

Cross-Cultural Dispute Resolution Project
Draft Questionnaire (PHASE II)
International Trade Version 5

跨文化争端解决研究项目

国际贸易问卷调查

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Project Purpose: This questionnaire was prepared as part of a research project concerning cross-cultural dispute resolution in Asia and North America. This project will benefit scholarly understanding of perspectives on dispute resolution, and the factors that affect such perspectives. The information provided in responses to the questionnaire will be used only for this research project.

Procedures: Each question should be answered truthfully based on the personal knowledge of the respondent. Completion of the questionnaire is expected to require 30 minutes, although additional time may be used if the respondent so desires. Participation in this project is voluntary, and any respondent may withdraw from the project at any time. If the questionnaire is completed, it will be assumed that consent has been given. The identity of the respondents is not requested and if supplied will be kept strictly confidential. Confidentiality will be maintained through the confidential nature of the questionnaire and by the researcher keeping all completed questionnaires under lock and key.

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项目目的: 此问卷是一项关于在亚洲和北美的跨文化争端解决研究项目的一个部分。这个项目将有助于从学术角度理解争端解决的观点, 以及影响这些观点的因素。基于对此问卷的回答而收集的信息将只会用于这一研究项目。

步骤: 被访者应根据其个人知识如实回答每一个问题。完成此问卷大概需时 30 分钟, 当然受访者也可能因个人意愿而用更多的时间。参与本研究项目完全出

于自愿，任何受访者都可在任何时间退出此研究项目。如果这份问卷答完了，将被视为您同意接受这份调查。受调查者的身份信息无需提供，如果受调查者提供了，该信息将被严格保密。这一保密措施包括：本问卷为匿名问卷，且研究人员将把所有完成的问卷通过上锁保管。

Interviewer Note: This information is essential to the cluster analysis, and must be recorded accurately. / 访问员注意：：这一信息对于系统分析有实质作用，必须准确纪录。

I. Background Information

1. Year of Birth /出生年份:

- a. _____ 15-25
- b. _____ 26-35
- c. _____ 36-45
- d. _____ 46-55
- e. _____ 56-65
- f. _____ 65 +

2. Sex / 性别: _____

3. Education Level: /教育程度: _____

Degree(s) / 学位: _____

Specialization / 专业:

Law / 法律 _____

Economics /经济学 _____

Trade /贸易 _____

Other (please specify) /其它 (请写明) _____

Education on dispute resolution / 有关争端解决方面的教育 _____

Education abroad (please specify country and institution) / 是否在国外接受过教育
(请写明受教育的国家和机构) _____.

4. Occupation /职业:

Business (specify) / 经商 (请写明确) : _____

Government (specify)/ 政府 (请写明确) : _____

Academic (specify) /学术 (请写明确) : _____

Other (specify) /其他 (请写明确) : _____

5. How long have you lived in _____? /你在中国住了_____年?

6. How many members of your family live outside of China?

你家庭成员中有_____人住在国外。

7. Foreign languages (specify)/ 你已经掌握何种外语 (请写明) _____。 :

8. How much time do you spend watching English-language television news each week? /
你每周花多少时间收看英语电视新闻?

Half hour: ____ One Hour: ____ 1-5 hours: ____ More than 5 hours: ____
半小时_____ 1小时_____ 1-5小时_____ 超过5小时_____

9. How much time do you spend reading English-language newspapers/magazines each
week? / 你每周花多少时间阅读英语报纸/杂志?

Half hour: ____ One Hour: ____ 1-5 hours: ____ More than 5 hours: ____
半小时_____ 1小时_____ 1-5小时_____ 超过5小时_____

10. How many times have you traveled to North America, Europe, Australia or New
Zealand? / 你到北美, 欧洲, 澳大利亚或新西兰旅行过几次?

Never: ____ Once: ____ 2-5 times: ____ More than 5 times: ____
从来没有_____ 一次_____ 2—5次_____ 超过5次_____

11. How much time have you spent in North America, Europe, Australia or New Zealand/
你在北美，欧洲，澳大利亚或新西兰逗留多久？

Less than 1 month: ___ 1-6 months ___ Up to 1 year: ___ More than 1 year: ___
不到1个月___ 1—6个月___ 6个月—1年___ 一年以上___

II. Experience With Disputes / 纠纷的经历

Interviewer Note: We will not necessarily know in advance what experience particular respondents have concerning international disputes. This section is intended to gain information on the experience of the respondents. This is essential to the cluster analysis component.

