



Keynote Speaker: Prof. ZHAO Hong, Professor of Law, Peking University, former Member and Chairperson of the Appellate Body of the World Trade Organization (WTO) *

Summary

*** Please note that this summary of the panel was AI-generated and therefore has not been fully vetted for accuracy.**

Maya, a senior associate at Liberty Gardens and a member of the Washington Arbitration Update (WAU) executive team, opened the event, welcoming attendees and introducing the speakers. The Secretary-General of the Beijing Arbitration Commission expressed gratitude to participants and highlighted the significance of the conference, noting the strong engagement from speakers and attendees both in-person and online.

Jose Antonio Rivas, co-founder of WAU, reflected on the conference's inception during the COVID-19 pandemic, emphasizing the importance of bringing together international arbitration practitioners. He underscored the need for updates on international arbitration and the decentralization of its practice beyond traditional centers like Paris and New York, pointing out the vibrant arbitration community in regions such as Latin America and Eastern Europe.

Young Run Ching, a partner at a law firm and a diamond sponsor of the event, acknowledged the conference's role in fostering discussions on contemporary issues in international arbitration, including challenges faced by Chinese enterprises and environmental protection. He emphasized the importance of the conference in enhancing the understanding of the evolving arbitration landscape.

The keynote speaker, Professor Selina Sutherland, discussed the historical context of arbitration and its contributions to international law. She highlighted the role of arbitration as a supplementary means of dispute resolution, distinct from traditional judicial processes. Professor Sutherland also raised questions about the evolving nature of arbitration, the consent of states, and the challenges posed by different legal systems.

Overall, the conference set a collaborative tone for discussing the future of international arbitration, emphasizing the need for continuous dialogue and adaptation to contemporary legal challenges.

Authors

Prof. ZHAO Hong

Topics

Arbitration in History, Arbitration, Development of International Law, Reform of Arbitration Law in China

Category

WAU

Full Transcript

00:00:00

World arbitration update My name

00:00:04

is Maya, Liberty Gardens senior

00:00:06

associate attic strategy a boutique

00:00:08

law firm with presents in

00:00:10

Washington DC and Bogota. And

00:00:12

I am also part of

00:00:13

the executive team overall arbitration

00:00:15

update before we start please

00:00:17

allow me to introduce the

00:00:18

speakers that will say a

00:00:20

few words before our keynote

00:00:22

speech. So first, let me

00:00:25

welcome secretary-general of the Beijing

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arbitration Commission. Distinguished guests staying

00:00:39

with the choragus ladies and

00:00:41

gentlemen, good morning and a

00:00:43

very warm welcome to our

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view is a great honor

00:00:48

than to be a host

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at wau China inside for

00:00:52

the first time that you

00:00:53

ate your accounts to China

00:00:54

best way to have engaged

00:00:57

the 49 cast to speakers

00:00:58

all over 120 attendees presented

00:01:02

here today and the nearly

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300 outing to participate in

00:01:07

global online. Is Laura date

00:01:11

from last night coming from

00:01:14

16th Street Station on behalf

00:01:17

of p a c i

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v like to express my

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sincere gratitude to everyone of

00:01:23

you for joining us to

00:01:25

extend a special welcome and

00:01:27

appreciation to mr. To say

00:01:31

revise. Mr. And mr. Robot

00:01:35

staging and the doctor and

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patient for organising the conference

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in the past 3 years.

00:01:47

I would also like to

00:01:48

extend a special thank you

00:01:50

to the circumference of sponsors

00:01:52

Law Firm Global lawyers Young

00:02:00

and the travertine floors lawyers

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double care and the global

00:02:09

out of it. I was

00:02:11

supposed to organizations that spared

00:02:14

and the Giroud International in

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lawyers associate China and technical

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support iflytek for the generous

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board to WHIO Channel. Be

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a state Beijing International arbitration

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Center takes great pride in

00:02:34

its zoo at an exercise

00:02:37

of international arbitration facilitating the

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arbitration community-based about from Communications

00:02:43

and the dedication to provide

00:02:46

users with high-quality dispute resolution

00:02:49

service. And the only the

00:02:53

only Capital arbitration institution in

00:02:56

China BAC has been recognized

00:02:59

as the most vibrant institution

00:03:02

b a spirit of Reform

00:03:03

and Innovation beat. It is

00:03:06

noted not only for its

00:03:08

high standard of Children Service

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in line with International laws

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and a private place is

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efficient management and the reasonable

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compensation paying a few tourist

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by the or stole or

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is remarkable contributions under your

00:03:22

influence in International Exchange. In

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2023, BC has successfully being

00:03:29

elected as the return rotating

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president of April asia-pacific region

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attrition. Crop a field report

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for making media such as

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the economist their Global Obsession

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review have consistently recognized as

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the most influential actually institution

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in asia-pacific. Alone is China's

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develop into the world matches

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to treating stage and the

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festivities to Growing economy PC

00:04:04

recognize that the arbitration Market

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in China has witnessed the

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impressive growth in recent years

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in 2020. 3,000 cases have

00:04:17

been registered in China with

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the tutor some of his

00:04:21

clothes Mountain to nearest Travel

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Stop in the building. IMB

00:04:26

the cases in Beijing is

00:04:29

about 19000. Or was 280

00:04:34

billing RMB. It filled a

00:04:36

mouse. These figures highlight is

00:04:40

a lot of potential of

00:04:41

emerging Abid Market in China

00:04:44

and Ukraine phone call to

00:04:50

kick his peers resolution service.

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Beijing says at the representatives

00:04:55

of the emerging put out

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potential and a magnetic mount

00:05:02

Beijing has been ranked the

00:05:04

sixes in the story of

00:05:06

the most popular destination for

00:05:08

international arbitration between Joyce unique

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advantages in terms of these

00:05:13

posted at the grocery store

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and I can provide a

00:05:16

little bit more favorable policies

00:05:19

and the promotive legislative the

00:05:21

supposed A public event fair

00:05:24

project of the Beijing International

00:05:26

commercial arbitration have has been

00:05:29

initiated to promote a more

00:05:31

friendly and the favorable business

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environment. But up the prime

00:05:36

rib supposed to is to

00:05:38

facilitate more International arbitration institution

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and a professional nurse to

00:05:43

operate their business in Beijing

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a brief introduction to the

00:05:47

construction of the international arbitration

00:05:49

cob and the physical part

00:05:51

from Beijing ideas a international

00:05:55

dispute resolution center. It provided

00:05:58

in the light attached the

00:06:00

conference materials to you. I

00:06:04

chewed on the front manipulative

00:06:07

that bathing suit reputation as

00:06:09

an emerging preferred international application

00:06:12

destination a very well deserved.

00:06:15

This is the first time

00:06:17

that a 8008 Sahara tea

00:06:18

in China and the Beast

00:06:20

monster prom prom prom nice

00:06:22

things that would like to

00:06:25

see this opportunity to praise

00:06:28

communication between China and the

00:06:31

global application Community are different

00:06:36

and the colored girls to

00:06:37

come to China and they

00:06:39

enjoy this I believe King

00:06:41

Journey. Apart from the conference.

00:06:45

I hope you will have

00:06:47

a chance to experience the

00:06:48

life in Beijing. I'm sure

00:06:50

you will be convinced that

00:06:52

Beijing had mentioned a very

00:06:54

open friend and a diversity

00:06:56

of five International Society conference

00:07:00

a great success this you

00:07:03

are very beautiful constructive and

00:07:06

pleasant this day in Beijing.

00:07:09

Thank you. Thank you. Miss

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Young now. Please will come

00:07:21

Jose Antonio Rivas and he

00:07:23

endured co-founders of world application

00:07:25

update. I'll be very brief.

00:07:32

I just wanted to welcome

00:07:34

everyone and all of our

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viewers streaming online to the

00:07:39

fourth annual World arbitration update.

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We founded this conference in

00:07:44

the midst of covid and

00:07:47

it was a chance to

00:07:48

bring together arbitration practitioners from

00:07:50

all over the world while

00:07:52

we were all locked up

00:07:53

and a little you know

00:07:56

under under under the weather

00:07:57

so to speak because of

00:07:59

circumstances, but that opportunity to

00:08:01

bring people together to highlight

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the diversity of our practice

00:08:05

turned out to be a

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very rewarding experience and we've

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now continued on for the

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fourth year we have sessions

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now this year in Singapore

00:08:15
and India Warsaw Bogota Washington

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it it's a really a

00:08:21
remarkable reflection of the international

00:08:24
scope of international arbitration and

00:08:27
it is an extreme honor

00:08:29
to be here today. At

00:08:31
the VA cdiac Center mentioned

00:08:37
the AC is turned into

00:08:40
a Powerhouse in international arbitration.

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I think it's only fitting

00:08:44
that we're here showcasing to

00:08:46
the world the strength and

00:08:47
all of the excellent work

00:08:50

that is being done here

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at the center. I'll just

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ask my colleague Jose Antonio

00:08:54

Rivas to finish off a

00:08:55

few opening comments and then

00:08:56

we'll get started on the

00:08:57

conference. Thank you Ian and

00:09:04

welcome to World arbitration update.

00:09:07

It is a true honor

00:09:09

to to be here with

00:09:11

the experts in international relations

00:09:15

with Madam Lau with representatives

00:09:19

from Briella with the Mist

00:09:21

young. Mr. Chen and those

00:09:24

that have been able to

00:09:26

make this possible. I would

00:09:28

like to emphasize to key

00:09:30

principles that have motivated us

00:09:33

to create the world arbitration

00:09:36

update that for years ago.

00:09:37

One is to update the

00:09:42

world practitioners arbitrators students are

00:09:45

professionals as well as academics

00:09:48

on issues of one international

00:09:52

arbitration International commercial arbitration than

00:09:56

International Investment arbitration and public

00:09:58

international law. Those three are

00:10:01

in many respects. A basis

00:10:05

of the international rule of

00:10:07

law and international economic law

00:10:09

and we enter size the

00:10:12

notion of updating the public

00:10:14

through a panel of experts

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and we started that and

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the salt that this was

00:10:21

a way to communicate with

00:10:23

the rest of the world.

