

ADF

ASIA
DESK
FORUM

15-18 APRIL 2015
FAIRMONT EMPRESS
VICTORIA CANADA

Conference Guide



University
of Victoria

Centre for
Asia-Pacific Initiatives

with the support of the Faculty of Law



Welcome to the Asia Desk Forum and the Asian Law Academy

HOSTED BY THE CENTRE FOR ASIA-PACIFIC INITIATIVES



A VERY WARM WELCOME TO VICTORIA—AND TO THE INAUGURAL ASIA DESK FORUM.

At this inaugural conference, we are making history. This is the first meeting of its kind—a gathering on this side of the Pacific of lawyers, government officials, academics, First Nations peoples, and civil society participants with the specific purpose of examining the latest legal developments, trends, and challenges in Asia. We are delighted to have among us delegates from thirteen countries on the four continents of the Pacific Rim, representing more than 35 institutions, public and private.

The Asia Desk Forum provides a unique opportunity for us to do three things. First, it gives us a chance to shine the spotlight on the latest legal, political, and economic developments and challenges in Asia—and to step back and consider what they mean for our work. Second, it allows us to identify key trends and trajectories, anticipate problems, and consider the strategies we might use to address them. Finally, it gives those in the Americas with a strong Asian dimension to their work the opportunity to come together as a group of professionals and exchange views with colleagues working on the ground in Asia.

All this we invite you to do away from the bustle of the world's most populated cities, amid the serenity and spectacular natural beauty of Canada's West Coast. May you enjoy many stimulating conversations, forge strong professional ties, and foster lasting friendships in the days ahead.

Victor V. Ramraj
Chair, Asia Desk Forum
Professor of Law & Law Chair at the
Centre for Asia-Pacific Initiatives
University of Victoria



ON BEHALF OF THE CENTRE FOR ASIA-PACIFIC INITIATIVES AND THE UNIVERSITY OF VICTORIA, WELCOME TO THE INAUGURAL ASIA DESK FORUM AND TO BEAUTIFUL VICTORIA BC.

Established in 1988, the Centre for Asia-Pacific Initiatives (CAPI) provides a supportive environment for scholarly excellence, student mobility and community engagement as a key component of the University of Victoria's efforts to deepen our connections with the Asia-Pacific region. Through the work of CAPI's three research Chairs

(China, Japan, Law/Southeast Asia) and responsive and highly innovative programming, CAPI is a catalyst for the creation and mobilization of knowledge about issues affecting the region, and for deepening our understanding of the implications for Canada and the rest of the world.

the Pacific by bringing your insights and expertise on Asia to the Americas. Your participation and the generous support of our key sponsors are very much appreciated.

I look forward to meeting many of you during the sessions over the coming days and wish you all the best for your deliberations and an enjoyable visit to Victoria.

Andrew Marton, Director
Centre for Asia-Pacific Initiatives
University of Victoria



WELCOME TO VICTORIA, AND TO THE UNIVERSITY OF VICTORIA'S FACULTY OF LAW!

The Faculty of Law at the University of Victoria has had a long engagement with Asian legal institutions and Asian societies, especially with China, India, Japan, Thailand, Vietnam, Cambodia, Malaysia, Singapore, and Myanmar.

UVic Law was one of the founding partners of the Centre for Asia-Pacific Initiatives. Its scholars have taught and lectured across the region and have published in areas as diverse as Asian

constitutionalism, environmental law, law and economic development, law of the sea, legal professionalism, and legal theory.

UVic Law is a partner in delivering a master's program in international business law at Chulalongkorn University. It attracts graduate students and visiting scholars from across Asia to Victoria, who then return to teach in their home country's institutions and to lead legal developments in their countries. UVic Law has co-op placements and exchange agreements with leading Asian institutions. Its Canadian students have gone on to pursue professional careers in relation to Asia.

Over the last two decades, there has been an enormous expansion of legal relations spanning the Pacific. This conference provides a forum for examining those relations, learning of recent developments, and preparing professionals on both sides of the Pacific for anticipating the challenges and opportunities to come. It is a great pleasure, then, for us to inaugurate this important Asia Desk Forum.

Jeremy Webber, Dean
Faculty of Law, University of Victoria

ALL SESSIONS WILL BE HELD AT THE FAIRMONT EMPRESS HOTEL:

BR – BALMORAL ROOM | IB – IVY BALLROOM | CB – CRYSTAL BALLROOM | PC – PALM COURT | RG – ROSE GARDEN

ASIAN LAW ACADEMY

Wednesday, 15 April 2015		
09.00-12.00	W1	Cross-Cultural Interactions in Legal Practice A: Cultural Rules & Strategies [BR] Navigating the Foreign Investment Law Regime in ASEAN [IB]
12.00-13.00	L	Lunchtime talk: Bi-Culturalism and Career Development [IB]
13.00-16.00	W2	Cross-Cultural Interactions in Legal Practice B: Skills for Effective Communication [BR] Japanese Corporate Law [IB]
Thursday, 16 April 2015		
09.00-12.00	W3	Doing Business in India [BR] International Arbitration in Asia [IB]

ASIA DESK FORUM CONFERENCE

Thursday, 16 April 2015		
12.00-13.30	L	Welcome lunch at the Fairmont Empress Hotel [PC]
13.30-16.00	1	Keynote Panel: Asia in 2030—Legal Developments, Challenges & Opportunities in the Asia-Pacific [CB]
16.30-17.45	2	Regional Perspectives: Southeast Asia [BR] Legal Trends and Developments: India [CB]
18.00-19.30	R	Asia Desk Forum Welcome Cocktail Reception [RG]
20.00-22.00	D	Hosted practice group dinners at venues around Victoria
Friday, 17 April 2015		
9.00-10.15	3	Special Session on Myanmar [BR] Regional Perspectives: East Asia [CB]
10.30-12.00	4	Plenary Session: Business, Human Rights, and Corporate Social Responsibility in Asia [CB]
12.00-13.30	L	Lunchtime talk: The Law and Geopolitics of the South China Sea [CB]
13.30-15.00	5	Plenary Session: Asia as a Hub for International Arbitration [CB]
15.00-16.30	6	Plenary Session: Asian Investment, Energy & Indigenous Title [CB]
17.00-18.15	7	Latin America-Asia Legal Relations [BR] Burgeoning Consumer Protection Law [CB]
Saturday, 18 April 2015		
09.00-10.30	8	Plenary Session: Understanding State-Owned Enterprises in China and Vietnam [CB]
11.00-12.15	9	Challenges for Banks in Asia [BR] Trans-Pacific Trade Law and Policy [CB]
12.15-14.00	L	Banquet & Panel Discussion: Developing Asian Legal Expertise in the Americas [CB]

Asian Law Academy

The Asian Law Academy is a two-day series of CPD accredited workshops for lawyers with an Asian dimension to their practice seeking to learn more about current legal developments.

WEDNESDAY, 15 APRIL

W1 MORNING SESSIONS 9.00 – 12.00

Navigating the Foreign Investment Law Regime in ASEAN

IVY BALLROOM

In addition to differing legal systems, the ten countries in ASEAN have all devised regimes of laws, regulations, decrees and policies, as well as specialized government ministries and departments that govern and oversee foreign investments. What are the underlying themes and currents of these regimes? Are they more co-operative or competitive as between the individual ASEAN countries, especially when they try to attract the same investment dollars? This presentation will discuss and analyze these, as well as approaches that a business could take to successfully navigate through the regimes and their processes. The influence of the common law or civil law system, as the case may be, to the regimes will also be examined. Country specific illustrations will be made, and cases regarding specific industries will be reviewed. In addition, some of the foreign investment arrangements on a macro level, such as regional or bi-lateral treaties that impact on these more micro-level regimes will also be reviewed.

Workshop Leaders

- **Franca CIAMBELLA**, Consilium Law, Singapore
- **Kenneth PEREIRE**, Consilium Law, Singapore

ABOUT CPD CREDITS

All workshops are accredited for 3 hours of CPD credits with the Law Society of British Columbia.

For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the Law Society of Alberta.

For lawyers from Washington State, please consider submitting these credits for consideration as MCLE Live credits as part of your 45 annual Continuing Legal Education credits required by the Washington State Bar.

Cross-Cultural Interactions in Legal Practice: (A) Cultural Rules and Strategies

BALMORAL ROOM

Culture is a difficult creature to pin down. This is made more complicated and complex by a world that has been shrunk by developments in telecommunications technology and air travel. This program seeks to focus on different aspects of dealing with culture and is split into two programs.

Cross-Cultural Interactions in Legal Practice: Cultural Rules and Strategies involves an interactive exercise which tasks one team to identify the cultural rules of the other team through a series of meetings. The experience will then be unpacked in a facilitated discussion to tease out the complexities of dealing with other cultures and to identify strategies by which to deal with cultural difference.

Workshop Leaders

- **Joel LEE**, National University of Singapore, Singapore
- **Carrie MENKEL-MEADOW**, Georgetown University & University of California Irvine

L LUNCHTIME TALK 12.00-13.00

Bi-Culturalism and wCareer Development

IVY BALLROOM

Recent research has confirmed something that we have thought for a long time – multiple cultural exposure leads to distinct cognitive and behavioural skills development such as boundary spanning capabilities, creativity and innate conflict resolution abilities. People who have internalized more than one culture (bi-culturalists) are at the top of the experience list. In this lunchtime talk, Professor Brannen will open our eyes to the bi-cultural mind, uncover hidden skill sets, and suggest how these might be effectively leveraged in today's rapidly changing, multicultural workplace.

Presenter

- **Mary Yoko BRANNEN**, Jarislowsky East Asia (Japan) Chair, Centre for Asia-Pacific Initiatives, University of Victoria, Victoria, Canada

W2 AFTERNOON SESSIONS 13.00 – 16.00

Cross-Cultural Interactions in Legal Practice: (B) Skills for Effective Communication

BALMORAL ROOM

Cross-Cultural Interactions in Legal Practice: Skills for Effective Communication focuses on two specific aspects of dealing with culture. The first involves examining the connection between the Power Distance Index (Hierarchy) and Collectivism and how these manifest in communication and face management behaviours. The second involves skill-building in communicating both directly and indirectly by first identifying where one is on the communication continuum and engaging in exercises to build their skill in the other part of the continuum.

Workshop Leaders

- **Joel LEE**, National University of Singapore, Singapore
- **Carrie MENKEL-MEADOW**, Georgetown University & University of California Irvine

Japanese Corporate Law

IVY BALLROOM

Japanese corporate law used to attract Western lawyers' attention as the embodiment of the Japanese-style management. In the 1980's and early 1990's, it was considered to be a successful model alternative to the Anglo-American model. Since the late 1990's, however, Japanese corporate law has come to be known as one of the least developed in disciplining the corporate governance through monitoring by independent directors and exercise of strict compliance. If the praise given to Japanese-style management during the years of "bubble economy" was over-emphasized, the current criticism on Japanese corporate governance may be an excessive underestimation for the companies leading the third largest economy in the world. To understand the reality of corporate law and practice in Japan, a foreign lawyer needs to know how the Japanese organization works, and how law matters in the process. This workshop aims at understanding such inter-relationship among the law, practice and culture of Japanese corporations.

Workshop Leader

- **Souchirou KOZUKA**, Gakushuin University, Tokyo, Japan

Sponsors

Gakushuin University and the **Jarislowsky East Asia (Japan) Chair at the Centre for Asia-Pacific Initiatives**, University of Victoria

THURSDAY, 16 APRIL

W3 MORNING SESSIONS
9.00 – 12.00

Doing Business in India

BALMORAL ROOM

India is a leading emerging economy that continues to generate a great deal of interest among businesses worldwide that are exploring both commercial as well as investment opportunities. This workshop seeks to highlight key developments in India pertaining to various aspects of corporate, business, commercial and investment law. It will analyze key legislative and regulatory changes as well as judicial pronouncements and discuss their impact on transaction structures. Its principal objective is to equip attorneys and in-house legal counsel with a better understanding of current issues so as to provide effective advice to clients that are involved in business transactions in India. The workshop will cover a wide array of issues that relate to the legal aspects involved in setting up business operations in India, the different types of business entities available, regulations governing foreign investments, corporate governance, mergers and acquisitions, public

offerings and corporate bankruptcy. It will also deal with other laws associated with business operations such as property, taxation and employment laws. While the workshop is not intended to involve an exhaustive study of all applicable laws and regulations, it would highlight key legal considerations for business transactions in India and allow for deliberation on topical, contemporary issues.

