# **Henry GAO**

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#### **Education**

JD, Vanderbilt University, United States of America, 2002 LLM, University College London, University of London, Great Britain, 1999 LLB, China Youth University of Political Studies, China, 1998

#### **Academic Appointments**

Professor of Law, Yong Pung How School of Law, SMU, Jul 2022 - Present
Associate Professor of Law, Yong Pung How School of Law, SMU, Jan 2008 - Jun 2022
Lecturer of Law, Yong Pung How School of Law, SMU, Dec 2007 - Dec 2007

#### RESEARCH

#### **Publications**

Journal Articles [Refereed]

China's changing perspective on the WTO: From aspiration, assimilation to alienation, by GAO, Henry S.. (2022). *World Trade Review, 21* (3), 342-358. https://doi.org/10.1017/S1474745622000088 (Published) Regional mapping: Digital provisions play a key role in Asia Pacific agreements, by GAO, Henry. (2022). *East Asia Forum Quarterly, 14* (2), 25-27.

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The role of law in Chinese value chains, by GAO, Henry S.; SHAFFER, Gregory. (2021). *Journal of Chinese Economic and Business Studies*, 19 (3), 197-220.

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Trading through a pandemic: The Singaporean experience, by GAO, Henry; CHAINANI, Dhiraj G.; CHEW, Siu Farn. (2021). *Global Trade and Customs Journal*, 16 (1), 11-24. (Published)

US-China trade war: A way out?, by ZHOU, Weihuan; GAO, Henry. (2020). *World Trade Review,* 19 (4), 605-617. https://doi.org/10.1017/S1474745620000348 (Published)

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Digital or trade? The contrasting approaches of China and US to digital trade, by GAO, Henry S. (2018). *Journal of International Economic Law*, 21 (2), https://doi.org/10.1093/jiel/jgy015 (Published)

Dictum on Dicta: Obiter Dicta in WTO disputes, by GAO, Henry S.. (2018). World Trade Review, 17 (3), 509-533. https://doi.org/10.1017/S1474745618000162 (Published)

The WTO transparency obligations and China, by GAO, Henry. (2018). *Journal of Comparative Law*, 12 (2), 329-355. (Published)

Regulation of digital trade in US Free Trade Agreements: From trade regulation to digital regulation, by GAO, Henry. (2018). *Legal Issues of Economic Integration*, 45 (1), 47-70.

https://ssrn.com/abstract=3070330 (Published)

China's rise: How it took on the U.S. at the WTO, by SHAFFER, Greg; GAO, Henry. (2018). *University of Illinois Law Review,* [2018] (1), 115-184. (Published)

The TPP: Threat or treat to China, by GAO, Henry S.. (2016). *Journal of International Trade and Arbitration Law*, 5 (2), 599-604. (Published)

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The Trans-Pacific Strategic Economic Partnership Agreement: A critical analysis, by GAO, Henry. (2010). *Legal Issues of Economic Integration*, *37* (3), 221-240. (Published)

Globalization of telecommunication services: Lessons from the Mexico-Telecom case, by GAO, Henry. (2009). *Northeast Asian Law Review,* 3 69-149. (Published)

Saving the WTO from the risk of irrelevance: The WTO dispute settlement mechanism as a 'Common Good' for RTA disputes, by GAO, Henry; LIM, Chin Leng. (2008). *Journal of International Economic Law,* 11 (4), 899-925. https://doi.org/10.1093/jiel/jgn036 (Published)

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Dancing with the dragon: Impact of China's participation in the WTO, by GAO, Henry S.. (2007). *Sri Lanka Law College Law Review*, [2007] 186-192. (Published)

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http://law.nus.edu.sg/sybil/downloads/articles/SYBIL-2007/SYBIL-2007-41.pdf (Published)

Procedural issues in the anti-dumping regulations of China: A critical review under the WTO rules, by CHOI, Won-Mog; GAO, Henry S.. (2006). *Chinese Journal of International Law,* 5 (3), 663-682. https://doi.org/10.1093/chinesejil/jml038 (Published)

