

CHINA
ZHONG GUO

ZHONG: MIDDLE
GUO: KINGDOM

**Balancing Economic Development
with Environmental Sustainability**

**1990 Institute
Teacher's Workshop
August 4th-5th, 2014**

SUPPLEMENT TO POWER POINT

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CHINA
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Comment:

In considering China, it is important to have a point of reference.

The Chinese character on the cover is a suggested starting point: ‘xu xin xue xi.’ “Let your heart have some space to be filled with ideas.” If you think that you know everything, you will learn nothing.

A related Chinese saying is “San ren xing bi you wo shi.” When three persons walk together, one will be my teacher. Learn from your colleagues.

Perspective:

In a long period of time following the end of World War II, over 65 years ago, the United States had few competitors globally, militarily or economically.

Militarily, it had Russia, which eventually lost part of its unity (e.g., the Ukraine) and strength. And China in the Korean War, which was a localized conflict.

Economically, it had as competitors the major countries of Europe which were our allies in World War II (England and France) and Germany, Italy and Japan, which were our enemies and which United States defeated and then helped to rebuild.

In the years after the Korean War, we probably did not look on China as a competitor in any true sense, but rather as a former Asian ally in World War II whose influence in the region could be counterbalanced by relations with Taiwan. When the United States wanted to withdraw from Vietnam and needed China’s assistance, the price was the withdrawal of recognition of Taiwan as an independent nation, with a continuance of informal relations economically and militarily. China considers Taiwan as a province and the hostility between the two is gradually eroding to some extent under the influence of increasing economic and cultural interchanges.

In a slowly evolving scenario over the years since the normalization of relations with China in 1979 (under President Jimmy Carter), the United States has seen China essentially as an evolving export market and as a low cost source of imported goods. In the early part of this (21st) century, the United States supported China’s admission to membership in the World Trade Organization.

We are now seeing China evolve into a significant competitor economically worldwide and to some extent militarily in its part of the world.

Some of our old geopolitical theories are being re-analyzed, such as Admiral Thayer Mahan’s precept that whoever controlled the rimland of a potential competitor controlled the heartland. Hence, our increasing interest in the Philippines, Vietnam, and Myanmar (Burma).

We are seeing ourselves as no longer the unchallenged “king of the hill” in Asia and this can be disturbing to us, frustrating, destabilizing, and unnerving. Where do we go from here?

As Secretary of Defense Gates said a few years ago as to an incident in Iraq, we need to avoid the tendency to look at things through a straw, seeing only what is in the latest headline and not considering what has gone before and thinking about what is coming afterwards.

We need to think about China in this sense. Do we understand and welcome competition? If we do not always welcome competition, what do we do to prepare for competition and to win, however a win may be defined in the future?

Conclusion:

What will you understand now about China when you read the newspapers and watch television? What will you be able to discern later?

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DUTIES OF CITIZENS

EXTRACTS FROM CONSTITUTION OF CHINA (1982, LAST AMENDMENT 2004)

Article 33

(2) All citizens of the People's Republic of China are equal before the law. Every citizen enjoys the rights and at the same time must perform the **duties prescribed by the Constitution and the law.**

Article 42

(1) Citizens of the People's Republic of China have the right as well as the **duty to work.**

(3) **Work** is the **glorious duty** of every able-bodied citizen. All working people in State-owned enterprises and in urban and rural economic collectives **should perform** their **tasks** with an attitude consonant with their status as masters of the country.

Article 46

(1) Citizens of the People's Republic of China have the **duty** as well as the right to **receive education.**

Article 49

(2) Both husband and wife have the **duty** to practice **family planning.**

(3) Parents have the **duty** to rear and **educate** their minor children, and children who have come of age have the **duty** to **support** and assist their parents.

Article 52

It is the **duty** of citizens of the People's Republic of China to **safeguard** the **unity** of the country and the unity of all its nationalities.

Article 53

Citizens of the People's Republic of China **must abide** by the **Constitution** and **the law**, keep state secrets, protect public property, and **observe** labor discipline and public order and **respect social ethics.**

Article 54

It is the **duty** of citizens of the People's Republic of China to **safeguard** the security, **honor, and interests** of the motherland; they must not commit acts detrimental to the security, honor, and interests of the motherland.

Article 55

(1) It is the **sacred obligation** of every citizen of the People's Republic of China to **defend** the motherland and resist aggression.

