign Office, Germany

09:20 – 10:50 Trade, Finance and Investment

Chair: Professor Stephen Chiu

- Belt and Road FTAs
  - Professor Gonzalo Villalta Puig, CUHK Law Faculty

- The “One Belt, One Road” Initiative, the Renminbi Internationalisation Strategy and Neo-global Financial Governance
  - Professor Wei Shen, Dean of Shandong University Law School

- Too Risky to Invest? What Do Indexes Say about the Myths of Investing in Belt and Road Countries
10:50 - 11:00 Tea Break

11:00 - 12:30 Investing in Belt and Road Countries: Practitioners’ Perspective

Chair: Professor Steve Gallagher

- *One Belt, One Road-related Investments - A PRC Lawyer’s Perspective*
  - Mr. Henry Ningning Huang, Managing Partner of Grandall

- *Iran Needs White Cats – A Brief SWOT Analysis of Iran’s Cross-Border Business Environment*
  - Dr. Norbert Knittlmayer, Managing Partner Marccus Partners, Düsseldorf, Germany

- *Handling Political Risks for OBOR Investments: Contractual Prevention Mechanisms and Post-closing Claims*
  - Dr. Libin Zhang, Partner of Broad & Bright

12:30 - 13:00 Book Launch

13:00 - 14:00 Lunch Break

14:00 – 15:10 China and the Belt and Road: Issues

Chair: Mr. Mitchell D. Stocks

- *National Economic Security and the Belt and Road Initiative*
  - Professor Zhengping Fu, Sun Yat-sen University & Dr Ziqiang Wan, GF Securities

- *The New Silk Road to Global IP Landscape*
  - Professor Jyh-An Lee, CUHK Law Faculty

- *Labour Standards along “One Belt, One Road”*
  - Professor Mimi Zou, CUHK Law Faculty

15:10 - 15:20 Tea Break

15:20 - 16:30 China and the Belt and Road: Issues

Chair: Dr. Norbert Knittlmayer

- *Building the New Silk Road, The Tax Law Dimension*
  - Professor Yan Xu, CUHK Law Faculty

- *Supply-side Reform of Legal Education*
  - Professor Lidong Cai, Dean of Jilin University Law School
- *China’s One Belt, One Road Strategy: Promises, Risks and Politics?*
  - Professor Michelle Miao, CUHK Law Faculty

**16:30 - 16:40 Concluding Remarks**

- Professor Lutz-Christian Wolff, Wei Lun Professor of Law & Dean of CUHK Graduate School

**18:00 - 20:00 Conference Dinner**
List of Speakers:

**CAI Lidong**: Dean and Professor of Law of the Jilin University Law School. Professor Cai has been named as Chang Jiang Scholar, and he is also ChangBaiShan Distinguished Chair Professor of Jilin Province. He is also Research Fellow of the National Collaborative Innovation Centre on Judicial Civilization, Director of Jilin University Centre for Applied Research on Judicial Data, and Secretary-General of the Law Division, PRC Ministry of Education Commission on Social Sciences. His research interests include general principles of civil law, property law, and company law. Email: caild@jlu.edu.cn

**CHEUNG Mui Ching Fanny**: Choh-Ming Li Professor of Psychology and Co-Director of the Hong Kong Institute of Asia-Pacific Studies at CUHK. Professor Cheung was appointed Pro-Vice-Chancellor for Research in 2013. As an active advocate for promoting women’s status through scientific research, Professor Cheung established the Gender Research Centre in 1985, and initiated the Gender Studies Programme at the University. Professor Cheung obtained her bachelor’s degree in Psychology from the University of California, Berkeley, and PhD in Psychology from the University of Minnesota. Her research expertise lies in cross-cultural personality assessment and psychopathology, personality and vocational behavior, gender equality, and women leadership.

Professor Cheung is dedicated to public service and has served on many government committees and advisory bodies, including the Electoral Affairs Commission and Advisory Group on Eliminating Discrimination against Sexual Minorities. She was made an Officer of the Most Excellent Order of the British Empire (OBE) in 1997. She received the Silver Bauhinia Star award from the HKSAR Government in 2016 for her contributions to the promotion of equal opportunities and exemplary international achievements in psychology, cross-cultural and gender studies.

Professor Cheung has published and lectured widely and internationally. Her academic publications total over 200 internationally refereed journal articles, book chapters, books and monographs. Her academic honours and awards include the IAAP Distinguished Scientific Contribution Award 2014 and APA Award for Distinguished Contributions to the International Advancement of Psychology 2012.

