

第二 中国-欧洲法律论坛 2nd CHINA-EUROPE LEGAL FORUM



26th-27th June 2014 Vienna
Legal Systems & Economic Cooperation

Ministry of Justice, Großer Festsaal 1070 Wien, Museumstraße 7, Palais Trautson
The working languages of the Forum are English and Chinese

Registration until: 15.06.2014 by mail: hannes.jarolim@parlament.gv.at

PROGRAMME

26th June 2014

08:30-09:00 Registration of the participants

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

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

Agenda:

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

Topics for panels & speeches

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

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

Speakers and topics:

- The role of legal diplomacy in the process of Economic Globalization and Regional Economic Integration
Mr. Gu Zhaomin, Director-General of Overseas Liaison Department of China Law Society
- Laws and Regulations of Economic and Trading Cooperation between China and Europe
Mr. Rafael Illescas, Professor of Commercial Law, Madrid, Spain's Delegate to the UNCITRAL since 1984



Austrian-Chinese
Law Society



China
Law Society

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- Legal Issues in Forming China- EU Bilateral Investment Treaty:
Mr. Chen Yundong, President of the Law School, Yunnan University

- The Setting-up of Shanghai Free Trade Zone and its Influence on Bilateral trade and investment relationship between China and Europe
Mr. Lv Yi, Deputy management partner of Shanghai Junyue Law Firm

- The Interaction between Free Trade Zone Laws and Regulations & WTO Laws and Regulations
Mr. Yannis Avgerinos, Managing Partner AVG Law Firm, Athens

12:30–13:30 lunch-break

13:30–15:30 Antitrust and Competition Law

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

Speakers and topics:

- Mechanisms of Control and Control-authorities against the Abuse of Market Power

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

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

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

Mr. Galym Izbasarovich Orazbakov, Chairman of the Kazakhstan Anti-monopoly Agency (tbc)

15:30–16:00 coffee break

16:00–18:00 Corporate law & Economic Cooperation

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

Speakers and topics:

- Securitisation and the Regulation of Marke

Mr. Orkun Akseli, Co-Director, Institute for Commercial and Corporate Law, Durham University Law School, UK.

- Employer Responsibility of the Enterprises

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

- Modification and Meanings of the Legislation of China Corporate Law on the Corporate Capital System: Capital requirements and capital measures
Mr. Liu Kaixiang, Professor of the Law School, Beijing University

- Member's exclusion from companies, business partnerships and networks
Ms. Paola Iamiceli, Professor at the Faculty of Law at the University of Trento, Department of Economics and Management

27th June 2014

09:00–11:00

Tort Law

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

Speakers and topics:

- The relevance of Tort Law for Economy
Mr. Helmut Koziol, Managing Director of the European Centre of Tort and Insurance Law, Vienna

- Basic principles of Chinese Tort Law
Mr. Wang Liming, Deputy Principal of China Renmin University, President of the Civil Law Academy of China Law Society

- Product Liability and Punitive Damages
Ms. Vanessa Wilcox, Researcher, European Centre of Tort and Insurance Law, UK

-Infringement Disputes and Resolution under the Network Environment
Mr. Su Chi, Vice-president of Beijing Second Intermediate People's Court

- Statutory Obligation of Compensation as an Independent Kind of Obligation

Mr. Wang Yi, Professor of the Law School, China Renmin University, Secretary-General of the Civil Law Academy, China Law Society

11:00–11:30 coffee break

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

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

Speakers and topics:

- Court Proceedings and Alternative Dispute Resolution: Advantages and Disadvantages

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

- Characteristics and Relevance of Arbitration from the point of view of corporations and location of business

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

- Court Proceedings and Alternative Dispute Resolution: Advantages and Disadvantages

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

-The Mechanism of Non-litigation disputes settlement and the Arbitration
Mr. Xu Chunqing, Associate Professor of Law School, Gansu Institute of Political Science and Law

- Locations of arbitration and their specifics: State Law, Court Proceedings, Practical determining factors

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

- The Role of Arbitral Institutions

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

13:30–14:30 lunch break

14:30–16:00 Financing Infrastructure

Chair: **Mr. Ricardo Gomez**, Managing Partner Garrigues Law Firm, Madrid (tbc)

Speakers and topics:

- Possible ways & Structure of Project Financing

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

- Cooperation between State and Private players

Ms. Du Jing, Lecturer of School of Law of Central University of Finance and Economics, Council member of the Security Law Academy of China Law Society

- Public Private Partnership: A challenge in the light of Maastricht criteria

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

16:00–16:30 coffee break

16:30–18:00 **Judicial systems and their functioning**

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

Speakers and topics:

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

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

- Current development of Legal Harmonization in Europe: the role of judges, academics and new networks

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

- The Judicial System and Its Functions,

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

- Comparing Judicial systems

Ms. Christiane Wendehorst, Member of the ELI Executive Committee, Professor of Law at the University of Vienna

18:00–18:30 **Closing Ceremony**