访问员注意：我们不必事先知道特定的受访者对于与国际贸易争端有关的经验。这一部分是为了获得关于受访者经历的信息。这对于系统分析有着实质意义。

Interviewer Note: The term “dispute” need not be limited to disputes that have formally gone to court or arbitration. As used in the project, “dispute can include disagreement, controversy, etc.

访问员注意：本栏中的“争端”一词不限于正式诉诸法院和仲裁解决的争端，本课题中使用的“争端”一词可以包括意见不合和分歧等。

Please explain the circumstances of the most recent international trade related dispute you have experienced. /请说明你最近所经历的国际贸易争端的情况

12. When did it occur? / 何时发生？

13. Describe the parties? 当事人的情况？

14. What were the issues in the dispute? / 引起争端的问题是什么？

15. What was the monetary value of the dispute? / 争端涉及的金钱价值多少？

16. How was the dispute resolved? / 争端是如何解决？

17. What rules were applied to dispute? / 争端解决中运用了哪些规则？

III. General Opinions / 一般意见

Interviewer Note: These questions are intended to gain information on the attitudes of respondents toward international trade regulation generally.

访问员解释：本栏中的问题意在获得受访者对国际贸易规范一般态度的信息

18. What kinds of problems are most often the subject of disputes in international trade and investment? (Please rate each item: 1 = most frequent; 5 = least frequent). / 哪些种类的问题最常引起国际贸易和投资纠纷? (请表明程度: 1=最常见; 5=最不见)

___ Commercial relations /商业关系.

___ Government regulations /政府法规.

___ Environmental rights / 环境权利.

___ Labor related rights / 与劳动有关的权利.

___ Political relations /政治关系.

___ Other (please specify)其他 (请指出) _____

19. What are the most effective methods for resolving international trade and investment disputes? (Please rate each item: 1 = most effective, 5 = least effective). / 解决国际贸易投资纠纷最有效的方式是什么? (请表明程度: 1=最有效; 5=最不有效)

___ Negotiation / 谈判.

___ Conciliation/Mediation/和解/调解.

___ Arbitration /仲裁.

___ Court litigation /法院诉讼.

___ Other (please specify) 其他 (请指出) _____

20. The tribunal in a dispute resolution proceeding is usually chosen based on: (Please rate each item: 1 = Strongly Agree to 5=Strongly Disagree). / 在一个争端解决程序中, 选择裁决庭的根据是? (请表明程度: 1=最强烈同意; 5=最不强烈同意)

___ Professional expertise /专业知识.

___ Personal character /个人性格.

___ Reputation /名望.

___ Institutional affiliation / 所属机构.

___ Lottery /抽签决定.

___ Other (Please specify) / 其他 (请指出) _____

21. International trade and investment disputes are resolved most often according to: (Please rate each item: 1 = most frequent, 5 = least frequent). / 解决国际贸易投资纠纷最常用的是依据: (请表明程度: 1=最常见; 5=最不常见)

___ International law and regulations /国际法规.

___ International practices and customs /国际惯例和习惯.

___ National laws and regulations /国内法规.

___ National practices and customs /国内惯例和习惯.

___ Political decisions / 政治决定.

22. International law and regulations help to resolve international trade and investment and investment disputes because they: (Please rate each item: 1 = strongly agree; 5 = strongly disagree) / 国际法规有助于解决国际贸易与投资纠纷的原因是它们: (请表明程度: 1=强烈同意; 5=强烈不同意)