Workshop leader

- **Umakanth VAROTTIL**, National University of Singapore, Singapore

International Arbitration in Asia

IVY BALLROOM

This workshop examines two important tensions in this major field of practice: informalization versus formalization (including growing costs and delays), and global norms and practices versus local traditions and idiosyncrasies. International commercial arbitration is burgeoning in Asia, belying some lingering stereotypes or over-generalizations about a strong traditional preference across the region for negotiated or mediated settlement of disputes. Major arbitral institutions have emerged (e.g. CIETAC, SIAC and HKIAC) or

are emerging (e.g. KCAB and KLRCA), while traditional 'core' Western institutions (such as the ICC and LCIA) 'look East' by setting up branches to maintain caseloads and cater better for Asia-Pacific parties. Treaty-based investor-state arbitrations are also starting to become more common in Asia, reflecting the growth of fully-fledged bilateral investment treaties and Free Trade Agreement investment chapters among and with economies in the region. The session will examine these developments through the lens of recent legislative and Rule changes, investment treaties, reported judgments and treaty arbitration awards, and case studies drawn from practical experience. The convenor of this session and other panellists (Yonsei University Prof. Joongi KIM and HKIAC Secretary-General Chiann BAO) have lived and worked in Asia for lengthy periods and have published extensively in the field.

Convener

- **Luke NOTTAGE**, Sydney Law School, Australia

Panellists

- **Chiann BAO**, Hong Kong International Arbitration Centre, Hong Kong
- **Joongi KIM**, Yonsei University, Seoul, South Korea



**current legal
trends &
developments**

Special Events

WELCOME EVENTS

Asia Desk Forum Welcome Ceremony

Joyce and Victor UNDERWOOD of the Tsawout First Nation will perform a traditional welcome ceremony to open the Asia Desk Forum.

Venue: The Crystal Ballroom
The Fairmont Empress

Date & Time: Thursday, 16 April, 13.30-13.45
All registered delegates are welcome to attend.

Asia Desk Forum Cocktail Reception

Delegates are invited to join us for a welcome cocktail prior to dinner. The cocktail reception will take place in the Rose Garden of the Fairmont Empress (weather permitting) and will feature the instrumental accompaniment of the koto as performed by Satomi EDWARDS.

Venue: The Fairmont Empress Rose Garden
(weather permitting)

Date & Time: Thursday, 16 April, 18.00-19.30
All registered delegates are welcome to attend.

HOSTED DINNERS

A Closer Look at South Asia

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Hosted by Asia Desk Forum keynote speaker, I. Bobby MAJUMDER, Perkins Coie Partner and India Practice Co-Chair, this dinner will give delegates an opportunity to engage with colleagues with a keen interest in or curiosity about South Asia. With catering by the famous Bengal Lounge at The Fairmont Empress, this dinner will be an intellectual and culinary treat!

Venue: The Harbourside Room
The Fairmont Empress

Date & Time: Thursday, 16 April, 20.00-22.00

RSVP: Space is limited to 25 people.
Please RSVP to asiadeskforum@uvic.ca

Asia / Latin America: A South-South Powerful Relationship

SPONSORED BY

Duane Morris®

Join like-minded colleagues for dinner and conversation on the issues surrounding the powerful economic relationship between these two continents. Hosted by Asia Desk Forum keynote speaker, Eduardo RAMOS-GÓMEZ, Singapore-based regional managing partner of Duane Morris & Selvam and former Mexican Ambassador to Singapore, this dinner will be thought-provoking, lively and dynamic.

Venue: Il Terrazzo Ristorante
555 Johnson Street, Victoria BC

Date & Time: Thursday, 16 April, 20.00-22.00

RSVP: Space is limited to 25 people.
Please RSVP to asiadeskforum@uvic.ca



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Asia in 2030: Legal Developments, Challenges & Opportunities in the Asia Pacific

THURSDAY, 16 APRIL 2015, 13.30 – 16.00 IN THE CRYSTAL BALLROOM

WELCOME INTRODUCTIONS BY

Victor V. RAMRAJ, CAPI Law Chair and Professor, Faculty of Law, University of Victoria

Joyce and Victor UNDERWOOD of the Tsawout First Nation will perform a traditional welcome ceremony to open the Asia Desk Forum.

Honourable Theresa WAT, Minister of International Trade and Minister responsible for Asia Pacific Strategy and Multiculturalism.

Andrew MARTON, CAPI Director, University of Victoria

Jeremy WEBBER, Dean of Law, University of Victoria

The Keynote Panellists will discuss how transformations in the global economy, the rise of trans-Pacific trade, and corresponding changes in the legal profession have given rise to new legal challenges in relation to trade and foreign investment, transnational dispute resolution, energy and environment, regulation and governance. They will consider how private and public sector lawyers on both sides of the Pacific are responding to these challenges and what remains to be done.

Carrie MENKEL-MEADOW (Moderator), Professor at Georgetown University and University of California Irvine, USA



Carrie Menkel-Meadow is Chancellor's Professor of Law and Political Science, University of California Irvine Law School, and A.B. Chettle Jr. Professor of Law, Dispute Resolution and Civil Procedure at Georgetown University Law Center, where she teaches a variety of international and domestic dispute resolution courses, including Negotiation, Mediation, International Dispute Resolution, International Legal Analysis, Comparative Constitutionalism, Global Justice Summit, and Multi-Party Dispute Resolution Processes. She is the author or editor of over 15 books, including *Complex Dispute Resolution* (three volumes: *Foundations*, *Multi-Party Disputes*, *Democracy and Decision Making*, and *International Dispute Resolution*); *Mediation: Process, Policy and Ethics* (2nd ed. 2013); *Negotiation: Processes for Problem Solving* (2nd ed. 2014); *Dispute Resolution: Beyond the Adversarial Model* (2nd ed. 2011), and over 200 articles. She has taught conflict resolution related subjects to diplomats, lawyers, government officials, and law students, on five continents, including in Chile, Argentina, Brazil,

China, Singapore, Australia, Israel, the United Kingdom, Costa Rica, Nicaragua, Switzerland, Canada, Italy, France, Norway, and Paraguay.

I. Bobby MAJUMDER, Partner, Perkins Coie, Dallas, USA



Indrajit B. MAJUMDER is a partner in Perkins Coie's Business practice and firm-wide Co-Chair of the firm's India Practice whose focus is on corporate and securities transactions primarily in the following industry verticals: energy (oil & gas and coal), mining, healthcare and information technology. He represents underwriters, placement agents and issuers in both public and private offerings of securities; public and private companies in mergers and acquisitions (both cross-border and domestic); private equity funds, hedge funds and venture capital funds in connection with both their formation and their investments; and companies receiving venture capital and private equity funding. Mr MAJUMDER advises established companies, as well as new and emerging issuers, on raising capital from both the public and private markets in the United States and Europe (including Rule 144A/Regulation S offerings). He also advises US and foreign companies in connection with their SEC reporting and compliance requirements.

Eduardo RAMOS-GÓMEZ, Managing Partner, Duane Morris & Selvam LLP, Singapore



Eduardo RAMOS-GÓMEZ is managing partner of Duane Morris' Asian offices in Hanoi, Ho Chi Minh City and Singapore with residence in Singapore. Mr. RAMOS-GÓMEZ has practiced international and corporate law for more than 30 years, advising multinational and foreign companies in Asia, North America, Europe and Latin America on cross-border direct foreign investment, project development and project finance. His practice encompasses a broad range of international investments, mergers and acquisitions, securities, financing, joint ventures, licensing, venture capital formation and investments, privatization, infrastructure projects, and other corporate transactions in the United States, Latin America and Asia. Mr. RAMOS-GÓMEZ formerly served as Mexico's Ambassador to Singapore, Negara Brunei Darussalam and the Union of Myanmar. He is an advisory board member of the Singapore Management University School of Law, a member of the Commission on Globalization World Forum, president of the US-Mexico Chamber of Commerce, vice chair of the Mexican Law Committee in the Section of International Law and Practice for the American Bar Association.

Annabel SHORT, Program Director, Business & Human Rights Resource Centre, New York, USA



Annabel SHORT joined the Business & Human Rights Resource Centre in 2003. She oversees the Centre's programs and communications work, and its regional work on Asia and the Middle East. On Asia, she works closely with the Centre's researchers based in Hong Kong, New Delhi, Tokyo and Yangon to promote respect for human rights by business in the region. From 2002–2003, Ms SHORT was an environmental and social responsibility consultant with Context Group based in London where she specialized in corporate reporting and stakeholder engagement. She has also worked in freelance journalism — her articles have appeared in *Ethical Corporation*, *Geographical*, *the Guardian*, *Open Democracy*, *Resurgence* and more. Ms SHORT has a Certificate in International Human Rights Law & Practice from London School of Economics; MSc in Development Studies from London University; Postgraduate Diploma in Periodical Journalism from City University; and an MA joint Honours in Spanish and French from Edinburgh University.

Yuen Pau WOO, President, HQ Vancouver, Vancouver, Canada



Yuen Pau WOO is President of HQ Vancouver, a public-private initiative to promote British Columbia as a location for North American head offices of Asian and other international companies. He is also President of China Global: The Vancouver Society for Promotion of Chinese Art and Culture; and is a Senior Fellow at Simon Fraser University (Beedie School of Business) and at the University of British Columbia (Institute of Asian Research). From 2006–2014, he was President of the Asia Pacific Foundation of Canada, the country's leading think tank on Asia. He continues his association with the Foundation as Distinguished East Asia Fellow. Mr WOO is a thought leader on contemporary Asian affairs and trans-Pacific relations. He has served on the Standing Committee of the Pacific Economic Cooperation Council, and as an advisor/consultant to the World Bank, APEC, the OECD, Asian Development Bank, the Shanghai WTO Affairs Consultation Centre, and the Canadian Ditchley Foundation. He is Chairman of the Board of Trustees of the Vancouver Academy of Music, a member of the Global Council of the Asia Society, and a board member of the Public Policy Forum, the Ontario Brain Institute, and the Mosaic Institute.



**latest legal
trends in the
Asia-Pacific**

Asia Desk Forum Conference

The Asia Desk Forum brings together leading lawyers, academics, and policy makers for an in-depth look at recent legal developments in Asia and their relevance to the Americas. It creates a forum where law professionals in the Americas with a strong Asian dimension to their work can exchange views on the latest legal trends in Asia with their colleagues from Asia.

THURSDAY, 16 APRIL

2 PARALLEL SESSIONS 16.30 – 17.45

Legal Trends and Developments: India

CRYSTAL BALLROOM

As a leading emerging economy, India continues to exhibit strong economic growth, thereby attracting significant foreign investment and global trade. This panel discussion will draw participants to the current economic and investment situation in India, the available opportunities and challenges, and share contemporary experiences of the panellists in doing business in India.

Panellists

- **Manasi KUMAR**, Jindal Global Law School, India
- **John MACKAY**, Latham & Watkins, Singapore
- **I. Bobby MAJUMDER**, Perkins Coie, Dallas, USA
- **Umakanth VAROTTIL**, National University of Singapore, Singapore [MODERATOR]

Regional Perspectives: Southeast Asia

BALMORAL ROOM

This panel addresses competition and foreign investment issues in SE Asia with special

ABOUT CPD CREDITS

All sessions are accredited for CPD hour credits with the Law Society of BC.

For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the Law Society of Alberta.

For lawyers from Washington State, please consider submitting these credits for consideration as MCLE Live credits as part of your 45 annual Continuing Legal Education credits required by the Washington State Bar.

reference to the ASEAN Free Trade Area and in 2015 the ASEAN Economic Community. We will focus on the liberalization of investment in ASEAN and the barriers to investment that still remain such as corruption. The panel will also look at implications of these developments for legal services and changes in competition law and mergers and acquisitions in Vietnam. Given the expertise of the panel we will update on the role of Singapore as a hub, especially for legal services in light of the Singapore Commercial Court and developments in mediation.

