

ORGANISERS



Department of Justice  
The Government of the Hong Kong  
Special Administrative Region



Trends in

# COMMERCIAL ARBITRATION AND PRIVATE INTERNATIONAL LAW

**11 NOV 2021**

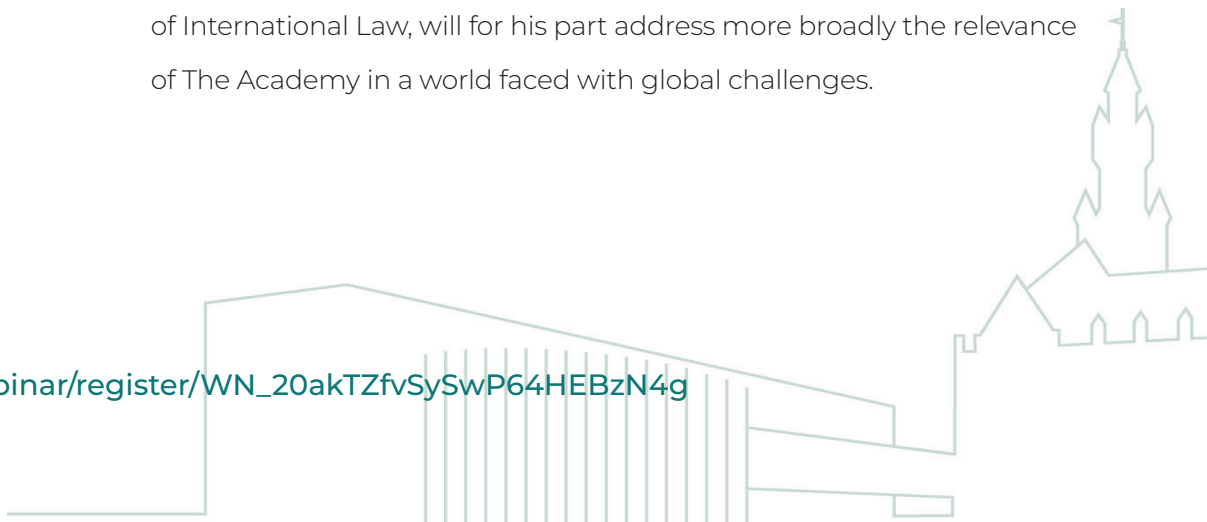
16:00–18:00 (GMT+8)

In advance of The Hague Academy of International Law's 2022 Programme in Hong Kong, this webinar is held to give some views on what is to be delved into deeply in the Programme next year. Other than an opening speech by Ms Teresa Cheng GBM GBS SC JP, Secretary for Justice of the Hong Kong SAR, the panel features two members of the Curatorium of The Hague Academy of International Law, who will present their views on the current trends in private international law and international arbitration. Professor Fernández Arroyo will explain the current challenges of international commercial arbitration, and Professor Nishitani will focus on the relations between human rights and private international law. Professor Jean-Marc Thouvenin, Secretary-General of The Hague Academy of International Law, will for his part address more broadly the relevance of The Academy in a world faced with global challenges.

CPD points being applied for

Enquiries:  
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Free registration:  
[https://zoom.us/webinar/register/WN\\_20akTZfvSySwP64HEBzN4g](https://zoom.us/webinar/register/WN_20akTZfvSySwP64HEBzN4g)



