

# Curriculum Vitae of Dr. Mingchao Fan

## Personal Information

Name: Mingchao Fan  
Gender: Male  
Date of Birth: 06 August 1978



## Education Background

2006 – 2012	Ph. D	East China University of Political Science and Law & Duke University Law School Joint Ph. D Program (sponsored by the Fulbright Program)
2001 – 2002	LL.M	University of Manchester
1996 – 2000	LL.B	East China University of Political Science and Law

## Professional Experience

**2016 - present**                      Director of Arbitration              International Chamber of Commerce (ICC)  
and ADR for North Asia

Being responsible for ICC's marketing and educational programs relating to arbitration and ADR in North Asia region, namely PR China, Japan, Korea, Hong Kong SAR, Macau SAR, Mongolia, DPRK, Taiwan, Vietnam, the Philippines, Laos, Cambodia, Pakistan and Bangladesh

**2015 - present**                      Deputy Director                      The Supreme People's Court of PRC  
Institute for Judicial Research on the Belt  
and Road Initiatives (Shanghai University  
of Political Science and Law) (the Institute)

Coordinating with the assistant to Dr. Rong He, the Vice President of the Supreme People's Court of PRC and the justices of the 4<sup>th</sup> Division of Supreme People's Court of PRC to undertake judicial research with the Institute, including drafting judicial interpretations, providing expert opinions on judicial reform, etc.

Organizing and moderating a series of joint conferences under the brand of the Institute. Two of them are most worth being noted.

One is the Investment Arbitration Practice Roundtable jointly held with Shanghai International Arbitration Center (SHIAC), Permanent Court of Arbitration and Hague Conference on Private International Law in September 2015. Mr. Hugo Siblesz, the Secretary General of Permanent Court of Arbitration, Mr. Christophe Bernasconi, the Secretary General of Hague Conference on Private International Law, Mr. Shilin Huang, a partner of K&L Gates Taipei Office, Mr. Luming Chen, a partner of Junhe Law Offices, etc. were the panelists.

The other is the Conference on the Ascertainment of Foreign Law: Theories and Practices, held in December 2015, with Dr. Xingye Yang and Dr. Guangyu Ding, both of whom are justices of the 4<sup>th</sup> division of the Supreme People’s Court of PRC, Professor Anselmo Reyes, the former judge of Hong Kong High Court and the partners of CMS, Fangda Partners, Llinks Law Offices, OH-EBASHI LPC & PARTNERS (Japan), etc. were the panelists.

The Institute is currently working closely with the Supreme People’s Court of PRC on two drafts of the judicial interpretation. One is on the ascertainment of foreign laws and the other is on PPP dispute resolutions.

<b>2015 - 2016</b>	Deputy Head for International Affairs	Shanghai University of Political Science and Law
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Having managed to establish collaborations with top tier universities in the respective jurisdictions including the University of Leeds (UK), Washington University in St. Louis (US), Charles University (Czech Republic) for Shanghai University of Political Science and Law, which is a 3<sup>rd</sup> tier university in PRC.

<b>2014 – present</b>	Approved Faculty Member	Chartered Institute of Arbitrators
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<b>2013 - present</b>	Panel Arbitrator	Korean Commercial Arbitration Board (KCAB), Hong Kong International Arbitration Center (HKIAC), Shanghai International Arbitration Center (SHIAC)
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Appointed as Chairperson, sole arbitrator or co-arbitrator in 30-40 arbitration cases with all the mentioned arbitral institutions annually since 2012, having issued more than 50 arbitral awards in total.

<b>2012 - 2016</b>	Associate Professor of Law	Shanghai University of Political Science and Law
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<b>2011 – present</b>	Panel Arbitrator	Shanghai Arbitration Commission (SHAC)
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<b>2011 – present</b>	Director	Moot Shanghai
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Moot Shanghai is a pre moot of the Vis Moot inaugurated in 2011, which now annually

receives around 30 teams from 10+ jurisdictions.

The collaborating partners of the 5<sup>th</sup> Moot Shanghai taking place in 2015 include SHIAC, ICC, HKIAC, SIAC, Shanghai Bar Association, Wolters Kluwer and a number of top law firms including Hogan Lovells LLP, CMS, Junhe Law Offices, Fangda Partners, Dacheng Dentons, etc.