(2) It is the **honorable duty** of citizens of the People's Republic of China to perform **military service** and join the militia in accordance with the law.

Article 56

It is the **duty** of citizens of the People's Republic of China to **pay taxes** in accordance with the law.

CHINA

CRIMINAL LAW, PRINCIPLE OF VAGUENESS¹
(Illustrations)

Article 37: Circumstances “Minor,” Apology

“Where the circumstances of a persons crime are minor and do not require sentencing for punishment, an exemption from criminal sanctions may he granted him, but he may, according to the different circumstances of each case, be reprimanded or ordered to make a statement of repentance or formal apology or make compensation for losses, or be subjected to administrative sanctions by the competent department.”²

Article 384: Embezzlement of “Large Amounts,” “Serious Cases”

“State personnel who take advantage of their office and misappropriate public funds for personal use or illegal activities or misappropriate large amounts of public funds without returning the money within three months are guilty of the crime of embezzlement and are to be sentenced to not more than five years of fixed-term imprisonment or criminal detention. In serious cases, those offenders are to be sentenced to more than five years of fixed-term imprisonment. Those who misappropriate a large amount of public funds without returning the money are to be sentenced to more than 10 years of fixed-term imprisonment of life imprisonment.”

Article 399: Judicial Personnel Defeating Justice, “Serious,” “Exceptionally Serious”

“Judicial personnel who act with partiality and defeat the ends of justice and bend the law for the benefit of relatives or friends, subjecting to prosecution persons they clearly know to be innocent or intentionally protecting from prosecution persons they clearly know to be guilty, or, intentionally to go against facts and laws in criminal trials to render judgments that misuse the law, shall be sentenced to not more than five years of fixed-term imprisonment or criminal detention, and when the circumstances are serious, not less than five years and not more than 10 years of fixed-term imprisonment; and in exceptionally serious circumstances, not less than 10 years of fixed-term imprisonment.”

Article 418: Malpractice in Recruiting, “Serious Nature”

“State organ work personnel who practice favoritism and malpractice in recruiting government Functionaries or students, shall—in cases of a serious nature—be punished with imprisonment or criminal detention of less than three years.”

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¹ Criminal Law of the People’s Republic of China, 1979 (as amended)

² Underlining added

CHINA

CIVIL LAW, CONTRACT LAW, PRINCIPLE OF FAIRNESS 2014

A. Civil Law of the People's Republic of China (1986):

Article 4: “In civil activities, the principles of voluntariness, **fairness**, making compensation for equal value, honesty and credibility shall be observed.”

B. Contract Law of the People's Republic of China (1999):

Article 4: “Parties shall have the right to lawfully enter into a contract of their own free will **in accordance with the law**, and no unit or individual may illegally interfere therewith.”

Article 5: “The parties shall abide by the principle of **fairness** in deciding their respective rights and obligations.”

Article 6: “The parties shall observe the principle of **honesty** and **good faith** in exercising their rights and performing their obligations.”

Article 7: “In concluding and performing a contract, the parties shall comply with the laws and administrative regulations, **respect social ethics**, and shall not disrupt the social and economic order or impair the public interests.”

Article 8: “A lawfully established contract shall be legally binding on the parties thereto, each of whom shall perform its own obligations in accordance with the terms of the contract, and no party shall **unilaterally modify or terminate** the contract.”

Article 54: “A party shall have the right to request the people's court or an arbitration institution to **modify** or revoke the following contracts:

- (1) Those concluded as a result of **significant** misconception;
- (2) Those that are **obviously unfair** at the time when concluding the contract.

If a contract is concluded by one party **against the other party's true intentions through** the use of fraud, coercion or **exploitation of the other party's unfavorable position**, the injured party shall have the right to request the people's court or an arbitration institution to **modify** or revoke it.

Where a party requests for **modification**, the people's court or the arbitration institution **may not revoke** the contract.”