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What are the latest issues

00:10:27

on International Investment commercial arbitration

00:10:30

as well as a public

00:10:32

international law because today it

00:10:35

is very difficult to get

00:10:36

an update by reading all

00:10:39

the decisions that come from

00:10:40

various arbitration Center. So there

00:10:42

must be means to facilitate

00:10:44

that so one is to

00:10:46

update the second one is

00:10:48

the decentralization of international arbitration

00:10:52

and and by that we

00:10:55

mean that International Education traditionally

00:10:58

has been seen as something

00:11:01

happening in Paris or Or

00:11:03

New York or London or

00:11:05
even Washington DC and it

00:11:08
is it would be a

00:11:08
mistake to see International nutrition

00:11:10
as just in those places

00:11:12
because International arbitration as we

00:11:15
know he's happening in a

00:11:17
vibrant way avenging it's happening

00:11:20
in Latin America is happening

00:11:22
in Eastern Europe. It's happening

00:11:25
so many places in addition

00:11:28
to the traditional centers. They

00:11:30
are incredible practitioners arbitrators damages

00:11:34
expert who are here based

00:11:36

here at work doing all

00:11:38

these proceedings as counselors arbitration

00:11:41

and contributing to the formation

00:11:42

of the international arbitration. So

00:11:45

that's why we're here and

00:11:47

a year ago. I happen

00:11:50

to be invited to 104

00:11:54

conference. That's where I I

00:11:56

met in person but I

00:11:57

meow and in addition to

00:11:59

that I saw how vibrant

00:12:01

the commute. He is and

00:12:04

one objective was to create

00:12:05



International arbitration forums through the

00:12:09

world arbitration update in China.

00:12:14

And that's what we're doing

00:12:15

today. So it's an honor

00:12:17

to be here. It's an

00:12:19

honor to be among experts

00:12:20

as well as a as

00:12:22

a eager to learn from

00:12:24

you and make this part

00:12:26

of the broader World arbitration

00:12:30

update Community. Thank you very

00:12:31

much. Thank you, Jose Antonio

00:12:41

onion. Now, we will hear

00:12:45

a few words from mr.

00:12:46

Young run Ching partner at

00:12:49

home now and he grew

00:12:51

Law Firm who is our

00:12:53

Diamond sponsor for this event.

00:13:06

Distinguish gas isn't gentleman so

00:13:14

you can see, you know

00:13:15

Bible in the world. Good

00:13:23

morning, everyone. I'm couple, I

00:13:25

know you always had honor

00:13:26

to sponsor his conference. I

00:13:28

would like for you to

00:13:29

say extend my most sincere.

00:13:31

Thanks, and one congratulations to

00:13:33

the option commission puc and

00:13:37

the word opportunity update V4

00:13:39

co-hosting the world population of

00:13:42

the conference. 2024 China. I

00:13:46

would like to thank host

00:13:49

for creating such a an

00:13:51

excellent platform for experts including

00:13:56

but not limited to a

00:13:58

cheetah's staff from Sister arbitration

00:14:01

in institutions lawyer and the

00:14:03

store and to get it

00:14:04

together and discuss The Cutting

00:14:06

Edge International commercial arbitration and

00:14:09

I would like to thank

00:14:13

Cucamonga Jose Antonio reversed and

00:14:17

a late layered. Well, I

00:14:21

miss the song who I

00:14:22

met her yesterday at the

00:14:23

reception. I noticed that and

00:14:27

have just attended the international

00:14:30

Council for commercial between Congress

00:14:33

attention or you can come

00:14:35

last week this event conference

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organized by piece in the

00:14:40

same thing and we're surely

00:14:44

provide us with a t

00:14:46

standings of the new developments

00:14:48
of a Chinese arbitration as

00:14:50
well as a new chance

00:14:52
and the challenge of the

00:14:53
international arbitration. the Steam and

00:14:57
the content of this comes

00:14:58
in at once again highlighted

00:14:59
Dynamic development of the fuse

00:15:01
of arbitration in addition of

00:15:04
the of talk about belt

00:15:05
and Road initiative public interest

00:15:08
issues in the recognition and

00:15:10
enforcement of international table to

00:15:12
a word called efficiency of

00:15:15

case management to which or

00:15:18

they are chasing practitioners a

00:15:20

lot of attention to in

00:15:22

the search party found the

00:15:23

company also tackled the challenges

00:15:26

of investment option faced by

00:15:28

Chinese Enterprises and the Chinese

00:15:30

government as well as a

00:15:33

ways in which application can

00:15:35

support environment protection which of

00:15:37

the national policy of China

00:15:39

and a council of the

00:15:40

whole mankind expressed appreciation to

00:15:46

host for the arrangements with

00:15:49

highly command and sang the

00:15:51

house of all the elaborate

00:15:52

arrangements and the programmatic an

00:15:54

in-depth. a hide Sense of

00:15:59

responsibility for the cause of

00:16:01

arbitration which can which also

00:16:04

reflects PCS consistent sense of

00:16:06

social responsibility voice recognition and

00:16:12

I'm paying attention to whether

00:16:14

it's accurate or not and

00:16:16

to display Chinese and English

00:16:18

subtitles in real time and

00:16:21

it is at a Japanese

00:16:24

Akita and Technology. I would

00:16:28

like to express my deep

00:16:32

gratitude to all the presenters

00:16:34

and the moderator to who

00:16:35

participate in the conference as

00:16:38

well as online offline audium

00:16:40

Zee are you saying is

00:16:43

only as good as the

00:16:46

arbitrator and I would also

00:16:47

like to say that a

00:16:49

conference is only as good

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as the moderator and the

00:16:53

presenters your wisdom and the

00:16:55

insides we're headed to Splendor

00:16:57

of his conference in the

00:16:58

world. To the cause of

00:17:00

arbitration. And again, thank you

00:17:02

for the presenters and moderators

00:17:05

interest from the global action

00:17:11

Community China arbitration system continues

00:17:14

to improve for provide a

00:17:17

reliable and efficient with you

00:17:18

spell resolution. Mechanism. Wa you

00:17:21

will be able to contribute

00:17:24

the new wisdom and strength

00:17:25

with developments of arbitration and

00:17:28

International Education International between brand

00:17:36

and help with the construction

00:17:37

of boring relate to the

00:17:38

rule of law in China

00:17:39

and arbitration Center. As a

00:17:43

law firm that has been

00:17:44

working with a treating for

00:17:45

30 years, and we will

00:17:48

continue to contribute to China

00:17:50

the flooring laid low blow

00:17:52

and are changing diverse last

00:17:54

but not least and have

00:17:56

a family and a Google

00:17:57

I would like to wish

00:17:58
the company I can please

00:18:00
text Dad and it brings

00:18:01
a lot of updates to

00:18:03
our knowledge and experience. Thank

00:18:05
you. Thank you. No, we're

00:18:29
going to welcome our keynote

00:18:30
speaker. Miss this is Professor

00:18:36
sell home. Sorry she's a

00:18:38
professor of law at the

00:18:40
University and a former member

00:18:42
and chairperson of the Appellate

00:18:44
body. Also, Realtors are going

00:18:45
to stay station. We're very

00:18:47

glad to have her so

00:18:48

we Good morning, everyone distinguished.

00:19:09

Legal community of arbitrators at

00:19:13

both home and abroad because

00:19:15

I don't know how many

00:19:17

I'll be treated as you

00:19:18

know, I know many. Your

00:19:21

face is maybe take too

00:19:23

much time for me to

00:19:24

mention all the names. I

00:19:26

think we form a vehicle

00:19:28

community community of arbitrators at

00:19:32

least this morning. So are

00:19:34

we on the I'd like

00:19:36

to thank the Beijing arbitration

00:19:38

commission as well as the

00:19:40

world a patrician update. Tuco's

00:19:45

bouncer this important event in

00:19:48

Beijing now. They are the

00:19:50

second as to the second

00:19:52

sponsor. I recognized it only

00:19:54

this morning when I come

00:19:55

into the room up because

00:19:57

it is the page application

00:19:58

application commission who contact me

00:20:00

and he wanted to buy

00:20:03

them. I do not know

00:20:04
that's why I but I'm

00:20:10
very glad to see the

00:20:11
The Familiar Faces the France

00:20:14
and and robbers and I'm

00:20:17
really glad But as if

00:20:22
he's a client event and

00:20:25
I I should acknowledge. I

00:20:26
didn't prepare it really so

00:20:28
sorrowful as I teach you

00:20:31
the whole morning. I prepare

00:20:32
this lie to me last

00:20:33
night. So that might be

00:20:34
a problem inside is so

00:20:35

please forgive me for the

00:20:39

mistakes or in the there

00:20:41

are issues. That should be

00:20:43

a I post questions. I

00:20:46

think this morning and it

00:20:47

is full of legend or

00:20:51

short. Of time focusing on

00:20:54

the function of arbitration in

00:20:57

the history and in the

00:21:00

current days. at home and

00:21:03

in international dispute settlement So

00:21:07

I I will propose the

00:21:09

ideas that is in my

00:21:11

mind and I hope that

00:21:13

will help exert ball energies

00:21:16

and reasons of in the

00:21:18

whole Eagle Community world wild

00:21:20

to think about these matters

00:21:22

so that we can build

00:21:24

a better world with the

00:21:26

international rule of law. So

00:21:32

they are the ideas is

00:21:34

to talk about arbitration in

00:21:36

history of his unless and

00:21:38

the contribution of arbitration to

00:21:40

development of international law. I

00:21:42

may not have time to

00:21:43

talk to my phone. My

00:21:44

happy trees in laws China

00:21:46

as I have 25 minutes

00:21:48

and the reason to start

00:21:51

with a History is actually

00:21:54

because I think we are

00:21:57

at the Crossroad of where

00:22:00

to go for our future

00:22:02

development of international law. We

00:22:05

suffer many setbacks and difficulties

00:22:08

in particular in certain areas

00:22:11

of International Education at some

00:22:14

International Organization including that of

00:22:18
the World Trade Organization, which

00:22:19
is organization. I served for

00:22:21
four years before I set

00:22:23
them to come back to

00:22:25
the University of China or

00:22:27
the Pecan Grove City are

00:22:29
the alma mater of me

00:22:30
in Beijing. The reason is

00:22:35
because I think the reason

00:22:37
is not only because he

00:22:38
saw Rico school important important

00:22:44
idea contributor to the world

00:22:49
of legal Doctrine the the

00:22:52

truth that historically represented by

00:22:56

German historical of Atticus tourist

00:23:00

Professor 77e who proposed the

00:23:05

law is but a reflection

00:23:08

of the spirit of a

00:23:10

Nation Cyber Crossroad what's for

00:23:14

us to carry on? The

00:23:18

heritage in history, it's something

00:23:21

we should reflect. That's why

00:23:23

I start with the history

00:23:24

to have a reflection of

00:23:25

history. But that start with

00:23:27

some certain definition what the

00:23:29

professor you should eat for

00:23:30
the election. Not for me

00:23:34
the key messages. I hope

00:23:35
you can take away is

00:23:37
arbitration is a supplementary means

00:23:40
offer to the keishin. You

00:23:43
know only the Mystic a

00:23:44
system back in the world

00:23:46
a tradition. That is my

00:23:49
personal view. I will give

00:23:50
us the Today Show of

00:23:54
the station to save a

00:23:57
dispute through judicial Services fire

00:24:02
state is a key function

00:24:04
of the key and the

00:24:05
integral function of State ever

00:24:08
since the state. The so-called

00:24:11
states which is a technology

00:24:13
it which is a cake

00:24:15
to me Knology within international

00:24:16
law ever since they's coming

00:24:19
to exist coming to Inception.