___ Clarify the rights of the parties to the dispute. / 阐明了纠纷当事人的权利

___ Ensure the fairness of the process. / 确保了程序的公正

___ Increase enforcement of dispute resolution decisions. / 提高了争端解决结果的执行

___ Prevent political intrusion in the case by outside parties. / 防止非当事方对案件的政治干预

___ Ensure justice is achieved. / 确保了正义的实现。

___ Other. Specify/ 其他（请指出） _____

23. International practices and customs help to resolve international trade and investment and investment disputes because they: (*Please rate each item: 1 = strongly agree; 5 = strongly disagree*) / 国际惯例和习惯有助于解决国际贸易与投资纠纷的原因是它们：（请表明程度：1=强烈同意；5=强烈不同意）

Interviewer Note: Practices and customs = habitual, regular, standard activities and principles. 访问员注意：惯例和习惯=习惯性的，经常性的，标准的行为和原则。

___ Clarify the rights of the parties to the dispute. / 阐明了纠纷当事人的权利

___ Ensure the fairness of the process. / 确保了程序的公正

___ Increase enforcement of dispute resolution decisions. / 增加了争端解决结果的执行

___ Prevent political intrusion in the case by outside parties. /防止非当事方对案件的政治干预

___ Ensure justice is achieved. / 确保了正义的实现。

___ Other. Specify/ 其他（请指出） _____

24. National laws and regulations help to resolve international trade and investment and investment disputes because they: (*Please rate each item: 1 = strongly agree; 5 = strongly disagree*) / 国内法规有助于解决国际贸易与投资纠纷的原因是它们：（请表明程度：1=强烈同意；5=强烈不同意）

___ Clarify the rights of the parties to the dispute. / 阐明了纠纷当事人的权利

___ Ensure the fairness of the process. / 确保了程序的公正

___ Increase enforcement of dispute resolution decisions. / 增加了争端解决结果的执行

___ Prevent political intrusion in the case by outside parties. / 防止非当事方对案件的政治干预

___ Ensure justice is achieved. / 确保了正义的实现。

___ Other. Specify/ 其他（请指出） _____

25. National practices and customs help to resolve international trade and investment and investment disputes because they: (*Please rate each item: 1 = strongly agree; 5 = strongly disagree*) / 国内惯例和习惯有助于解决国际贸易与投资纠纷的原因是它们：（请表明程度：1=强烈同意；5=强烈不同意）

Interviewer Note: Practices and customs = habitual, regular, standard activities and principles. 访问员注意：惯例和习惯=习惯性的，经常性的，标准的行为和原则。

___ Clarify the rights of the parties to the dispute. / 阐明了纠纷当事人的权利

___ Ensure the fairness of the process. / 确保了程序的公正

___ Increase enforcement of dispute resolution decisions. / 增加了争端解决结果的执行

___ Prevent political intrusion in the case by outside parties. /防止非当事方对案件的政治干预

___ Ensure justice is achieved. / 确保了正义的实现。

___ Other. Specify/ 其他（请指出） _____

26. Please rate your agreement with the following statement: The rules of international laws on international trade and investments are generally reflected in your country's domestic laws. (circle your choice) / 请表明您对下列说法的同意程度：你们国家的国内法总的来说已体现有关国际贸易与投资的国际法规则。（请圈出您的选择）

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意——1——2——3——4——5——强烈不同意

27. In international trade and investment disputes, how important are the following rules? (Please rate each item: 1 = very important; 5 = not important). / 在有关国际贸易与投资的纠纷中，下列规则的重要性如何？（请表明程度：1=最重要；5=最不重要）

Interviewer Note: Interviewers should not explain what the various treaties listed below mean. 访问员注意：访问员不应该解释下列条约的含义。