Article 60: “”Each party shall fully perform its own obligations as agreed upon. The parties shall abide by the principle of **good faith**, and perform the obligations of notification, assistance, and confidentiality, etc. in accordance with the nature and purpose of the contract and the **transaction practice.**”

C. **Compare Case Law, California (samples):**

Walnut Creek Pipe Distributors, Inc. v. Gates Rubber Company (1964)
228 Cal. App. 2d 810, 815 (1964):

“Respondent points to the **unfairness** of the situation to justify the finding of an implied covenant*** The Courts cannot make better agreements for parties than they themselves have been satisfied to enter into **or rewrite contracts because they operate harshly or inequitably.**”

Mitri v. Arnel Management Co, (2007) 157 Cal App 4th 1164, 1173:

“We cannot and will not **create a term of a contract** between the parties that the evidence does not show was ever agreed upon by the parties.***[‘In the construction of a(n)***instrument, the office of the judge is simply to ascertain and declare what is in terms or substance contained therein, not to insert what has been omitted***”]

THE CHINESE DRAGON

In Chinese folklore, the Dragon is a mystical being. In contrast to the European dragon, which stands on four legs and is sometimes portrayed as evil, the Chinese Dragon has long been a unique symbol of power, grace, and fertility.

The legendary Huang Di, the First Emperor of China, at first used a snake for his coat of arms. As he conquered other peoples and nationalities, he added the defeated enemy's emblem to his coat of arms. This brought honor to the fallen, recognizing their nationalities.

Eventually, the coat of arms evolved into a Dragon, the most revered of all symbols in China. The Dragon has nine physical features: the horns of a stag; the head of a camel; the eyes of crocodile or demon; the neck of a snake; the belly of a tortoise; the scales of a carp; the claws of an eagle; the feet of a tiger; and the ears of a cow. On its head the Dragon has a broad protrusion, called a chimyu, which allows the Dragon to ascend to the sky.

The Dragon has 117 scales; 81 are of the yang essence (sun), 36 of the yin essence (night). All blend together to form the universe, day and night. All the scales are different. The celestial Dragon has a flaming pearl under its chin. The pearl is associated with wealth, good luck, and prosperity.

The Dragon is a blend of many different attributes which lead to its strength and our good feelings for the Dragon. Each part builds upon, strengthens, and honors the rest. An ancient Chinese expression of good will was "Hoping that you will become a Dragon," meaning as successful, powerful, and honorable as the Dragon.

In the Chinese Zodiac, the Dragon follows the Rabbit and precedes the Snake. People born in the year of the Dragon are healthy, energetic, honest, brave, and inspire confidence and trust. They can be a little temperamental at times. Recent Dragon years are 1952, 1964, 1976, 1988, 2000, and 2012.

Taken almost from History.

Tom Klitgaard
June 25, 2014

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PREAMBLE TO THE CONSTITUTION

CHINA

2014

PREAMBLE: 1982 Constitution (last amendment 2004)

(1) China is one of the countries with the longest histories in the world. The people of all nationalities in China have jointly created a splendid culture and have a glorious revolutionary tradition.

(2) Feudal China was gradually reduced after 1840 to a semi-colonial and semi-feudal country. The Chinese people waged wave upon wave of heroic struggles for national independence and liberation and for democracy and freedom.

(3) Great and earth-shaking historical changes have taken place in China in the 20th century.

(4) The Revolution of 1911, led by Dr Sun Yat-sen, abolished the feudal monarchy and gave birth to the Republic of China. But the Chinese people had yet to fulfill their historical task of overthrowing imperialism and feudalism.

(5) After waging hard, protracted and tortuous struggles, armed and otherwise, the Chinese people of all nationalities led by the Communist Party of China with Chairman Mao Zedong as its leader ultimately, in 1949, overthrew the rule of imperialism, feudalism and bureaucrat capitalism, won the great victory of the new-democratic revolution and founded the People's Republic of China. Thereupon the Chinese people took state power into their own hands and became masters of the country.

(6) After the founding of the People's Republic, the transition of Chinese society from a new-democratic to a socialist society was effected step by step. The socialist transformation of the private ownership of the means of production was completed, the system of exploitation of man by man eliminated and the socialist system established. The people's democratic dictatorship led by the working class and based on the alliance of workers and peasants, which is in essence the dictatorship of the proletariat, has been consolidated and developed. The Chinese people and the Chinese People's Liberation Army have thwarted aggression, sabotage and armed provocations by imperialists and hegemonists, safeguarded China's national independence and security and strengthened its national defence. Major successes have been achieved in economic development. An independent and fairly comprehensive socialist system industry has in the main been established. There has been a marked increase in agricultural production. Significant progress has been made education, scientific, cultural and other undertakings, socialist ideological education has yielded noteworthy results. The living standards of the people have improved considerably.