00:24:22
Arbitration from history that we

00:24:25
can date it back to

00:24:27
history is a supplemental means

00:24:29
to support to help the

00:24:34
settlement of the dispute to

00:24:36

you know are apart from

00:24:38

the traditional services rendered by

00:24:40

the state. So I beat

00:24:42

recent. Is there forever, you

00:24:44

know from them both in

00:24:46

the Eastern mess. Let me

00:24:48

stop by the so obvious

00:24:51

reason you should have been

00:24:51

honest and you submitted this

00:24:53

picture to a decision a

00:24:54

two person or persons as

00:24:57

a third-party other than the

00:24:59

court of competent jurisdiction of

00:25:03

the Court. Other than the

00:25:08

cost of a competent jurisdiction

00:25:10

cemetery to judicial decisions and

00:25:14

I'll be 30 vacation has

00:25:17

been understood by some I

00:25:19

called from this definition from

00:25:21

the history of International Education

00:25:24

has he usually refer to

00:25:26

the Judgment or decision of

00:25:28

a car? All cartoon me

00:25:30

this definition maybe a bit

00:25:33

and I rode up to

00:25:34

me a Trudy keishin can

00:25:36

Encompass in a certain sense

00:25:38

only? The Testament of a

00:25:42

cart fat also Adjustment by

00:25:45

how to say a tribunal

00:25:48

is a Soph IB treaters.

00:25:50

So that is my person

00:25:52

understanding. So I post a

00:25:54

question. How do we Define?

00:25:57

The terminologies the key terminologies

00:25:59

at arbitration and the drink

00:26:01

occasionally and Today Show or

00:26:03

call die today show decision

00:26:05

will come to these terms

00:26:07

which have the key off

00:26:10

of dispute settlement International. Not

00:26:16

the distinction of arbitration to

00:26:17

the occasion If we're honest

00:26:19

and to this patient away

00:26:21

that has been defined as

00:26:24

a judgment of the station

00:26:25

for card. may not be

00:26:27

a maybe less than it

00:26:31

is for seeds. I should

00:26:32

say, you know, I I

00:26:34

told this from the brownings

00:26:36

a principle of public national

00:26:37

law that was published by

00:26:41

Oxford University. Press may not

00:26:46

be that as people perceive.

00:26:50

We are in the domain

00:26:51

of a patrician and the

00:26:52

people in the world of

00:26:53

the Court. We think there's

00:26:55

a distinction of Distinction should

00:26:59

be John but according to

00:27:00

him I I found online

00:27:01

reading this I found yes

00:27:03

somehow, you know, they may

00:27:06

not be a shop shop

00:27:08

line between arbitration the judicial

00:27:10

settlement and the letter is

00:27:12
applicable to any International tribunal

00:27:14
setting disputes involving state or

00:27:16
a deposit in accordance with

00:27:18
international law and I think

00:27:22
the understanding is that the

00:27:25
Tribunal arbitrators But at least

00:27:31
to me it is the

00:27:32
conservatives all at least based

00:27:34
on the consent of State.

00:27:36
If they tell me three

00:27:38
things about the consent. That

00:27:41
I think the distinction will

00:27:44
be even more difficult to

00:27:45

drawing that line. So they

00:27:48

I hope I make myself

00:27:51

clear as International Education will

00:27:55

refer to most layer That's

00:27:57

What occasion is based on

00:27:59

the content of the State

00:28:01

Police Station traditional process. We

00:28:07

are referring to a process

00:28:09

that is more less or

00:28:12

more compulsory always a more

00:28:14

binding effect. But wow, if

00:28:17

you look at if you

00:28:19

read into the plastic Pex

00:28:21

fittings off of happy confessional

00:28:23

or you may find others

00:28:25

may not think The line

00:28:30

is so straight A straightforward

00:28:32

way. I think we do.

00:28:34

I post this. I do

00:28:36

not post this issue with

00:28:38

the conclusion. I think I

00:28:40

post this as a question

00:28:42

that arbitrators and the judicators

00:28:45

and think about what are

00:28:50

the commonality ways to to

00:28:54

method of settling of dispute

00:28:56

a? I have Captain your

00:29:00
mind briefly as I in

00:29:08
history of China. We are

00:29:12
in Joel and chain and

00:29:13
Han Dynasty you found a

00:29:15
we say Sheldon answer because

00:29:19
Beyonce of precursor of a

00:29:23
mediator and a traitor I

00:29:25
won't explain in detail. How

00:29:27
do you know in how

00:29:29
in history how they work

00:29:31
immediately remediate has ancient time

00:29:35
of China and there are

00:29:36
I be treated, you know,

00:29:39

they say shows the local

00:29:41

officials in particular in the

00:29:43

county of the state, but

00:29:48

they are in charge of

00:29:50

everything they're in charge of

00:29:53

I mistreated matters and the

00:29:56

recycling of dispute and they

00:30:00

their work is the arbitration

00:30:03

and to me so I

00:30:06

be sure a mediation will

00:30:08

be at the function of

00:30:09

will be side-by-side, you know

00:30:14

in China. The mediation is

00:30:16

always patient is a chiropractor

00:30:19

off of the judicial process

00:30:20

of China since ancient times.

00:30:22

So I think that you

00:30:25

need to read system administration

00:30:28

certification matters and the unitary

00:30:31

system of judicial system of

00:30:33

civil commercial matters saver commercial

00:30:37

or even criminal matters either

00:30:39

character is one person in

00:30:42

charge of everything. I say

00:30:44

things in the cart of

00:30:45

you know, that lady does

00:30:48

the government of you know,

00:30:49
the local government. Suits go

00:30:54
to you know. Knock the

00:30:58
door eat at midnight and

00:31:00
then the head of the

00:31:01
accountable rise up and listen

00:31:03
to the student. So they

00:31:04
basically so these other and

00:31:08
my student help me doing

00:31:09
something. I think it's better

00:31:14
than what I do. So

00:31:15
the core concept is emphasizing

00:31:18
how many or litigation the

00:31:20
social Foundation the couch or

00:31:22

tradition practical approaches to dealing

00:31:25

with the that the settlement

00:31:28

of disputes ancient times of

00:31:30

China and basically the Chinese

00:31:34

prefer the suspension of litigation

00:31:38

litigation free all you know

00:31:40

litigation. That is a culture.

00:31:42

That's why our mediation and

00:31:44

conciliation and arbitration could be

00:31:48

a tradition of a couchy

00:31:50

so I think he I

00:31:54

still have Incorporated in case

00:31:56

there are few and later.

00:31:59

Of course. I didn't pay

00:32:00

a and a few The

00:32:02

Guild is the commercial Association

00:32:06

of China and they have

00:32:08

his own what do the

00:32:09

keishin bodies enforcement mechanism and

00:32:12

penalties isn't so they helped.

00:32:14

So it's another Branch helping

00:32:18

how these people be settled

00:32:19

are in ancient time of

00:32:21

China and the clan. I

00:32:24

think the other is the

00:32:25

clan the family within the

00:32:27

family within the plant the

00:32:29

pig family. The head of

00:32:33

the family. So sorry to

00:32:35

hear of the family who

00:32:36

are the side of the

00:32:37

the conflict among the family

00:32:41

members that also operate a

00:32:44

branch that so it is

00:32:48

the official branch of settling

00:32:50

dispute the family branch and

00:32:52

the guild so the three

00:32:53

pillars in setting this beauty

00:32:55

engine time of China's rapid

00:32:57

speaking take a quick look

00:32:59

at what is the tradition

00:33:01

of the vest the the

00:33:04

arbitration the vest the three

00:33:07

phases in history note to

00:33:09

me. This is all Why

00:33:14

it's an extra why you

00:33:16

gave all times. I also

00:33:18

caught this and no I

00:33:20

do not I told this

00:33:21

from the history of international

00:33:23

law by the temperature New

00:33:26

City. The three faces on

00:33:28

division of development of attrition

00:33:31

in the vest is a

00:33:32

chapter or times as they

00:33:36

say it is up to

00:33:37

his all and of the

00:33:39

common Roman Catholic faith and

00:33:42

authority of colossae church Vision

00:33:46

actually want to be popular

00:33:50

at the time and the

00:33:53

Pope the church people are

00:33:56

usually will be the people

00:33:57

who act as arbitrator to

00:33:59

help setting. This. This has

00:34:01

to be dated back even

00:34:03

to ancient race of Greek

00:34:07

and Roman times. So and

00:34:10

a prominent feature of the

00:34:11

Medieval Times. on the law

00:34:14

of arms and the price

00:34:16

law this is all so

00:34:18

according to the idea of

00:34:23

European the arbitrator David. While

00:34:28

the second face is the

00:34:29

LA more than. The age

00:34:31

of diplomacy the rise of

00:34:34

54 me see the professional

00:34:36

Lawton. I understand that the

00:34:39

law professor and a diploma.

00:34:42

If I said I could

00:34:44
help a lot is that

00:34:45
in this field for the

00:34:48
disputes among the nation of

00:34:50
the Europe that marks a

00:34:53
decline of a patrician the

00:34:55
circumstances that it is quite

00:34:57
mysterious to me. Why does

00:34:59
it take long but there's

00:35:01
a thief age where the

00:35:02
streamlining of the development of

00:35:03
arbitration in the vest, but

00:35:08
does he played for the

00:35:09
fact you of situations that

00:35:12
somehow arbitration a less popular

00:35:15
in the early morning. After

00:35:20
the best of area? The

00:35:23
treaty the Treaty of Versailles

00:35:25
the figure is it because

00:35:27
of the solving of state

00:35:28
has been recognized that is

00:35:30
more peaceful among them that

00:35:31
there are disputes among European

00:35:35
state do it is because

00:35:36
of all the things that

00:35:38
the rise of the international

00:35:39
Scholars. I think this is

00:35:43

a question mark that anyone

00:35:46

has interest can continue to

00:35:49

dig further into the history.

00:35:51

Why there's a decline in

00:35:53

the other molding. So The

00:35:55

Crushers are the math the

00:35:58

liberty of the sea. I

00:36:00

was published in those days.

00:36:02

There are you know, either

00:36:03

he International professors my famous

00:36:06

Victoria and others and invite

00:36:11

all of the sweets. They

00:36:15

published a many walks, you

00:36:17

know a promulgate in the

00:36:19

idea of international law. Eating

00:36:22

are the 17th century so

00:36:24

that the recession was said

00:36:26

there's there's there's nothing to

00:36:27

stop you Trish and in

00:36:28

practice and people asking why

00:36:30

and I'm thinking about why

00:36:32

and then the 1st arbitration

00:36:35

treaty, which is quite famous

00:36:37

between British and Americans the

00:36:38

Jay Treaty established the committee

00:36:43

in settling the dispute for

00:36:45

the citizens of the US

00:36:48

are the the British up

00:36:50

for the claims they have

00:36:53

with each other in war

00:36:55

time and etcetera, but that

00:36:58

the time they select only

00:37:00

arbitrators of the two of

00:37:02

the two Nationals of the

00:37:04

Tuesday its British and the

00:37:06

Americans are they don't see

00:37:08

like the third how to

00:37:10

change from stud country racing

00:37:15

and the sides are part

00:37:17

of a president that interesting.

