

# 第二届 中国-欧洲法律论坛 2<sup>nd</sup> CHINA-EUROPE LEGAL FORUM

26<sup>th</sup>-27<sup>th</sup> June 2014 Vienna

## Legal Systems & Economic Cooperation

UNDER THE HIGH PATRONAGE OF THE EUROPEAN PARLIAMENT



**Ministry of Justice, Großer Festsaal** 1070 Wien, Museumstraße 7, Palais Trautson

The working languages of the Forum are English and Chinese

Registration by mail: **[hannes.jarolim@parlament.gv.at](mailto:hannes.jarolim@parlament.gv.at)**

### PROGRAMME

26th June 2014

**08:30-09:00** Registration of the participants

**09:00-10:00** **Opening Ceremony**

Chair: **Mr. Hannes Jarolim**, President of Austrian-Chinese Law Society

Agenda:

- Speech by **Mr. Wolfgang Brandstetter**, Austrian Minister of Justice
- Speech by **Mr. Zhang Mingqi**, Head of Chinese delegation, Vice-president of China Law Society
- Speech by **Mr. Hannes Swoboda**, President of the S&D group of the European Parliament
- Speech by **H.E. Mr. Zhao Bin**, Ambassador of the PR of China to Austria
- Speech by **Ms. Barbara Prammer**, President of the National Assembly of the Austrian Parliament

### Topics for Panels & Speeches

**10:15-12:30** **Legal Cooperation in the Process of Economic Globalization and Regional Economic Integration**

Chair: **Ms. Ding Ding**, Vice-President of the Law School, University of International Business and Economics, Secretary-General of China International Economic Law Academy

Speakers and Topics:

- The Role of Legal Diplomacy in the Process of Economic Globalization and Regional Economic Integration
- Mr. Gu Zhaomin**, Director-General of Overseas Liaison Department of China Law Society



Austrian-Chinese  
Law Society



China  
Law Society

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Mr. Gu Zhaomin / Director General of Overseas Liaison Department, China Law Society

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- Legal Instruments for the Commercial Relationship between China and Europe: From the Bilateral Cooperation to the Global Harmonization

**Mr. Rafael Illescas**, Professor of Commercial Law, Madrid, Spain's Delegate to the UNCITRAL since 1984

- Legal Issues in Forming China- EU Bilateral Investment Treaty

**Mr. Chen Yundong**, President of the Law School, Yunnan University

- The Interaction between Free Trade Zone Laws and Regulations & WTO Laws and Regulations

**Mr. Yannis Avgerinos**, Managing Partner, Avgerinos & Partners Law Firm (AVGLaw), and Lecturer, Democritus University of Thrace

- The Setting-up of Shanghai Free Trade Zone and its Influence on Bilateral trade and investment relationship between China and Europe

**Mr. Lv Yi**, Deputy management partner of Shanghai Junyue Law Firm

**12:30–13:30** Lunch Break

**13:30–15:30** **Antitrust and Competition Law**

Chair: **Mr. Theodor Thanner**, Director General, Austrian Federal Competition Authority, International Competition Network

Speakers and Topics:

- Coordination of the Relationship between the Regulation System of Natural Monopoly Industries and Anti-Monopoly Law

**Ms. Li Jing**, Associate Professor of the Civil, Commercial and Economic Law School, Gansu Institute of Political Science and Law

- The protection of fundamental rights in private law in China

**Mr. Shi Jiayou**, Associate Professor of the Law School, China Renmin University

**15:30–16:00** Coffee Break

**16:00–18:00** **Corporate Law & Economic Cooperation**

Chair: **Mr. Wang Liming**, Deputy Principal of China Renmin University, President of China Civil Law Academy

Speakers and Topics:

- Securitisation and the Regulation of Market

**Mr. Orkun Akseli**, Senior Lecturer in Commercial Law, Durham University Law School, UK.

- Modifications and Meanings of the Legislation of China Corporate Law on the Corporate Capital System: Capital Requirements and Capital Measures

**Mr. Liu Kaixiang**, Professor of the Law School, Beijing University

- Employer Responsibility of the Enterprises

**Mr. Jiang Junlu**, Lawyer, Partner of King & Wood Mallesons Law Firm,  
President of Beijing Labour and Social Security Law Society

- Member's Exclusion from Companies, Business Partnerships and Networks

**Ms. Paola Iamiceli**, Professor at the Faculty of Law at the University of  
Trento, Department of Economics and Management