(7) (old) Both the victory of China's new-democratic revolution and success of its socialist cause have been achieved by the Chinese people of all nationalities under the leadership of the Communist Party of China and the guidance of Marxism-Leninism and Mao Zedong Thought, and by upholding truth, correcting errors and overcoming numerous difficulties and hardships.

China will stay in the primary stage of socialism for a long period of time. The basic task of the nation is to concentrate its efforts on socialist modernization by following the road of Chinese-style socialism and under the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory and the important thought of 'Three Represents,' the Chinese people of all nationalities will continue to adhere to the people's democratic dictatorship, follow the socialist road, persist in reform and opening-up, steadily improve socialist institutions, develop a socialist market economy, advance socialist democracy, improve the socialist legal system and work hard and self-reliantly to modernize industry, agriculture, national defense and science and technology step by step, promote the co-ordinated development of the material, political and spiritual civilizations to turn China into a powerful and prosperous socialist country with a high level of culture and democracy.

(7) (now) *"Both the victory of China's new-democratic revolution and the success of its socialism cause have been achieved by the Chinese people of all nationalities under the leadership of the Communist Party of China and the guidance of Marxism-Leninism and Mao Zedong Thought, and by upholding truth, correcting errors and overcoming numerous difficulties and hardships. China will stay in the primary stage of socialism for a long period of time. The basic task of the nation is to concentrate its efforts on socialism modernization by following the road of building socialism with Chinese characteristics. Under the leadership of the Communist Party of China and the guidance of Marxism-Leninism, Mao Zedong Thought and Deng Xiaoping Theory, the Chinese people of all nationalities will continue to adhere to the people's democratic dictatorship, follow the socialist road, persist in reform and opening-up, steadily improve socialist institutions, develop a socialist market economy, advance socialist democracy, improve the socialist legal system and work hard and self-reliantly to modernize industry, agriculture, national defense and science and technology step by step to turn China into a powerful and prosperous socialist country with a high level of culture and democracy."*

(8) The exploiting classes as such have been eliminated in our country with a high level of culture and democracy. The exploiting classes as such have been eliminated in our country. However, class struggle will continue to exist within certain limits for a long time to come. The Chinese people must fight against those forces and elements, both at home and abroad, that are hostile to China's socialist system and try to undermine it.

(9) Taiwan is part of the sacred territory of the People's Republic of China. It is the lofty duty of the entire Chinese people, including our compatriots in Taiwan, to accomplish the great task of reunifying the motherland.

(10) In building socialism it is imperative to rely on the workers, peasants and intellectuals and unite with all the forces that can be united. In the long years of revolution and construction, there has been formed under the leadership of the Communist Party of China a broad patriotic united front that is composed of the democratic parties and people's organizations and embraces all socialist working people, *all builders of socialism*, all patriots who support socialism and all patriots who stand for reunification of the motherland. This united front will continue to be consolidated and developed. The Chinese People's Political Consultative Conference is a broadly representative organization of the united front, which

has played a significant historical role and will continue to do so in the political and social life of the country, in promoting friendship with the people of other countries and in the struggle for socialist modernization and for the reunification and unity of the country. *The system of multi-party cooperation and political consultation led by the Communist Party of China will exist and develop in China for a long time to come.*

(11) The People's Republic of China is a unitary multi-national state built up jointly by the people of all its nationalities. Socialist relations of equality, unity and mutual assistance have been established among them and will continue to be strengthened. In the struggle to safeguard the unity of the nationalities, it is necessary to combat big-nation chauvinism, mainly Han chauvinism, and also necessary to combat local-national chauvinism. The state does its utmost to promote the common prosperity of all nationalities in the country.

(12) China's achievements in revolution and construction are inseparable from support by the people of the world. The future of China is closely linked with that of the whole world. China adheres to an independent foreign policy as well as to the five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence in developing diplomatic relations and economic and cultural exchanges with other countries; China consistently opposes imperialism, hegemonism and colonialism, works to strengthen unity with the people of other countries, supports the oppressed nations and the developing countries in their just struggle to win and preserve national independence and develop their national economies, and strives to safeguard world peace and promote the cause of human progress.

(13) This Constitution affirms the achievements of the struggles of the Chinese people of all nationalities and defines the basic system of basic tasks of the state legal form; it is the fundamental law of the state and has supreme legal authority. The people of all nationalities, all state organs, the armed forces, all political parties and public organizations and all enterprises and undertakings in the country must take the Constitution as the basic norm of conduct, and they have the duty to uphold the dignity of the Constitution and ensure its implementation.