00:37:20

I'm inside. He spit on

00:37:23

the 19th and 20th Century

00:37:26

Fox and not a rise

00:37:28

of arbitration and even the

00:37:30

creation of institutional arbitration the

00:37:34

permanent Court of arbitration. For

00:37:35

example, I think many of

00:37:37

the history you being aware

00:37:39

and I won't go into

00:37:40

details of it so that

00:37:42

the, according to me and

00:37:45

the distinctions I think both

00:37:48

in the East and West

00:37:49

B C that they did

00:37:51

bad arbitration could be dated

00:37:53

back to early history of

00:37:56

the or something similar with

00:37:59

arbitration could be dated back

00:38:02

very early to the back

00:38:03

to the history and it

00:38:05

has always been acting as

00:38:07

a alternative to the resolution

00:38:09

by car. In his face

00:38:13

in the West Indies since

00:38:15

I messages of of China

00:38:16

in the East and this

00:38:18

is supplementary a means to

00:38:20

our to the acacian about

00:38:22

at home. Heater in the

00:38:28

old times, you know, the

00:38:30

pope would be won the

00:38:32

pole views. Do you need

00:38:35

to be there? Cuz I

00:38:36

was in mind that have

00:38:37

five minutes. So that distinction

00:38:39

is the rest of the

00:38:40

couch or focus on the

00:38:41

rights of individuals. How did

00:38:43

the talk to me and

00:38:45

treat them choose a choice

00:38:47

and the the The procedure

00:38:50

that the how to say

00:38:52

the procedure for my test,

00:38:54

you know, there's a march

00:38:55

on Versailles on the process

00:38:58

and the time I think

00:38:59

they they sell has iZombie

00:39:01

Autumn the outcome must be

00:39:04

dresses, you know, the Lord

00:39:06

self-contained has he no complication

00:39:09

of that element of Justice,

00:39:11

you know in the law

00:39:13

itself. I did I did

00:39:14

mention that character of law

00:39:16

in China and the rest

00:39:17

is what team of legal

00:39:20

profession the lawyer play important

00:39:23

role in the patient and

00:39:26

they put a lot of

00:39:28

command is precious even on

00:39:30

the somerset pressure, you know

00:39:34

the full for the evolution

00:39:36

of dispute resolution in the

00:39:38

West WhatsApp arbitration what contribution

00:39:45

application fee to the Department

00:39:47

of international law he questioned

00:39:51

that post to this today's

00:39:53
meeting substance if they and

00:39:56
procedure that I think might

00:39:58
know only in the area

00:40:01
of a private commercial area

00:40:04
of international or bad to

00:40:05
Diaz the state the Salton

00:40:08
State relationship the public affairs

00:40:11
haven't international law. So they

00:40:13
are the impacts as Frugal

00:40:15
mentioned in the beginning the

00:40:16
idea of having the similar

00:40:20
is also true. I promoted

00:40:22
by bank. So at least

00:40:25
to me It is like

00:40:30
over this matter is the

00:40:32
evidence of admiral of the

00:40:35
state practice of international or

00:40:36
at least the way the

00:40:38
state proposed their views ideas

00:40:42
in the positions before a

00:40:44
tribunal International tribunal and the

00:40:49
extensions of the jurisdiction of

00:40:50
arbitral tribunal and the implement

00:40:54
the decision of that tribunal

00:40:56
has a huge impact implication

00:41:00
for the solvent for the

00:41:02

concept of sovereignty and have

00:41:04

international. I think that manifest

00:41:07

today, you know, it is

00:41:10

a manifest the change from

00:41:11

a solute solvent to limit

00:41:14

its oven at least and

00:41:18

it's also representing a revolution

00:41:20

customer reviews of the top

00:41:22

three principles of international law.

00:41:24

Not only a limit not

00:41:27

only a limited Sullivan County

00:41:30

in particular in the way

00:41:33

how the tribunal interpret the

00:41:36

treaty that is face. Freely

00:41:39

entered into there's a lot

00:41:43

I will mention Alabama case.

00:41:47

It is interesting that the

00:41:49

British government argued that the

00:41:52

United States is also I

00:41:53

think the time after the

00:41:56

the wartime up pendants off

00:42:00

of American from the British.

00:42:02

The settlement of disputes are

00:42:04

there are quite a number

00:42:05

of cases Alabama will be

00:42:07

one of those cases that

00:42:09

the United States international probation

00:42:13

to be neutral neutrality to

00:42:15

be neutrality, but they but

00:42:18

I don't know if I'm

00:42:18

I was asleep fast shape

00:42:21

of you so decide that

00:42:23

the you as you come

00:42:23

help you. I'll repair that

00:42:26

shape, but they're the subject

00:42:28

confederations. I understand what take

00:42:33

that shape. I'm not sure

00:42:34

if you know. Destroyed many

00:42:37

of the the shapes caused

00:42:41

a fire that had rotate

00:42:43

to the north and later

00:42:44

on. There's a patrician on

00:42:46

that matter and the British

00:42:48

argues that it is the

00:42:51

government of the British do

00:42:53

not have the right to

00:42:54

control that shape the called

00:42:58

the tribunal believe that it

00:43:02

is the state of the

00:43:03

British who are liable who

00:43:07

are comfortable and it doesn't

00:43:12

matter that much. So I

00:43:14

think at least this is

00:43:16

a matter that we can

00:43:17
so this is part of

00:43:18
the development of the idea

00:43:20
of how a state of

00:43:22
the liability of the state.

00:43:24
I was told that's one

00:43:25
minute. But so you receive

00:43:27
that either International Education or

00:43:33
International quasi-judicial settlement of disputes

00:43:41
or International judicial settlement of

00:43:44
this. I think there's a

00:43:46
consent to me. There's a

00:43:49
apart apart with Progressive pathway

00:43:52
from consent to cause a

00:43:54

Judicial settlement with fees internationally.

00:43:57

The consent would be more

00:44:00

last referred to arbitration. So

00:44:03

is it the pro bass

00:44:04

is a question I'm asking

00:44:05

and I'm reading a reason

00:44:07

to not go in that

00:44:08

regard. But look at the

00:44:10

World Trade Organization some of

00:44:12

the most prominent International institutions.

00:44:14

We have panel. I hope

00:44:16

Anastasia palette body the PSA

00:44:19

22 years and now we

00:44:21

have multi-party international the settlement

00:44:26

of the appeal of arbitration.

00:44:30

So the the multi-party arbitration

00:44:33

with someone will be more

00:44:35

or less like a arbitration

00:44:38

I the to pop a

00:44:39

truce the panelists and for

00:44:42

the chair for the for

00:44:44

the chair they made in

00:44:45

y to the DG to

00:44:48

point the chair of the

00:44:50

panel. So whether it is

00:44:52

p.m. Or characterized as a

00:44:55

patrician or it is a

00:44:57

traditional or call Saturday show

00:44:59

at you know, it is

00:45:01

for the bay. Shoes and

00:45:04

you may reflect the nature

00:45:07

of pain all day and

00:45:09

the multi-party system at Orchard

00:45:16

on the station as that

00:45:17

one. The multi-party that was

00:45:21

faced on a 25 of

00:45:23

the ASU which is arbitration

00:45:24

provision and the Pea will

00:45:28

be conducted by the members

00:45:30

to MPI, which is a

00:45:33

natural agreement for sex is

00:45:36

not this. What you say?

00:45:41

I told a dispute after

00:45:43

the panel deliver its report.

00:45:45

They suspend the panel according

00:45:46

to ask you if you

00:45:47

know the stuff in this

00:45:56

state or through arbitration consideration

00:46:00

and other means what does

00:46:04

arbitration decision? Do not need

00:46:08

to be recognized as a

00:46:09

final what is final and

00:46:13

will be implemented by members.

00:46:17

Someone's they automatically have a

00:46:19
piece. I like it but

00:46:20
those judicial arbitration and a

00:46:23
New York to mention. You

00:46:24
need to be recognized the

00:46:25
first Lie by the local

00:46:27
Court. It is a word

00:46:30
it is a beautiful award

00:46:32
and the New York convention

00:46:33
so that it can be

00:46:34
enforced. So they process all

00:46:38
this. Kansas have International Education

00:46:43
processes and so arbitration Adjudication

00:46:50
do they show all calls

00:46:52

are to tissues. What are

00:46:53

the natures of all these

00:46:54

International set of the method

00:46:56

of international sex movies. I

00:46:59

think this for their are

00:47:00

many rooms for students and

00:47:02

a professor to write articles

00:47:05

to deliver faces and followers

00:47:07

to you how to say

00:47:08

to randhawa reflection. I think

00:47:12

I I need you to

00:47:13

stop by. There are other

00:47:16

things I can use. I

00:47:19

want to say something and

00:47:20

I think Edward is a

00:47:23

shin the pilot stage. I

00:47:25

know I meant to share

00:47:27

with you. Some of my

00:47:29

concerns are somehow I feel

00:47:32

what are the common the

00:47:34

challenges to call into all

00:47:35

International Education. Arbitration, you know

00:47:40

today show cause a traditional.

00:47:41

I mean it is all

00:47:43

based on the content of

00:47:45

the state. How long does

00:47:48

the consent of the State

00:47:49

lost to say may change

00:47:51

their mind in particular? It

00:47:52

is institutional Arrangement how to

00:47:56

strike a balance between independent

00:47:57

and harsh reality of Judiciary

00:48:00

body body. And they are

00:48:05

the influence of our side

00:48:07

how to deal with the

00:48:09

situation of constructive ambiguities in

00:48:11

the rules of the treaty

00:48:13

entreated languages. and the requirement

00:48:17

of parties to resolve the

00:48:18

dispute over these ambiguity ambiguity

00:48:22

treaty obligation how to manage

00:48:26

The insolence of different major

00:48:29

legal systems the civil law

00:48:30

common law is that you

00:48:32

and understand all the international

00:48:35

tribunal, you know, either arbitration

00:48:38

traditional call that Judiciary it

00:48:41

is mostly it is mostly

00:48:44

the lawyers from the Anglo-Saxon

00:48:47

World Somerset 70 80% even

00:48:51

more. So where are the

00:48:53

rest of the world now

00:48:55

I confused by you know

00:48:56
how to say I'd like

00:48:58
to code the see no

00:48:59
law has been regarded as

00:49:00
a part of the manner

00:49:02
of the matching of the

00:49:04
real. On the international lawyers

00:49:06
always believe that's illegal in

00:49:09
my imagination of the world,

00:49:11
you know by themselves. How

00:49:13
do we majan? What we

00:49:17
do and I think it

00:49:19
should be the whole Eagle

00:49:20
Community Eastern best together and

00:49:23

knowing where I'm from and

00:49:25

taking the couch or tradition,

00:49:28

you know, all that is

00:49:29

suitable that is grown from

00:49:31

the this land this territory.