A wide and top national media coverage applied to the 5<sup>th</sup> Moot Shanghai in 2015, including Xinhua News Agency, People's Daily, the International Channel Shanghai (ICS), etc. More than 150 practicing lawyers and arbitrators served as judges for the competition. The US Consulate General in Shanghai hosted, as in the past years, a reception for all the participants at the Consulate Hall.

During the 5<sup>th</sup> Moot Shanghai, a series of conferences, forums and lectures took place with the attendance of more than 300 practicing lawyers.

The 6<sup>th</sup> Moot Shanghai will take place from 29 February to 3 March 2016. Prof. Dr. Ingeborg Schwenzer will chair the panel of the Grand Final.

**2011 – 2014**                      Special Advisor to the                      Shanghai Arbitration Commission (SHAC)  
Secretary General

Serving as the Special Advisor to the Secretary General of SHAC and co-headed the Department of Development. The function includes the maintenance of public relations, in particular those with Shanghai Bar Association, the law firms, multinational corporations and chambers of commerce, the development and promotion of the ADR services to the market, the delivery of presentations on the practice of Shanghai Arbitration Commission as well as the training of the arbitrators and staffs.

The caseload of Shanghai Arbitration Commission was around 1,100 in 2011 and increased by more than 50% to around 1,800 in 2014. The total amount in dispute increased from around RMB 3.49 billion to 11.43 billion.

**2008 – 2009**                      Fulbright Visiting Scholar                      Duke University Law School

**2003 – 2012**                      Assistant Professor                      Shanghai University of Political Science  
and Law

**2003 – 2005**                      Counsel                      Shanghai Arbitration Commission

**2002 – 2003**                      Legal Counsel                      Auchan China

**2000 – 2001**                      Legal Assistant                      Shanghai TY Law Firm

## **Professional Qualifications**

MCI Arb.

Chartered Institute of Arbitrators

## **Scholarship:**

### **Book Contributions:**

- 2011 *Private International Law*, China University of Political Science and Law Press, co-author
- 2008 *Chinese International Economic Law*, Thomson Reuters/West, co-author (published in US), in English
- 2004 *International Business Law*, Tongji University Press, co-author

### **Journal Articles:**

- 2014 *The Legal Relationship between Arbitrators and Disputing Parties: Dilemma and Solutions*, Northern Legal Science
- 2013 *A Study on the Multi-Tier Dispute Resolution Agreement*, Academic Study
- 2012 *A Comparative Study of the Arbitrator's Liability System of International Commercial and Trade Arbitration*, Journal of Shanghai Institute of Foreign Trade, (co-author)
- 2010 *Legal Consideration of Sport Dispute and the Legislation of Sport Arbitration*, Sport Science Research (co-author)
- 2010 *The Supervision of the Investment of SWFs in Banking Industry in the US: A Critical Analysis, Reform and Strategy* (Journal of Guangxi Academy of Social Science)
- 2010 *Re-thinking the Private International Legal Issues of Notarization of Foreign-Related Succession in China*, Journal of Nanking Normal University
- 2010 *Fish and Bear's Paw, Could We Have Both? Conflicts between and Harmonization of Forest Sinks and Biodiversity under the International Legal Regime of Climate Change*, Journal of Inner Mongolia Academy of Social Science

- 2009 *An Essay on the Legal Relationships in Commercial Arbitrations: Western Views and Its Utilization and Harmonization in China, Special Economic Zone*
- 2009 *Arbitration Contravening Law under the Vision of Commercial Arbitration, Hebei Law Science (Journal of Hebei Law Society)*
- 2008 *A Critical Review of NY Convention, the Seekers (Journal of Hunan Academy of Social Science)*
- 2008 *A Critical Analysis of the Implementation Rules of Chinese Arbitration Law, Fujian Forum (Journal of Fujian Academy of Social Science)*
- 2007 *Expert Witness in Commercial Arbitration: A Chinese Perspective, the Seekers (Journal of Hunan Academy of Social Science) (co-author)*
- 2006 *English Courts' Judicial Review of Commercial Arbitration: A Lesson for Chinese Courts, Journal of Shanghai University of Political Science and Law*
- 2005 *The Formation of Expert Witness System in China: Dos and Don'ts, Journal of Shanghai University of Political Science and Law*