Panellists

- **Franca CIAMBELLA**, Consilium Law, Singapore
- **Kenneth PEREIRE**, Consilium Law, Singapore
- **PHAN Cong Thanh**, University of Victoria, Victoria, Canada
- **Victor V. RAMRAJ**, University of Victoria, Victoria, Canada [MODERATOR]

FRIDAY, 17 APRIL

3 PARALLEL SESSIONS 9.00 – 10.15

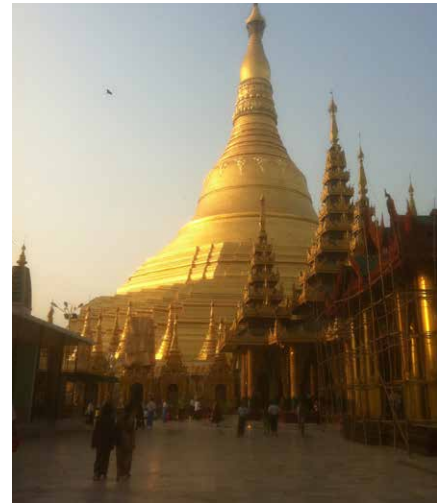
Regional Perspectives: East Asia

CRYSTAL BALLROOM

This panel will provide an overview of salient legal developments related to China, Japan and Korea. Key topics will include China's internal and external investment policies, its new policy to promote the rule of law, how it allows small companies to accomplish big things, reforms to Japanese corporate governance, including the ramifications of adopting the outside director system and the stewardship code, and developments in Korea's investment, trade and corporate regime through the lens of public policy, international investment and the TPP.

Panellists

- **Vivienne BATH**, Sydney Law School, Australia
- **Joongi KIM**, Yonsei Law School, Seoul, South Korea [MODERATOR]
- **Yan LIU**, Great Wall Law Firm, Beijing / Chapnick & Associates, Toronto
- **Nobuko MATSUMOTO**, Gakushuin University, Tokyo, Japan



Shwedagon Pagoda in Yangon, Myanmar

PHOTO BY VICTOR V. RAMRAJ

Regional Perspectives: Special Session on Myanmar

BALMORAL ROOM

This panel will deal with issues of concern to foreign investors in Myanmar. The panel will discuss the overall situation of the rule of law, the reform trajectory and the constitutional politics of Myanmar in this election year. The panel will then discuss conglomerates and foreign investment, with special reference to the Yangon Stock Exchange, international sanctions, local partners, due diligence on local companies, getting money in and out of Myanmar, dispute resolution, and some recent legislation in company law and other areas of concern.

Panellists

- **Andrew HARDING**, National University of Singapore, Singapore
- **Ramiro RODRIGUEZ**, Duane Morris & Selvam LLP, Singapore
- **Jeremy WEBBER**, Dean of Law, University of Victoria, Victoria, Canada [MODERATOR]
- **Yvonne WONG**, National University of Singapore, Singapore

Sponsor



Centre for Asian Legal Studies
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Conference Sessions

4

PLENARY SESSION 10.30 – 12.00

Business, Human Rights, and Corporate Social Responsibility in Asia

CRYSTAL BALLROOM

With global organizations and governments assigning increased importance to human rights and the social implications of partnering with Asian businesses, this panel will examine the current regulatory and Corporate Social Responsibility challenges for businesses operating in Asia. Panellists will consider the monitoring of supply chains, implementation of effective grievance mechanisms, and fostering of harmonious community relations. This dynamic session will explore common problems and highlight best practices.

Panellists

- **Kevin B. COON**, Baker & McKenzie, Toronto, Canada
- **LIANG Xiaohui**, Peking University Law School, Beijing, China
- **Anita RAMASASTRY**, University of Washington School of Law, Seattle, USA
- **Annabel SHORT**, Business & Human Rights Resource Centre, New York, USA [MODERATOR]

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L

LUNCHTIME TALK 12.00-13.00

The Law and Geopolitics of the South China Sea

CRYSTAL BALLROOM

The South China Sea has been a serious flash-point between China and its neighbours for over 40 years involving confrontations between navies, coast guards, fishers and those engaged in hydrocarbon activities. It is strategically important in terms of potential oil and gas resources, freedom of navigation and ocean commerce. In addition to the international strategic and resource issues is the importance of the South China Sea and the small islands therein in the domestic politics, histories and perceptions of the littoral States. This presentation will look primarily at the international law issues that are in play as well as the regional and global politics that shape the dispute and the potential solution.

Presenter

- **Ted McDORMAN**, University of Victoria, Victoria, Canada

Lunch Co-Sponsors



Canadian Council on International Law
Conseil canadien de droit international



CANADIAN INTERNATIONAL COUNCIL
CONSEIL INTERNATIONAL DU CANADA
Victoria Branch | Section Victoria

5

PLENARY SESSION 13.30 – 15.00

Asia as a Hub for International Arbitration

CRYSTAL BALLROOM

This session explores Asia's future as a hub for international arbitration. Not only is Asia taking a bigger part of the arbitration pie – it is expanding it. The role of parties, arbitral institutions, legal infrastructure, counsel, arbitrators and academia in Asia will be explored to analyze what future lies for the region. What challenges remain for further growth? Is the Golden Age of arbitration still too come? Will investment arbitration also become more active? Will Hong Kong and Singapore continue to be the dominant venues? How important is the role of the courts and local law? What influence will intra-Asian disputes have? What is special about arbitration in Asia?

Panellists

- **Chiann BAO**, Hong Kong International Arbitration Centre, Hong Kong
- **Joongi KIM**, Yonsei Law School, Seoul, South Korea [MODERATOR]
- **Andrew NEWCOMBE**, University of Victoria, Victoria, Canada
- **Luke NOTTAGE**, University of Sydney Law School, Sydney, Australia
- **Ramiro RODRIGUEZ**, Duane Morris & Selvam LLP, Singapore

6

PLENARY SESSION 15.00 – 16.30

Asian Investment, Energy & Indigenous Title: Canadian Perspectives & Developments

CRYSTAL BALLROOM

Asia's rising energy needs have led to a growing interest in resource-rich Canada and, in particular, in British Columbia as Canada's logistical gateway to Asia. At the same time, investment in the energy sector often requires the consent and participation of Canada's First Nations. Recent legal developments, including the decision of the Supreme Court of Canada in the Tsilhqot' in case, have sought to clarify the legal rights and obligations of First Nations, provincial, territorial, and federal governments. This panel will explore the implications of these developments and the general regulatory context for Asian investment in the energy sector in Canada.

Panellists

- **Edward ALLEN**, Nisga'a Nation, Canada
- **Matthew KEEN**, Bull Housser, Vancouver, Canada
- **Miles RICHARDSON**, National Consortium for Indigenous Economic Development, University of Victoria, [MODERATOR]

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PARALLEL SESSIONS 17.00 – 18.15

Burgeoning Consumer Protection Law in Asia

CRYSTAL BALLROOM

Consumer protection is emerging as a major regulatory topic in Southeast and East Asia. Prompted by concerns about adulterated food and other consumer safety issues and also with the balance between consumers' rights and obligations in contracts for electronic goods, telecommunication services and online purchases, consumer protection legislation of some form has been passed by most States in these regions. Focusing on developments in the regulation of both consumer product safety and consumer contracts, panellists will discuss the growth of consumer protection law, the implications of these developments for trade and investment and the challenges to effective regulation in this sector.

Panellists

- **Martin DORIS**, Chinese University of Hong Kong, Hong Kong
- **Luke NOTTAGE**, University of Sydney Law School, Sydney, Australia
- **Jeannie PATERSON**, University of Melbourne, Melbourne, Australia [MODERATOR]

Latin America-Asia Legal Relations

BALMORAL ROOM

Many Latin American countries have lately been striving to increase their trade with Asia. The latest policy effort undertaken by Chile, Colombia, Mexico, and Peru was the creation of an economic bloc pursuing trade liberalization, focusing on openness to foreign investment and the integration of a common market called the Pacific Alliance. This group accounts for more than one-third of Latin America's GDP and exports about 60 percent more than the Southern Common Market (Mercosur) bloc. The panel aims to discuss how the recent political and legal developments in Latin America, generally, and in the Pacific Alliance, specifically, could effectively result in greater integration of trade and investment between the two continents.

Panellists

- **Marcos JARAMILLO**, Pontificia Universidad Católica de Chile, Santiago, Chile
- **Nicolás LOZADA PIMIENTO**, 1493 International Legal Consulting, Bogotá, Colombia [MODERATOR]
- **Eduardo RAMOS-GÓMEZ**, Duane Morris & Selvam LLP, Singapore

SATURDAY, 18 APRIL

8

PLENARY SESSION
9.00 – 10.30

Understanding State-Owned Enterprises in China and Vietnam

CRYSTAL BALLROOM

The rise of state capitalism has been attracting the attention of lawyers, economists, business leaders, and policy-makers, and state-owned enterprises are often the focus of this attention. This session examines the legal, political, and economic context in which these companies operate as well as recent efforts to reform and regulate them. This session will also consider the implications of state-owned enterprises for businesses in the Americas that are looking to invest in or work with partners in China and Vietnam.

Panellists

- **NGUYEN Anh Tuan**, LNT & Partners, Ho Chi Minh, Vietnam
- **WANG Jiangyu**, National University of Singapore, Singapore
- **Guoguang WU**, University of Victoria, Victoria, Canada [MODERATOR]
- **Guanxi ZHENG**, Dorsey, Seattle, USA

9

PARALLEL SESSIONS
11.00 – 12.15

Trans-Pacific Trade Law and Policy

CRYSTAL BALLROOM

This session examines recent developments in trade law and policy in the trans-Pacific context. Panellists will consider the general framework of trade in the Asia-Pacific region, recent multilateral

developments including the Trans-Pacific Partnership, implications for competition law, and recent trade law developments in China.

Panellists

- **Amitendu PALIT**, Institute of South Asian Studies, National University of Singapore, Singapore [MODERATOR]
- **PHAN Cong Thanh**, University of Victoria, Victoria, Canada
- **Hugh STEPHENS**, Canadian International Council, Victoria, Canada
- **Dongsheng ZANG**, University of Washington, Seattle, USA

Sponsor



Challenges for Banks in Asia

BALMORAL ROOM

The banking industry is facing challenges around the world: regulatory overhaul in the aftermath of the global financial crisis has been unprecedented, competition for business (and therefore profits) is intense and the relationship of banks with customers and society needs to be nursed back to health. These and other challenges are evident in Asia, as elsewhere. Asia is a diverse region comprising many jurisdictions and economies of different sizes and at different stages of development. This panel will offer a range of perspectives on banking/finance in four diverse Asian jurisdictions: the giant that is China, the Islamic banking industry of Malaysia, the embryonic developments in Myanmar and developed Singapore.

Panellists

- **Sandra BOOYSEN**, National University of Singapore, Singapore [MODERATOR]
- **CHEN Weitseng**, National University of Singapore, Singapore

- **Aida OTHMAN**, ZICO Shariah, Kuala Lumpur, Malaysia
- **Yvonne WONG**, National University of Singapore, Singapore

Sponsor



BANQUET & PANEL DISCUSSION
12.15 – 14.00

Developing Asian Legal Expertise in the Americas: Challenges and Prospects

CRYSTAL BALLROOM

Asian legal expertise in the Americas is strong and growing, but in many respects it lags behind the growth in trans-Pacific supply chains and trade relationships, and the increasing mobility of people, goods, services, and capital across the Pacific in both directions. This session will explore the nature and extent of this apparent gap and consider how law schools, bar associations, law firms, companies, governments, and civil society organizations can help to bridge it. It will also consider how the Asia Desk Forum can continue to play a role in developing Asian legal expertise in the Americas in the years ahead.

Panellists

- **Marcos JARAMILLO**, Pontificia Universidad Católica de Chile, Santiago, Chile
- **Victor V. RAMRAJ**, University of Victoria, Victoria, Canada [MODERATOR]
- **Cindy TERMORSHUIZEN**, Department of Foreign Affairs, Trade and Development, Ottawa, Canada
- **Dongsheng ZANG**, University of Washington, Seattle, USA





献燈

**over 45 speakers
from Asia and
the Americas**

Edward ALLEN

A member of the Nisga'a Nation, Edward Allen will be a panellist during the *Asian Investment, Energy & Indigenous Title: Canadian Perspectives & Developments* Plenary Session.

