

Heng WANG

Professor, School of International Law
Southwest University of Political Science and Law (SWUPL)
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Education and Postdoctoral Research

Max Weber (Postdoctoral) Fellow, European University Institute (Mentor: Prof. Ernst-Ulrich Petersmann)

Doctor of Law (with highest distinction), Southwest University of Political Science and Law (SWUPL)

LL.M. (with highest distinction ever), SWUPL. (Winner of one of China's Top Ten Model Students awards – these are selected every two years across China among undergraduates and graduates by the Chinese Ministry of Education and the Chinese Youth League. The first ever winner of this prize in over 50 years of SWUPL's history.)

LL.B. (with highest distinction), SWUPL¹

B.A. (with highest distinction), English Language and Literature, Sichuan International Studies University

Current Professional Affiliations

Member, Executive Council, Society of International Economic Law (SIEL)²

Member, Steering Committee, Asian International Economic Law Network (AIELN)³

Arbitrator, Court of Arbitration, Madrid, Spain

Visiting Professor, Sant'Anna School of Advanced Studies, Pisa

Member, Executive Council, International Economic Law Association of China Law Society

External Reviewer, Research Grants Council, Hong Kong

Expert, Overseas Intellectual Property Rights Protection Center, Ministry of Commerce, China

Research Fellow, Food Safety Law Center of China Law Society, Beijing

Council Member, Chinese Society of International Economic Law

Research Fellow, China-ASEAN Legal Research Center sponsored by China Law Society, Chongqing

Deputy Director, Center of Law for International Investment and Finance, SWUPL

Research Fellow, Institute of EU Law, SWUPL

¹ The Economic Law Discipline of SWUPL is a National Key Law Discipline specially authorized by the National Ministry of Education, China, and has been ranked the first in China's economic law programs for four consecutive years.

² I am the first Chinese to act as a member of the SIEL Executive Council.

³ The AIELN was established at the University of Tokyo in 2009.

Former Professional Affiliations

Visiting professor:

Common Law Section, University of Ottawa (January Term 2008)⁴

Civil Law Section, University of Ottawa (January Term 2009)⁵

International Graduate School of Social Sciences, Yokohama National University (May-Aug. 2009)⁶

Research at the WTO

Conducted research at the Economic Research and Statistics Division of the WTO Secretariat from 2005 to 2006, and gave a seminar for the WTO staff Arbitrator, *Willem C. Vis (East)* International Arbitration Moot

Selected Publications

Selected Articles

1. “*The Interpretation of GATS Disciplines on Economic Integration: GATS Commitments as a Threshold?*”, Journal of World Trade, Vol. 46, No. 2 (forthcoming).
2. “*On British Depositor Protection Scheme Reform in the Post-Financial Crisis Era: Perfection of China’s Depositor Protection System*”, Contemporary Law Review, 2012 (2) (forthcoming).
3. “*WTO Origin Rules for Services and the Defects: Substantial Input Test as One Way Out?*”, Journal of World Trade, Vol. 44 (2010), Num. 5, 1083–1108.
4. “*A Critique of the Appellate Report on China - Audiovisual Services: A Perspective on the Interpretation of Services Schedules*”, Studies in Law and Business, 4 (2010).
5. “*What do Trading Rights and General Exceptions Mean for China?: Some Observations of China-Audiovisual Services*”, Gonzaga Journal of International Law, Vol. 12, Iss. 1 (2008 - 2009).
6. “*Chinese Views on Modern Marco Polos: New Foreign Trade Amendments after WTO Accession*”, in Cornell International Law Journal, Vol. 39, Spring 2006, Num. 2, 329-369.
7. “*Analyzing the New Amendments of China’s Foreign Trade Act and its Consequent Ramifications: Changes and Challenges*,” Essays in Transnational Economic Law, No. 45, Sept. 2005, 5-22.⁷
8. “*Competition Regulation under the WTO Framework: Present and Future: Also on China’s Measures*”, Social Science Research, 5(2006), 101-105. (Reprinted in full by *Renmin University Reprints* sponsored by Renmin University, Beijing, one of the most influential reprints in China).

⁴ I co-taught a course on “International Trade in Services and China” with Prof. Anthony VanDuzer.

⁵ I taught a course on “Chinese Civil Law”.

