



## **Final Program**

### **2019 ILA-ASIL ASIA-PACIFIC RESEARCH FORUM**

International Law and Emerging Powers:  
New Policy Challenges in the Asia-Pacific

**May 17-18, 2019**

Howard Civil Service International House, Taipei, Taiwan, Republic of China  
(公務人力發展學院福華國際文教會館)

Hosted by:

Chinese (Taiwan) Society of International Law –  
Chinese (Taiwan) Branch of the International Law Association  
(中華民國國際法學會) &

American Society of International Law – Law in the Pacific Rim Region Interest Group

Co-sponsored by:

Taiwanese Society of International Law (台灣國際法學會)  
Research Center for International Legal Studies, National Chengchi University  
(國立政治大學國際事務學院國際法學研究中心) &  
Center for International Law, National Taipei University  
(國立臺北大學法律學院國際法研究中心)

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## **Friday, May 17**

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**08:40-09:00: Registration (與會者報到及領取資料), Conference Room, 14F**

**09:00-09:50: Opening Ceremony, Conference Room, 14F**

- **Professor Nigel N. T. Li** (李念祖教授), President, Chinese (Taiwan) Society of International Law
- **Dr. Christopher Ward SC**, President, ILA

- **Professor Torsten Stein**, Treasurer, ILA & President, ILA-German Branch
- **Professor Gu Weixia**, Co-Chair, ASIL Law in the Pacific Rim Region Interest Group

**Special Address:**

- **President Ying-jeou Ma** (馬英九前總統), Former President of the Republic of China; Editor-in-Chief, Chinese (Taiwan) Yearbook of International Law and Affairs

**Hungdah Chiu Lecture** (丘宏達教授國際法講座):

- **Dr. Christopher Ward SC**, President, ILA – The Common Language of International Law: Reflections from the Bar Table

**09:50-10:20: Coffee Break**

**10:20-12:00: Panel 1 – Indo-Pacific Strategy: Implications for Trade and Investment Law in Asia, Conference Room, 14F**

- **Karsten Nowrot & Emily Sipiorski**, University of Hamburg – (De-)Constitutionalization of International Investment Law?: Assessing Narratives from the Asia-Pacific
- **Jin Sheng**, National University of Singapore – Indo-Pacific Strategy vs. Belt and Road Initiative: Evolution of Development Finance and Competing Development Strategies
- **Chien-Huei Wu** (吳建輝教授), Academia Sinica, Taiwan – Economic Cooperation in Troubled Relationships
- **Soo-hyun Lee**, The Asan Institute for Policy Studies, South Korea – Fair and Equitable Treatment in the International Investment Regime of the Democratic People’s Republic of Korea
- Moderator: **Jacques deLisle**, University of Pennsylvania

**12:00-13:20: Lunch (by invitation only), Conference Room, 14F**

**13:20-15:00: Panel 2 – International Dispute Settlement, Conference Room, 14F**

- **Brad R. Roth**, Wayne State University – International Legal Personality without Recognition of Statehood: Establishing Taiwan’s Status in the Face of China’s Continuing Rise
- **Peter Tzeng**, Foley Hoag LLP – Fisheries Review Panels: Lessons from Ecuador v. Commission (2018) and Russian Federation v. Commission (2013)
- **Chie Sato**, Meiji University – Effective Protection of Marine Living Resources in Asia Pacific Region – What Can We Learn from the EU Experience?
- **Richard L. Kilpatrick, Jr.**, Northeastern Illinois University – Sanctions Busting: North Korea’s Deceptive Maritime Practices