00:49:34

So I think there's a

00:49:36

wasp Mission forever lawyers whether

00:49:40

you're serving the domestic affairs

00:49:42

International Fest Things for us

00:49:47

to imagine they'd be so

00:49:50

wild during the day that

00:49:52

you do not forget about

00:49:54

that imagination. Thank you. World

00:00:00

arbitration update My name is

00:00:04

Maya, Liberty Gardens senior associate

00:00:07

attic strategy a boutique law

00:00:08

firm with presents in Washington

00:00:10

DC and Bogota. And I

00:00:12

am also part of the

00:00:13

executive team overall arbitration update

00:00:15

before we start please allow

00:00:17

me to introduce the speakers

00:00:19

that will say a few

00:00:20

words before our keynote speech.

00:00:22

So first, let me welcome

00:00:25

secretary-general of the Beijing arbitration

00:00:29

Commission. Distinguished guests staying with

00:00:39

the choragus ladies and gentlemen,

00:00:41

good morning and a very

00:00:43

warm welcome to our view

00:00:46

is a great honor than

00:00:48

to be a host at

00:00:49

wau China inside for the

00:00:52

first time that you ate

00:00:53

your accounts to China best

00:00:55

way to have engaged the

00:00:57

49 cast to speakers all

00:00:59

over 120 attendees presented here

00:01:02

today and the nearly 300

00:01:06

outing to participate in global

00:01:08

online. Is Laura date from

00:01:11

last night coming from 16th

00:01:15

Street Station on behalf of

00:01:17

p a c i v

00:01:19

like to express my sincere

00:01:21

gratitude to everyone of you

00:01:23

for joining us to extend

00:01:25

a special welcome and appreciation

00:01:28

to mr. To say revise.

00:01:32

Mr. And mr. Robot staging

00:01:36

and the doctor and patient

00:01:41

for organising the conference in

00:01:44

the past 3 years. I

00:01:47

would also like to extend

00:01:49

a special thank you to

00:01:50

the circumference of sponsors Law

00:01:55

Firm Global lawyers Young and

00:02:00

the travertine floors lawyers double

00:02:08

care and the global out

00:02:10

of it. I was supposed

00:02:12

to organizations that spared and

00:02:14

the Giroud International in lawyers

00:02:16

associate China and technical support

00:02:22

iflytek for the generous board

00:02:26

to WHIO Channel. Be a

00:02:30

state Beijing International arbitration Center

00:02:32

takes great pride in its

00:02:35

zoo at an exercise of

00:02:37

international arbitration facilitating the arbitration

00:02:41

community-based about from Communications and

00:02:44

the dedication to provide users

00:02:46

with high-quality dispute resolution service.

00:02:50

And the only the only

00:02:54

Capital arbitration institution in China

00:02:56

BAC has been recognized as

00:02:59

the most vibrant institution b

00:03:02

a spirit of Reform and

00:03:04

Innovation beat. It is noted

00:03:07

not only for its high

00:03:08

standard of Children Service in

00:03:10

line with International laws and

00:03:12

a private place is efficient

00:03:14

management and the reasonable compensation

00:03:16

paying a few tourist by

00:03:19

the or stole or is

00:03:20

remarkable contributions under your influence

00:03:22

in International Exchange. In 2023,

00:03:27

BC has successfully being elected

00:03:30

as the return rotating president

00:03:33

of April asia-pacific region attrition.

00:03:37

Crop a field report for

00:03:39

making media such as the

00:03:41

economist their Global Obsession review

00:03:46

have consistently recognized as the

00:03:48
most influential actually institution in

00:03:52
asia-pacific. Alone is China's develop

00:03:57
into the world matches to

00:03:59
treating stage and the festivities

00:04:01
to Growing economy PC recognize

00:04:04
that the arbitration Market in

00:04:07
China has witnessed the impressive

00:04:10
growth in recent years in

00:04:13
2020. 3,000 cases have been

00:04:17
registered in China with the

00:04:20
tutor some of his clothes

00:04:21
Mountain to nearest Travel Stop

00:04:23
in the building. IMB the

00:04:28

cases in Beijing is about

00:04:29

19000. Or was 280 billing

00:04:34

RMB. It filled a mouse.

00:04:37

These figures highlight is a

00:04:40

lot of potential of emerging

00:04:42

Abid Market in China and

00:04:46

Ukraine phone call to kick

00:04:51

his peers resolution service. Beijing

00:04:54

says at the representatives of

00:04:56

the emerging put out potential

00:04:59

and a magnetic mount Beijing

00:05:03

has been ranked the sixes

00:05:05

in the story of the

00:05:06

most popular destination for international

00:05:08

arbitration between Joyce unique advantages

00:05:12

in terms of these posted

00:05:13

at the grocery store and

00:05:15

I can provide a little

00:05:16

bit more favorable policies and

00:05:19

the promotive legislative the supposed

00:05:22

A public event fair project

00:05:25

of the Beijing International commercial

00:05:27

arbitration have has been initiated

00:05:30

to promote a more friendly

00:05:31

and the favorable business environment.

00:05:34

But up the prime rib

00:05:36

supposed to is to facilitate

00:05:38

more International arbitration institution and

00:05:41

a professional nurse to operate

00:05:43

their business in Beijing a

00:05:46

brief introduction to the construction

00:05:48

of the international arbitration cob

00:05:50

and the physical part from

00:05:52

Beijing ideas a international dispute

00:05:55

resolution center. It provided in

00:05:58

the light attached the conference

00:06:01

materials to you. I chewed

00:06:05

on the front manipulative that

00:06:07

bathing suit reputation as an

00:06:09

emerging preferred international application destination

00:06:13

a very well deserved. This

00:06:16

is the first time that

00:06:17

a 8008 Sahara tea in

00:06:18

China and the Beast monster

00:06:20

prom prom prom nice things

00:06:23

that would like to see

00:06:25

this opportunity to praise communication

00:06:30

between China and the global

00:06:32

application Community are different and

00:06:36

the colored girls to come

00:06:37

to China and they enjoy

00:06:39

this I believe King Journey.

00:06:43

Apart from the conference. I

00:06:45

hope you will have a

00:06:47

chance to experience the life

00:06:48

in Beijing. I'm sure you

00:06:51

will be convinced that Beijing

00:06:52

had mentioned a very open

00:06:54

friend and a diversity of

00:06:56

five International Society conference a

00:07:01

great success this you are

00:07:03

very beautiful constructive and pleasant

00:07:07

this day in Beijing. Thank

00:07:10

you. Thank you. Miss Young

00:07:19

now. Please will come Jose

00:07:22

Antonio Rivas and he endured

00:07:23

co-founders of world application update.

00:07:31

I'll be very brief. I

00:07:32

just wanted to welcome everyone

00:07:34

and all of our viewers

00:07:37

streaming online to the fourth

00:07:40

annual World arbitration update. We

00:07:43

founded this conference in the

00:07:44

midst of covid and it

00:07:47

was a chance to bring

00:07:48

together arbitration practitioners from all

00:07:50

over the world while we

00:07:52

were all locked up and

00:07:53

a little you know under

00:07:56

under under the weather so

00:07:57

to speak because of circumstances,

00:07:59

but that opportunity to bring

00:08:01

people together to highlight the

00:08:03

diversity of our practice turned

00:08:06

out to be a very

00:08:06

rewarding experience and we've now

00:08:08

continued on for the fourth

00:08:10

year we have sessions now

00:08:13

this year in Singapore and

00:08:15

India Warsaw Bogota Washington it

00:08:19

it's a really a remarkable

00:08:21

reflection of the international scope

00:08:24

of international arbitration and it

00:08:28

is an extreme honor to

00:08:30

be here today. At the

00:08:31

VA cdiac Center mentioned the

00:08:38

AC is turned into a

00:08:40

Powerhouse in international arbitration. I

00:08:43

think it's only fitting that

00:08:44

we're here showcasing to the

00:08:46

world the strength and all

00:08:48

of the excellent work that

00:08:50

is being done here at

00:08:51

the center. I'll just ask

00:08:52

my colleague Jose Antonio Rivas

00:08:54

to finish off a few

00:08:55

opening comments and then we'll

00:08:56

get started on the conference.

00:09:03

Thank you Ian and welcome

00:09:05

to World arbitration update. It

00:09:07

is a true honor to

00:09:09

to be here with the

00:09:11

experts in international relations with

00:09:16

Madam Lau with representatives from

00:09:19

Briella with the Mist young.

00:09:22

Mr. Chen and those that

00:09:24

have been able to make

00:09:26

this possible. I would like

00:09:28

to emphasize to key principles

00:09:31

that have motivated us to

00:09:34

create the world arbitration update

00:09:36

that for years ago. One

00:09:38

is to update the world

00:09:42

practitioners arbitrators students are professionals

00:09:46

as well as academics on

00:09:49

issues of one international arbitration

00:09:53

International commercial arbitration than International

00:09:56

Investment arbitration and public international

00:09:59

law. Those three are in

00:10:01

many respects. A basis of

00:10:05

the international rule of law

00:10:07

and international economic law and

00:10:10

we enter size the notion

00:10:13

of updating the public through

00:10:15

a panel of experts and

00:10:18

we started that and the

00:10:20

salt that this was a

00:10:21

way to communicate with the

00:10:23

rest of the world. What

00:10:25

are the latest issues on

00:10:27

International Investment commercial arbitration as

00:10:31

well as a public international

00:10:32

law because today it is

00:10:35

very difficult to get an

00:10:36

update by reading all the

00:10:39

decisions that come from various

00:10:41

arbitration Center. So there must

00:10:43

be means to facilitate that

00:10:45

so one is to update

00:10:46

the second one is the

00:10:49

decentralization of international arbitration and

00:10:53

and by that we mean

00:10:55

that International Education traditionally has

00:10:59

been seen as something happening

00:11:01

in Paris or Or New

00:11:04

York or London or even

00:11:05

Washington DC and it is

00:11:08

it would be a mistake

00:11:09

to see International nutrition as

00:11:11

just in those places because

00:11:13

International arbitration as we know

00:11:15

he's happening in a vibrant

00:11:18

way avenging it's happening in

00:11:20

Latin America is happening in

00:11:22

Eastern Europe. It's happening so

00:11:25

many places in addition to

00:11:28

the traditional centers. They are

00:11:30

incredible practitioners arbitrators damages expert

00:11:34

who are here based here

00:11:36

at work doing all these

00:11:38

proceedings as counselors arbitration and

00:11:41

contributing to the formation of

00:11:43

the international arbitration. So that's

00:11:45

why we're here and a

00:11:48

year ago. I happen to

00:11:50

be invited to 104 conference.