⁶ I offered two courses on "Law and Development in China" and "Special Lectures in International Economic Law" to doctoral, master and undergraduate students.

⁷ Sponsored by Martin-Luther-University Halle-Wittenberg, Germany, ISSN 1612-1368, ISBN 3-86010-802-6.

9. "WTO Treaty Interpretation Development and China's Services Trade Negotiation Strategy: A Perspective on the 2005 US-Gambling Case", Academic Forum, 8 (2006), 145-151. (Reprinted in full by *Renmin University Reprints* - see above).
10. "On Perfecting China's Corporate Regulations Concerning Directors' Duty of Loyalty", Modern Law Science, 5(2000), 118-121. (Reprinted in full by *Renmin University Reprints* - see above).
11. "On Directors' Duty of Care", Reform and Strategy, 7-8 (2002), 90-93. (Reprinted in full by *Renmin University Reprints* - see above).
12. "On Functional Regulation as the Key Point of Financial Regulation - the Changes in Chinese Financial Supervision Laws in the Face of the New Development of Global Financial Regulation", Journal of China Youth College for Political Science, 1(2002), 124-126 (Abstracted by *China University Periodicals Abstracts* 2(2002), 68, sponsored by the Chinese Ministry of Education).
13. "Fundamental Legal Issues in Unsecured International Financing - Also on China's Choice", Contemporary Law Review, 2 (2007), 47-54.
14. "Empirical Study of GATS Interpretation Development", Academic Forum, 2(2006), 108-112.
15. "GATS and the Changes in Chinese Banking Regulations", Journal of Shenzhen University, 3(2001), 68-73 (Listed as excellent article by *Renmin University Reprints* - see above).
16. "The Enforcement of Intellectual Property Rights and Dispute Settlement under TRIPs", Journal of China Central Leadership Institute of Politics and Law, 5(2001), 30-33.
17. "On the Mode of Choice of China's Investment Fund: Reviewing the Future Development of China's Fund", China National Judges College Law Journal, 3(2002), 20-23.
18. "On the Recognition and Regulation of Foreign Corporations - and China's Prohibition of Pseudo-Foreign Corporations", Legal Forum, (3)2005, 31-38.
19. "On the Relationship between Arbitrators and the Arbitration Parties in International Commercial Arbitration", Modern Law Science, Special Issue (2002), 225-228.
20. "Autonomy and Restriction - On the Perfection of the Applicable Law Provision in China's Contract Law", East South University Journal, 6A (2002), 103-106, 113.

Selected Edited Books, Chapters, Research Monographs and Others

21. Monograph, *Origin Rules for Trade in Services*, Beijing: Law Press, 2010.
22. *International Trade Law* (Heng Wang, ed.), Beijing: Law Press (forthcoming).
23. "Enhancing Business Participation in Trade Policy-making: Lessons from China", in *Redesigning the World Trade Organization for the Twenty-First Century* (Debra P. Steger, ed.), Wilfrid Laurier University Press, Canada, 2010.
This book has been translated to Mandarin and published by Shanghai People's Press and is being translated to Spanish by the Inter-American Development Bank.