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http://hkjo.lib.hku.hk/exhibits/show/hkjo/browseArticle?book=b27720603&issue=50000316 (Published)

A legal analysis of the dispute on coke export quota between the EU and China, by GAO, Henry S.. (2005). *Chinese Journal of International Economic Law* [国际经济法学刊], 12 (4), 321-337. (Published)

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Legal issues under WTO Rules on the Closer Economic Partnership Arrangement (CEPA) between Mainland China and Hong Kong, by GAO, Henry S.. (2003). *Chinese Journal of International Law, 2* (2), 629-648. http://chinesejil.oxfordjournals.org/content/2/2.toc (Published)

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#### Books (Refereed)

Between market economy and state capitalism: China's state-owned enterprises and the World Trading System by GAO, Henry S.; ZHOU, Weihuan. (2022). Cambridge: Cambridge University Press. https://doi.org/10.1017/9781108908795 (Published)

# **Book Chapters**

China's Changing Perspective on the WTO: From Aspiration, Assimilation to Alienation, by Henry Gao . (2023). In Henry Gao, Damian Raess and Ka Zeng (Ed.), *China's accession to the WTO 20 years on: assessing the impact of China's economic rise* Cambridge University Press. (Forthcoming) China's 20-Year Engagement with the WTO: Opportunities, Challenges, and Responses, by Henry Gao, Damian Raess and Ka Zeng. (2023). In Henry Gao, Damian Raess and Ka Zeng (eds) (Ed.), *China's accession to the WTO 20 years on: assessing the impact of China's economic rise* Cambridge University Press. (Forthcoming)

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The investment chapter in the Regional Comprehensive Economic Partnership: Enhanced rules without enforcement mechanism, by GAO, Henry S.. (2022). In Kimura, F., S. Urata, S. Thangavelu, & D. Narjoko (Ed.), *Dynamism of East Asia and RCEP: The Framework for regional integration* (pp. 201-222) Jakarta: Economic Research Institute for ASEAN and East Asia (ERIA).

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A Chinese perspective, by GAO, Henry S.. (2022). In Xue Gong (Ed.), *Regional economic integration in the post-pandemic era* (pp. 17-24) Singapore: S. Rajaratnam School of International Studies. (Published)

Models and data trade regulation and the road to an agreement, by GAO, Henry S.. (2022). In Mark Findlay, Jolyon Ford, Josephine Seah, & Dilan Thampapillai (Ed.), *Regulatory insights on artificial intelligence* (pp. 262-276) Cheltenham: Edward Elgar. https://doi.org/10.4337/9781800880788.00020 (Published)

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How China took on the United States and Europe at the WTO, by SHAFFER, Gregory; GAO, Henry. (2021). In G. Shaffer (Ed.), *Emerging powers and the world trading system: The past and future of international economic law* (pp. 174-221) Cambridge: Cambridge University Press.

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Changing internally to engage externally: China and the WTO, by SHAFFER, Greg; GAO, Henry. (2020). In Carol J. Greenhouse, & Christina L. Davis (Ed.), *Legal system landscapes of law: Practicing sovereignty in transnational terrain* (pp. 64-96) Philadelphia, PA: University of Pennsylvania Press.

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Disruptive construction or constructive destruction? Reflections on the Appellate Body crisis, by GAO, Henry S.. (2020). In Chang-fa Lo, Jinji Nakagawa, and Tsai-yu Lin (Ed.), *The Appellate Body of the WTO and its reform* (pp. 215-238) Cham: Springer. https://doi.org/10.1007/978-981-15-0255-2\_13 (Published) From paternalism to partnership: The development of WTO law capacity in China, by GAO, Henry; SHAFFER, Greg. (2019). In David B. Wilkins; Sida Liu (Ed.), *The Chinese legal profession in the age of globalization: The rise of the corporate legal sector and its impact on lawyers and society* Cambridge: Cambridge University Press. (Forthcoming)