__ NY Convention on Recognition and Enforcement of Foreign Arbitral Awards. / 承认外国仲裁裁决纽约公约

__ Vienna Convention on Contracts for the International Sale of Goods. / 维也纳国际货物销售合同公约。

__ WTO Dispute Settlement Understanding / WTO 争端解决谅解 (DSU)

__ Washington Convention on Settlement of Investment Disputes (ICSID) / 解决投资争端华盛顿公约。

__ National law on contracts. / 国内合同法

__ National law on dispute resolution. / 有关争端解决的国内法

28. In international disputes over intellectual property rights, how important are the following rules? (Please rate each item: 1 = very important; 5 = not important). / 在有关知识产权的纠纷中，下列规则的重要性如何？（请标明程度：1=最重要；5=最不重要）

Interviewer Note: Interviewers should not explain what the various treaties listed below mean. 访问员注意：访问员不应该解释下列条约的含义。

__ NY Convention on Recognition and Enforcement of Foreign Arbitral Awards. / 承认外国仲裁裁决纽约公约

__ WTO Dispute Resolution Understanding / WTO 争端解决谅解 (DSU)

National law on contracts. /国内合同法

National law on dispute resolution. /有关争端解决的国内法

WTO Agreement on Trade-Related Intellectual Property (TRIPs) / WTO 与贸易有关的知识产权协议

29. Please rate your agreement with the following statement: Our national laws and regulations governing intellectual property are basically the same as international laws and regulations. (circle your choice) / 请表明您对下列说法的同意程度：我们的国家有关知识产权的国内法规基本上与国际法规相同。（请圈出您的选择）

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意 — 1 — 2 — 3 — 4 — 5 — 强烈不同意

30. What is likely to happen when international and national laws and regulations are in conflict in international trade disputes? (Please rate each item: 1 = highly likely; 5 = not likely at all). / 与国际贸易纠纷有关的国际法规与国内法规发生冲突时，可能发生的情况是：（请标明程度：1=最可能；5=最不可能）

Priority is given to international laws and regulations. / 优先适用国际法规

Priority is given to national laws and regulations. / 优先适用国内法规

The parties choose which laws and regulations will apply. / 由当事人决定应适用的法规

The dispute resolution tribunal chooses which laws and regulations will apply. / 由裁决人决定应适用的法规

31. Please rate your agreement with the following statement: Please rate your agreement with the following statements: Local companies generally comply with the requirements of international laws and regulations on international trade and investment. (circle your choice) / 请表明您对下列说法的同意程度：本地企业一般都遵循有关国际贸易与投资的国际法的要求。（请圈出您的选择）

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意——1——2——3——4——5——强烈不同意

32. Please rate your agreement with the following statement: Please rate your agreement with the following statements: Local companies generally comply with the requirements of international laws and regulations on intellectual property. (circle your choice) / 请表明您对下列说法的同意程度：本地企业一般都遵循有关知识产权方面的国际法要求。（请圈出您的选择）

Strongly Agree ——1——2——3——4——5—— Strongly Disagree

强烈同意——1——2——3——4——5——强烈不同意

IV. Opinions on Specific Issues /对具体问题的看法

33. How important is the government in regulating prices? (Please RATE your level of answer from 1-5.) (circle your choice) / 政府在规范价格方面的重要性如何？（请指出程度）（请圈出您的选择）

A) Central government / 中央政府

Very Important ——1——2——3——4——5—— Not Important

很重要——1——2——3——4——5——不重要

B) Local government / 地方政府

Very Important ——1——2——3——4——5—— Not Important

很重要——1——2——3——4——5——不重要

34. How important is the market in regulating prices? (Please RATE your level of answer from 1-5.) (circle your choice) / 市场在规范价格方面的重要性如何？（请指出程度）（请圈出您的选择）

Very Important ——1——2——3——4——5—— Not Important

很重要——1——2——3——4——5——不重要

35. How important is the government in regulating business competition? (Please RATE your level of answer from 1-5.) (circle your choice) 政府在规范商业竞争方面的重要性如何? (请指出程度) (请圈出您的选择)

A) Central government / 中央政府

Very Important ——1——2——3——4——5—— Not Important

很重要——1——2——3——4——5——不重要

B) Local government / 地方政府

Very Important ——1——2——3——4——5—— Not Important

很重要——1——2——3——4——5——不重要

36. How important is the market in regulating business competition? (Please RATE your level of answer from 1-5.) (circle your choice) / 市场在规范商业竞争方面的重要性如何? (请指出程度) (请圈出您的选择)