24. “*The WTO, Carbon Finance, and China: Does International Cooperation in Carbon Financial Regulation Need to be Strengthened?*” in *Global Challenges at the Intersection of Trade, Energy and the Environment* (Joost Pauwelyn ed.), Centre for Trade and Economic Integration, the Graduate Institute of International and Development Studies, and Centre for Economic Policy Research (CEPR), 2010, 165-174.⁸
25. First co-author, *A Case Study of EU Antidumping Law* in, *EU Antidumping Law: Theory and Practice* (Francis Snyder and Tang Qingyang eds., EU-China Legal and Judicial Cooperation Programme), Beijing: Law Press, 2005.
26. First co-author, *On “Like Products” in the WTO Auto Disputes: Reconsideration about China-Auto Parts*, *SWUPL International Law Review*, Xiamen University Press, Vol. 1, 2010, 256-263.
27. *WTO and Agricultural Law*, in *Agricultural Law* (LI Changqi and WU Yue eds.), Beijing: Law Press of China, 2007, 291-306.
28. Vice Editor-in-chief, *European Securities Law* (EU-China Legal and Judicial Cooperation Programme), Beijing: Law Press, 2005.
29. Co-author, *THE STUDY OF WTO CASES* (Zhao & Zeng, eds.), Chongqing: Chongqing University Press, 2002, 13-20, 126-135.
30. *On Several Issues of CEPA Provisions concerning Trade in Service*, in *Studies on Hot Legal Issues related to “One Country, Four Seats” After China’s Accession to the WTO* (Sun and Zhao eds.), Beijing: Law Press, 2004, 112-122. (a collection of outstanding papers by the WTO Section, China Law Society).
31. *China’s Accession into WTO and Certain Issues of China’s Financial Law*, in *Heated Issues in China’s Economic and Trade Law* (Sun ed.), Beijing: China People’s Public Security Univ. Press, 2003, 300-309. (a collection of outstanding papers by the WTO Section, China Law Society).
32. Co-translator, *Civil Procedure*, (Jack H Friedenthal, Mary Kay Kane, Arthur R. Miller, third edition, West Group, 1999), trans., Beijing: Press of China University of Political Science and Law, 2004, 220-365, 429-528.
33. Co-translator, *The New Palgrave Dictionary of Economics and the Law* (Peter Newman ed.), trans., Beijing: Law Press, 2003, 204-236, 588-594.
34. *Law of International Organizations*, in *International Law* (Tao Lin, ed.), Chongqing: Southwest Normal University Press, 2008.

Selected Research Projects

International Research Projects

1. Co-Investigator - the *Emerging Dynamic Global Economies (EDGE) Network*, Canada, headed by Prof. Debra Steger, University of Ottawa, with major work on the study of the transparency issue of the WTO, particularly from the perspective of business participation in trade policy-making. Funded by the Networks of Centres of Excellence Canada (NCE) and the International Development Research Centre (IDRC).

⁸ For information about this book, please visit <http://www.cepr.org/pubs/books/CEPR/booklist.asp?cvno=P209>.

2. Co-Investigator - project under the *Canada-China WTO Capacity Building Programme*, co-sponsored by the Canadian International Development Agency and Chinese Ministry of Commerce, aiming to provide advice on decision-making at the central and local level in China.
3. Co-Investigator - External Actions of the European Community - *EU-China Legal and Judicial Cooperation Programme* funded by the European Commission (Action "Translation, studies and training on EU law", "EU-China Law Studies Series").
4. Participation in (*Sino-US*) *Presidential Rule of Law Initiative* co-sponsored by the American and Chinese governments.
5. Participation in "*The Pace Database on the CISG and International Commercial Law*" (International Association of Law Libraries, 2002 Website Award), Law School, Pace University, New York, headed by Prof. Albert H. Kritzer.

Domestic Research Projects

1. Principal Investigator - 2009 *Humanities and Social Sciences Research Project of China's Ministry of Education* "Domestic Regulation Discipline under the Economic Crisis: Theoretical and Practical Analysis from a Multilateral and Regional Perspective".
2. Principal Investigator - 2005 *Humanities and Social Sciences Research Project of China's Ministry of Education* "Innovation in China's Origin Rules for Services under the Context of the WTO".
3. Principal Investigator - 2010 *China Law Society Ministerial Level Law Research Project* "Empirical Research of WTO Dispute Settlement System".
4. Principal Investigator - 2010 *China (National) Model Bilingual-Teaching Course Development Project* "Case Study on International Trade Law" jointly approved by the Ministry of Education and the Ministry of Finance, China.
5. Principal Investigator - sub project "Climate Change and Services Trade" of 2010 *Key Project of Ministry of Education Key Research Institute of Humanities and Social Sciences at Universities* "Fundamental International Law Issues of Climate Change".
6. Principal Investigator -2011 *Young 'Backbone' Staff Project of Universities in Chongqing* "Cutting-Edge Issues of Services Trade Law: A Perpersetive from Treaty Interpretation".
7. Principal Investigator - 2011 *Higher Education and Teaching Innovation Key Research Project of Chongqing Municipality* "Biligual Case Teaching Innovation and its Practice of International Economic Law".
8. Principal Investigator - 2010 *Chongqing Municipal Bilingual Teaching Model Course for Universities* "Case Study of International Trade Law".
9. Principal Investigator - 2009 *SWUPL Key Research Project* "Legal Issues in Carbon Finance in the Context of Trade and Climate Change".
10. Principal Investigator - 2007-2008 *SWUPL Research Project* "WTO and China's Industrial Development Policy and Laws of Service".

