



**Dr Helena H. C. Chen**

**C.Arb FCIArb**

**Managing Partner**

**Chen & Chang, Attorneys-at-Law**

**T: +886 2 27181932**

**[helena.chen@triadr.com](mailto:helena.chen@triadr.com)**



Helena has vast experiences in arbitration, energy, infrastructure projects and cross-border investments. She is very experienced in acting as counsel in international arbitrations. She has also served as a sole, chair or co-arbitrator in nearly two hundred arbitrations and has acted as an emergency arbitrator in international arbitration proceedings. Helena has been recognized as a Global Leader in the categories of both construction and arbitration and a Thought Leader in the category of construction in Who's Who Legal. Dr Chen is also recognized as one of the "Most in Demand Arbitrators" by the Chambers.

Helena is a Chartered Arbitrator and on the Presidential Panel of Arbitrators of the Chartered Institute of Arbitrators and the Convenor of its Taiwan Chapter. She is listed on the panels of arbitrators of ICDR, CIETAC, SIAC, HKIAC, eBRAM, CMAC, AIAC, KCAB, ACICA, DIAC, VIAC, BAC/BIAC, SCIA, SHIAC, CAA, etc. Helena is also included in the LCIA's Database of Arbitrators and JCAA's List of Candidate Arbitrators. She has served as sole, chair or co-arbitrator in nearly two hundred arbitrations, under the rules of the ICC, SIAC, HKIAC, CIETAC, BAC/BIAC, SCIA, SHIAC, CAA, VIAC, etc. She has also served as an emergency arbitrator in international arbitration proceedings. Helena's experience as arbitration counsel includes representing clients in international arbitrations under the arbitration rules of the ICC, ICDR, DIAC, CIETAC, HKIAC, CAA, etc. She is an accredited adjudicator with AIAC and listed as one of the Recommended Experts of the Construction Dispute Board (DB) of BAC/BIAC. She is also on the Panel of Construction Disputes Review Experts of the CIETAC and panel of DAB/DRB members of the CAA.

Helena led the Pinsent Masons team to prepare PPP Contract Guidelines at the request of the PPP Center of the Ministry of Finance of the PRC (PPP Center). She also prepared PPP case study reports for the PPP Center in the capacity as an international consultant with the Asian Development Bank. Helena is listed as one of the 32 PPP Experts in the legal sector in the database maintained by the PPP Center of the Ministry of Finance of the PRC. She is also one of the members of the PPP Expert Committee of the South China International Economic and Trade Arbitration Commission (also known as the Shenzhen Court of International Arbitration, SCIA) as well as one of the members of the PPP Research Group of the Beijing International Arbitration Center (Beijing Arbitration Commission, BAC/BIAC).

She writes and lectures widely on arbitration, mediation, PPP and construction law topics. Publications include a book titled “Predictability of ‘Public Policy’ in Article V of the New York Convention under Mainland China’s Judicial Practice” published by Kluwer and articles in journals listed on SSCI and TSSCI.

Helena is fluent in English, Mandarin Chinese, Taiwanese and Hakka.

### **Insurance & Reinsurance**

- Acting for an international broker in resolving disputes arising from a broker agreement regarding reinsurance of several Taiwan offshore wind farm projects covering construction all risks (CAR), operating all risks (OAR), Business Interruption (BI), Contingent Business Interruption (CBI), third party liability, etc.
- Acting for a leading global reinsurance organization in negotiations with a Taiwan listed insurance company regarding disputes arising from a reinsurance treaty.
- Acting for a leading global reinsurance company in forthcoming mediation proceedings as well as potential international arbitration to be launched by a Taiwan listed insurance company regarding disputes arising from a reinsurance treaty, amount in dispute: more than 60 million (USD).
- Acted for a listed construction company against an international insurance provider headquartered in Europe in an arbitration seated in Taipei regarding insurance payment disputes arising from a highway construction project, amount in dispute: around 3 million (USD).
- Helena led the Pinsent Masons team to provide legal services to China Export & Credit Insurance Corporation (“Sinasure”) on a regular basis. Services rendered included:
  - assisting Sinasure in dispute resolution proceedings concerning insurance payment disputes and reinsurance payment disputes (regarding reinsurance related to export credit insurance);
  - assisting Sinasure in drafting and amending insurance and reinsurance policies and terms, including Overseas Investment (Debt) Insurance Policy, Buyer’s Credit Insurance Policy, Supplier’s Credit Insurance Policy;
  - providing legal due diligence reports or investment policy analysis reports on countries or jurisdictions as instructed by Sinasure, such as legal due diligence for a coal-fired power plant investment and construction in Queensland, Australia, legal due diligence for a coal-fired power plant (IPP) in Pakistan, legal due diligence for a stock farm project in Mongolia etc.; and
  - providing training courses on various topics including, features and developments of investment arbitration, key differences between investment arbitration and commercial arbitration, analysis on common risks involved in overseas PPP projects, reasonable risk allocation for PPP projects.
- Provided legal services to a Chinese state-owned enterprise regarding an export buyer’s credit insurance policy concerning Thar Block II 3.8Mt/a Coal Mining Project in Pakistan, insured amount: USD 298,450,000.