Very Important ——1——2——3——4——5—— Not Important

很重要——1——2——3——4——5——不重要

37. Do individuals and businesses have access to information about government policies affecting their activities? (Please RATE your level of answer from 1-5.) (circle your choice) / 个人和企业是否获得了对他们的经营活动有影响的政府政策信息? (请指出程度) (请圈出您的选择)

A) Central government / 中央政府

Almost Always ——1——2——3——4——5—— Almost Never

几乎总是——1——2——3——4——5——几乎从不

B) Local government / 地方政府

Almost Always ——1——2——3——4——5—— Almost Never

几乎总是——1——2——3——4——5——几乎从不

38. Are individuals and businesses consulted by the government in the process of making business policies? (Please RATE your level of answer from 1-5.) (circle your choice) / 政府在制定商业政策时是否征询个人和企业的意见? (请指出程度) (请圈出您的选择)

A) Central government / 中央政府

Almost Always ——1——2——3——4——5—— Almost Never

几乎总是——1——2——3——4——5——几乎从不

B) Local government / 地方政府

Almost Always ——1——2——3——4——5—— Almost Never

几乎总是——1——2——3——4——5——几乎从不

39. Do individuals and businesses have information about government laws and regulations affecting business activities? (Please RATE your level of answer from 1-5.) (circle your choice) / 个人和企业是否获得了对他们的经营活动有影响的政府法律法规的信息? (请指出程度) (请圈出您的选择)

A) Central government / 中央政府

Almost Always ——1——2——3——4——5—— Almost Never

几乎总是——1——2——3——4——5——几乎从不

B) Local government / 地方政府

Almost Always —1—2—3—4—5— Almost Never

几乎总是—1—2—3—4—5—几乎从不

40. Are individuals and businesses consulted by the government in the process of making business laws and regulations? (Please RATE your level of answer from 1-5.) (circle your choice) / 政府在制定商业政策时是否征询个人和企业的意见? (请指出程度) (请圈出您的选择)

A) Central government / 中央政府

Almost Always —1—2—3—4—5— Almost Never

几乎总是—1—2—3—4—5—几乎从不

B) Local government / 地方政府

Almost Always —1—2—3—4—5— Almost Never

几乎总是—1—2—3—4—5—几乎从不

41. How useful are the following in obtaining information (including interpretations) about government business policies? (Please rate each item: 1 = Very useful to 5= Not useful). / 下列方法在获取与政府商业政策有关的信息方面的有效性如何? (请标明程度: 1=最有用; 5=最没有用)

___ Requesting information from government. / 要求政府提供信息

___ Personal connections. / 个人关系

___ Judicial system. / 司法制度

___ Public campaign. / 公众活动

___ Mass Media / 大众媒体

42. How useful are the following in obtaining information (including interpretations) about government business laws and regulations? (Please rate each item: 1 = Very

useful to 5= Not useful). / 下列方法在获取与政府商业法律法规有关的信息方面的有用程度如何？（请表明有用程度：1=最有用；5=最没有用）

___ Requesting information from government. /要求政府提供信息

___ Personal connections. / 个人关系

___ Judicial system. / 司法制度

___ Public campaign. / 公众活动

___ Mass Media / 大众媒体

43. Local and foreign products may be regulated unequally (Please rate each item: 1 = Strongly Agree to 5=Strongly Disagree). / 本地的和外国的产品可能受到不同的规制（请表明同意程度：1=最强烈同意；5=最不强烈同意）

___ When the products are not in competition. / 当产品之间无法竞争的时候

___ When government policies specify. / 当政府的政策这样写明的时候

___ When there is a lawful reason to do so. /当有合法的理由可以这样做的时候

___ When necessary to protect local producers. / 当有必要保护本地的制造商的时候

44. Local and foreign services may be regulated unequally (Please rate each item: 1 = Strongly Agree to 5=Strongly Disagree). 本地的和外国的服务可能受到不同的规制（请标明程度：1=最强烈同意；5=最不强烈同意）