27th June 2014

**09:00–11:00**

## **Tort Law**

Chair: **Mr. Ernst Karner**, Professor of Civil Law at University of Vienna,  
Acting Director of the Institute of European Tort Law, Deputy Director of the  
European Centre of Tort- and Insurance-Law (ECTIL)

Speakers and Topics:

- Infringement Disputes and Resolution under the Network Environment

**Mr. Su Chi**, Vice-president of Beijing Second Intermediate People's Court

- The Relevance of Tort Law for Economy

**Mr. Helmut Koziol**, Managing Director of the European Centre of Tort and  
Insurance Law, Vienna

- Basic Principles of Chinese Tort Law (title tbc)

**Mr. Wang Liming**, Deputy Principal of China Renmin University, President  
of China Civil Law Academy

- Product Liability and Punitive Damages

**Ms. Vanessa Wilcox**, Researcher, European Centre of Tort and Insurance  
Law, UK

- Statutory Obligation of Compensation as an Independent Kind of Obliga-  
tion

**Mr. Wang Yi**, Professor of the Law School, China Renmin University, Secre-  
tary-General of China Civil Law Academy

**11:00–11:30** Coffee Break

**11:30–13:30** **Alternative Dispute Resolution & Arbitration**

Chair: **Mr. Günther J. Horvath**, Freshfields Bruckhaus Deringer, Vienna

Speakers and Topics:

- Court Proceedings and Alternative Dispute Resolution: Advantages and  
Disadvantages (title tbc)

**Ms. Ding Ding**, Vice-President of the Law School, University of Interna-  
tional Business and Economics, Secretary-General of China International  
Economic Law Academy

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- Characteristics and Relevance of Arbitration from the Point of View of Corporations and Location of Business

**Ms. Sabine Stricker-Kellerer**, Head of China Desk, Freshfields Bruckhaus Deringer, Munich

- Court Proceedings and Alternative Dispute Resolution: Advantages and Disadvantages

**Mr. Alexander Belohlavek**, Professor of Law and Attorney at Law, Prague

-The Mechanism of Non-litigation Disputes Settlement and the Arbitration

**Mr. Xu Chunqing**, Associate Professor of Law School, Gansu Institute of Political Science and Law

- Locations of Arbitration and their Specifics: State Law, Court Proceedings, Practical Determining Factors

**Ms. Corinne Montineri**, Legal Officer in the International Trade Law Division of the United Nations Office of Legal Affairs, the Secretariat of the United Nations Commission on International Trade Law (UNCITRAL)

- "Ad hoc" or "institutional" (administrated) arbitration: a fundamental choice for the organization of arbitration procedure

**Mr. Stefano Azzali**, Professor of Law, Secretary General – Chamber of Arbitration of Milan; Secretary General – the Italy-China Mediation Center (ICMC)

**13:30–14:30** Lunch Break

**14:30–16:00** **Financing Infrastructure**

Chair: **Mr. Ricardo Gomez**, Senior Partner of Garrigues Law Firm, Madrid

Speakers and Topics:

- How do you finance an infrastructure project ? What are the main issues from a legal perspective ?

**Mr. Paolo Sebastianutti**, Professor of Law, Lawyer and Partner of Lexjus Sinacta in Rome

- Recent Legal Developments for Public Offering Reform in China

**Ms. Du Jing**, Lecturer of School of Law of Central University of Finance and Economics, Council Member of China Security Law Academy

- Public Private Partnership: A Challenge in the Light of Maastricht Criteria

**Mr. Hannes Jarolim**, MP of Austrian Parliament, Speaker of Justice for SDP, Partner at Jarolim/Flitsch Law Firm, Vienna

**16:00–16:30** Coffee Break

## 16:30–18:00 Judicial Systems and their Functioning

Chair: **Mr. Li Xiandong**, Professor of the Civil, Commercial & Economic Law School of China University of Political Science and Law

Speakers and Topics:

- The Role of High Courts of PRC in Coordination of Laws

**Mr. Ni Daihua**, Member of the Judicial Committee of the Higher People's Court of Zhejiang Province, Director of the Trial Supervision Tribunal

- Current Development of Legal Harmonization in Europe: the Role of Judges, Academics and New Networks

**Mr. Timothée Paris**, Secretary General of the Société de Legislation Comparée

- The Judicial System and Its Functions

**Mr. Shi Jixiong**, Vice-president of the Law Society of Shanghai

- Comparing Judicial systems

**Ms. Christiane Wendehorst**, Vice-President of the European Law Institute, Professor of Law at the University of Vienna

## 18:00–18:30 Closing Ceremony