11. Principal Investigator - 2005-2006 *SWUPL Research Project* “The Perfection of the Rule of Origin for Services in China”.
12. Co-Investigator - *China National Social Science Foundation Key Project (Grade A)* “Legal Mechanisms for Sharing the Reform and Development Outcome”.
13. Co-Investigator of 2008 *China Law Society Ministerial Level Law Research Project* “Transnational Financial Regulation: An Administrative Law Perspective”.
14. Co-Investigator of 2005 *Chongqing Municipal Humanities and Social Sciences Research Project* “WTO and the Law & Policy for Service Trade involving Western China”.

Selected Awards

Second Prize, China (National) Outstanding Law Research Award, China Law Society, 2011 (A triennially-awarded honor - the most important official research award in law in China)

Third Prize, Outstanding Research Award in Humanities and Social Science in Higher Education Institutions, Ministry of Education, China, 2009 (A triennially-awarded honor - the most important official research award in the social sciences in China)

First Prize, Youth Outstanding Research Award, Chinese Society of International Economic Law, 2011 (Only one winner is selected)

First Prize, Youth Outstanding Research Award, Chinese Society of International Economic Law, 2010

Top 100 Young Law Elites by Law Innovation Net (www.lawinnovation.com) co-sponsored by Law Information and Research Center of China Law Society and School of Law, Tsinghua University, 2010.

First Prize for Best Research, Chongqing Law Society, 2009 (Only one winner is selected for high-quality law journal articles)

Third Prize, Youth Outstanding Research Award, Chinese Society of International Economic Law, 2009 (First Prize vacant)

Shizai Award for Excellence in Research, Southwest University of Political Science and Law, 2006

Award for Teaching Excellence, Southwest University of Political Science and Law, 2011

Outstanding Dissertation Award of Chongqing Municipality, Chongqing Municipal Government, 2005

Nomination Award for Chongqing Municipality May 4th Medal, Chongqing Municipal Government, 2004

Excellent Award in the National Arbitration Law Article Contest co-sponsored by China International Economic and Trade Arbitration Commission (CIETAC), China Maritime Arbitration Commission (CMAC), China-arbitration.com and Jingtian & Gongcheng Law Firm, 2003

Third Prize in China's 7th Challenge Cup National University Students' Competition for Extracurricular Works, 2001.

Lead team member, championship of the China Second CIETAC Cup International Commercial Arbitration Moot, 2001 and participation in the Willem C.

Vis Ninth Willem C. Vis International Commercial Arbitration Moot in Vienna 2002 in the team representing Mainland China. (In the match with Inner Temple, my score exceeded the standard of the best oral advocate in the Moot).

International Lectures, Teaching and Presentations

Speaking or paper presentations at the WTO Headquarters (2006, 2009) and nearly 40 universities in America, Britain, Canada, Denmark, France, Germany, Italy, Japan, Netherlands, Norway and Switzerland on international law, China and other related topics. These universities include among others (in alphabetical order):

1. Graduate Institute of International and Development Studies, Geneva
2. Johann Wolfgang Goethe-University, Frankfurt
3. LSE (2006, 2011)
4. Northwestern University School of Law, Chicago
5. University College London (UCL)
6. University of Amsterdam
7. University of Glasgow (2006, 2007)
8. University of Illinois at Urbana-Champaign
9. University of Oslo
10. University of Paris 1 (Panthéon-Sorbonne)
11. University of Tokyo
12. University of Vienna
13. Waseda University