- Provided legal services to a Chinese state-owned enterprise regarding an export buyer's credit insurance policy concerning Thar Block II 2x330MW Coal Fired Power Project in Pakistan, insured amount: USD 979,430,000.

### **Qualifications**

Dr Chen is qualified in Taiwan, mainland China and New York State.

### **Professional Members & Offices**

- Chartered Arbitrator, Chartered Institute of Arbitrators (FCIArb, since 2009) and approved faculty member
- Member, Standing Committee of the ICC International Centre for ADR (since April 2021)
- Member, Advisory Board of the Japan Commercial Arbitration Association
- Member, WIA Committee of the Hong Kong International Arbitration Centre (since 2022)
- Member, Users Council of the Singapore International Arbitration Centre (since 2015)
- Member, Advisory Board of the Arbitration Foundation of the Southern Africa (AFSA, since 2019)
- Regional Head of Taiwan, ARIAS Asia (AIDA Reinsurance and Insurance Arbitration Societies (ARIAS) Asia) (since 2023)
- Director, Chinese Arbitration Association, Taipei (CAA) (since 2022)
- Chair, ADR Committee of the Taiwan Bar Association (since 2022)
- Vice-chair, Energy Law Committee of the Taipei Bar Association (since 2022)
- Convenor, Taiwan Chapter of the Chartered Institute of Arbitrators EAB (since 2019)
- Member, Civil Mediation Act Drafting Committee of the Judicial Yuan in Taiwan (since March 2021)
- Member, inaugural Panel of Commercial Mediators of the Intellectual Property and Commercial Court in Taiwan (since July 2021)
- Vice-Chair, Dispute Mediation Center of CAA
- Vice-chair, Business Development Committee of the Taiwan Bar Association (2021-2022)
- Fellow and faculty member, International Dispute Resolution Academy (IDRA)
- Founding member, China International Arbitration Professionals 30 (CIAP30)
- Member, CAA Arbitration Rules Amendment Task Force (since March 2021)
- Chair, Arbitration Commission of the Taipei Dispute Resolution Study Society

### **Legal Directory/Ranking**

#### *Most in Demand Arbitrators*

#### **Chambers Greater China Region 2023:**

#### Strengths

“Her experience of studying and working in Beijing for more than ten years gives her an intensive and extensive understanding of Chinese parties, including private companies as well as SOEs.”

“She is adept at construction and infrastructure law and has very in-depth knowledge and expertise of both common law and civil law systems. She gives and delivers clear, professional judgement.”

**Chambers Greater China Region 2022:** Having served as sole arbitrator, chair or co-arbitrator in cases conducted by CIETAC, BAC, SHIAC, SCIA and ICC, Helena Chen of Chen & Chang is a construction and infrastructure specialist, who wins plaudits by sources for “her excellent case management skills” and “becoming very experienced in chairing online hearings.” Interviewees also emphasize that “she is extremely good and has handled a lot of cross-border construction disputes.” She is also active in acting as an emergency arbitrator in international arbitration proceedings. A source notes: “She is well experienced and efficient, and excels at grasping the whole arbitration proceeding.”