ASIAN COUNTRIES

POPULATION, GDP, GDP PER CAPITA
2013

<u>Country</u>	<u>Population</u>	<u>Gross Domestic Product</u>	<u>Per Capita</u>
Myanmar (Burma)	54.6 million	\$83.7 billion	\$1,300
North Korea	24.6 million	\$40 billion	\$1,800
Cambodia	15 million	\$33.9 billion	\$2,200
Laos	6.6 million	\$17.7 billion	\$2,700
Vietnam	91.5 million	\$303.8 billion	\$3,400
Philippines	103.8 million	\$395.4 billion	\$4,100
Indonesia	248.6 million	\$1.1 trillion	\$4,700
Bhutan	725,000	\$5 billion	\$6,800
China	1.3 billion	\$11.4 trillion	\$8,500
Thailand	67.1 million	\$609.8 billion	\$9,500
Malaysia	29.2 million	\$453 billion	\$15,800
South Korea	48.9 million	\$1.6 trillion	\$32,100
Japan	127.4 million	\$4.5 trillion	\$35,200
Taiwan	23.2 million	\$887.3 billion	\$38,200
Hong Kong*	7.2 million	\$363.7 billion	\$50,700
Singapore	5.4 million	\$318.9 billion	\$60,500
Total	<u>2.2 billion</u>	<u>\$22.1 trillion</u>	<u>\$269,300</u>
		Median	\$8,500
<u>COMPARE</u>			
United States	313.8 million	\$15.3 trillion	\$49,000

Source: The World Almanac and Book of Facts (2014)

*Hong Kong statistics derived from CIA World Factbook (2014)

ASIAN COUNTRIES

MEDIAN AGE
2013

<u>Country</u>	<u>Median Age</u>	<u>Male</u>	<u>Female</u>
Japan	46.1	44.8	47.5 *
Hong Kong	43.2	42.8	43.4
South Korea	40	38.7	41.6
Taiwan	39.2	38.5	39.9
China	36.7	35.8	37.5
Thailand	36.2	35.3	37.2
Singapore	33.8	33.7	33.9
North Korea	33.4	31.8	35
Indonesia	29.2	28.7	29.8
Vietnam	29.2	28.1	30.2
Malaysia (Burma)	27.9	27.3	28.5
Bhutan	26.2	26.8	25.6
Cambodia	24.1	23.4	24.8
Philippines	23.5	23	24
Laos	22	21.7	22.3
<u>COMPARE</u>			
United States	37.6	36.3	39

CIA Country Fact Books (2014)

ASIAN COUNTRIES

LITERACY
2013

<u>Country</u>	<u>Literacy</u>	<u>Male</u>	<u>Female</u>
North Korea	100%	100%	100%
Japan	99%	99%	99%
South Korea	97.9%	92.2%	96.6%
Taiwan	96.1%	N/A	N/A
Singapore	95.9%	98%	93.8%
Philippines	95.4%	95%	95.8%
China	95.1%	97.5%	92.7%
Hong Kong	93.5%	96.9%	89.6%
Thailand	93.5%	95.6%	91.5%
Vietnam	93.4%	95.4%	91.4%
Malaysia	93.1%	95.4%	90.7%
Indonesia	92.8%	95.6%	90.1%
Myanmar (Burma)	92.7%	93.9%	90.4%
Cambodia	73.9%	82.8%	65.9%
Laos	72.7%	82.5%	63.2%
Bhutan	52.8%	65%	38.7%

COMPARE

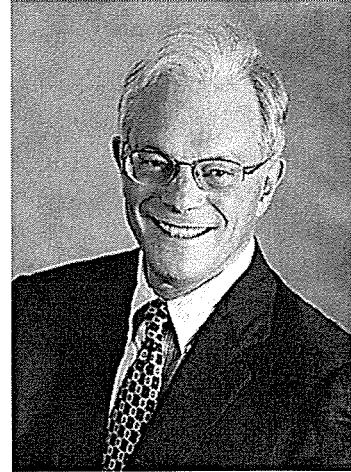
United States	99%	99%	99%
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CIA Country Fact Books (2014) [population, age 15 and over, who can read and write]

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Attorney, San Francisco

Professional Profile

Attorney, Dillingham & Murphy LLP, 1997 - present; Senior Vice President and General Counsel, Sega of America, Inc. 1992-1996; Senior Vice President, General Counsel and Corporate Secretary, Tandem Computers Incorporated 1985-1992; Associate and Partner, Pillsbury, Madison & Sutro 1965-1985; Associate, Gibson, Dunn & Crutcher, 1963-1965, Law Clerk, United States Supreme Court Justice William O. Douglas 1961-1962.