Chiann BAO

Secretary-General of the Hong Kong International Arbitration Centre (HKIAC). Ms BAO functions as the chief executive officer of the HKIAC and oversees the administration of a full range of ADR support services. Ms BAO is a Councillor of the International Federation of Commercial Arbitration Institutions. In addition, she serves as a board member of the Practical Law Company, the Association of Corporate Counsel's International Advisory Board, the Asian Dispute Review's Editorial Board, and the NYIAC Board of Advisors. A New York qualified lawyer, Ms BAO practiced at an international law firm in New York before joining the HKIAC in 2010.

Vivienne BATH

Professor Vivienne BATH is professor of Chinese and International Business Law and Director of the Centre for Asian and Pacific Law, Sydney Law School, and China Studies Centre, University of Sydney. Her research interests are international commercial and investment law, private international law and Chinese law, particularly Chinese commercial and corporate law.



Representative publications include: Burnett and Bath, *Law of International Business in Australasia*, Federation Press 2009; Bath, V, 'Foreign investment, the national interest and national security – foreign direct investment in Australia and China,' (2012) 34 Sydney Law Review 5-34; Bath and Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia*, Routledge, 2011; Bath, V, 'The Legal System in China and the Handling of Accidents and Disasters' in Butt, Nasu and Nottage (eds), *Asia-Pacific Disaster Management: Comparative and Socio-Legal Perspectives*, Springer, 2014. Professor BATH speaks Chinese (mandarin) and German.

Sandra BOOYSEN

Sandra BOOYSEN is an assistant professor at the National University of Singapore with research interests in contract and banking law. A graduate from Rhodes University and the University of the Witwatersrand, South Africa, Sandra started her career in practice, working in Johannesburg and London in the area of commercial litigation. She was admitted as a solicitor in England and Wales and as an attorney and notary in South Africa. After moving to Singapore and completing her PhD, she joined NUS Law.



Sandra is an executive committee member of NUS's Centre for Banking and Finance Law and the case and legislation notes editor of the Singapore Journal of Legal Studies. She

has published in local and international peer reviewed journals. Recent and forthcoming publications include:

- 'Verification Duties, Conclusive Evidence Clauses, and Fraud by Bank Employees' [2012] 27 BFLR 687;
- 'Pay Now - Argue Later: Conclusive Evidence Clauses in Commercial Loan Contracts' (2014) JBL 31;
- 'Contractual severance and the cornerstone of the parties' intentions', forthcoming, LMCLQ.

Mary Yoko BRANNEN

The Centre for Asia-Pacific Initiatives' Jarislowsky East Asia (Japan) Chair is Mary Yoko BRANNEN, PhD. A well-known international scholar in multinational affairs, Mary Yoko BRANNEN received her MBA with emphasis in International Business and PhD in Organizational Behaviour with a minor in Cultural Anthropology from the University of Massachusetts at Amherst.



Having taught at various Universities in the United States, Japan, China and France, Professor BRANNEN's consulting specialty is helping multinational firms realize their global strategic initiatives by aligning, integrating and deploying critical organizational resources. Born and raised in Japan, having studied in France and Spain, and having worked as a cross-cultural consultant for over 20 years to various Fortune 500 companies, she brings a multi-faceted, deep knowledge of today's complex cultural business environment. As Jarislowsky East Asia (Japan) Chair, BRANNEN has plenty of opportunities to apply her culturally specific skills to develop a Pacific Asia program that connects the university community—across campus, cultures and countries.

Dr. BRANNEN is very active in the international business community, and is the deputy editor of the *Journal of International Business* as well as being on the executive committee of the International Management Division of the Academy of Management. She is also one of three guest editors for the *Journal of International Business Special Issue, "The Multifaceted Role of Language in International Business: Unpacking the Forms, Functions and Features of a Critical Challenge to MNC Theory and Performance"*.

Weitseng CHEN

Weitseng CHEN is an assistant professor at National University of Singapore (NUS) Faculty of Law. He received his doctorate in 2007 from Yale Law School where he was a Fulbright scholar. Thereafter, he worked for Stanford University from 2007 to 2008 as a Hewlett Fellow of Center on Democracy, Development and the Rule of Law.



Before he joined NUS in 2011, Weitseng practiced law in Davis Polk & Wardwell LLP. He specialized in cross-border transactions in the greater China area and Southeast Asia, including M&A,

IPO, tender offer, and various bond offerings. He advised Morgan Stanley, Goldman Sachs, Citi, Merrill Lynch, Bank of America, Standard Chartered, Deutsche Bank, Barclays, HSBC, UBS, Nomura and numerous international companies on capital market transactions in Asia.

Weitseng CHEN is currently a member of the Executive Committee of NUS Centre for Banking & Finance Law. He teaches Property Law, Law and Business in Greater China, Law and Development in China, Legal Systems of Asia, and Comparative Legal Traditions. His recent research focuses on RMB internationalization, China's property rights transition, Chinese companies in international capital markets, comparative rule of law studies, and the economic behaviours of foreign investors in China.

Franca CIAMBELLA

Franca CIAMBELLA trained in law in the jurisdictions of New York, Canada, and Singapore. Franca is one of the first foreign lawyers to gain full admission to the Singapore Bar. Her legal career of over 24 years encompasses 16 years of private practice, including being the Managing Partner of the Singapore office of Stikeman Elliott (a Canadian based international law firm), seven years as General Counsel for Asia Pacific for Tyco International Ltd. (a US based Fortune 500 corporation), acting as an advisor to high levels of government in ASEAN, carrying on a mediation practice and currently being the Managing Director of the Singapore licensed international law firm of Consilium Law Corporation (CLC). CLC represents multinationals doing business throughout Asia in diverse industries and sectors, and individuals involved in cross border matrimonial disputes.



Franca's subject areas of expertise are in corporate and commercial law, cross-border mergers and acquisitions, foreign investment law, contracts law, and compliance. In Asia, she worked extensively in Vietnam, assisting the Ministry of Justice in drafting its civil code and other laws, and in establishing the Economic Courts, which have jurisdiction over disputes with foreign entities established in Vietnam. In Indonesia, she assisted in establishing some of the regulations pertaining to the Industrial Development Corporation (BKPM), which oversees the licensing of foreign businesses. She also assisted a number of clients in creating legal compliance programs, including at Tyco and with regards to the American Foreign Corrupt Practices Act, trade compliance and Sarbanes Oxley. Franca is accredited as a mediator with the Singapore Mediation Centre and with the ADR Group in London, UK, and acts as a mediator in various areas. Having an undergraduate degree and a certificate in business (from the United States and Canada), she also serves as an advisor to multinationals and as a director on several boards of corporations and non profit organizations. She has authored numerous publications, including a book entitled *Investments in South-East Asia:*

Speaker Biographies

Policies and Laws and contributes regularly to various chambers of commerce publications and websites on interesting legal topics. She is currently the Vice President of the Canada ASEAN Business Council, a member of the Singapore Academy of Law, as well as a member of the Law Committee of the American Chamber of Commerce in Singapore, and a volunteer in community charitable entities and events. Franca is married with three teenage sons.

Kevin COON

Kevin COON, Baker & McKenzie LLP, acts as counsel, and as trusted and strategic adviser to government, corporate and not-for-profit organizations, on human resource, regulatory, compliance and risk management, with emphasis on international labour standards; corporate social responsibility; ethics; codes of conduct; due diligence; human rights; workplace investigations; occupational health and safety; collective bargaining; executive contracts; workplace harassment; positive employee relations; local and global labour relations; government relations; officers and directors due diligence and fiduciary obligations; and, workers compensation. Mr. COON has been ranked as a leading management side labour and employment lawyer in Canada by Who's Who Legal: Canada 2012.



Mr. COON assists with the interpretation and application of local and international labour, ethics, compliance, human rights, and employment laws and practices. He develops and implements employment and workplace policies and codes of conduct for global and local organizations. He has assisted clients with understanding, complying and responding to complaints under the OECD Guidelines for Multinational Employers, the Global Compact, ILO Freedom of Association Committee, the North American Agreement on Labour Co-operation, the International Finance Corporation Performance Standards, the Equator Principles, the Extractive Industry Transparency Initiative and other international guidelines and standards. He counsels, advises and trains executives, managers and supervisors on, compliance, due diligence, dispute resolution, codes of conduct, positive employee relations matters and best practices. Mr. COON conducts workplace investigations and audits related to respect in the workplace, harassment, human rights issues and other compliance issues. In addition, Mr. COON provides representation and advocacy before various Courts, Coroners Inquest, Administrative Tribunals and Arbitrators. He has been retained as an expert on corporate social responsibility, international labour standards and global labour relations.

Martin DORIS

Prof. Martin DORIS is a Director of the Centre for Financial Regulation and Economic Development and co Director of the Mediation Institute at the Chinese University of



Hong Kong. A Fellow of the UK Higher Education Academy, he has held past teaching positions at a number of leading UK law schools and is a former Assistant Dean at the CUHK Faculty of Law. He holds a first class honours in Common and Civil Law with Hispanic Studies from the Queen's University of Belfast and read for his PhD in law at the European University Institute in Florence.

Prof. DORIS is a CEDR, HKIAC and HKMAAL accredited mediator, a panel member of the ADNDR and a Fellow of both the Chartered Institute of Arbitrators and the Hong Kong Institute of Arbitrators. His research and teaching focus is on modern developments in international commercial and consumer law, arbitration and ADR. He is the author of *Dispute Avoidance and European Contract Law* (Europa Law Publishing) and he has published in leading International law journals. He is past co Editor-in-Chief of the *Vindobona Journal of International Commercial Law and Arbitration* and served on the editorial board of the *International Journal of Private Law* from 2008 to 2010. He serves on various editorial and international advisory boards, and is an Elected Committee Member of the East Asia Branch Committee of the Chartered Institute of Arbitrators. He is current Deputy Chair for Professional Development and Training and co Chair for University Outreach with the Branch.

Andrew HARDING

Professor Andrew HARDING is a leading scholar in the fields of Asian legal studies and comparative constitutional law. He commenced his academic career at National University of Singapore before moving to SOAS, University of London, where he became Head of the Law School and Director of the Centre for South East Asian Studies. He joined NUS, as Director of the Centre for Asian Legal Studies and Director of the Asian Law Institute, from the University of Victoria, BC Canada, where he was Professor of Asia-Pacific Legal Relations and Director of the Centre for Asia-Pacific Initiatives.



Professor HARDING has worked extensively on constitutional law in Malaysia and Thailand, and has made extensive contributions to scholarship in comparative law, and law and development, having published nine books as author or editor. He is co-founding-editor of Hart Publishing's book series *'Constitutional Systems of the World'*, a major resource for constitutional law in context, and has authored the books on Malaysia and Thailand in that series (2011, 2012).

Marcos JARAMILLO

Prof. Marcos JARAMILLO has a PhD in law from Kobe University in Japan. He is an Attorney-at-Law, Professor of Asian Laws and Public International Law, Director of the UC Asian Studies Center of Pontificia Universidad Católica de Chile. He has been appointed as one of the Directors of the Confucius Institute of the same university. He is also a Member of the Chilean National



Commission for Scientific and Technological Research, Advanced Human Capital Formation, Law Committee, and a Member of the Chilean Bar Association.

Professor JARAMILLO has been teaching Chinese Law and Japanese Law at Pontificia Universidad Católica de Chile as a regular course since 2005, the first of its kind in Latin America. He has also organized two summits on Chinese Law and Practice with famous speakers such as Donald C. Clarke and Daniel Harris.

Professor JARAMILLO has conducted legal research in Chile, China (Tsinghua University, Fudan University and Shanghai Jiao Tong University) and Japan (Kobe University and the Institute of Development Economics Ide-Jetro), writing on topics ranging from Criminal Procedure Law to Corporations. He is the author of the Spanish version of a book on Japanese Criminal Procedure, recently published in Germany and Japan, and the chapter about China on Director's Duties to be published in England. He has also authored several articles on various law topics, such as the *Legal Bridge between China and the West* (in Chinese), the *Japanese Corporation* (in Spanish) and the *Chilean Banking Corporation* (in Japanese). He also has translated into Spanish an article in English about the Chinese State Owned Enterprises (SOEs), and he regularly writes on newspapers and appears on Chilean TV as a specialist on China news.