**EDERER Markus**: Dr. jur. (University of Passau). After studies at the University of Passau, Germany, and the University of Miami, USA, Dr. Ederer joined the German Foreign Service in 1983. He was stationed amongst others in Moscow and Ottawa before serving as Deputy Spokesman of the German Federal Foreign Office (1996-1998), Deputy Head of South-Eastern Europe Division of the Federal Foreign Office (1998-1999), Chef de Cabinet, Special Coordinator for the Stability Pact for South-Eastern Europe, Brussels (1999-2002), Head of Directorate, Political and Economic Intelligence, German Federal Intelligence Service (2002-2005), Head of Policy Planning Staff, German Federal Foreign Office ((2005-2010) and Ambassador of the Delegation of the EU to China and Mongolia (2011-2013). In January 2014 Dr. Ederer was appointed State Secretary of the German Federal Foreign Office.

**FU Zhengping**: Professor of Finance and Executive Director of Sun Yat-Sen University Institute of Free Trade Zones. An award-winning academic, Professor Fu’s areas of expertise include international investments and multinational enterprises, strategic management, and industrial clusters. Prior to his current appointment, he was Associate Dean of the Sun Yat-sen University Business School, and, subsequently, University Bursar. Email: mnsfzp@mail.sysu.edu.cn
CHIU Wing Kai Stephen: Professor, Director of the Public Policy Research Centre, and Co-Director of The Hong Kong Institute of Asia-Pacific Studies. Professor Chiu is Chairman of the Curriculum Development Council-HKEAA Committee on LS (Senior Secondary) and Member of the Curriculum Development Council Committee on Liberal Studies. His research interests involve the sociological study of Hong Kong from a comparative and historical perspective. His current projects include topics such as education, social stratification and inequality, social movement, cultural industries, youth and traditional Chinese medicine. Many of these projects have public policy implications and he is also an active contributor to public discussions of policy issues through the news media. Email: stephenchiu@cuhk.edu.hk

GANE Christopher: Dean and Simon F.S. Li Professor of Law. Professor Christopher Gane was appointed Dean of the Faculty of Law in September 2011. Prior to coming to the Chinese University of Hong Kong he held the Chair of Scots Law at the University of Aberdeen where he was Dean of the Faculty of Law from 1995 to 2000. In 2004 he was appointed University Vice-Principal (Pro Vice-Chancellor) and over the next seven years was responsible for a number of strategic portfolios, including Library and Information Services, Culture and Communities and Equality and Diversity. In 2008 he was appointed Head of the College of Arts and Social Sciences (which at the time comprised the Schools of Business; Divinity, History and Philosophy; Education; Language and Literature; Law; Social Sciences). Prior to his appointment at Aberdeen he held academic appointments at the Universities of Reading, Edinburgh, Lancaster and Sussex. Between 1986 and 1989 he was Head of the Department of Law at the University of Lancaster. From 1991-1994 he was Director of the Centre for Legal Studies at the University of Sussex.

GALLAGHER Steven Brian: Associate Dean (Teaching and Learning) at the Faculty of Law, The Chinese University of Hong Kong. Professor Gallagher is a Member of the Editorial Committee of the Hong Kong Law Society’s journal, The Hong Kong Lawyer. He was a Consultant for the Department of Justice on the revisions to Hong Kong’s law of trusts to be implemented 1st December 2013. He has taught equity and trusts, land law, company law, insolvency law and cultural heritage law. His research interests include cultural heritage, legal history and equity. He is currently researching issues in cultural heritage law in Asia. Email: stevegallagher@cuhk.edu.hk

HUANG Ningning Henry: Managing Partner of Grandall Law Firm (Shanghai) with special expertise in the practice areas of cross-border investments and financial services. Mr. Huang has rich experience in advising clients on foreign direct investment (greenfield and M&A transactions) in China as well as Chinese outbound investments, including due diligence, pre-and post-deal negotiations and (re-)restructuring. His work in the financial sector focuses on regulatory advice in the insurance, banking and financial innovations sectors. He also has represented clients in corporate and commercial negotiations, litigation and arbitration. He has in-depth knowledge of the new China Pilot Free Trade Zones in Shanghai, Guangdong, Tianjin and Fujian. He also leads the service team of Grandall on the One Belt One Road initiative. Email: huangningning@grandall.com.cn
KNITTLMAYER Norbert: International Partner of Marccus Partners based in Düesseldorf (Germany). He has more than 20 years of experience of practice in international commercial and corporate law with a special emphasis on structuring cross-border investments, M&A transactions, and the establishment of joint ventures. Norbert Knittlmayer advises German companies in transactions and investments, particularly in Asia, Eastern Europe, Iran, and North America. Furthermore, he assists Chinese companies on their business in Europe. Email: norbert.knittlmayer@marccuspartners.de