China Related Experience

- Thirty four years business and legal experience with business and Chinese governmental entities involving China
- Administrator of Business Management Program conducted by the San Francisco-Shanghai Friendship City Committee with the Shanghai Municipal Government for training mid-level managers at Shanghai public agencies and government commercial enterprises, 1982-2011, (94 graduates)
- Adjunct Professor of Asian Law (including the People's Republic of China, Hong Kong Special Administrative Region, the Macao Special Administrative Region, and Taiwan (claimed by China to be a province)) University of San Francisco School of Law, 2002-present
- Visiting Lecturer in Law, Antitrust, Intellectual Property, East China School of Politics and Law, Shanghai 2010, 2011
- Founding Director, San Francisco-Shanghai Friendship City Committee (about 250 business, cultural, governmental and sports projects with Shanghai), 1982-2011
- Chairperson and Director, Chinese Cultural Foundation of San Francisco, 1982-1984; Director and Vice President, 2011-present
- Arbitrator and Mediator Emeritus, Beijing Arbitration Commission
- Arbitrator Emeritus, Hong Kong International Arbitration Centre
- Graduate, Monterey Institute of International Studies, Training for Service Abroad, Mandarin Language Program, 1980

Publications (partial list)

Asian Legal Systems, Tenth Edition, 4 volumes, University of San Francisco School of Law (Cases and Laws, Constitutions) (2014)

"Updated Insights on Arbitrating Disputes with Chinese Business Entities," US Law (Fall, 2010)

"Preferential Treatment for Foreign Investment in The People's Republic of China: Special Economic Zones and Industrial Development Districts," 7 The Hastings International and Comparative Law Review 377 (co-author) (1984)

"People's Republic of China Joint Venture Dispute Resolution Procedures," 1 UCLA Pacific Basin Law Journal 1 (1982)

Lectures (partial list)

"How Chinese Business Entities Can Protect Themselves as They Expand into the United States,"(Choice of Law), East China University of Politics and Law (2011)

"Perspectives on Resolution of Disputes Inside and Outside of China Involving Chinese Entities," Stanford Law School (2011)

"Some Information that You May Need to Help Put Emerging China into Perspective for You and Your Grandchildren," San Francisco Committee on Foreign Relations (2010)

"How Chinese State-Owned Companies can Identify and Manage Cost Effective Legal Services in the United States," Shanghai Economic Management College (2007)

"Arbitration in the People's Republic of China," Northern California International Arbitration Club (2005)

"Modern Methods of Negotiating Technology Transfer Agreements with Chinese Organizations," San Francisco Global Trade Council (1996)

"Resolving Trade and Investment Disputes with China," Institute for International Law & Business (1994)

"Doing Business with the People's Republic of China," Commonwealth Club of California Business Economics Section (1986)

"Negotiating with Chinese Entities. Skills and Challenges," The Chinese Cultural Foundation (1984)

Education

- A. B., University of San Francisco, Summa Cum Laude, 1956

- Graduate, United States Army Guided Missile School, Fort Bliss, Texas, Computers and Electronics, 1957
- LL.B., University of California at Berkeley (Boalt Hall), 1961
First in Class, Order of the Coif, Editor-in-Chief, California Law Review 1960-1961
- Graduate, Monterey Institute of International Studies, Training for Service Abroad, Mandarin Chinese Language Program, 1979
- Graduate, The Amos Tuck School of Business Administration Executive Program, Dartmouth College, 1990

Representative Clients re China:

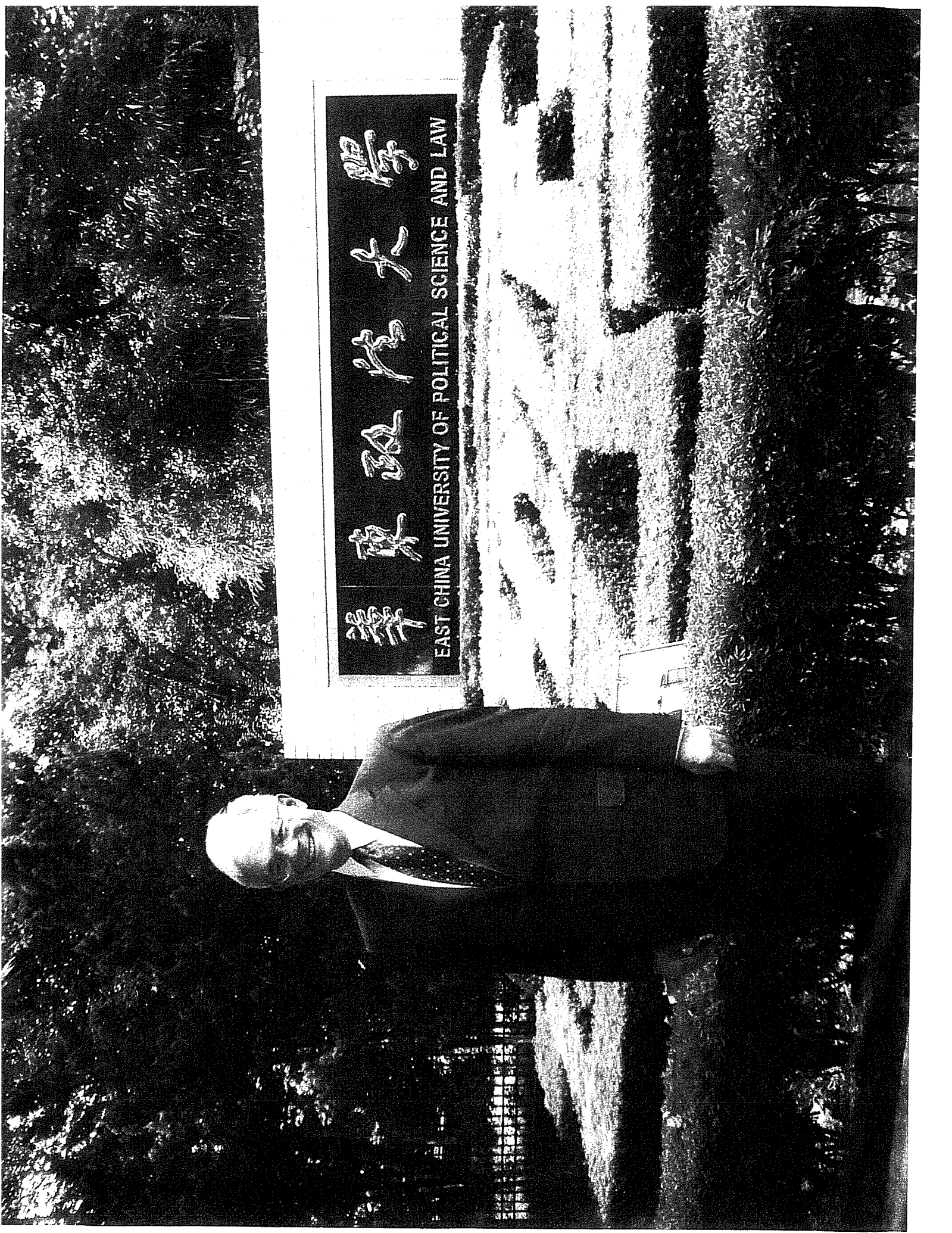
Chevron Corporation
Crowley Maritime Company
LexisNexis Corporation
Pacific Telesis International
Reed Elsevier Publishing Company
State Farm Insurance Company
Tandem Computers Incorporated
Westlake Development Company

Magnolia Silver Award from Shanghai Municipal Government, 2011:

Awarded for “valuable support to Shanghai’s development and outstanding contributions to [our] friendly cooperation.”

In 1989, in recognition of Shanghai’s growing economic status, the Shanghai Municipal Government established its Magnolia Silver Award to acknowledge the special contributions made to the relationship by individuals in Shanghai’s expatriate community. Although Mr. Klitgaard is not an expatriate, in 2011 the Shanghai Municipal Government made an exception and presented the Award to him. Co-recipients included the Chairman of the Board of Directors of Dell (China) Co. Ltd., the Chairman of Shanghai General Motors Co., Ltd., the Managing Director Greater China for The Walt Disney Company, and the President of Sony (China) Company.

Among the 46 recipients from 19 countries, Mr. Klitgaard was one of 6 Americans and the only attorney.



華東政法大學
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