Mathew KEEN

Matt is an energy regulatory lawyer with Bull Houser, who practices in the areas of energy law, utility regulation, environmental assessment and permitting, and First Nations law. He represents clients before the British Columbia Utilities Commission, the Alberta Utilities Commission, and the National Energy Board of Canada.



Matt's utility regulation work relates to tolls and tariff proceedings on natural gas and crude oil pipelines and electricity transmission power lines, in both British Columbia and Alberta. He has extensive experience with major industrial facility applications and the associated environmental assessment and permitting processes—most notably pipeline and powerline transmission facilities, upstream hydrocarbon developments, and downstream LNG infrastructure. He has participated in environmental assessment tribunal, joint review panel, and Royal Commission processes.

Matt acts for major customer associations in both provinces, as well as individual large industrial customers and energy companies engaged in natural gas and crude oil production and trading. He has also acted for utilities and power producers in both provinces.

Before joining Bull Houser in 2011, Matt practiced at a prominent national law firm in Calgary for five years, and clerked at the Alberta Court of Appeal and the Alberta Court of Queen's

Bench as part of his articles. Matt also briefly worked for a large oil and gas producer before law school and holds an undergraduate Chemical Engineering degree.

Joongi KIM

Joongi KIM is Professor of Law and Associate Dean for International Affairs at Yonsei Law School. A former attorney at Foley & Lardner in Washington, DC and Scholar-in-Residence at WilmerHale's International Arbitration Group, he also served as the Founding Executive Director of the Hills Governance Center in Korea that was established under the joint auspices of the World Bank, CSIS and Yonsei University. He has acted as a presiding arbitrator, sole arbitrator, co-arbitrator, mediator and counsel in institutional and ad hoc proceedings under the rules of the ICC, JCAA, JAMS, KCAB, LMAA and UNCITRAL involving parties from Austria, British Virgin Islands, China, Cyprus, France, Germany, Hong Kong, Indonesia, Ireland, Italy, Norway, Japan, Korea and Singapore as well as the UK and US.



His research focuses on international arbitration, corporate governance, international trade and good governance. Recent works include *International Arbitration in East Asia: From Emulation to Innovation, The Arbitration Brief* (2014), *Streamlining the ICSID Process: New Statistical Insights and Comparative Lessons from Other Institutions*, TDM/Brill (2014) and *A Milestone in Civil and Criminal Enforcement in Korea?* (forthcoming), and he has a forthcoming treatise titled *International Arbitration in Korea* (Oxford University Press).

He serves as an editor for the *Asian Journal of Comparative Law*, *International Investment Law & Arbitration*, *Korean Arbitration Review*, *Corporate Control*, *International Trade Review* and the *Korean Journal of International and Comparative Law* in addition to acting as an Academic Council Member for the Center for Strategic and International Studies' Hills Program on Governance. Currently a Vice President of the Korean Council for International Arbitration, he sits on the Panel of Arbitrators for the Korea-EU Free Trade Agreement, Korea-US Free Trade Agreement and World Bank/ICSID as well as CAA, CIDRA, CIETAC, CRCICA, DIAC, HKIAC, JCAA, KCAB, KLRCA, SCIA and SIAC.

A previous visiting professor at Georgetown Law, the University of Florida, and the National University of Singapore, he holds academic degrees from Columbia, Yonsei, and Georgetown.

Souichirou KOZUKA

Souichirou KOZUKA (PhD, Tokyo) is Professor of Law at Gakushuin University, Tokyo. He specializes in commercial law, corporate law and comparative law studies. His English recent publications include: *"Insurance Law Issues Due to the Great East Japan Earthquake of 2011"*, *Zeitschrift für Japanisches*



Recht No. 33, pp.3-11 (2012) and Nr. 34, pp.87-94 (2013); *"Policy and Politics in Contract Law Reform in Japan"* (co-authored with Luke Nottage), in: *The Method and Culture of Comparative Law* (Maurice Adams & Dirk Heirbaut (eds.)), pp.235-253 (2014), and *"Reform After a Decade of the Companies Act: Why, How, and to Where?"*, *Zeitschrift für Japanisches Recht*, No.37, pp.39-50 (2014). He also contributed a co-authored chapter (with Luke Nottage) to *Principles of Contemporary Corporate Governance, Third Edition* (Jean Jacques du Plessis, Anil Hargovan, Mirko Bagaric & Jason Harris (eds.)). He is a correspondent of UNIDROIT (International Institute of Private Law) and Associate Member of the International Academy of Comparative Law (IACL).

Manasi KUMAR

Ms. KUMAR is an Assistant Professor at Jindal Global Law School situated in the National Capital Region (NCR) of India. She teaches Company Law, Contract Law, and an elective on Commercial Contract Drafting. Prior to joining academia, Ms. Kumar's legal experience was varied in terms of both practice and geography. She was an associate at Schwabe, Williamson & Wyatt, P.C. in Portland, Oregon for over three years where her practice focused on construction, insurance, maritime and general commercial dispute resolution. Upon returning to India, Ms. Kumar worked at Fox Mandal, India's oldest law firm, for a year, where she focused on international arbitration involving various commercial disputes, including disagreements regarding production sharing contracts and government procurements. Ms. Kumar is a graduate of Lewis & Clark Law School in Portland, Oregon, where she graduated cum laude and was inducted into the Cornelius Honour Society.



Joel LEE

Joel LEE is an Associate Professor at the Faculty of Law, the National University of Singapore and runs the faculty's Negotiation and Mediation Workshops. A graduate of Harvard Law School, Joel is a consultant with CMPartners (USA) and a principal mediator with and a trainer of the Singapore Mediation Centre.



Joel has extensive experience as a consultant and trainer for corporate clients such as Standard Chartered Bank, Freshfields, the Singapore Institute of Management, Service Quality Centre, Ngee Ann Polytechnic, the Government Insurance Corporation of Singapore, SingTel, IE Singapore and EDB.

Joel is an adjudicator with the Financial Industry Disputes Resolution Centre and a member of the ADR Advisory Council of the Subordinate Courts of Singapore. He is also a member of the International Mediation Institute's Independent Standards Commission and Intercultural Taskforce.

Joel has taught overseas at the University of Copenhagen (Denmark), University of Law,

Economics and Science of Aix-Marseille (Aix-en-Provence France) and Anglia Law School (UK) and is the co-editor and co-author of the book *"An Asian Perspective on Mediation"* and the General Editor for the *Asian Journal on Mediation*. In 2011, Joel received the Outstanding Educator Award which is the National University of Singapore's highest teaching award.

LIANG Xiaohui

Dr. LIANG used to be the program coordinator of the Human Rights Master Program at Peking University, China's first professional human rights education project. Dr. LIANG later joined the Office for Social Responsibility of China National Textile and Apparel Council as Chief Researcher, in charge of the development and promotion of CSC9000T, China's first voluntary CSR initiative and social responsibility management system. He has involved in the development of the United Nations Global Compact's Guidance on Responsible Business in Conflict-Affected and High-Risk Areas (Chinese business representative), and the Children's Rights and Business Principles Initiative (CRBPI) by UNICEF and the Global Compact (only Chinese member of the Expert Reference Group).



Dr. LIANG is the leading expert in the development of other Chinese industry-specific CSR initiatives by other business associations in China, including the China Federation of Industrial Economics (CFIE, 2009), the China International Contractors Association (CHINCA, 2010), the China Tea Marketing Association (CTMA, 2011), China Electronics Standardization Association (CESA, 2012), and China Small and Medium-sized Enterprise Council (CSMEC, 2013). Since 2006, Dr. LIANG has taught the course "Business and Human Rights" at Peking University Law School and he is the first Chinese scholar teaching this course in China. Mr. Liang is now also a member of the Human Rights and Labour Rights Working Group of the United Nations Global Compact.

Yan LIU

Yan LIU is an internationally trained lawyer. Yan is a qualified Chinese lawyer since 2006 and a Canadian lawyer since 2014. Yan has particular interest in international business law, tax law, real estate and mining law. Yan finished her B.A. in Criminology and Sociology at University of Toronto and pursued a second LLB at University of Southampton (U.K.). Yan also attended the Internationally Trained Lawyer Program (ITLP) and the Bar Exam Preparation Course (BEPC) at University of Toronto. Yan is currently enrolled with the Master degree in Law, major in Mining, Tax and International Business Law at Osgoode Law School, York University.



Yan had the working experiences as the Chinese legal consultant at one of the leading Canadian law firm at Heenan Blaikie LLP, mainly assisting Chinese

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clients in conducting cross-border transactions from China to Canada. Yan currently leads both the CANADA PRACTICE TEAM at Great Wall Law Firm in Beijing, as well as the CHINA PRACTICE TEAM at Chapnick & Associates in Toronto.

Nicolás LOZADA PIMIENTO

Nicolás leads the dispute resolution and trade in services areas at 1493 – International Legal Consulting. He is also a professor of International Business Law at Universidad Externado de Colombia and Universidad Santo Tomás de Aquino. His specialties in foreign trade and international arbitration have presented him the opportunity to practice in Singapore, Shanghai, Geneva, Paris, Washington DC and Bogota.



A graduate from Externado University in Colombia (law degree), New York University (LL.M. in Law and the Global Economy) and the National University of Singapore (LL.M. in International and Comparative Law), he is currently an arbitrator and a secretary at the Arbitration and Conciliation Centre of the Chamber of Commerce of Bogota.

In the past, Nicolás has served as a consultant and negotiator on trade and investment treaties for the Ministry of Trade, Industry and Tourism (Colombia), as an advisor on international affairs to the Office of the Minister of Justice (Colombia), foreign consultant of the Latin American Arbitration Group at Freshfields Bruckhaus

Deringer (USA and France) and as a law intern of the World Trade Organization (Switzerland).

He has been a delegate for Colombia to the Group III of UNCITRAL (United Nations Commission for International Trade Law) on online dispute resolution on e-commerce transactions.

John MACKAY

John MACKAY practices in the Singapore office of the international law firm Latham & Watkins LLP. Mr. MACKAY has worked in Singapore since 1997, during which time he has gained extensive experience advising major Asian and international financial institutions and sponsors on some of the largest and most complex project development and finance transactions globally as well as other cross-border matters. The projects on which he has advised include power, resources and other infrastructure projects throughout Asia, the Middle East, Australia and Africa, utilizing commercial and export credit agency debt financing and PPP structures and, most recently, the innovative “yieldco” financing structure to bring to market portfolios of multiple renewable energy projects. He also advises on acquisitions and joint ventures, particularly with respect to energy and infrastructure projects. Mr. MACKAY’s time in Asia has included over a year spent living and working in India, on secondment with British Gas International, advising on the development of a proposed LNG receiving terminal in Gujarat.



Recent representative transactions include advising the lenders in the financing and development of the US\$1.5 billion Duong II 1200MW power project in Vietnam (the largest independent power project ever undertaken in the country), advising the Export-Import Bank of Thailand and the commercial bank lenders in the US\$1.04 billion financing of the Xe-Pian Xe-Namnoy 410MW hydroelectric power project in Laos, and advising the Japan Bank for International Cooperation, the Asian Development Bank and a group of commercial bank lenders in the financing of the US\$1.17 billion 330-MW Sarulla geothermal power project in Indonesia. He is currently advising the Government of the Union of Myanmar with respect to the privatization of its state-held jet fuel distribution business.

Mr. MACKAY is recognized as a leading lawyer for Singapore Projects & Infrastructure by Chambers Asia-Pacific 2015 and was recognized as an External Counsel of the Year for Singapore by Asian-MENA Counsel magazine based upon the votes of in-house counsel. He is admitted to practice as a solicitor of England and Wales and has a B.A. (Hons) from Queen’s University and a JD from the University of British Columbia.

Latham & Watkins LLP is one of the largest law firms in the world, currently employing over 2,000 lawyers in the world’s major financial, business and regulatory centers in 14 countries across the United States, Europe, the Middle East and Asia.