00:11:55

That's where I I met

00:11:57

in person but I meow

00:11:57

and in addition to that

00:11:59

I saw how vibrant the

00:12:02

commute. He is and one

00:12:04

objective was to create International

00:12:07

arbitration forums through the world

00:12:11

arbitration update in China. And

00:12:15

that's what we're doing today.

00:12:15

So it's an honor to

00:12:17

be here. It's an honor

00:12:19

to be among experts as

00:12:21

well as a as a

00:12:23

eager to learn from you

00:12:24

and make this part of

00:12:26

the broader World arbitration update

00:12:30

Community. Thank you very much.

00:12:40

Thank you, Jose Antonio onion.

00:12:42

Now, we will hear a

00:12:45

few words from mr. Young

00:12:47

run Ching partner at home

00:12:50

now and he grew Law

00:12:51

Firm who is our Diamond

00:12:53

sponsor for this event. Distinguish

00:13:09

gas isn't gentleman so you

00:13:14

can see, you know Bible

00:13:21

in the world. Good morning,

00:13:23

everyone. I'm couple, I know

00:13:25

you always had honor to

00:13:26

sponsor his conference. I would

00:13:28

like for you to say

00:13:30

extend my most sincere. Thanks,

00:13:32

and one congratulations to the

00:13:34

option commission puc and the

00:13:37

word opportunity update V4 co-hosting

00:13:40

the world population of the

00:13:42

conference. 2024 China. I would

00:13:46

like to thank host for

00:13:49

creating such a an excellent

00:13:52

platform for experts including but

00:13:56

not limited to a cheetah's

00:13:59

staff from Sister arbitration in

00:14:01

institutions lawyer and the store

00:14:03

and to get it together

00:14:04

and discuss The Cutting Edge

00:14:06

International commercial arbitration and I

00:14:09

would like to thank Cucamonga

00:14:14

Jose Antonio reversed and a

00:14:17

late layered. Well, I miss

00:14:21

the song who I met

00:14:23

her yesterday at the reception.

00:14:24

I noticed that and have

00:14:29

just attended the international Council

00:14:32

for commercial between Congress attention

00:14:34

or you can come last

00:14:36

week this event conference organized

00:14:39

by piece in the same

00:14:41

thing and we're surely provide

00:14:45

us with a t standings

00:14:47

of the new developments of

00:14:49

a Chinese arbitration as well

00:14:51

as a new chance and

00:14:52

the challenge of the international

00:14:54

arbitration. the Steam and the

00:14:57

content of this comes in

00:14:58

at once again highlighted Dynamic

00:15:00

development of the fuse of

00:15:02

arbitration in addition of the

00:15:04

of talk about belt and

00:15:06

Road initiative public interest issues

00:15:08

in the recognition and enforcement

00:15:10

of international table to a

00:15:12

word called efficiency of case

00:15:15

management to which or they

00:15:18

are chasing practitioners a lot

00:15:21

of attention to in the

00:15:22

search party found the company

00:15:24

also tackled the challenges of

00:15:27

investment option faced by Chinese

00:15:28

Enterprises and the Chinese government

00:15:31

as well as a ways

00:15:33

in which application can support

00:15:35

environment protection which of the

00:15:37

national policy of China and

00:15:40

a council of the whole

00:15:41

mankind expressed appreciation to host

00:15:46

for the arrangements with highly

00:15:49

command and sang the house

00:15:51

of all the elaborate arrangements

00:15:52

and the programmatic an in-depth.

00:15:56

a hide Sense of responsibility

00:15:59

for the cause of arbitration

00:16:02

which can which also reflects

00:16:04

PCS consistent sense of social

00:16:06

responsibility voice recognition and I'm

00:16:13

paying attention to whether it's

00:16:14

accurate or not and to

00:16:17

display Chinese and English subtitles

00:16:20

in real time and it

00:16:21

is at a Japanese Akita

00:16:25

and Technology. I would like

00:16:30

to express my deep gratitude

00:16:32

to all the presenters and

00:16:34

the moderator to who participate

00:16:35

in the conference as well

00:16:38

as online offline audium Zee

00:16:41

are you saying is only

00:16:45

as good as the arbitrator

00:16:46

and I would also like

00:16:47

to say that a conference

00:16:49

is only as good as

00:16:51

the moderator and the presenters

00:16:53

your wisdom and the insides

00:16:55

we're headed to Splendor of

00:16:57

his conference in the world.

00:16:58

To the cause of arbitration.

00:17:00

And again, thank you for

00:17:02

the presenters and moderators interest

00:17:10

from the global action Community

00:17:12

China arbitration system continues to

00:17:15

improve for provide a reliable

00:17:17

and efficient with you spell

00:17:18

resolution. Mechanism. Wa you will

00:17:23

be able to contribute the

00:17:24

new wisdom and strength with

00:17:26

developments of arbitration and International

00:17:28

Education International between brand and

00:17:36

help with the construction of

00:17:37

boring relate to the rule

00:17:39

of law in China and

00:17:40

arbitration Center. As a law

00:17:43

firm that has been working

00:17:44

with a treating for 30

00:17:46

years, and we will continue

00:17:48

to contribute to China the

00:17:50

flooring laid low blow and

00:17:52

are changing diverse last but

00:17:54

not least and have a

00:17:56

family and a Google I

00:17:57

would like to wish the

00:17:58

company I can please text

00:18:00

Dad and it brings a

00:18:02

lot of updates to our

00:18:03

knowledge and experience. Thank you.

00:18:15

Thank you. No, we're going

00:18:29

to welcome our keynote speaker.

00:18:34

Miss this is Professor sell

00:18:36

home. Sorry she's a professor

00:18:39

of law at the University

00:18:40

and a former member and

00:18:42

chairperson of the Appellate body.

00:18:44

Also, Realtors are going to

00:18:45

stay station. We're very glad

00:18:47

to have her so we

00:19:03

Good morning, everyone distinguished. Legal

00:19:10

community of arbitrators at both

00:19:14

home and abroad because I

00:19:16

don't know how many I'll

00:19:17

be treated as you know,

00:19:18

I know many. Your face

00:19:21

is maybe take too much

00:19:23

time for me to mention

00:19:25

all the names. I think

00:19:27

we form a vehicle community

00:19:29

community of arbitrators at least

00:19:32

this morning. So are we

00:19:34

on the I'd like to

00:19:36

thank the Beijing arbitration commission

00:19:38

as well as the world

00:19:40

a patrician update. Tuco's bouncer

00:19:45

this important event in Beijing

00:19:48

now. They are the second

00:19:51

as to the second sponsor.

00:19:52

I recognized it only this

00:19:54

morning when I come into

00:19:56

the room up because it

00:19:57

is the page application application

00:19:59

commission who contact me and

00:20:00

he wanted to buy them.

00:20:03

I do not know that's

00:20:07

why I but I'm very

00:20:10

glad to see the The

00:20:11

Familiar Faces the France and

00:20:16

and robbers and I'm really

00:20:17

glad But as if he's

00:20:22

a client event and I

00:20:25

I should acknowledge. I didn't

00:20:27

prepare it really so sorrowful

00:20:29

as I teach you the

00:20:31

whole morning. I prepare this

00:20:32

lie to me last night.

00:20:33

So that might be a

00:20:34

problem inside is so please

00:20:36

forgive me for the mistakes

00:20:39

or in the there are

00:20:41

issues. That should be a

00:20:43

I post questions. I think

00:20:46

this morning and it is

00:20:47

full of legend or short.

00:20:51

Of time focusing on the

00:20:54

function of arbitration in the

00:20:58

history and in the current

00:21:01

days. at home and in

00:21:03

international dispute settlement So I

00:21:08

I will propose the ideas

00:21:10

that is in my mind

00:21:11

and I hope that will

00:21:13

help exert ball energies and

00:21:16

reasons of in the whole

00:21:18

Eagle Community world wild to

00:21:21

think about these matters so

00:21:23
that we can build a

00:21:24
better world with the international

00:21:27
rule of law. So they

00:21:32
are the ideas is to

00:21:34
talk about arbitration in history

00:21:36
of his unless and the

00:21:38
contribution of arbitration to development

00:21:40
of international law. I may

00:21:42
not have time to talk

00:21:43
to my phone. My happy

00:21:44
trees in laws China as

00:21:46
I have 25 minutes and

00:21:50
the reason to start with

00:21:51

a History is actually because

00:21:55

I think we are at

00:21:57

the Crossroad of where to

00:22:00

go for our future development

00:22:03

of international law. We suffer

00:22:06

many setbacks and difficulties in

00:22:09

particular in certain areas of

00:22:12

International Education at some International

00:22:15

Organization including that of the

00:22:18

World Trade Organization, which is

00:22:20

organization. I served for four

00:22:22

years before I set them

00:22:23

to come back to the

00:22:25

University of China or the

00:22:27

Pecan Grove City are the

00:22:29

alma mater of me in

00:22:32

Beijing. The reason is because

00:22:35

I think the reason is

00:22:37

not only because he saw

00:22:39

Rico school important important idea

00:22:46

contributor to the world of

00:22:49

legal Doctrine the the truth

00:22:53

that historically represented by German

00:22:56

historical of Atticus tourist Professor

00:23:01

77e who proposed the law

00:23:06

is but a reflection of

00:23:09

the spirit of a Nation

00:23:12

Cyber Crossroad what's for us

00:23:15

to carry on? The heritage

00:23:19

in history, it's something we

00:23:21

should reflect. That's why I

00:23:23

start with the history to

00:23:24

have a reflection of history.

00:23:26

But that start with some

00:23:27

certain definition what the professor

00:23:29

you should eat for the

00:23:30

election. Not for me the

00:23:34

key messages. I hope you

00:23:35

can take away is arbitration

00:23:37

is a supplementary means offer

00:23:41

to the keishin. You know

00:23:43

only the Mystic a system

00:23:45

back in the world a

00:23:47

tradition. That is my personal

00:23:49

view. I will give us

00:23:50

the Today Show of the

00:23:55

station to save a dispute

00:23:57

through judicial Services fire state

00:24:02

is a key function of

00:24:04

the key and the integral

00:24:05

function of State ever since

00:24:08

the state. The so-called states

00:24:12

which is a technology it

00:24:14

which is a cake to

00:24:15

me Knology within international law

00:24:17

ever since they's coming to

00:24:19

exist coming to Inception. Arbitration

00:24:24

from history that we can

00:24:25

date it back to history

00:24:27

is a supplemental means to

00:24:30

support to help the settlement

00:24:35

of the dispute to you

00:24:37

know are apart from the

00:24:39

traditional services rendered by the

00:24:41

state. So I beat recent.