LEE Jyh-An: Assistant Professor of Law at The Chinese University of Hong Kong. He holds a J.S.D. from Stanford Law School and an LL.M from Harvard Law School. Dr. Lee has extensively published in English and in Chinese on various aspects of intellectual property and Internet law. During his studies at Stanford Law School, Dr. Lee was appointed as the John M. Olin Fellow in Law and Economics. Prior to joining The Chinese University of Hong Kong, he taught at National Chengchi University and was an Associate Research Fellow in Center for Information Technology Innovation at Academia Sinica in Taiwan. He was the Legal Lead and Co-Lead of Creative Commons Taiwan (2011-2014) and an advisory committee member for Copyright Amendment in the Taiwan Intellectual Property Office (TIPO) at the Ministry of Economic Affairs (2011-2014). Dr. Lee is currently a member of the advisory board of the European Center for E-Commerce & Internet Law affiliated with University of Vienna. He has served as a domain name dispute resolution panelist appointed by the Asian Domain Name Dispute Resolution Centre (ADNDRC) since 2016. Before starting his academic career, he was a practicing lawyer in Taiwan specializing in technology and business transactions. Email: jalee@cuhk.edu.hk

MIAO Michelle: Assistant Professor of Law at The Chinese University of Hong Kong. She was a British Academy Postdoc Research Fellow at University of Nottingham, School of Law; a Global Research Fellow at New York University, School of Law; and a Howard League post-doctoral fellow at Oxford University’s Centre for Criminology. Her research interests are the intersections between the domains of criminology, human rights, socio-legal studies and international law. Her doctoral thesis (2013) presents material from one of the first empirical studies on China’s recent death penalty reform under the influences of international human rights law. The core empirical component of the thesis was a series of elite interviews with penal professionals at national and lower levels in China, including judges, prosecutors, and legislators, who are proximate to the sources of information held by state authorities, or closely involved in the day-to-day administration of capital punishment. Michelle holds a doctoral degree from University of Oxford and two Masters Degrees, one from Renmin University of China Law School and the other from New York University Law School. Email: michellemiao@cuhk.edu.hk

SHEN Wei: Dean and Professor of Law at Shandong University Law School; PhD (LSE), LLM (Cantab), LLM (Michigan), LLM & LLB (ECUPL). He is a lawyer qualified in New York practising for a decade, mostly in Hong Kong, on foreign direct investment, private equity and mergers and acquisitions. His main research interests include financial regulation, corporate governance, international investment law and commercial arbitration. Professor Shen has published more than 130 articles in Chinese and English journals, and is the author of the books: Rethinking the New York Convention – A Law and Economics Approach (Cambridge: Intersentia 2013), The Anatomy of China’s Banking Sector and Regulation (Wolters Kluwer 2014), How Is International Economic Order Shaped? – Law, Markets and Globalisation (China Law Press 2014), Corporate Law in China: Structure, Governance and Regulation (Sweet & Maxwell 2015), and Investor Protection in Capital Markets – The Case
of Hong Kong (Sweet & Maxwell 2015). Professor Shen is an arbitrator with Hong Kong International Arbitration Centre, Shanghai International Arbitration Centre, Shanghai Arbitration Commission, and Shenzhen International Court of Arbitration. He is also the Global Professor of Law, New York University School of Law, and the BFLC Adjunct Professor of Law, National University of Singapore. Email: drshenwei@yeah.net

STOCKS Mitchell Dean: Professional Consultant, Faculty of Law, The Chinese University of Hong Kong. Mitchell was an equity partner at Latham & Watkins where he served as managing partner of the Hong Kong office and head of its Finance Department. He was also General Counsel, Asia Pacific, for NetApp, a Silicon Valley-based Fortune 1000 information technology company. Most recently, he directed the Post-graduate Certificate in Laws (PCLL) Program at City University of Hong Kong where he taught Commercial Writing and Drafting, Corporate and Commercial Practice and Professional Conduct and Practice. Mitchell holds a Master of Fine Arts in Creative Writing from City University of Hong Kong and has published stories in several literary journals. He received his JD from Northwestern University where he graduated cum laude and was elected to serve as Chief Articles Editor of the Law Review. His legal interests include law and literature, entrepreneurship, infrastructure development and finance, water law, complex commercial documentation and inspiring the next generation of lawyers through professional skills training. Email: mitchell.stocks@cuhk.edu.hk