TIME (GMT+8)	PROGRAMME
	<b>INTRODUCTION</b>
16:00–16:05	<b>Dr Anthony Neoh QC SC JP</b> <i>Chairman, Asian Academy of International Law</i>
	<b>OPENING SPEECH</b>
16:05–16:20	<b>The Hon Ms Teresa Cheng GBM GBS SC JP</b> <i>Secretary for Justice, Hong Kong Special Administrative Region of the People's Republic of China</i>
	<b>PANEL DISCUSSION</b>
16:20–17:45	<p><b>Moderator</b> <b>Dr Anthony Neoh QC SC JP</b> <i>Chairman, Asian Academy of International Law</i></p> <p><b>Panellists</b> <b>Professor Diego P. Fernández Arroyo</b> <i>Member of the Curatorium, The Hague Academy of International Law</i> <i>Professor, Sciences Po Law School, France</i></p> <p><b>Current Challenges of International Commercial Arbitration</b></p> <p><b>Professor Yuko Nishitani</b> <i>Member of the Curatorium, The Hague Academy of International Law</i> <i>Professor, Graduate School of Law, Kyoto University, Japan</i></p> <p><b>Business and Human Rights</b></p> <p><b>Professor Jean-Marc Thouvenin</b> <i>Secretary-General, The Hague Academy of International Law</i></p> <p><b>The Hague Academy of International Law's Relevance in a Challenging World</b></p>
	<b>Q&amp;A AND CONCLUSION</b>
17:45–18:00	<b>Dr Anthony Neoh QC SC JP</b> <i>Chairman, Asian Academy of International Law</i>

## SPEAKERS

(Listed in order of appearance)



### NEOH, ANTHONY QC SC JP

**Chairman**

Asian Academy of International Law

Dr Anthony Neoh is a senior member of the Hong Kong Bar specialising in international litigation, arbitration and financial regulatory matters. In 1979, he commenced practice at the Hong Kong Bar after serving for 13 years in the Hong Kong Civil Service. From 1991 to 1994, he was a member of the Hong Kong Stock Exchange Council and its Listing Committee, and chaired its Disciplinary Committee and Debt Securities Group, and was Co-Chairman of the Legal Committee of the Hong Kong and China Listing Working Group. He was the chief architect of the legal structure for the listing of Chinese enterprises in Hong Kong. He is former Chairman of the Hong Kong Securities and Futures Commission from 1995 to 1998; during this time, he was the first Asian to be elected Chairman of the Technical Committee of the International Organization of Securities Commissions. From 1999 to 2004, he was Chief Advisor of the China Securities Regulatory Commission, at the personal invitation of former Premier Zhu Rongji. Dr Neoh was appointed as Chairman of the Hong Kong Independent Police Complaints Council from June 2018 to May 2021. He was the Convenor of the Hong Kong Monetary Authority (HKMA) Expert Group on the Finance Academy and now serves as Member of the HKMA Preparatory Committee for the Finance Academy. He is also the Co-Chairman of 2018 B20 Financing Growth and Infrastructure Task Force, and Co-Chairman of The China Securitization Forum.



## **CHENG, TERESA GBM GBS SC JP**

### **Secretary for Justice**

Hong Kong Special Administrative Region, People's Republic of China

Ms Teresa Cheng, SC, was appointed Secretary for Justice on January 6, 2018. She was a Senior Counsel in private practice before joining the Government. She is also a chartered engineer and chartered arbitrator. She was frequently engaged as arbitrator or counsel in complex international commercial or investment disputes. Ms Cheng was one of the founders and Chairman of the Asian Academy of International Law. She is a Past Vice President of the International Council of Commercial Arbitration, Past Vice President of the ICC International Court of Arbitration and Past Chairperson of Hong Kong International Arbitration Centre. In 2008, she became the first Asian woman elected through a global election as President of the Chartered Institute of Arbitrators. She served as Deputy Judge/Recorder in the Court of First Instance of the High Court of Hong Kong from 2011 to 2017. She is a member of the International Centre for Settlement of Investment Disputes Panel of Arbitrators, and was a member of the World Bank's Sanctions Board. Ms Cheng is a Fellow of King's College in London, and was the Course Director of the International Arbitration and Dispute Settlement Course at the Law School of Tsinghua University in Beijing.