I. Bobby MAJUMDER

I. Bobby MAJUMDER is a partner at Perkins Coie LLP, in Business practice and Firmwide Co-Chair of the firm's India Practice who focuses on corporate and securities transactions primarily in the following industry verticals: energy (oil & gas and coal), mining, healthcare and information technology. He represents underwriters, placement agents and issuers in both public and private offerings of securities; public and private companies in mergers and acquisitions (both cross-border and domestic); private equity funds, hedge funds and venture capital funds in connection with both their formation and their investments; and companies receiving venture capital and private equity funding. Bobby advises established companies as well as new and emerging issuers on raising capital from both the public and private markets in the United States and Europe (including Rule 144A/Regulation S offerings). He also advises US and foreign companies in connection with their SEC reporting and compliance requirements.



Bobby, listed in Law & Politics Magazine and Texas Monthly as a "Texas Super Lawyer", graduated from the Washington and Lee University School of Law in 1993. He is a charter member of The Indus Entrepreneurs, a member of the Dallas Bar Association and a member of the Rocky Mountain Mineral Law Foundation.

Nobuko MATSUMOTO

Nobuko MATSUMOTO is an Associate Professor at the Faculty of Law, Gakushuin University, Tokyo, where she teaches Corporation Law. After practicing Japanese Law for two years, Nobuko started her academic career. Her area of research includes Business Corporation Law, Nonprofit Corporation Law, and Trust Law. Recently, she has authored a book entitled "Fiduciary Duty of Nonprofit Corporations' Directors: Comparison with Fiduciary Duty of Business Corporations' Directors" written in Japanese.



Nobuko is a member of Japan Association of Private Law and Japan Association of the Law of Trust. She is a graduate of the University of Tokyo (LL.B.) and Harvard Law School (LL.M.). She was a visiting scholar at East Asian Legal Studies, Harvard Law School in 2010-2011.

Ted McDORMAN

Professor Ted McDORMAN joined the Faculty of Law at the University of Victoria in 1985 and was promoted to professor in 2001. His teaching areas include public international law, international trade law, international ocean and environmental law, and private international law (conflicts of law).



He has taught Canadian constitutional law for many years and also taught Canadian environmental law and comparative Asian law. He has a cross-appointment with the Department of Geography and is an Associate of the Centre for Asia-Pacific Initiatives. Professor McDORMAN has been a visiting professor at institutions in Thailand, Sweden, the Netherlands and Canada. He has over 100 publications in the areas of ocean law and policy, international trade law and comparative constitutional law. Since 2000, he has been the editor-in-chief of *Ocean Development and International Law: The Journal of Marine Affairs*.

Professor McDORMAN has been seconded to the Legal Bureau of the Department of Foreign Affairs and International Trade (DFAIT). He started his assignment on May 1, 2011. He is currently based at DFAIT headquarters in Ottawa and is working primarily on Arctic-related matters.

Carrie MENKEL-MEADOW

Carrie MENKEL-MEADOW is Chancellor's Professor of Law and Political Science, University of California Irvine Law School, and A.B. Chettle Jr. Professor of Law, Dispute Resolution and Civil Procedure at Georgetown University Law Center, where she teaches a variety of international and domestic dispute resolution courses, including Negotiation, Mediation, International Dispute Resolution, International Legal Analysis, Comparative Constitutionalism, Global Justice Summit, and Multi-Party Dispute Resolution Processes. She is the author or editor of over 15 books, including *Complex Dispute Resolution* (three volumes: *Foundations, Multi-Party Disputes, Democracy and Decision Making, and International Dispute Resolution*); *Mediation: Process, Policy and Ethics* (2nd ed. 2013); *Negotiation: Processes for Problem Solving* (2nd ed. 2014); *Dispute Resolution: Beyond the Adversarial Model* (2nd ed. 2011), *Regulating Dispute Resolution* (ed. with others, 2013), *What's Fair: Ethics for Negotiators* (2004) and over 200 articles. She has taught conflict resolution related subjects to diplomats, lawyers, government officials, and law students, on five continents, including in Chile, Argentina, Brazil, China, Singapore, Australia, Israel, the United Kingdom, Costa Rica, Nicaragua, Switzerland, Canada, Italy, France, Norway, and Paraguay. She has been working, as a scholar, teacher, mediator and arbitrator for over 35 years and has mediated and arbitrated at every level from international and major domestic class actions, to employment, health-related and domestic relations matters. She has been working on peace in the Middle East for the last seven years. She has consulted on dispute resolution processes and system design for the United Nations, the World Bank, the Federal Judicial Center, and the International Red Cross. She recently won the first ever awarded American Bar Association Award for Outstanding Scholarship on Dispute Resolution. She has won teaching awards at UCLA and Georgetown Law Schools and has won CPR's First Prize for Best Academic Article on ADR three times (1984, 1991 and 1998).



She is a cum laude graduate of the University of Pennsylvania Law School, where she served as editor of the Law Review, and a magna cum laude-Phi Beta Kappa graduate of Barnard College, Columbia University, and has been awarded two honorary doctorates of Law (LL.D) from Quinnipiac Law School (1995) and Southwestern Law School (2010) for her contributions to dispute resolution and legal education.

Andrew NEWCOMBE

Andrew NEWCOMBE has been a faculty member at the University of Victoria since 2002. Before joining the faculty, he articulated and practised as an associate with Swinton & Co. (now Miller Thomson) in Vancouver. After pursuing his LLM, he worked with the International Arbitration and Public International Law groups at Freshfields Bruckhaus Deringer in Paris.



Currently he teaches International Arbitration, International Trade Law and Contracts. He is an internationally recognized scholar in international investment law and arbitration. In 2004, he created ITA (investment treaty arbitration): a leading international research website focused on international investment treaty law and arbitration. Amongst other publications, he is the co-author of a leading treatise (*Law and Practice of Investment Treaties: Standards of Treatment*) and co-editor of *Sustainable Development in World Investment Law*.

He is actively engaged in a variety of academic and professional work, including as Associate Editor (Case & Comment) for the *ICSID Review—Foreign Investment Law Journal*, a contributor to the *Investor-State Law Guide* and Canadian treaty editor for *Investment Claims*. He is a regular contributor to the *KluwerArbitrationBlog*. In addition to his academic work, he advises government, investors and non-State actors, and act as counsel and international arbitrations.

NGUYEN Anh Tuan

Partner with LNT & Partners in Ho Chi Minh Vietnam, Dr. NGUYEN Anh Tuan received his Master of Laws (LL.M) from Lund University with support from the Swedish International Development Cooperation Agency, and his Doctor of Laws (LL.D) from Nagoya University on the prestigious Monbukagakusho (Japanese government) scholarship, where he specialized in competition law. Dr. NGUYEN is recognized by the legal community as one of the few qualified competition law experts in Vietnam who has a deep understanding of international antitrust regulations, and their application under Vietnamese Competition Law.



Dr NGUYEN leads the firm's competition practice group. This practice group has broad practical experience in antitrust and unfair competition matters, including compliance training and

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review of contractual arrangements, corporate restructuring and market entry strategies, with specific experience in competition proceedings and dispute settlement relating to competition claims. Recently, Dr NGUYEN conducts competition compliance audits and provides advices on developing competition compliance programs for three leading multinational companies in the pharmaceutical, FMCG and consumer goods industry.

Dr NGUYEN is also a lecturer at the commercial law department of the Ho Chi Minh City University of Law and a visiting lecturer of Nagoya University and lawyer certification courses at the Judicial Academy in Ho Chi Minh City. He has also been regularly invited to speak at international and domestic forums. Dr NGUYEN has also authored numerous legal articles and books, which have been circulated as academic materials by education institutions. He is one of LNT & Partners' co-founders.

Luke NOTTAGE

Dr Luke NOTTAGE specializes in arbitration, contract law, consumer product safety law and corporate governance, with a particular interest in the Asia-Pacific region. He is Associate Dean (International) and Professor of Comparative and Transnational Business Law at Sydney Law School and founding Co-director of the Australian Network for Japanese Law (ANJEL). Luke's many books include *International Arbitration in Australia* (Federation Press, 2010) and *Foreign Investment and Dispute Resolution Law and Practice in Asia* (Routledge, 2011).



Luke is a Special Associate and founding member of the Rules drafting committee for the Australia Centre for International Commercial Arbitration, the Japan Representative on the Australasian Forum for International Arbitration council, and on the panel of arbitrators for the JCAA and KCAB. He has also consulted for law firms world-wide, the EC, OECD, UNDP, ASEAN and the Japanese government, and is founding Director of Japanese Law Links Pty Ltd. Luke was a Visiting Professor at UVic and CAPI in 2000.

Aida OTHMAN

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Aida specializes in Islamic banking and finance, Islamic capital market instruments and takaful products and operations. She also advises on Shariah compliance and governance, including on the legal and regulatory framework for Islamic finance.

Amitendu PALIT

Amitendu PALIT is a Senior Research Fellow and Research Lead (Trade and Economic Policy) at the Institute of South Asian Studies (ISAS) in the National University of Singapore (NUS). An economist specializing in international trade and investment policies, comparative economic studies, and political economy of public policies, he has been with the ISAS since April 2008. Prior to joining ISAS, he was with the Indian Council for Research on International Economic Relations (ICRIER), a leading economic policy research institute and think-tank in Delhi. He is also a Senior Research Fellow (honorary) of the Wong Centre for Study of Multinational Corporations.



Amitendu began his professional career in 1992 as a civil servant in the Indian Economic Service (IES) cadre of the Government of India. He worked for almost a decade (October 1996 – June 2006) in the Economic Division of the Department of Economic Affairs in the Ministry of Finance, India. He also worked in the Ministries of Industry and Civil Supplies of the Government of India. During his long career in public policy, he handled several macroeconomic and sectoral policies, including trade, investment, exchange rate, foreign exchange management, balance of payments, industrial development, small and micro enterprises, entrepreneurship development, forward and futures trading. He was involved in the writing and preparation of the Annual Economic Survey of the Ministry of Finance for several years and was a part of the annual budgetary consultations with various stakeholders as well as deliberations at the Consultative Committee meetings of the Ministry. He also figured on the Advisory Committees of the Planning Commission and the International Labour Organisation (ILO).

Amitendu's current research focuses on economic and political implications of new regional trade agreements, including their impacts on poor and small economies, trade governance in the Asia-Pacific, global and regional value chains, and determinants of external trade and integration policies of China and India with emphasis on domestic political economies. His latest book is *The Trans Pacific Partnership, China and India: Economic and Political Implications* (2014; Routledge UK) His earlier books include *China India Economics: Challenges, Competition and Collaboration* (2011; Routledge) and *Special Economic Zones in India: Myths and Realities* (2008; Anthem Press; Co-authored). He has also edited several books and published in peer-reviewed academic journals.

Amitendu is a columnist for India's well known financial daily, *Financial Express* and a regular contributor for the *China Daily* and *Business Times*. He appears regularly as an expert on the BBC, Bloomberg, Channel News Asia, CNBC, Australian Broadcasting Corporation (ABC), Doordarshan (India) and All-India Radio. He is a visiting faculty for several leading management and business schools and has been a consultant

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Jeannie PATERSON

Dr Jeannie Marie PATERSON is an Associate Professor at Melbourne Law School, where she teaches and researches in the areas of contract law, credit law and consumer protection law. Jeannie is the author of *Principles of Contract Law* (with Andrew Robertson and Arlen Duke, 4th ed, Thomson, 2012) and *Unfair Contract Terms in Australia* (Thomson, 2012). She has written articles on a range of consumer law topics including prohibitions on unconscionable conduct, unfair market practices, unfair contract terms and the imposition of mandatory quality standards in the supply of goods and services to consumers.



With Professor Elise Bant, Jeannie holds an Australian Research Council Discovery grant for the project, 'Remedies under the Australian Consumer Law and the Common Law: Evolution and Revolution.' She is also currently undertaking a Consultancy for the ASEAN-Australia Development Cooperation Program, "Supporting Research and Dialogue in Consumer Protection", through Sustineo with Richard Hughes (Sustineo) and Professors Caron Beaton-Wells, Justin Malbon and Luke Nottage.