___ When the services are not in competition. / 当服务无法竞争的时候

___ When government policies specify. / 当政府的政策这样写明的时候

___ When there is a lawful reason to do so. /当有合法的理由可以这样做的时候

___ When necessary to protect local service providers. / 当有必要保护本地的服务提供商的时候

45. Local and foreign individuals/companies' intellectual property may be regulated unequally (Please rate each item: 1 = Strongly Agree to 5=Strongly Disagree). / 本地的和外国的个人/公司的知识产权可能受到不同的规制（请标明程度：1=最强烈同意；5=最不强烈同意）

___ When their related technologies are not in competition. / 当相关的技术无法竞争的时候

___ When government policies specify. / 当政府的政策这样写明的时候

___ When there is a lawful reason to do so. / 当有合法的理由可以这样做的时候

___ When necessary to protect local companies. / 当有必要保护本地公司的时候

46. How useful are the following to local businesses to ensure that their products are treated equally with foreign products? (Please rate each item: 1 = Very useful to 5= Not useful). / 下列方法对确保本地企业的产品获得与外国产品平等待遇方面的有用程度如何？（请表明程度：1=非常有用；5=没有用）

___ Requesting equal treatment. / 要求平等待遇

___ Personal connections. / 个人关系

___ Domestic judicial system. / 国内司法制度

___ International trade and investment laws. / 国际贸易与投资法律

___ Public campaign. / 公众活动

47. How useful are the following to local businesses to ensure that their services are treated equally with foreign services? (Please rate each item: 1 = Very useful to 5= Not useful). / 下列方法对确保本地企业的服务获得与外国服务平等的待遇方面的有用程度如何？（请表明程度：1=非常有用；5=没有用）

___ Requesting equal treatment. / 要求平等待遇

___ Personal connections. / 个人关系

___ Domestic judicial system. / 国内司法制度

___ International trade and investment laws. / 国际贸易与投资法律

___ Public campaign. / 公众活动

48. How useful are the following to local companies to ensure that their intellectual property rights are treated equally with foreign intellectual property rights? (Please rate each item: 1 = Very useful to 5= Not useful). / 下列方法对确保本地企业的知识产权获得与外国的知识产权平等待遇方面的有用程度如何? (请表明程度: 1=非常有用; 5=没有用)

___ Requesting equal treatment. / 要求平等待遇

___ Personal connections. / 个人关系

___ Domestic judicial system. / 国内司法制度

___ International trade and investment laws. / 国际贸易与投资法律

___ Public campaign. / 公众活动

49. How useful are the following to foreign companies to ensure that their products are treated equally with local products? (Please rate each item: 1 = Very useful to 5= Not useful). / 下列方法对确保外国企业的产品获得与本地产品平等待遇方面的有用程度如何? (请表明程度: 1=非常有用; 5=没有用)

___ Requesting equal treatment. / 要求平等待遇

___ Personal connections. / 个人关系

___ Domestic judicial system. / 国内司法制度

___ International trade and investment laws. / 国际贸易与投资法律

___ Public campaign. / 公众活动

50. How useful are the following to foreign companies to ensure that their services are treated equally with local services? (Please rate each item: 1 = Very useful to 5= Not useful). / 下列方法对于外国企业来说在确保他们的服务获得与本地的服务平等的待遇方面的有效性如何? (请标明程度: 1=非常有用; 5=没有用)

___ Requesting equal treatment. / 要求平等待遇

___ Personal connections. / 个人关系

___ Domestic judicial system. / 国内司法制度

___ International trade and investment laws. / 国际贸易与投资法律

___ Public campaign. / 公众活动

51. How useful are the following to foreign companies to ensure that their intellectual property rights are treated equally with local intellectual property rights? (Please rate each item: 1 = Very useful to 5= Not useful). / 下列方法对于外国企业来说在确保他们的知识产权获得与本地的知识产权平等的待遇方面的有效性如何? (请标明程度: 1=非常有用; 5=没有用)