Dispute settlement provisions in ASEAN's external economic agreements with China, Japan and Korea, by GAO, Henry S.. (2019). In Pasha L. Hsieh, & Bryan Mercurio (Ed.), *ASEAN law in the new regional economic order: Global trends and shifting paradigms* (pp. 64-82) Cambridge: Cambridge University Press. https://doi.org/10.1017/9781108563208.005 (Published)

Lessons from capacity building in China, by GAO, Henry; SHAFFER, Gregory. (2019). In Joost Pauwelyn & Mengyi Wang (Ed.), *Building Legal Capacity for a More Inclusive Globalization* (pp. 121-134) Geneva: The Graduate Institute. (Published)

The WTO's transparency obligations and China, by GAO, Henry. (2019). In Fu Hualing, Michael Palmer, and Zhang Xianchu (Ed.), *Transparency challenges facing China* (pp. 48-82) London: Wildy Simmonds & Hill. https://worldcat.org/isbn/9780854902606 (Published)

The regulation of digital trade in the TPP: New trade rules for the digital age, by GAO, Henry S.. (2018). In Julien Chaisse, Henry Gao and Chang-fa Lo (Ed.), *Paradigm shift in international economic law rule-making: TPP as a new model for trade agreements?* (pp. 345-362) Cham: Springer.

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Trade policies in the post-TPP era, by CHAISSE, Julien; GAO, Henry; LO, Chang-fa. (2017). In Julien Chaisse, Henry Gao and Chang-fa Lo (Ed.), *Paradigm Shift in International Economic Law Rule-Making:* TPP as a New Model for Trade Agreements? (pp. 1-17) Springer. (Published)

20 years of teaching, studying, researching and practising WTO law, by GAO, Henry S.. (2016). In Yang Guohua & Shi Xiaoli (Ed.), *我与WTO:法律人的视角* (pp. 141-148) Beijing, China: 知识产权出版社. https://worldcat.org/isbn/9787513039338 (Published)

China-New Zealand free trade agreement, by GAO, Henry. (2016). In S. Lester, B. Mercurio & L. Bartels (Ed.), *Bilateral and regional trade agreements: Case studies* (pp. 77-96) Cambridge: Cambridge University Press. http://worldcat.org/isbn/9781107063761 (Published)

TPP, regulatory coherence and China's free trade strategy from A to Z, by GAO, Henry S.. (2016). In Marc Bungenberg, Christoph Herrmann, Markus Krajewski & Jörg Philipp Terhechte (Ed.), *European yearbook of international economic law 2016* (pp. 507-533) Switzerland: Springer Verlag. https://worldcat.org/isbn/9783319292144 (Published)

The road less travelled: My experience as an intern in the WTO appellate body, by GAO, Henry S.. (2015). In Yang Guo Hua & Shi Xiao Li (Ed.), *We in the WTO litigation* [我们在WTO打官司] Beijing: Intellectual Property Press. https://worldcat.org/isbn/9787513031820 (Published)

From the Doha Round to the China Round: China's growing role in WTO negotiations, by GAO, Henry. (2015). In Lisa Toohey, Colin Picker & Jonathan Greenacre (Ed.), *China in the international economic order: New directions and changing paradigms* (pp. 79-97) New York: Cambridge University Press. https://doi.org/10.1017/CBO9781107449480.007 (Published)

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Cambridge: Cambridge University Press. http://worldcat.org/isbn/9781107022232 (Published)

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The Shifting Stars: The Rise of China, Emerging Economies and the Future of World Trade Governance, by GAO, Henry S.. (2012). In Ricardo Meléndez-Ortiz (Ed.), *The future and the WTO : confronting the challenges* (pp. 74-79) Geneva: International Centre for Trade and Sustainable Development. (Published)