Selected Conference Papers, Presentations or Chairs since 2004

1. Heng Wang (2011), “Technological Innovation and Trade Law”, Symposium on WTO Disputes involving China, Renmin University, Beijing, 23 Dec., 2011.
2. Heng Wang (2011), “The WTO, FTAs, and Chinese Banking System”, Martin Luther University Halle-Wittenberg, Halle, Germany, 26 Jul., 2011.
3. Heng Wang (2011), “Interpretation of WTO Service Schedules: A Perspective from China-Audiovisual Services”, Asian International Economic Law Network (AIELN) Conference 2011 “The Global Financial and Economic Crisis and the Post-Crisis International Economic Law Environment”, University of Hong Kong and Chinese University of Hong Kong, Jul. 15, 2011.
4. Heng Wang (2011), “Interpretation of WTO Service Schedules”, Max Weber Programme Lustrum Conference, European University Institute, Jun. 10, 2011.
5. Heng Wang (2011), “The Future of International Trade Law”, Roundtable, Faculty of Law, University of Vienna, Jun. 6, 2011.
6. Heng Wang (2011), “China, Free Trade Agreements and WTO Law: A Perspective from Services Trade”, Confucius Institute for Business London, London School of Economics and Political Science, Mar. 9, 2011.
7. Heng Wang (2011), “Interpretation of Service Schedules: A Perspective from *China-Audiovisual Services*”, UCL WTO Scholars' Forum, Law Faculty, University College London (UCL), Mar. 8, 2011.

8. Heng Wang (2010), “The Challenges of Interpreting WTO Disciplines on Free Trade Agreements (FTAs) in Services Trade: An Appraisal of China's FTAs”, at Law Faculty Seminar, Department of Law, European University Institute, held in Florence, Dec. 15, 2010.
9. Chair, the first Max Weber Lecture of 2010-2011, ‘Against Accountability’ by Prof. Jane Mansbridge (Harvard Kennedy School) at European University Institute, 20 Oct 2010.
10. Heng Wang (2010), “Defects in Interpreting the GATS Schedule of Specific Commitments and a Solution: A Perspective from *China-Audiovisual Case*”, at the conference “2009: A ‘Chinese’ Year of WTO Dispute Settlement” co-sponsored by the Center of International Law, Fudan University School of Law and Information Department of Shanghai WTO Affairs Consultation Center, held in Shanghai, Mar. 19-20, 2010.
11. Round table discussant, conference on “A Working Mechanism for Handling WTO Disputes” sponsored by the Department of Treaty and Law, Ministry of Commerce, China, held in Beijing, Jan. 28, 2010.
12. Heng Wang (2010), “Some Observations on the Appellate Body Report on *China-Publications and Audiovisual Products*”, at Research Collaboration Workshop involving Southwest University of Political Science and Law and the Faculty of Law at the University of Ottawa, held at Ottawa, Canada, Jan. 11-12.
13. Heng Wang (2009) “Business Participation in Trade Rulemaking: A Chinese Perspective”. Paper presented at the 2009 Conference of the Chinese Society of International Economic Law on “International Financial Crisis and the Reform of International Economic Law” at Zhejiang Gongshang University, Hangzhou, China, Oct. 31-Nov. 1. The paper won the Outstanding Research Award of the 2009 conference of the Chinese Society of International Economic Law.
14. Heng Wang (2009) “A Chinese Perspective on Trade and Climate Change”. Paper presented at the conference on “Global Challenges at the Intersection of Trade, Energy and the Environment” jointly organized by the Centre for Trade and Economic Integration (CTEI) at the Graduate Institute of International and Development Studies, Geneva and the World Trade Organization, the World Trade Organization Headquarters, Oct. 22-23.
15. Heng Wang (2009) “China, Free Trade Agreements and WTO Law: A Perspective on Services Trade”. Paper presented at the Asian International Economic Law Network (AIELN) Inaugural Conference, University of Tokyo, Aug. 3.
16. Heng Wang (2009), Chair of Panel 5: Finance, (panelists: Dr. Waibel (Univ. of Cambridge, UK), Prof. Weber (Univ. of Zurich, Swiss), Dr. Chalamish (New York Univ., USA), Prof. Kaneko (Kobe Univ., Japan)), Asian International Economic Law Network (AIELN) Inaugural Conference, University of Tokyo, Aug. 3.
17. Heng Wang (2009) “Extension of the WTO-plus Comment Obligations: A Possible Way of Enhancing Business Participation in the World Trade System?”. Paper presented at the conference of the Study Group on International Economic Law, Japan, Meiji University, Tokyo, Jul 23.