VILLALTA PUIG Gonzalo: Professor of Law at The Chinese University of Hong Kong and Outstanding Fellow of its Faculty of Law, where he is Associate Dean (Research). He is an Overseas Fellow of the Australian Academy of Law and a Fellow of the European Law Institute. Prof Villalta Puig is convener of the Research Group for Constitutional Studies of Free Trade and Political Economy of the International Association of Constitutional Law and a member of the Study Group on Preferential Trade and Investment Agreements of the International Law Association. He is Secretary of the Hong Kong Branch of the International Law Association. Prof Villalta Puig is Associate Editor of the Global Journal of Comparative Law (Brill Nijhoff). Email: g.villalta.puig@cuhk.edu.hk

WAN Ziqiang: Post-doctorate research fellow under a programme jointly developed by GF Securities Limited and Shanghai Jiao Tong University. Dr. Wan completed his doctoral degree in finance and investment at Sun Yat-sen University Business School. His research interests include legal aspects and corporate governance in mergers and acquisitions of listed companies in China, various forms of foreign direct investment and industry security in China, and incentive and human resource management in investment banking. Email: wanziqiang@gf.com.cn

XI Chao: Professor and Outstanding Fellow of the Faculty of Law, The Chinese University of Hong Kong, and he concurrently serves as the Director of the Chinese Law Program, the CUHK Hong Kong Institute of Asia-Pacific Studies. He specializes in comparative corporate law, securities regulation, and financial regulation, with a particular focus on the case of China. His research has received significant funding support from the Hong Kong SAR Government Research Grants Council, the PRC Ministry of Education, and the Sumitomo Foundation. Professor Xi holds various visiting positions at institutions in Asia and Europe. He is Professorial Research Associate of the SOAS China Institute, University of London, and an elected Director (and Treasurer) of the European China Law Studies Association (ECLS). Professor Xi is a Member of the Chartered Institute of Arbitrators (CIArb), UK. Email: chaoxi@cuhk.edu.hk

XU Yan: Assistant Professor at the Faculty of Law and Director of the Centre for Financial Regulation and Economic Development at the Chinese University of Hong Kong. She joined the Faculty from the University of Hong Kong where she obtained a doctorate degree and conducted research and teaching. She was a Fulbright Senior Research Scholar 2014-15 and a Visiting Fellow at Columbia Law School in 2014-15 where she conducted a research project on tax reform, the rule of law and representative government. She has held a number of international academic scholarships at institutions which include the University of Cambridge, New York University, the University of Melbourne and the University of New South Wales. She has published in a range of international journals, presented papers at international and regional conferences, and is often invited as referee for law journals and books. Her research interests include Comparative Tax Law and Policy, Tax History, and International Taxation. Email: yanxu@cuhk.edu.hk

ZHANG Libin: Partner of Broad & Bright. He graduated from the University of International Business and Economics in 1987 with a B.A. degree in economics, and graduated from The University of Texas at Austin School of Law with a J.D. degree in 1997. He is licensed to practice in the PRC and the State of New York. Mr. Zhang worked in several prestigious U.S. law firms from 1997 to 2010 as associate and partner. He worked in Siemens Ltd., China as the head of Legal M&A, Asia & Australia for about three years prior to going back to private practice in Broad & Bright as a partner in April 2015, with focus on foreign direct investment, cross-border M&A, energy law and dispute resolution. Mr. Zhang is arbitrator at the China International Economic and Trade Arbitration Commission (CIETAC) and Beijing Arbitration Commission/ Beijing International Arbitration Center. Mr. Zhang is also a member of the Association of International Petroleum Negotiators (AIPN). He is on the advisory board of the Kay Bailey Hutchison Energy Center of The University of Texas at Austin School of Law, and is also the Deputy Director and specially invited professor of PKU Energy Law and Policy Research Institute. He is also an adjunct professor at the China University of Political Science and Law, the Law School of the University of International Business and Economics and the Law School of Beijing Foreign Language Studies University. He is a senior member of the China Energy Law Society. Email: libin_zhang@broadbright.com

ZOU Mimi: Assistant Professor and Associate Director of the Centre for Rights and Justice at the Faculty of Law, The Chinese University of Hong Kong (CUHK). Mimi also serves as a senior consultant to the International Labour Organization (ILO) China and Mongolia offices.
Prior to joining CUHK, Mimi has taught law and social sciences at the University of Oxford, Utrecht University, and University of Sydney. She has worked in legal practice, financial institutions, and the public sector in Asia and Europe for nearly 15 years. Mimi completed her doctoral and master’s degrees in law at Oxford and first class honours degrees in economics and law at Sydney. She is admitted to legal practice in England and Wales and New South Wales, Australia. Email: mimizou@cuhk.edu.hk