

VIAC – QUESTIONNAIRE

1. Name: LIU Junhai (刘俊海)

2. Date of birth: June 12,1969

3. Citizenship: China

4. Contact information:

Address: School of Law, Renmin University of China,
No. 59, Zhongguancun Ave., Haidian District, Beijing, China 100872
Telephone: 86-139 1093 6920, 86-10-8889 2528
Fax: +86-10-8250 0470
Email: jhliu@cass.org.cn; prof.liujunhai@gmail.com

5. Current position:

Professor of law, Law School, Renmin University of China (RUC)

6. Education:

Grotius & Hughes Visiting Fellow, University of Michigan Law School (2011-2012).
Visiting scholar, University of Michigan Business School (2000-2001).
ACLS & CSCC visiting scholar, University of Kansas Law School. A participant in the 1999 Chinese Fellows for Scholarly Development Competition, organized by American Council of Learned Societies (ACLS) and the Committee on Scholarly Communication with China (CSCC) (Spring 2000).
Visiting Scholar of EU-China Higher Education Program, University of Amsterdam Law School (Fall 1998).
Visiting scholar for post doctorate program, Norwegian Institute of Human Rights, University of Oslo (1996-1997).
SJD, Chinese Academy of Social Sciences, 1995.
LLM, China University of Political Science & Law, 1992.
LLB, Hebei University, 1989.

7. Practiced experience in arbitration:

How many arbitrations have you participated in (domestic/international)? Under which Rules?
I have heard more than 200 cases at Beijing Arbitration Commission (BAC) under the Arbitration Rules of this Commission, and have heard more than 100 cases at China International Economic & Trade Arbitration Commission (CIETAC) under the Arbitration Rules of this Commission. 60% of the cases are domestic, 40% of them are international. Both BAC and CIETAC have separate arbitration rules for international cases.

How often have you acted as Chairman?

I have been appointed as the presiding arbitrator by CIETAC and BAC in more than 110 cases.

How often have you acted as Sole Arbitrator?

I have been appointed as the sole arbitrator by CIETAC and BAC in more than 60 cases.

How often have you acted as Co-Arbitrator?

I have been appointed as the presiding arbitrator by CIETAC and BAC in more than 80 cases.

How often have you acted as Counsel?

I have acted as counsel almost once or twice a year.

How often have you acted in a different function (e.g. Administrative Secretary)?

I have issued almost 100 expert affidavits to Chinese and international arbitration bodies, and courts in China and the US.

8. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

Representative Academic Books

1. Frontier Issues of the Rule of Law in Chinese Capital Market, Peking University Press, August 2012;
2. Modern Securities Law, Law Press, published in 2011.
3. Modern Corporate Law, Law Press, first published in 2008, revised in 2011 and 2015.
4. Science of Corporate Law, Peking University Press, 2008.

5. Corporate Law, China Legal System Press, 2008.
6. Institutional Innovations of New Corporate Law: Legislative and Judicial Controversies, Law Press, 2006.
7. Protection of Shareholder Rights in Stock Corporation, Law Press, first published in 1997, revised in 2004.
8. The Corporate Social Responsibility, Law Press, 1999.
9. The Property Law and Protection of Securities Investors Rights, RUC Press, 2008. Co-authored.
10. Main Translator of the Chinese Version of "The Anatomy of Corporate Law: A Comparative and Functional Approach, Reinier Kraakman, Paul Davies, Henry Hansmann, Gerard Hertig, Klaus J. Hopt, Hideki Kanda, Edward B. Rock, Oxford University Press, 2004", Peking University Press, 2007.
11. Chinese Translation of EU Company Law Directives, Law Press, 2000. .
12. Case Comments and Legislative Issues on Business Law and Economic Law, Economic Science Press, 2000.

Representative Academic Papers

1. Research on Some Issues of Piercing Corporate Veil in Judicial Practice, Application of Law, sponsored by National Judges College, Vol.8, 2011.
2. The Future of Securities Class Actions Against Foreign Companies: China And Comity Concerns, University of Michigan Journal of Law Reform, VOL.46, 2013, P.1315- 1360 (with Dana M. Muir and Haiyan Xu)
3. "Corporate Governance of Business Organizations in the People's Republic of China: The Legal Framework After the Revision of the Company Law in 2005", presented at the XVIIIth International Congress of the International Academy of Comparative Law 2010, co-authored with Dr. Knut Benjamin Pissler. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1695888. This paper is also included in the book Comparative Corporate Governance, edited by Dr. Andreas Fleckner and Prof. Claus Hopt, Cambridge University Press (2013).
4. "Director's Duty of Diligence and Shareholder's Derivative Action in China" presented at the Symposium "Law and Legal Reality - A Chinese-German Dialogue on the Procedural Realisation of Private Claims", Freiburg, 25th and 26th of June 2010. Published as a part of the book "Recht und rechtswirklichkeit in Deutschland und China", edited by Yuanshi Bu, published by Mohr Siebeck, 2011. P.61-P.87.
5. "Experience of Internationalization of Chinese Corporate Law and Corporate Governance: How to Make the Hybrid of Civil Law and Common Law Work", European Business Law Review, Vol. 26, 2015 <Issue 1>, pp. 107-128; 26 Eur. Bus. L. Rev. 107>.
6. Corporate Governance in China: Then and Now, Co-authored with Professor Cindy Schipany at the University of Michigan, Columbia Business Law Review, Volume 2002, Number 1.
7. Chinese Business and the Internet: The Infrastructure for Trust, Co-authored with Professor Timothy L. Fort at the University of Michigan, Vanderbilt Journal of Transnational Law, November, 2002, 35 Vand. J. Transnat'l L. 1545 http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1993358###

He has made many lectures for the mandatory training programs in Beijing Arbitration Commission on the topic of Arbitrator's Judgment Philosophy, the writing of the arbitration awards and corporate law, and given several lectures for CIETAC and its South China Branch and Shanghai Branch on corporate law.

9. Membership in arbitral institutions / functions in arbitral institutions/organizations:

1. China International Economic & Trade Arbitration Commission (CIETAC).
2. Beijing Arbitration Commission (BAC).
3. Korean Commercial Arbitration Board (KCAB)
4. International Arbitral Centre of the Austrian Federal Economic Chamber (Vienna International Arbitral Centre, VIAC).
5. Hong Kong International Arbitral Centre (HKIAC).
6. International Centre for Dispute Resolution, AAA (ICDR/AAA).
7. Kuala Lumpur Regional Centre for Arbitration (KLRCA).
8. WIPO Arbitration and Mediation Center
9. Asia Pacific Regional Arbitration Group (APRAG).
10. Member, Advisory Committee, CIETAC

10. Languages:

Mother tongue: Chinese

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): English

11. In which legal system have you trained?

Although I have been educated in Chinese legal system, I have learned American legal system and European civil law system during my visiting research in these countries. In 1998, I translated all EU Company Law Directives into Chinese and published it at Law Press in 2000. I have been conducting research on US corporate law during my visiting period at University of Michigan from 2000 to 2001 and from 2011 to 2012.

12. What is your main jurisdiction of practice?

China.

13. Special expertise or specializations (please list a maximum of three):

Corporate law, international investment, international trade.

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

Date and signature

Prof. Junhai Liu 刘俊海教授

January 1, 2016