Kenneth G PEREIRE

Kenneth G PEREIRE is a Senior Associate in the Corporate & Commercial Practice of Consilium Law Corporation. His focus areas are in Mergers & Acquisitions (M&A) transactions in Singapore and ASEAN, Securities Regulation, general corporate work (including advising on the Singapore Companies Act (Cap. 50) as well as employment law. He has been assisting both private and institutional multinational clients to structure their operations in Singapore and in the ASEAN region.



He has assisted multinational companies in diverse sectors such as telecommunication, software, property development, finance, construction and architecture. His M&A experience has included assisting both foreign and Singapore companies to acquire assets as well as shares in other entities and extensive due diligence for both buyers and sellers. He recently completed an extensive asset sale and purchase transaction in India for a UK listed company.

In the areas of Securities Legislation, he has considerable experience in assisting hedge funds, private equity firms as well as private family office clients to obtain the relevant licences with the Monetary Authority of Singapore (MAS) and has assisted the clients with all aspects of compliance and regulatory matters in Singapore including preparing legal opinions to the MAS as well as drafting compliance manuals for fund management companies and private equity firms.

He frequently advises companies on compliance with the Securities and Futures Act (Cap. 289), Financial Advisers Act (Cap. 110), Companies Act (Cap. 50) as well as the Insurance Act (Cap. 142).

He has extensive experience in drafting corporate agreements for investors including Shareholder Agreements and Investment Agreements with a focus on protection of minority interests by way of reserve matter clauses. He advises minority shareholders on their rights under the Companies Act (Cap. 50) as well as under contract.

He is a frequent speaker at workshops and seminars and has lectured on employment law and data protection in Singapore. He has published many articles and publications and has published an article on money laundering and M&A in Vietnam for a US publication.

He is an Advocate & Solicitor of the Supreme Court of Singapore and a member of the Law Society of Singapore. He has a Bachelor of Law (Honours) Degree and a Bachelor of Social Sciences Degree (Honours) in Political Science from the National University of Singapore as well as a Masters Degree in International Political Economy from the Nanyang Technological University. He previously worked at the International Centre for Political Violence and Terrorism Research (ICPVTR) in Singapore focusing on terrorism financing and terrorism legislation in Southeast Asia.

PHAN Cong Thanh

PHAN Cong Thanh has been working at the Vietnam Competition Agency (VCA) since 2006 as an expert in competition law enforcement, after a two-year appointment at the Ministry of Justice



of Vietnam. At the VCA, Thanh's oversees M&A in Vietnam, focusing on cases involving transnational mergers, and he serves as an antitrust investigator. Thanh has been a member of the Vietnamese delegation negotiating FTAs, such as Vietnam-EU or Vietnam-Customs Union FTAs. Thanh often gives lectures to the business community in Vietnam on competition law compliance and has been active in the law-making process as permanent member of the drafting board of the Consumer Protection Law of Vietnam (2008–2010). He received an honourable award of the Minister of Industry and Trade in 2011 for his contribution. Thanh is a member of a regional think-tank on competition law and policy. He has published journal articles in American Bar Association's *International Antitrust Bulletin*, *Journal of Fair Trade of Japan*, *Law and Development Review of Vietnam*, and *Legislative Research Review of Vietnam*.

Thanh was educated at Hanoi Law University and Nagoya University. He is currently a PhD candidate at University of Victoria where he is researching the impact of the Trans-Pacific Partnership on M&A law and practice in Vietnam.

Anita RAMASASTRY

Anita RAMASASTRY is the UW Law Foundation Professor at the University of Washington School of Law in Seattle, where she also directs the graduate program in the Law of Sustainable International Development. Her teaching and research focuses on commercial law, law and development, business and human rights and anti-corruption. From 2009–2011 she served as a senior advisor to the International Trade Administration of the US Department of Commerce on trade policy in emerging markets, anti-corruption and business and human rights. Ramasastry is a founding editor in chief of the *Business and Human Rights Journal* (Cambridge) and a senior research fellow of the Institute of Human Rights and Business. She currently is a member of the World Economic Forum's Global Agenda Council on Human Rights.



Eduardo RAMOS-GÓMEZ

Eduardo RAMOS-GÓMEZ is managing partner of Duane Morris' Asian offices in Hanoi, Ho Chi Minh City and Singapore with residence in Singapore. Mr. RAMOS-GÓMEZ has practiced international and corporate law for more than 30 years, advising multinational and foreign companies in Asia, North America, Europe and Latin America on cross-border direct foreign investment, project development and project finance. His practice encompasses a broad range of international investments, mergers and acquisitions, securities, financing, joint ventures, licensing, venture capital formation and investments, privatization, infrastructure projects, and other corporate transactions in the United States, Latin America and Asia.



Mr. RAMOS-GÓMEZ formerly served as Mexico's Ambassador to Singapore, Negara Brunei Darussalam and the Union of Myanmar. He is an advisory board member of the Singapore Management University School of Law, a member of the Commission on Globalization World Forum, president of the US-Mexico Chamber of Commerce, vice chair of the Mexican Law Committee in the Section of International Law and Practice for the American Bar Association and chapter chair of the International Division of International Law and Practice Section of the New York Bar Association. He has chaired the Section's 2009 meeting held in Singapore and has been named chairman of the Section's 2013 meeting, to be held in Vietnam. Mr. RAMOS-GÓMEZ also heads the Latin America desk in the Singapore office.

Mr. RAMOS-GÓMEZ is a graduate of the Escuela Libre de Derecho in Mexico City and a graduate of the University of Virginia (LL.M.).

Victor V. RAMRAJ

Victor V. RAMRAJ served as a judicial law clerk at the Federal Court of Appeal in Ottawa and as a litigation lawyer in Toronto before moving to Singapore in 1998. He has twice served as the National University of Singapore Law Faculty's Vice-Dean for Academic Affairs (2006–2010, 2011–2012), and for one year (2010–2011) as a co-director of the Centre for Transnational Legal Studies (CTLS) in London. He is currently a Professor in the Faculty of Law at the University of Victoria as well as the Law Chair for the Centre for Asia-Pacific Initiatives.



He has held visiting appointments at, among others, Kyushu University, Japan and the University of Toronto. His edited/co-edited books include: *Emergencies and the Limits of Legality* (2009), and *Emergency Powers in Asia: Exploring the Limits of Legality* (2010) for Cambridge University Press. His work on comparative constitutional law has been published in leading journals including *Chicago-Kent Law Review*, *Hong Kong Law Journal*, *ICON: International Journal of Constitutional Law*, *Singapore Journal of Legal Studies*, and *Transnational Legal Theory*.

Miles RICHARDSON

Mr. Miles G. RICHARDSON is a citizen of the Haida Nation and Canada. He grew up among his people on Haida Gwaii, attended high school in Prince Rupert, BC, and in 1979 received a Bachelor of Arts in Economics from the University of Victoria. From 1984 to 1996, he served as President of the Council of Haida Nation.

Mr. RICHARDSON was a member of the British Columbia Claims Task Force, which made recommendations to the Government of Canada, Government of British Columbia and First Nations in British Columbia on how the three parties could begin negotiations to build a new relationship and what negotiations should include. From 1991 to 1993, Mr. RICHARDSON was a member of the First Nations Summit Task Group, an executive body representing First Nations in British Columbia. In October 1995, Mr. RICHARDSON was nominated by the Summit and appointed as a Commissioner to the BC Treaty Commission. He was elected to a second term in April 1997. In November 1998, he was chosen as Chief Commissioner by agreement of Canada, BC and the First Nations Summit for a three-year term and was reappointed in November 2001. In 2007, Mr. RICHARDSON was named an Officer of the Order of Canada. Currently, he operates his own business advisory service and is also the Co-Chair of the IOG Indigenous Advisory Circle.

Ramiro RODRIGUEZ

Ramiro RODRIGUEZ is an international lawyer based in Singapore with Duane Morris & Selvam LLP, practicing in the areas of mergers and acquisitions, corporate finance, banking and finance, private equity, and general corporate law.



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His clients are primarily MNCs, including private and listed companies, as well as private equity funds and shipping companies. He also advises selected financial institutions in cross-border banking transactions.

Ramiro's credentials include advising on high profile takeovers of listed companies in Singapore and other Asian countries, multi-million dollar acquisitions of private and listed companies across several jurisdictions and complex cross-border banking transactions. Ramiro has been active in Myanmar where he has served as international counsel assisting clients on tender processes, land acquisition and development and joint ventures with Burmese partners.

Ramiro is a graduate of the New York University (LL.M. in Global Business Law), the National University of Singapore (LL.M., Corporate and Financial Services Law), the Universidad del Rosario (Specialist in Banking Law) and Universidad Javeriana (LL.B.). Ramiro is admitted to practice law in England and Wales, Singapore and Colombia.

Annabel SHORT

Annabel SHORT is the Program Director for Business & Human Rights Resource Centre. Joining the Business & Human Rights Resource Centre in 2003, Annabel oversees the Centre's programs and communications work, and its regional work on Asia and the Middle East. On Asia, she works closely with the Centre's researchers based in Hong Kong, New Delhi, Tokyo and Yangon to promote respect for human rights by business in the region.



From 2002-3 Annabel was an environmental and social responsibility consultant with Context Group based in London where she specialized in corporate reporting and stakeholder engagement. She has also worked in freelance journalism - her articles have appeared in Ethical Corporation, Geographical, the Guardian, Open Democracy, Resurgence and more.

Annabel has a Certificate in International Human Rights Law & Practice from London School of Economics; MSc in Development Studies from London University; Postgraduate Diploma in Periodical Journalism from City University; and an MA joint Honours in Spanish and French from Edinburgh University.

Hugh STEPHENS

Mr. STEPHENS has more than 35 years of government and business experience in the Asia-Pacific region. Based in Victoria, BC, Canada, he is currently Principal of Trans-Pacific Connections (TPC Consulting), Senior Fellow at the Asia Pacific Foundation of Canada, an associate faculty member in the School of Business at Royal Roads University and (until March 2013) Senior Advisor (Public Policy) to Time Warner. He also serves as Vice Chair of the Canadian Committee on Pacific



Economic Cooperation (PECC). Before returning to Canada in December 2009, he was Senior Vice President (Public Policy) for Asia-Pacific for Time Warner for 9 years, located at the company's regional headquarters in Hong Kong. In this capacity he managed Time Warner's public policy program in Asia Pacific for Turner Broadcasting, HBO, Warner Bros, Time Inc. and AOL. Mr. Stephens has extensive experience in dealing with media and IT industry issues (regulatory matters, protection of intellectual property, improved market access) in SE Asia, China, India, Korea/Japan and elsewhere in Asia.

Mr. STEPHENS has been an active leader in a number of regional business organizations in Asia. He served on the Executive Committee of the Board of the US National Center for APEC and is a past Executive Committee Board member of the US-Korea Business Council. He has been a member of the Board of Directors of the US-ASEAN Business Council, Governor of the American Chamber of Commerce in Hong Kong and Vice Chair of the Quality Brands Protection Committee, a coalition of more than 180 multinational companies engaged in strengthening IPR protection in China.

Prior to joining Time Warner in 2000, Mr. STEPHENS spent 30 years in the Canadian Foreign Service with the Department of External Affairs, later the Department of Foreign Affairs and International Trade (DFAIT). His last Ottawa assignment was as Assistant Deputy Minister for Policy and Communications in DFAIT. He also served abroad as Canadian Representative in Taiwan (Head of Mission of the Canadian Trade Office in Taipei), Counsellor and Charge d'affaires of the Canadian Embassies in Seoul, Korea and Islamabad, Pakistan, among a number of other overseas and headquarters assignments, including service at the Canadian Embassy in Beijing and Mandarin language training in Hong Kong.

Mr. STEPHENS was educated at UBC, University of Toronto and Duke University, and has a Certificate in Mandarin from the Chinese University of Hong Kong.

Cindy TERMORSHUIZEN

Cindy TERMORSHUIZEN is currently Special Project Advisor to the ADM, Asia Pacific at the Department of Foreign Affairs, Trade and Development. She will be taking up an assignment as Deputy Head of Mission at the Canadian Embassy in Beijing, China, in July 2015.



