



Faculty of Law  
The University of Hong  
Kong

## Advances in Comparative and Transnational ADR: Research into Practice

8, 9 March 2019

11<sup>th</sup> Floor Cheng Yu Tung Tower, Faculty of Law  
University of Hong Kong, Hong Kong SAR

### Preliminary Program

Friday March 8<sup>th</sup>

8:20 am	Gather at Hotel Jen (a representative will meet you in the lobby)
8:40am	<b>Registration</b>
9:00 am	<b>Welcome:</b> Dean Michael Hor, University of Hong Kong, Faculty of Law  <b>Opening remarks:</b> Shahla Ali, University of Hong Kong
9:15 am – 10:15 am  (10/15 minute presentatio ns by each speaker, followed by 15 min discussion)	<b>Session 1 – Methodological Considerations in Comparative and Transnational ADR</b>  <b>Chair:</b> Zhao Yun <b>Discussant:</b> Lola Akin Ojelabi <ul style="list-style-type: none"><li>• <b>Matthew Erie</b>, “The Third Eye: The Problem of Method in the Study of Transnational Dispute Resolution”</li><li>• <b>Michael Palmer</b>, “Modes of Dispute Response: Reconnecting the Range”</li><li>• <b>Shahla Ali</b>, “Advancing Research and Practice in Dispute Resolution Institutions through Inclusive Devolved Reflection”</li></ul>
10:15 am – 10:35 am	<b>Morning Break</b>
10:35am – 12:10	<b>Session 2 – Comparative ADR Ethics, Standards and Jurisprudential Ideals</b>  <b>Chair:</b> Keith Hawkins <b>Discussant:</b> Kerstin Bree Carlson <ul style="list-style-type: none"><li>• <b>Deborah Hensler</b>, “Re-Inventing Arbitration: How Expanding the Scope of Arbitration is Re-Shaping its Form and Blurring the Line Between Private and Public Adjudication”</li><li>• <b>Michal Alberstein</b>, “Between Summary Trials and ADR”</li><li>• <b>Lola Akin Ojelabi</b>, “The Challenges of Developing Global Ethical Standards for ADR Practice”</li><li>• <b>Zachary R. Calo</b>, “Legal Ethics and Transnational Dispute Resolution”</li></ul>

	<ul style="list-style-type: none"> <li>• <b>Dorcas Quek</b>, "A New Chapter in the Cross-Border Enforcement of Mediated Settlement Agreements: The Elevated Role of Mediation Standards in Procedural and Substantive Justice"</li> </ul>
12:10-1:20	<b>Lunch for Speakers/Chairs (9<sup>th</sup> floor alumni room)</b>
1:20 pm – 2:20pm	<p><b>Session 3 – Comparative Approaches in Conciliation and Arbitration</b></p> <p><b>Chair:</b> Tania Sourdin  <b>Discussant:</b> Luigi Cominelli</p> <ul style="list-style-type: none"> <li>• <b>Anselmo Reyes</b>, "The Use of Conciliation and Litigation by the Hong Kong Equal Opportunities Commission"</li> <li>• <b>Manuel Gomez</b>, "Talk to Me: The Upsurge of International Arbitration-Related Conferences and their Impact on Academia, the Industry and the Legal Profession"</li> <li>• <b>Gu Weixia</b>, "Arbitration in Comparative Perspectives"</li> </ul>
2:20 pm – 3:35	<p><b>Session 4 – Comparative ADR in Peace building, Health Care and Disasters</b></p> <p><b>Chair:</b> Eric Feldman  <b>Discussant:</b> Matthew Erie</p> <ul style="list-style-type: none"> <li>• <b>Kerstin Bree Carlson</b>, "Peace Through Law: A Hybrid Tribunal for Divided South Sudan"</li> <li>• <b>Eric Feldman</b>, "Recent Developments in Victim Compensation for the Fukushima Disaster" [TBC]</li> <li>• <b>Nadav Davidovitch</b>, "Dealing with Conflicts in Health Care Systems: From Clinical Medicine to Public Health Settings"</li> <li>• <b>Martin Lau</b>, "TBC: ADR in Pakistan"</li> </ul>
3:35-4pm	Break
4pm – 5:50pm	<p><b>Session 5 – ADR Developments and Reform in Mainland China</b></p> <p><b>Chair:</b> Michael Palmer  <b>Discussant:</b> Sida Liu</p> <ul style="list-style-type: none"> <li>• <b>He Xin</b>, "Flexibility and Authority: Resolving Labor Disputes in a County Government in Western China"</li> <li>• <b>Kwai Ng</b>, "Wearing Two Hats – Problems of Judicial Mediation as Seen from China"</li> <li>• <b>Chao Xi</b>, "Negotiations in the Shadow of Shareholder Activism"</li> <li>• <b>Sida Liu</b>, "The Spaces of Global China: Hong Kong as a Frontier for Chinese Law Firms"</li> <li>• <b>Ling Zhou</b>, "Forum Shopping in a World of Mixed Processes: China's Professional Litigants"</li> <li>• <b>Yang Lin</b>, "New Developments in Online Dispute Resolution in China"</li> </ul>
5:50 pm	Closing remarks
6:30pm	Dinner hosted by HKU (by invitation only)

## Saturday March 9<sup>th</sup>

9:30am – 11:20	<b>Session 6 – Mediation Developments in the Context of Civil Justice Reforms</b>  <b>Chair/ Discussant:</b> Mark Feldman <ul style="list-style-type: none"><li>• <b>Tania Sourdin</b>, “When is the Best time to Mediate? Considering Early Mediation”</li><li>• <b>Luigi Cominelli</b>, “Mediation Models and the Impact of the 52/2008 Directive on Civil and Commercial Mediation in Europe”</li><li>• <b>Pablo Cortes</b>, “Imbedding Mediation in the Civil Justice System”</li><li>• <b>Nadja Alexander</b>, “International Comparison of Regulatory Systems for Mediation”</li><li>• <b>Francis Law</b>, “TBC”</li></ul>
11:20-11:50	Break
11:50 am – 12	<b>Closing remarks and next steps</b>
12 noon	Lunch hosted by HKU (by invitation only)

### Conference Theme:

The focus of the forum is on exploring the challenges and opportunities in understanding and assessing developments in systems of dispute resolution in diverse social and political contexts through comparative research. Papers will cover topics such as practical considerations in conducting comparative work in the field of transnational and comparative dispute resolution, insights from recent studies, and consideration of how research may inform policy reform in ADR institutions regionally and transnationally.