18. Heng Wang (2009) “Comparative Study of Chinese and Spanish Arbitration Law”. Paper presented at the Legal Commission Meeting, Fifth China-Spain Forum cosponsored by Chinese and Spanish national governments, hosted by the People’s Government of Sichuan Province, Chengdu, China, Apr.
19. Heng Wang (2008) “WTO and Transparency: A Perspective from China”. Paper presented at the Panel on Institutional Reform of the WTO (EDGE Network Panel) headed by Prof. Debra Steger at the Inaugural Conference of the Society of International Economic Law, the Graduate Institute of International and Development Studies, Geneva, Switzerland, Jul.
20. Heng Wang (2008) “Comparative Study of China’s FTAs: A Perspective on Services Trade”. Paper presented at the Asian WTO Research Network Shanghai Meeting, Shanghai WTO Affairs Consultation Center, Shanghai, May.
21. Heng Wang (2008), Organizing Committee, International Symposium on Development of Competition Law and Policy: Sharing Experiences (speakers: Profs. Furse, Greaves, and Colino (Univ. of Glasgow, UK), Prof. Wang (Chinese Academy of Social Sciences), etc.) , SWUPL, Chongqing, Apr.
22. Heng Wang (2008) “WTO and Transparency: A Perspective on Developing Countries” Paper presented at WTO Institution Reform Project Workshop, Centre for International Governance Innovation, Waterloo, Canada, Mar.
23. Heng Wang (2008) “Trading Rights, General Exceptions and Beyond: A Perspective on WTO Disputes against China”. Paper presented at 2008 Gonzaga Journal of International Law Spring Symposium, Gonzaga University, Spokane, Feb.
24. Heng Wang (2007) “China-ASEAN Services Trade: A Lawyer’s Perspective”. Paper submitted to the 3rd China-ASEAN Top Forum on Legal Cooperation and Development, Chongqing, China, Sept.
25. Heng Wang (2006) “Rules of Origin for Services: Challenges and Solutions”. Paper presented at the International Conference on WTO Dislocations and Solutions, SWUPL, Chongqing, China, Dec.
26. Heng Wang (2006) Organizing Committee, International Conference on WTO Dislocations and Solutions,⁹ SWUPL, Chongqing, China, Dec.
27. Heng Wang (2004) “China’s Foreign Trade Law: Changes and Challenge”. Paper presented at the Sino-German Symposium on “Law and Economy”, Johann Wolfgang Goethe-University Frankfurt, Frankfurt, Dec.

⁹ Speakers and participants include Profs. Tim Murphy (LSE), Dean Krent (Chicago-Kent College of Law), Kevin Kennedy (Michigan State Univ.), Anthony Vanduzer (Univ. of Ottawa), Ichiro Araki (Yokohama National Univ.), Ole Fauchald (Univ. of Oslo), Kim Van der Borgh (Univ. of Hull), Steve Sheppard (Univ. of Arkansas), Aaron Schwabach (Thomas Jefferson School of Law), Upendra Acharya (Gonzaga Univ.), etc.

Some of the conference papers have been published. For instance, see Aaron Schwabach, “Intellectual Property Piracy: Perception and Reality in China, the United States, and Elsewhere”, *Journal of International Media and Entertainment Law*, Vol. 2, 2007-08.

Selected Law Practice

I was invited by the Chongqing Municipal Government to give a legal opinion on the agreements relevant to the 2005 Asia Pacific City Summit, Chongqing, China.

I participated in the negotiation and drafting of both the Chinese and English versions of the first export contract of Chinese large-scale advanced medical equipment to Europe, and the relevant agreements. This was reported by BBC, Sky TV, and CCTV (China Central Television).

I have also participated in international commercial arbitration cases.

Other

Together with Prof. Christian Tietje of University Halle-Wittenberg, Germany, I successfully applied for and obtained funding from the DAAD (German Academic Exchange Service) to hold a Summer School on EU Law, Foreign Trade Law, International Private Law, and Competition Law at SWUPL during summer 2006 for doctorate and master students in China.

I successfully helped SWUPL to establish institutional links (e.g., a joint master program, a Confucius Institute, student and faculty exchanges) with various universities in the U.S.A., UK, Canada, Germany, and France, including the University of Kent (UK), University of Ottawa, and Université Paris-Dauphine.

I was an intern at the Secretariat of China International Economic and Trade Arbitration Commission.