00:24:43

Is there forever, you know

00:24:44

from them both in the

00:24:46

Eastern mess. Let me stop

00:24:48

by the so obvious reason

00:24:51

you should have been honest

00:24:52

and you submitted this picture

00:24:53

to a decision a two

00:24:55

person or persons as a

00:24:57

third-party other than the court

00:25:00

of competent jurisdiction of the

00:25:04

Court. Other than the cost

00:25:08

of a competent jurisdiction cemetery

00:25:11

to judicial decisions and I'll

00:25:14

be 30 vacation has been

00:25:17

understood by some I called

00:25:19

from this definition from the

00:25:21

history of International Education has

00:25:25

he usually refer to the

00:25:26

Judgment or decision of a

00:25:28

car? All cartoon me this

00:25:31

definition maybe a bit and

00:25:33

I rode up to me

00:25:34

a Trudy keishin can Encompass

00:25:36

in a certain sense only?

00:25:41

The Testament of a cart

00:25:42

fat also Adjustment by how

00:25:47

to say a tribunal is

00:25:49

a Soph IB treaters. So

00:25:51

that is my person understanding.

00:25:53

So I post a question.

00:25:54

How do we Define? The

00:25:57

terminologies the key terminologies at

00:26:00

arbitration and the drink occasionally

00:26:01

and Today Show or call

00:26:03

die today show decision will

00:26:05

come to these terms which

00:26:09

have the key off of

00:26:10

dispute settlement International. Not the

00:26:16

distinction of arbitration to the

00:26:17

occasion If we're honest and

00:26:19

to this patient away that

00:26:21

has been defined as a

00:26:24
judgment of the station for

00:26:25
card. may not be a

00:26:30
maybe less than it is

00:26:31
for seeds. I should say,

00:26:32
you know, I I told

00:26:34
this from the brownings a

00:26:36
principle of public national law

00:26:38
that was published by Oxford

00:26:41
University. Press may not be

00:26:46
that as people perceive. We

00:26:50
are in the domain of

00:26:51
a patrician and the people

00:26:52
in the world of the

00:26:54

Court. We think there's a

00:26:55

distinction of Distinction should be

00:26:59

John but according to him

00:27:00

I I found online reading

00:27:02

this I found yes somehow,

00:27:04

you know, they may not

00:27:06

be a shop shop line

00:27:08

between arbitration the judicial settlement

00:27:10

and the letter is applicable

00:27:13

to any International tribunal setting

00:27:15

disputes involving state or a

00:27:17

deposit in accordance with international

00:27:19

law and I think the

00:27:22

understanding is that the Tribunal

00:27:26

arbitrators But at least to

00:27:32

me it is the conservatives

00:27:33

all at least based on

00:27:34

the consent of State. If

00:27:37

they tell me three things

00:27:38

about the consent. That I

00:27:42

think the distinction will be

00:27:44

even more difficult to drawing

00:27:46

that line. So they I

00:27:49

hope I make myself clear

00:27:51

as International Education will refer

00:27:55

to most layer That's What

00:27:58

occasion is based on the

00:27:59

content of the State Police

00:28:05

Station traditional process. We are

00:28:07

referring to a process that

00:28:11

is more less or more

00:28:12

compulsory always a more binding

00:28:15

effect. But wow, if you

00:28:17

look at if you read

00:28:19

into the plastic Pex fittings

00:28:22

off of happy confessional or

00:28:23

you may find others may

00:28:26

not think The line is

00:28:30

so straight A straightforward way.

00:28:32

I think we do. I

00:28:34
post this. I do not

00:28:36
post this issue with the

00:28:38
conclusion. I think I post

00:28:41
this as a question that

00:28:43
arbitrators and the judicators and

00:28:46
think about what are the

00:28:50
commonality ways to to method

00:28:55
of settling of dispute a?

00:28:58
I have Captain your mind

00:29:01
briefly as I in history

00:29:09
of China. We are in

00:29:12
Joel and chain and Han

00:29:13
Dynasty you found a we

00:29:16

say Sheldon answer because Beyonce

00:29:21

of precursor of a mediator

00:29:23

and a traitor I won't

00:29:26

explain in detail. How do

00:29:27

you know in how in

00:29:29

history how they work immediately

00:29:32

remediate has ancient time of

00:29:35

China and there are I

00:29:37

be treated, you know, they

00:29:40

say shows the local officials

00:29:41

in particular in the county

00:29:44

of the state, but they

00:29:48

are in charge of everything

00:29:50

they're in charge of I

00:29:54

mistreated matters and the recycling

00:29:57

of dispute and they their

00:30:00

work is the arbitration and

00:30:03

to me so I be

00:30:06

sure a mediation will be

00:30:08

at the function of will

00:30:12

be side-by-side, you know in

00:30:14

China. The mediation is always

00:30:17

patient is a chiropractor off

00:30:19

of the judicial process of

00:30:21

China since ancient times. So

00:30:23

I think that you need

00:30:25

to read system administration certification

00:30:28

matters and the unitary system

00:30:32

of judicial system of civil

00:30:34

commercial matters saver commercial or

00:30:37

even criminal matters either character

00:30:40

is one person in charge

00:30:43

of everything. I say things

00:30:44

in the cart of you

00:30:46

know, that lady does the

00:30:48

government of you know, the

00:30:49

local government. Suits go to

00:30:54

you know. Knock the door

00:30:58

eat at midnight and then

00:31:00

the head of the accountable

00:31:02

rise up and listen to

00:31:03

the student. So they basically

00:31:05

so these other and my

00:31:08

student help me doing something.

00:31:13

I think it's better than

00:31:14

what I do. So the

00:31:15

core concept is emphasizing how

00:31:18

many or litigation the social

00:31:20

Foundation the couch or tradition

00:31:22

practical approaches to dealing with

00:31:25

the that the settlement of

00:31:28

disputes ancient times of China

00:31:30

and basically the Chinese prefer

00:31:35

the suspension of litigation litigation

00:31:38

free all you know litigation.

00:31:41

That is a culture. That's

00:31:43

why our mediation and conciliation

00:31:45

and arbitration could be a

00:31:48

tradition of a couchy so

00:31:53

I think he I still

00:31:54

have Incorporated in case there

00:31:57

are few and later. Of

00:31:59

course. I didn't pay a

00:32:00

and a few The Guild

00:32:03

is the commercial Association of

00:32:06

China and they have his

00:32:08

own what do the keishin

00:32:09

bodies enforcement mechanism and penalties

00:32:12

isn't so they helped. So

00:32:15

it's another Branch helping how

00:32:18

these people be settled are

00:32:19

in ancient time of China

00:32:21

and the clan. I think

00:32:24

the other is the clan

00:32:26

the family within the family

00:32:28

within the plant the pig

00:32:29

family. The head of the

00:32:33

family. So sorry to hear

00:32:35

of the family who are

00:32:36

the side of the the

00:32:38

conflict among the family members

00:32:41

that also operate a branch

00:32:45

that so it is the

00:32:48

official branch of settling dispute

00:32:50

the family branch and the

00:32:52

guild so the three pillars

00:32:54

in setting this beauty engine

00:32:55

time of China's rapid speaking

00:32:57

take a quick look at

00:32:59

what is the tradition of

00:33:01

the vest the the arbitration

00:33:05

the vest the three phases

00:33:07

in history note to me.

00:33:09

This is all Why it's

00:33:14

an extra why you gave

00:33:16

all times. I also caught

00:33:19

this and no I do

00:33:20

not I told this from

00:33:21

the history of international law

00:33:23

by the temperature New City.

00:33:26

The three faces on division

00:33:29

of development of attrition in

00:33:31

the vest is a chapter

00:33:33

or times as they say

00:33:36

it is up to his

00:33:38

all and of the common

00:33:39

Roman Catholic faith and authority

00:33:42
of colossae church Vision actually

00:33:47
want to be popular at

00:33:51
the time and the Pope

00:33:54
the church people are usually

00:33:56
will be the people who

00:33:57
act as arbitrator to help

00:34:00
setting. This. This has to

00:34:01
be dated back even to

00:34:04
ancient race of Greek and

00:34:07
Roman times. So and a

00:34:10
prominent feature of the Medieval

00:34:12
Times. on the law of

00:34:14
arms and the price law

00:34:17

this is all so according

00:34:19

to the idea of European

00:34:23

the arbitrator David. While the

00:34:28

second face is the LA

00:34:29

more than. The age of

00:34:31

diplomacy the rise of 54

00:34:35

me see the professional Lawton.

00:34:38

I understand that the law

00:34:40

professor and a diploma. If

00:34:42

I said I could help

00:34:44

a lot is that in

00:34:45

this field for the disputes

00:34:49

among the nation of the

00:34:50

Europe that marks a decline

00:34:54
of a patrician the circumstances

00:34:55
that it is quite mysterious

00:34:57
to me. Why does it

00:34:59
take long but there's a

00:35:01
thief age where the streamlining

00:35:02
of the development of arbitration

00:35:06
in the vest, but does

00:35:08
he played for the fact

00:35:10
you of situations that somehow

00:35:13
arbitration a less popular in

00:35:16
the early morning. After the

00:35:20
best of area? The treaty

00:35:23
the Treaty of Versailles the

00:35:25

figure is it because of

00:35:27

the solving of state has

00:35:28

been recognized that is more

00:35:30

peaceful among them that there

00:35:32

are disputes among European state

00:35:35

do it is because of

00:35:37

all the things that the

00:35:38

rise of the international Scholars.

00:35:41

I think this is a

00:35:43

question mark that anyone has

00:35:46

interest can continue to dig

00:35:49

further into the history. Why

00:35:51

there's a decline in the

00:35:54

other molding. So The Crushers

00:35:56

are the math the liberty

00:35:59

of the sea. I was

00:36:00

published in those days. There

00:36:02

are you know, either he

00:36:04

International professors my famous Victoria

00:36:07

and others and invite all

00:36:12

of the sweets. They published

00:36:15

a many walks, you know

00:36:18

a promulgate in the idea

00:36:19

of international law. Eating are

00:36:22

the 17th century so that

00:36:24

the recession was said there's

00:36:26

there's there's nothing to stop

00:36:27

you Trish and in practice

00:36:28

and people asking why and

00:36:30

I'm thinking about why and

00:36:33

then the 1st arbitration treaty,

00:36:36

which is quite famous between

00:36:37

British and Americans the Jay

00:36:39

Treaty established the committee in

00:36:43

settling the dispute for the

00:36:45

citizens of the US are

00:36:48

the the British up for

00:36:52

the claims they have with

00:36:53

each other in war time

00:36:55

and etcetera, but that the

00:36:59

time they select only arbitrators

00:37:01

of the two of the

00:37:03

two Nationals of the Tuesday

00:37:05

its British and the Americans

00:37:07

are they don't see like

00:37:08

the third how to change

00:37:10

from stud country racing and

00:37:15

the sides are part of

00:37:17

a president that interesting. I'm

00:37:21

inside. He spit on the

00:37:23

19th and 20th Century Fox

00:37:27

and not a rise of

00:37:28

arbitration and even the creation

00:37:31

of institutional arbitration the permanent

00:37:34

Court of arbitration. For example,

00:37:36

I think many of the

00:37:37

history you being aware and

00:37:39

I won't go into details

00:37:41

of it so that the,

00:37:43

according to me and the

00:37:45

distinctions I think both in

00:37:48

the East and West B

00:37:50

C that they did bad

00:37:51

arbitration could be dated back

00:37:53

to early history of the

00:37:58

or something similar with arbitration

00:38:00

could be dated back very

00:38:02

early to the back to

00:38:03

the history and it has

00:38:05

always been acting as a

00:38:07

alternative to the resolution by

00:38:10

car. In his face in

00:38:14

the West Indies since I

00:38:15

messages of of China in

00:38:16

the East and this is

00:38:18

supplementary a means to our

00:38:20

to the acacian about at

00:38:22

home. Heater in the old

00:38:29

times, you know, the pope

00:38:31

would be won the pole

00:38:33

views. Do you need to

00:38:36

be there? Cuz I was

00:38:37

in mind that have five

00:38:38

minutes. So that distinction is

00:38:39

the rest of the couch

00:38:41

or focus on the rights

00:38:42

of individuals. How did the

00:38:43

talk to me and treat

00:38:45

them choose a choice and

00:38:47

the the The procedure that

00:38:51

the how to say the

00:38:52

procedure for my test, you

00:38:54

know, there's a march on

00:38:55

Versailles on the process and

00:38:59

the time I think they

00:39:00

they sell has iZombie Autumn

00:39:02

the outcome must be dresses,

00:39:05

you know, the Lord self-contained

00:39:07

has he no complication of

00:39:09

that element of Justice, you

00:39:12

know in the law itself.