- Moderator: **Chun-i Chen** (陳純一教授), National Chengchi University

**15:00-15:20: Coffee Break**

**15:20-17:00: Panel 3 – India, ASEAN and the EU: Challenges to New Economic Agreements, Conference Room, 14F**

- **S.R. Subramanian**, Indian Institute of Technology – Investment Treaty Shopping in Asia: Recourse to Taiwan-India Bilateral Investment Agreement by Chinese Investors
- **Jerzy Menkes & Andżelika Kuźnar**, Warsaw School of Economics – EU-Japan Agreements: Content, Context and Implications
- **Gabriele Gagliani**, Bocconi University – The European Union and ASEAN Countries Trade Relations: “Building Blocks” or “Breaking Blocks”?
- **Intan Soeparna**, Airlangga University – ASEAN Investor-State Dispute Settlement: A New Challenge to ASEAN Dispute Settlement Mechanism
- Moderator: **Gu Weixia**, University of Hong Kong

**18:30-20:30: Dinner (by invitation only)**

Shanghai Pavilion, Shangri-La’s Far Eastern Plaza Hotel

(臺北香格里拉遠東國際大飯店上海醉月樓)

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## Saturday, May 18

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**(Parallel Sessions)**

**09:00-10:40: Panel 4A – South China Sea and Marine Resource Protection, Conference Room, 14F**

- **Lan Ngoc Nguyen**, Utrecht University – Coastal States’ Enforcement Power over Foreign Fishing Vessels in the South China Sea: Where Is the Line under International Law?
- **John Abrahamson**, Sheltons-SITTI – Joint Development of Offshore Oil and Gas Resources in the South China Sea: The New Context to Resolve Broader Disputes following the South China Sea Arbitration
- **Pei-Lun Tsai** (蔡沛倫教授), National Taiwan Ocean University – Combating Environmental Crimes in the South China Sea
- **Agnes Chong**, University of Hong Kong – Environmental Protection of Areas Beyond National Jurisdiction (ABNJ) in the South China Sea
- Moderator: **Yann-huei Song** (宋燕輝教授), Academia Sinica, Taiwan

Concurrent with

**09:00-10:40: Panel 4B – Global Trade Governance and the CPTPP, Room 101, 1F**

- **Roberto Reyes Barrera**, Vrije Universiteit Brussel – The Strategic Trade Alliances within the Pacific Rim: The CPTPP and Other Trade Agreements between Asia-Pacific and the Americas
- **Kai-Chih Chang** (張愷致教授), Soochow University – Enforcing Anti-Corruption Regulations through Trade Agreement? The Anti-Corruption Chapter under CPTPP and USMCA
- **Eirini Kikarea**, University of Cambridge – Regulating State Capitalism in International Law
- **Chieh Lo** (羅傑律師), Chinese Arbitration Association, Taipei - Rethinking Investor-State Disputes: The Implications of the Surfeit Case for Taiwan's Accession to CPTPP
- Moderator: **Blake C.Y. Wang** (王震宇教授), National Taipei University

**11:10-12:00: Keynote Speech, Conference Room, 14F**

- **Introduction: Professor Torsten Stein**, Treasurer, ILA & President, ILA-German Branch
- **Justice Chang-Fa Lo** (羅昌發大法官), Justice, Constitutional Court of the Republic of China – Increasing Desirability of Creating a Regional Permanent Mediation Organization for Asia-Pacific Disputes: A New Approach

**Closing Remarks & Discussion:**

- **Professor Bernard Y. Kao** (高玉泉教授), Secretary-General, Chinese (Taiwan) Society of International Law
- **Professor Chen-Ju Chen** (陳貞如教授), Associate Professor, National Chengchi University & Overseer, Taiwanese Society of International Law
- **Dr. Emily Sipiorski**, University of Hamburg – Good Faith in International Investment Arbitration (Oxford University Press 2019)
- **Professor Pasha L. Hsieh** (謝笠天教授), Associate Professor, Singapore Management University & Co-Chair, ASIL Law in the Pacific Rim Region Interest Group – ASEAN Law in the New Regional Economic Order: Global Trends and Shifting Paradigms (P Hsieh & B Mercurio eds., Cambridge University Press 2019)