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The Politics of Competing Jurisdictional Claims in WTO and RTA Disputes: The Role of Private International Law Analogies, by GAO, Henry Shuchao; LIM, Chin Leng. (2011). In Broude, Tomer; Busch, Marc L.; Porges, Amelia (Ed.), *The Politics of International Economic Law* (pp. 282-314) Cambridge MA: Cambridge University Press. http://www.worldcat.org/oclc/662154941 (Published)

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#### **Edited Books**

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Paradigm shift in international economic law rule-making: TPP as a new model for trade agreements?, edited by CHAISSE, Julien; GAO, Henry; LO, Chang-fa. (2017). Economics, Law, and Institutions in Asia Pacific, 5. Singapore: Springer. http://doi.org/10.1007/978-981-10-6731-0 (Published)

#### **Book Reviews**

China and the WTO: Why multilateralism still matters, by André Sapir and Petros C. Mavroidis, eds., by GAO, Henry S.. (2022). *Journal of Chinese Political Science*, *27* (4), 807-809 https://doi.org/10.1007/s11366-022-09802-6 (Published)

Governing science and technology under the international economic order: Regulatory divergence and convergence in the age of megaregionals by Shin-yi Peng, Han-Wei Liu and Ching-Fu Lin, by GAO, Henry S.; ZHOU, Weihuan. (2021). *World Trade Review, 20* (3), 369-372

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The WTO at ten: The contribution of the dispute settlement system edited by Giorgio Sacerdoti, Alan Yanovich and Jan Bohanes, by GAO, Henry S.. (2007). *Chinese Journal of International Law*, 6 (3), 781-784 https://doi.org/10.1093/chinesejil/jmm035 (Published)

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The China (Shanghai) Pilot Free Trade Zone: Promises, Prospects and Problems, SMU Internal Grant, Ministry of Education (MOE) Tier 1, PI (Project Level): Henry GAO, 2014, S\$29,129.11

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#### **Work in Progress**

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#### **TEACHING**

# **Courses Taught**

Singapore Management University

**Undergraduate Programmes:** 

Ethics and Social Responsibility

Introduction to Chinese History, Culture, Economy, Politics and Law

Legal Issues in US-China Economic Relations

World Trade Organization: Law and Policy

#### Postgraduate Professional Programmes:

Legal Issues and Risks in Business

Trade Regulation in a Global Age

# **Other Institutions**

Faculty of Law, Undergraduate, The University of Hong Kong (HKU)

# OTHER ACADEMIC AND PROFESSIONAL ACTIVITIES

#### **Media Contributions and Citations**

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#### **EXTERNAL SERVICE - PROFESSIONAL**

Editorial Review Board Member, Journal of International Economic Law, 2021 - Present

Member Board of Advisors, Asian Yearbook of International Economic Law, 2020 - Present

Member Board of Advisors, Hinrich Foundation, 2019 - Present

Member Board of Advisors, Digital Trade and Data Governance Hub, Elliott School of International Affairs at The George Washington University, 2019 - Present

Member Board of Advisors, John H. Jackson Moot Court Competition, ELSA (European Law Students' Association), 2014 - Present

Editorial Review Board Member, Decision (published by Indian Institute of Management [Calcutta]), 2014 - Present

Editorial Review Board Member, Indonesian Journal of International Law (published by University of Indonesia), 2014 - Present

Member Board of Advisors, Asia-Pacific Research and Training Network (ARTNeT), United Nations Economic and Social Commission for Asia and the Pacific, 2014 - Present

Editorial Review Board Member, Journal of Financial Regulation, 2013 - Present

Member Board of Advisors, WTO Chairs Program, World Trade Organization, 2009 - Present

# **EXTERNAL SERVICE - PUBLIC SECTOR AND COMMUNITY SERVICE**

Member, International Advisory Network, Forum on Trade, Environment & the SDGs, 2021 - Present Member, Working Group on MLETR – compliant methods to deal with electronic transferable bills of lading, Enterprise Singapore, 2021 - Present

Member, Working Group on IDC Policy Innovation, IMDA, 2021 - Present