00:39:13

I did I did mention

00:39:14

that character of law in

00:39:16

China and the rest is

00:39:18

what team of legal profession

00:39:20

the lawyer play important role

00:39:24

in the patient and they

00:39:26

put a lot of command

00:39:29

is precious even on the

00:39:32

somerset pressure, you know the

00:39:34

full for the evolution of

00:39:36

dispute resolution in the West

00:39:41

WhatsApp arbitration what contribution application

00:39:45

fee to the Department of

00:39:47

international law he questioned that

00:39:52

post to this today's meeting

00:39:54

substance if they and procedure

00:39:57

that I think might know

00:39:59

only in the area of

00:40:01

a private commercial area of

00:40:04

international or bad to Diaz

00:40:06

the state the Salton State

00:40:09

relationship the public affairs haven't

00:40:12

international law. So they are

00:40:13

the impacts as Frugal mentioned

00:40:15

in the beginning the idea

00:40:17

of having the similar is

00:40:20

also true. I promoted by

00:40:22

bank. So at least to

00:40:25

me It is like over

00:40:30

this matter is the evidence

00:40:33

of admiral of the state

00:40:35

practice of international or at

00:40:37

least the way the state

00:40:38

proposed their views ideas in

00:40:42

the positions before a tribunal

00:40:44

International tribunal and the extensions

00:40:49

of the jurisdiction of arbitral

00:40:51

tribunal and the implement the

00:40:54

decision of that tribunal has

00:40:57

a huge impact implication for

00:41:00

the solvent for the concept

00:41:02

of sovereignty and have international.

00:41:04

I think that manifest today,

00:41:07

you know, it is a

00:41:10

manifest the change from a

00:41:12

solute solvent to limit its

00:41:14

oven at least and it's

00:41:18

also representing a revolution customer

00:41:20

reviews of the top three

00:41:23

principles of international law. Not

00:41:25

only a limit not only

00:41:27

a limited Sullivan County in

00:41:32

particular in the way how

00:41:34

the tribunal interpret the treaty

00:41:37

that is face. Freely entered

00:41:40

into there's a lot I

00:41:43

will mention Alabama case. It

00:41:48

is interesting that the British

00:41:50

government argued that the United

00:41:52

States is also I think

00:41:54

the time after the the

00:41:56

wartime up pendants off of

00:42:00

American from the British. The

00:42:03

settlement of disputes are there

00:42:05

are quite a number of

00:42:06

cases Alabama will be one

00:42:08

of those cases that the

00:42:09

United States international probation to

00:42:13

be neutral neutrality to be

00:42:15

neutrality, but they but I

00:42:18

don't know if I'm I

00:42:18

was asleep fast shape of

00:42:21

you so decide that the

00:42:23

you as you come help

00:42:24

you. I'll repair that shape,

00:42:27

but they're the subject confederations.

00:42:29

I understand what take that

00:42:33

shape. I'm not sure if

00:42:34

you know. Destroyed many of

00:42:37

the the shapes caused a

00:42:41

fire that had rotate to

00:42:43

the north and later on.

00:42:44

There's a patrician on that

00:42:46

matter and the British argues

00:42:49

that it is the government

00:42:52

of the British do not

00:42:53

have the right to control

00:42:54

that shape the called the

00:42:59

tribunal believe that it is

00:43:02

the state of the British

00:43:04

who are liable who are

00:43:07

comfortable and it doesn't matter

00:43:12

that much. So I think

00:43:14

at least this is a

00:43:16

matter that we can so

00:43:17

this is part of the

00:43:18

development of the idea of

00:43:20

how a state of the

00:43:23

liability of the state. I

00:43:24

was told that's one minute.

00:43:26

But so you receive that

00:43:27

either International Education or International

00:43:39

quasi-judicial settlement of disputes or

00:43:42

International judicial settlement of this.

00:43:44

I think there's a consent

00:43:47

to me. There's a apart

00:43:50

apart with Progressive pathway from

00:43:53

consent to cause a Judicial

00:43:55

settlement with fees internationally. The

00:43:57

consent would be more last

00:44:00

referred to arbitration. So is

00:44:03

it the pro bass is

00:44:04

a question I'm asking and

00:44:06

I'm reading a reason to

00:44:08

not go in that regard.

00:44:09

But look at the World

00:44:10

Trade Organization some of the

00:44:12

most prominent International institutions. We

00:44:15

have panel. I hope Anastasia

00:44:17

palette body the PSA 22

00:44:20

years and now we have

00:44:22

multi-party international the settlement of

00:44:26

the appeal of arbitration. So

00:44:31

the the multi-party arbitration with

00:44:33

someone will be more or

00:44:35

less like a arbitration I

00:44:38
the to pop a truce

00:44:39
the panelists and for the

00:44:42
chair for the for the

00:44:44
chair they made in y

00:44:45
to the DG to point

00:44:49
the chair of the panel.

00:44:50
So whether it is p.m.

00:44:53
Or characterized as a patrician

00:44:56
or it is a traditional

00:44:57
or call Saturday show at

00:45:00
you know, it is for

00:45:01
the bay. Shoes and you

00:45:04
may reflect the nature of

00:45:07

pain all day and the

00:45:09

multi-party system at Orchard on

00:45:16

the station as that one.

00:45:17

The multi-party that was faced

00:45:22

on a 25 of the

00:45:23

ASU which is arbitration provision

00:45:26

and the Pea will be

00:45:28

conducted by the members to

00:45:31

MPI, which is a natural

00:45:34

agreement for sex is not

00:45:36

this. What you say? I

00:45:41

told a dispute after the

00:45:43

panel deliver its report. They

00:45:45

suspend the panel according to

00:45:47

ask you if you know

00:45:56

the stuff in this state

00:45:58

or through arbitration consideration and

00:46:01

other means what does arbitration

00:46:05

decision? Do not need to

00:46:08

be recognized as a final

00:46:11

what is final and will

00:46:13

be implemented by members. Someone's

00:46:17

they automatically have a piece.

00:46:19

I like it but those

00:46:20

judicial arbitration and a New

00:46:23

York to mention. You need

00:46:24

to be recognized the first

00:46:26

Lie by the local Court.

00:46:28

It is a word it

00:46:31

is a beautiful award and

00:46:32

the New York convention so

00:46:34

that it can be enforced.

00:46:35

So they process all this.

00:46:40

Kansas have International Education processes

00:46:44

and so arbitration Adjudication do

00:46:51

they show all calls are

00:46:52

to tissues. What are the

00:46:53

natures of all these International

00:46:55

set of the method of

00:46:56

international sex movies. I think

00:46:59

this for their are many

00:47:01

rooms for students and a

00:47:02

professor to write articles to

00:47:05

deliver faces and followers to

00:47:07

you how to say to

00:47:08

randhawa reflection. I think I

00:47:12

I need you to stop

00:47:14

by. There are other things

00:47:17

I can use. I want

00:47:19

to say something and I

00:47:20

think Edward is a shin

00:47:23

the pilot stage. I know

00:47:25

I meant to share with

00:47:27

you. Some of my concerns

00:47:30

are somehow I feel what

00:47:33

are the common the challenges

00:47:34

to call into all International

00:47:36

Education. Arbitration, you know today

00:47:40

show cause a traditional. I

00:47:42

mean it is all based

00:47:44

on the content of the

00:47:45

state. How long does the

00:47:48

consent of the State lost

00:47:50

to say may change their

00:47:51

mind in particular? It is

00:47:53

institutional Arrangement how to strike

00:47:56

a balance between independent and

00:47:58

harsh reality of Judiciary body

00:48:01

body. And they are the

00:48:06

influence of our side how

00:48:08

to deal with the situation

00:48:09

of constructive ambiguities in the

00:48:12

rules of the treaty entreated

00:48:14

languages. and the requirement of

00:48:17

parties to resolve the dispute

00:48:19

over these ambiguity ambiguity treaty

00:48:23

obligation how to manage The

00:48:27

insolence of different major legal

00:48:29

systems the civil law common

00:48:31

law is that you and

00:48:32

understand all the international tribunal,

00:48:36

you know, either arbitration traditional

00:48:39

call that Judiciary it is

00:48:42

mostly it is mostly the

00:48:46

lawyers from the Anglo-Saxon World

00:48:48

Somerset 70 80% even more.

00:48:51

So where are the rest

00:48:53

of the world now I

00:48:55

confused by you know how

00:48:57

to say I'd like to

00:48:58

code the see no law

00:48:59

has been regarded as a

00:49:00

part of the manner of

00:49:03

the matching of the real.

00:49:05

On the international lawyers always

00:49:07

believe that's illegal in my

00:49:09

imagination of the world, you

00:49:12

know by themselves. How do

00:49:14

we manage? What we do

00:49:17

and I think it should

00:49:19

be the whole Eagle Community

00:49:21

Eastern best together and knowing

00:49:24

where I'm from and taking

00:49:26

the couch or tradition, you

00:49:28

know, all that is suitable

00:49:30

that is grown from the

00:49:31

this land this territory. So

00:49:36

I think there's a wasp

00:49:37

Mission forever lawyers whether you're

00:49:40

serving the domestic affairs International

00:49:43

Fest Things for us to

00:49:48

imagine they'd be so wild

00:49:51

during the day that you

00:49:52

do not forget about that

00:49:54

imagination. Thank you.