She previously served as Director of the Greater China Division (covering China, Hong Kong, Macau, and Taiwan) from 2010-2013, and as Deputy Head of Mission at the Canadian Embassy in Kabul, Afghanistan, 2009-2010. Prior to that she was the Director for Policy in the Afghanistan Task Forces in the Department of Foreign Affairs from 2007-2008 and the Privy Council Office from 2008-2009.

She has also served in the South Asia and Asia Pacific Policy Divisions in the Department of Foreign Affairs and International Trade, in the Foreign and Defence Policy Secretariat at the Privy Council Office, and the Policy Branch of the Department of National Defence.

Ms. TERMORSHUIZEN has a Master's degree in Political Science from Carleton University and a Bachelor of Arts Degree in International Development from the University of Guelph. She has also studied at Calvin College in Grand Rapids, Michigan; National Taiwan Normal University in Taipei, Taiwan; and the Tokyo Institute of Technology in Tokyo, Japan.

Umakanth VAROTTIL

Umakanth VAROTTIL is an Assistant Professor at the Faculty of Law, National University of Singapore. He specializes in corporate law and governance, mergers and acquisitions and cross-border investments. While his work is generally comparative in nature, he focuses particularly on India and Singapore. He has co-authored two books on Singapore law and practice, published articles in international journals and founded the Indian Corporate Law Blog. He has also taught on a visiting basis at the Fordham Law School in New York, the University of Trento in Italy and at various law schools in India. He is the recipient of several academic medals and honours.



Prior to his foray into academia, Umakanth was a partner at Amarchand Mangaldas, a pre-eminent law firm in India. During that time, he was also ranked as a leading corporate/mergers & acquisitions lawyer in India by the Chambers Global Guide.

WANG Jianguy

Dr. WANG Jianguy (SJD & LL.M., University of Pennsylvania; MJur, Oxford; MPhil in Laws, Peking University; LL.B, China University of Political Science and Law) is the Deputy Director of the Centre for Asian Legal Studies (CALS) and a tenured Associate Professor at the Faculty of Law of the National University of Singapore. He is also the co-Chief-Editor (with Andrew HARDING) of the Asian Journal of Comparative Law and Deputy Chief Editor of the Chinese Journal of Comparative Law. He was on secondment as an Associate Professor and Director for the MPhil/PhD Programme at the Faculty of Law of The Chinese University of Hong Kong from August 2006 to July 2009. His teaching and research interests include international economic law, Chinese corporate and securities law, law and development, and Chinese legal system. He practiced law in the Legal Department of Bank of China and Chinese and American law firms. He served as a member of the Chinese delegation at the annual conference of the United Nations Commission on International Trade Law Conference in 1999. He is a member of the Chinese Bar Association and the New York Bar Association. He is also a director



on the Executive Board of the WTO Institute of the China Law Society, a Senior Fellow at the Law and Development Institute (LDI), and a fellow of the Asian Institute of International Financial Law (Hong Kong). He has also been invited expert/speaker for the WTO, International Trade Centre (UNCTAD/WTO) and United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP). He recently received the 2007 Young Researcher Award of the Chinese University of Hong Kong in recognition of his accomplishment in research from 2007–2008. Dr. WANG has published extensively in Chinese and international journals and newspapers on a variety of law and politics related topics. He is a regular contributor to leading newspapers and magazines in Singapore, Hong Kong, and mainland China. He served as an external reviewer for dozens of international journals and publishers and research funds.

Jeremy WEBBER

Jeremy WEBBER was appointed Dean of Law at the University of Victoria, Canada, in 2013. He held the Canada Research Chair in Law and Society in the Faculty of Law of the University of Victoria from 2002 to 2014 and in 2009 was appointed a Fellow of the prestigious Trudeau Foundation. Prior to joining the University of Victoria, he was Dean of Law at the University of Sydney (1998–2002) and Professor of Law at McGill University (1987–1998).



Professor WEBBER is widely recognized in the areas of constitutional law, cultural diversity, constitutional theory, federalism, and indigenous rights, in Canada and in comparison to other countries (especially Australia). He is the author of *Reimagining Canada: Language, Culture, Community and the Canadian Constitution* (1994) and *The Constitution of Canada: A Contextual Analysis* (2015).

Yvonne WONG

Dr Yvonne Francisca Pei-Fei WONG is an expert in sovereign debt and international finance and banking law. Her current research looks at Myanmar's evolving banking and finance system. Her recent publications include "The World Bank Inspection Panel: A Tool for Accountability?", and her book *Sovereign Finance and the Poverty of Nations: Odius Debt in International Law*. For more on her scholarship and work, go to www.yvonne-wongconsulting.com. Dr. WONG has worked as a lawyer, consultant and academic in various jurisdictions. Most recently she was a consultant based in Myanmar and Cambodia. Prior to this she was on faculty at UNSW Law School. She has also worked as a lawyer in San Francisco, London, Sydney, and Samoa.



Dr. WONG is a member of the New York State Bar and admitted to practice in New South Wales, Australia. She obtained her BComm/LLB from University of Sydney, and her LLM and JSD from Berkeley Law School.

Guoguang WU

Guoguang WU joined the Centre for Asia-Pacific Initiatives at the University of Victoria in July 2004 as the Chair in China and Asia-Pacific Relations. He is a Professor at the University of Victoria, teaching in both the Departments of Political Science and History. He received his BA from Peking (Beijing) University in China, an MA from the Graduate School of the Chinese Academy of Social Sciences (Beijing), and an MA and a PhD in Political Science from Princeton University.



His research interests include comparative politics and international relations with an emphasis on East Asia, particularly China, Hong Kong, and Taiwan. Thematically his research interests cover institutional transition from communism, the political economy of globalization, liberalization and democratization, the politics of authoritarian mass media, and foreign-domestic linkages in foreign policy and regional security. He is author, co-author, and editor of twenty books and his research articles have appeared in journals such as *Asian Survey*, *China Quarterly*, *Comparative Political Studies*, *Journal of Contemporary China*, *The Pacific Review*, and *Third World Quarterly*.

Guoguang WU once worked as an editorialist for the *People's Daily* in Beijing, and in the mid-1980s joined the national policy advisory group on political reform in China. His academic achievements include a Nieman Fellowship at Harvard University, a Luce Fellowship at Columbia University, and an An Wang Post-Doctoral Fellowship at the John King Fairbank Center for East Asian Research at Harvard University. He now sits on the editorial board of academic journals including *East Asia: An International Quarterly* (Durham, UK), *China: An International Journal* (Singapore), *China Perspectives/Perspectives Chinoises* (Hong Kong and Paris), *East Asian Policy* (Singapore), and the *International Journal of Politics and Good Governance* (India).

Yuen Pau WOO

Yuen Pau WOO is President of HQ Vancouver, a public-private initiative to promote British Columbia as a location for North American head offices of Asian and other international companies. He is also President of China Global: The Vancouver Society for Promotion of Chinese Art and Culture; and is a Senior Fellow at Simon Fraser University (Beedie School of Business) and at the University of British Columbia (Institute of Asian Research). From 2006-2014, he was President of the Asia Pacific Foundation of Canada, the country's leading think tank on Asia. He continues his association with the Foundation as Distinguished East Asia Fellow. Mr Woo is a thought leader on contemporary Asian affairs and trans-Pacific relations. He has served on the Standing Committee of the Pacific Economic Cooperation Council, and as an advisor/consultant to the World Bank, APEC, the



OECD, Asian Development Bank, the Shanghai WTO Affairs Consultation Centre, and the Canadian Ditchley Foundation. He is Chairman of the Board of Trustees of the Vancouver Academy of Music, a member of the Global Council of the Asia Society, and a board member of the Public Policy Forum, the Ontario Brain Institute, and the Mosaic Institute.

Dongsheng ZANG

Professor ZANG joined the University of Washington Faculty of Law full-time in 2006, after serving as a visiting professor in 2005–2006. His academic interests include international trade law, and comparative study of Chinese law, with a focus on the role of law and state in response to social crises in the social transformation in China. He holds an S.J.D. and LL.M. from Harvard Law School, in addition to his LL.M. from Renmin University (Beijing) and LL.B. from Beijing College of Economics. His doctoral dissertation, *One-way Transparency: The Establishment of the Rule-based International Trade Order and the Predicament of Its Jurisprudence*, was awarded the 2004 Yong K. Kim '95 prize. He was a research fellow at the East Asia Legal Studies at Harvard Law School during the 2004–2005 academic year.



Guanxi ZHENG

Guanxi ZHENG is an international lawyer with extensive experience in a wide range of cross-border transactions, including mergers & acquisitions, joint ventures, technology licensing, corporate financing, infrastructure and real estate development projects, structured acquisition of distressed assets. A native from Fujian province, Guanxi has lived, studied and worked in various cities across three continents, including Brussels, Edmonton, Hong Kong, Beijing, and Seattle.



Guanxi is presently Of Counsel in the Seattle office of Dorsey & Whitney LLP, a major international law firm. Prior to his current position, Guanxi was director, vice-president and general counsel at DAC Financial Management (China) Limited, a private fund management company, in Hong Kong and Beijing. Before joining DAC, Guanxi served as partner-in-charge in Dorsey's Hong Kong office.

Guanxi has authored books and written many articles on foreign investment in China and related legal matters. He also frequently speaks in conferences and seminars on China related legal issues in Hong Kong, Singapore, Kuala Lumpur, Shanghai and Beijing.

Guanxi was admitted as a barrister & solicitor in Canada (Alberta) in 1994 and as a solicitor in Hong Kong in 1998.

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Duane Morris LLP, a law firm with more than 700 attorneys in offices across the United States and internationally, is asked by a broad array of clients to provide innovative solutions to today's legal and business challenges.

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continuing to prosper throughout changing economic and industry conditions.

At A Glance

- AmLaw 100 Since 2001
- More than 700 lawyers in offices in the US, UK and Asia
- Firm has nearly tripled in past 16 years
- Over 25% of client business conducted through multiple offices and practices

Harvard Business School

Second HBS case study of the firm, titled "Duane Morris: Collaborating for Growth," was part of the Harvard Business School curriculum and made available to business schools around the world for course study.



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and educational needs of employers domestically and globally, in both the private and public sectors. Gustavson is a growing, dynamic business school with a bright future ahead. Our programs: Bachelor of Commerce, MBA, MBA/JD, MBA/MEng, Master of Global Business, PhD and we are home to the Centre for Social and Sustainable Innovation (CSSI) and Innovation Centre for Entrepreneurs (ICE).



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The **Canadian Council on International Law (CCIL)** is our country's leading organization that seeks to promote the co-operative study and analysis of international legal problems by legal scholars in academia, lawyers in government, private practitioners and lawyers working for NGO's. Established in 1972, it has grown into an organization with over 400 members from within Canada and worldwide. CCIL provides a variety of opportunities to promote international law through awards and scholarships, in addition to events with educational and networking components. Annually, CCIL hosts a Conference in the Fall bringing together leading experts and international lawyers from around the world. This year,

the 44th Annual Conference will be held between November 5-7, 2015, entitled "International Law: Coherence or Chaos?" in Ottawa.

To hear more and sign-up for updates on CCIL, write to manager@ccil-ccdi.ca. For more information, please visit www.ccil-ccdi.ca.

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The **Canadian International Council (CIC)** is Canada's foreign relations council. It is an independent, member-based council established to strengthen Canada's role in global affairs. Its 15-nationwide branches hold over 100 events a year to engage the public with international issues. The CIC is generously supported by a network of Canadian business leaders from all economic sectors. The CIC is further supported by a large constituency of Canadians who believe that Canada's foreign policy directly impacts the lives and prosperity of its citizens. The CIC's digital media platform, OpenCanada.org, is Canada's hub for international affairs, linking our stakeholders in Canada and beyond. The Victoria

Branch of the CIC was established in 1936. Today, the Branch has over 200 active members, including academics, students, and interested public. Events of the Victoria Branch include a monthly luncheon speakers' series, held at the Union Club. In addition, the Branch hosts a series, Politics in the Pub, an informal evening of panel discussions on various topics drawing on local expertise; has organized events on campuses of both the University of Victoria and Royal Roads University and last October held an international conference in Victoria on "Pacific Northwest Gateway to Asia: Trade, Energy and Managing the Environmental Challenge".

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ASIA DESK FORUM ACKNOWLEDGMENTS

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