**Chambers Asia Pacific 2020, 2021:** Dr Helena Chen wins plaudits by sources for “her case management skills.” She is highlighted by interviewees for her deft handling of cross-border disputes, with sources saying that “her bilingual capacity and triple qualifications in civil law and common law jurisdictions make her an excellent candidate arbitrator in cases involving international elements.” She is also active in acting as an emergency arbitrator in international arbitration proceedings.

*Recognised Practitioner in China: Construction*

Chambers Asia Pacific 2019, 2020, 2021

*One of the seventeen Well-established Arbitration Lawyers with expertise acting as arbitrators or counsel in a multitude of complex disputes*

International Who’s Who Legal: Dr Helena HC Chen “has been active in the Chinese construction arbitration space for many years’ and has participated in more than 100 arbitrations over her illustrious career.”

*Leading Lawyer for many years since 2011, Global Leader and Thought Leader 2020, 2021, 2022, 2023*

International Who’s Who Legal: Construction

*Global Leader 2020, 2021, 2022, 2023*

International Who’s Who Legal: Arbitration

*Best Lawyers in China: “Arbitration and Mediation” and “Construction Law”*

Best Lawyers in China Awards 2020

**Areas of Expertise**

- Arbitration
- Commercial
- Commercial litigation
- Construction contracts
- Construction disputes
- Construction procurement
- Disputes and ADR
- Joint Ventures
- M&A
- Mediation
- One belt one road
- Projects
- Public procurement
- Settlement
- DAAB/DRB

**Education**

**Career History** (most recent positions held)

- 2014, National Taiwan University (Taiwan) - Ph.D. in Law
- 2001, Peking University (China) - Ph.D. in Law
- 1998, National Taiwan University (Taiwan) - LL.M.
- 1996, University of Washington (Seattle, USA), LL.M.
- 1993, National Taiwan University (Taiwan) - LL.B.
- Oct. 2021 to date – Chen & Chang, Attorneys-at-Law (Taipei), Managing Partner
- 2014 to Oct. 2021 – Pinsent Masons LLP (Beijing), Partner, Joint Head of Office, China and member of Asia Pacific Operation Committee
- 2011 to 2014 – Formosan Brothers, Attorneys-at-Law (Taipei), Partner
- 2009 to 2011 – King and Wood (Beijing), Foreign Counsel
- 2000 to 2009 – Formosan Brothers, Attorneys-at-Law (Taipei), Partner
- 1998 to 2000 – Formosan Brothers, Attorneys-at-Law (Taipei), Associate

### **Academia**

- Adjunct Professor, National Yang Ming Chiao Tung University (Taiwan)
- Adjunct Professor, School of Juris Master, China University of Political Science and Law (Beijing)
- Adjunct Professor, Soochow University (Taiwan), lecturing on “Comparative Legal System Studies and Global Economic Governance”
- Adjunct Assistant Professor, Fu Jen Catholic University (Taiwan)
- Lecturer on “Arbitration and Mediation” and “Arbitration Practice” at the Pre-Admission Training Program organized by the Attorney’s Study Center of the Taiwan Bar Association (2019-2020, 2021-now)
- Lecturer, CAA arbitration courses for the Trainees of Academy of the Judiciary (2022)
- Lecturer, ICC Advanced Arbitration Academy for Asia on Appointment of Arbitrators and Case Management (Shanghai, 2023)
- Lecturer, ICC Advanced PIDA Training on Dispute Boards (Dubai, 2022)
- Lecturer, ICC Advanced PIDA Training on international commercial arbitration, production of documents, etc. (Shanghai, 2019; Ho Chi Minh City, 2019; Osaka, 2019)
- Approved Faculty and Accessor, CIArb
- Dr Chen is frequently invited to deliver speeches on arbitration and construction law by many academic institutions, including National Taiwan University, National Chengchi University, Peking University, Tsinghua University, University of International Business and Economics

### **Editorial Committee**

- Member, Editorial Board of International Arbitration Law Review
- Member, Editorial Committee of Contemporary Asia Arbitration Journal (ESCI Journal)
- Member, Editorial Committee of Contemporary Law Journal

- Member, Editorial Committee of Annual Report on International Commercial Arbitration in China (2020-2021) and (2021-2022) by the CIETAC