## **FERNÁNDEZ ARROYO, DIEGO P.**

### **Member of the Curatorium**

The Hague Academy of International Law

### **Professor**

Sciences Po Law School, France

Diego P. Fernández Arroyo is a professor at Sciences Po Law School in Paris and honorary professor of the Universities of Buenos Aires and Cordoba. Other than being the director of the Sciences Po LL.M. in Transnational Arbitration & Dispute Settlement, he teaches subjects related to international dispute resolution, arbitration, conflict of laws, comparative law, and global governance. Professor Fernández Arroyo is a member of the Curatorium of The Hague Academy of International Law, Associate of the Institut de Droit International, former President of the American Association of Private International Law, and the current Secretary-General of the International Academy of Comparative Law. Not only being a Global Professor of New York University, he has also been invited by a number of universities in Europe, the Americas, Asia, and Australia. Professor Fernández Arroyo is a member of the Argentine delegation before UNCITRAL (Working Groups on Arbitration and on ISDS Reform) since 2003. He is actively involved in the practice of international arbitration as an independent arbitrator and an expert. He has acted as co-arbitrator, sole arbitrator, and President of the Tribunal in many arbitral proceedings, both *ad hoc* (including UNCITRAL) and institutional (ICC, ICSID, Milan Arbitration Chamber, Bogota Chamber of Commerce, Brazilian Center of Mediation and Arbitration, etc.). He is on the ICSID panels of arbitrators and conciliators and Member of the Permanent Court of Arbitration, both appointed by Argentina. Professor Fernández Arroyo has published several books and a number of articles in publications of more than 20 countries.



## **NISHITANI, YUKO**

### **Member of the Curatorium**

The Hague Academy of International Law

### **Professor**

Graduate School of Law, Kyoto University, Japan

Yuko Nishitani is a Professor of International Private and Business Law at Kyoto University Graduate School of Law in Japan since April 2015. Prior to this, she held a Chair at Tohoku University (1997–2007) and Kyushu University (2011–2015). She was a Visiting Professor at, *inter alia*, Duke Law School in the US (2009/12), Catholic University of Louvain in Belgium (2018), and the University of Zurich in Switzerland (2019). She was also a Director of Studies (2004) and Lecturer (2011) at The Hague Academy of International Law and is a Member of its Curatorium since 2017. After completing her undergraduate and master studies at Kyoto University, she did research in Hamburg and Heidelberg, Germany (1994–1997). She earned a Ph.D. in July 1998 from the University of Heidelberg. Her thesis *Mancini und die Parteiautonomie im Internationalen Privatrecht* was awarded the Lucia-und-Rolf-Serick-Preis 1998 and was published in 2000. Professor Nishitani has been a visiting researcher in Milan and Florence (1999–2000), New York (2003–2004), Paris (2007–2008), and Hamburg (2009–2011). She also served as a Senior Legal Officer on Secondment at the Permanent Bureau of the Hague Conference on Private International Law (2004). For her academic contributions, she was awarded the Philipp Franz von Siebold Prize 2020 from Germany. Her areas of interest are private international law, international business law, international dispute resolution, comparative law, and family law. She is currently doing research on several topics, particularly on globalisation and legal pluralism, global governance and corporate social responsibility, the objectives and meaning of uniform law, and cultural identity of individuals in private international family law.



## **THOUVENIN, JEAN-MARC**

### **Secretary-General**

The Hague Academy of International Law

Professor Thouvenin teaches at the Université Paris-Nanterre. He is Member of the Board and former Secretary-General of the French Society for International Law and former Director of the Center for International Law of his University. He is a member of the American Society of International Law and International Law Association, as well as an associate member of the Institut de Droit International. He is member of the Editorial Board of different law reviews, including *Annuaire Français de Droit International*. Also, he has appeared as Counsel and Advocate in a number of cases before the International Court of Justice, the ITLOS (International Tribunal for the Law of the Sea), the PCA (Permanent Court of Arbitration), the Inter-American Court of Human Rights, and the European Court of Justice.