___ Requesting equal treatment. / 要求平等待遇

___ Personal connections. / 个人关系

___ Domestic judicial system. / 国内司法制度

___ International trade and investment laws. / 国际贸易与投资法律

___ Public campaign. / 公众活动

V. Dispute Resolution Processes / 争端解决过程

52. How often are the following methods chosen to resolve trade disputes involving governments? (Please RATE each item: 1=Almost Always, 5=Almost Never) / 下列方式被选来用于解决与政府有关的贸易纠纷的频率如何? (请标明程度: 1=非几乎总是; 5=几乎从不)

___ Court. / 法院

___ Consensual dispute resolution (such as conciliation and mediation). / 双方同意的争端解决方式 (例如调解)

___ Arbitration. / 仲裁

___ Negotiation. / 协商

53. The facts required to be provided in a dispute resolution proceeding are the following: (Choose one answer.) 在争端解决程序中需要提供的事实是: (选择一个答案)

___ Whatever facts the parties choose to provide. / 当事各方选择提供的任何事实

___ All facts requested by either party. / 任何一方当事人要求的所有事实

___ All facts requested by the dispute resolution organ. / 争端解决机构要求提供的所有事实

54. The facts submitted to a dispute resolution proceeding are reliable: (Please RATE your level of answer from 1-5.) (circle your choice) 提交到争端解决程序中的事实是可信的: (请指出程度) (请圈出您的选择)

Almost always—1—2—3—4—5— Almost never

几乎总是—1—2—3—4—5—几乎从不

55. How important are the following factors in a dispute resolution proceeding.

(Please rate each item: 1 = very important; 5 = not important). / 以下因素在争端解决程序中的重要性如何（请标明程度：1=非常重要；5=不重要）

___ Facts provided by the parties. / 当事各方提供的事实

___ Agreement by the parties. / 当事各方的协议

___ Laws. 法律

___ Personal opinions of the dispute resolution tribunal. / 争端解决裁决庭的个人意见

56. In consensual dispute resolution (such as conciliation and mediation) the parties are in practice entitled to choose: (Please RATE your level of agreement from 1-5.) (circle your choice) / 在双方同意的争端解决（例如调解）中，在实践中当事各方有权利选择：（请从1到5标明您的同意程度）（请圈出您的选择）

a. Applicable substantive and procedural law / 使用的实体与程序法

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意 — 1 — 2 — 3 — 4 — 5 — 强烈不同意

b. Facilitator / 调解人

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意 — 1 — 2 — 3 — 4 — 5 — 强烈不同意

c. Place and time of dispute resolution / 争端解决的地点和时间

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意 — 1 — 2 — 3 — 4 — 5 — 强烈不同意

d. Language of dispute resolution process and award / 争端解决过程和结果的语言

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意 — 1 — 2 — 3 — 4 — 5 — 强烈不同意

57. In arbitration, the parties are generally entitled to choose: (Please RATE your level of agreement from 1-5.) (circle your choice) / 仲裁程序当事各方一般有权选择：（请从 1 到 5 标明您的同意程度）（请圈出您的选择）

a. Applicable substantive and procedural law / 使用的实体与程序法

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意 — 1 — 2 — 3 — 4 — 5 — 强烈不同意

b. Arbitrator / 仲裁员

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意 — 1 — 2 — 3 — 4 — 5 — 强烈不同意

c. Place and time of dispute resolution / 争端解决的地点和时间

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意 — 1 — 2 — 3 — 4 — 5 — 强烈不同意

d. Language of dispute resolution process and award / 争端解决过程和结果的语言

Strongly Agree — 1 — 2 — 3 — 4 — 5 — Strongly Disagree

强烈同意——1——2——3——4——5——强烈不同意

58. In the following dispute resolution proceedings: the parties in dispute are generally able to appeal the result: (Please RATE your answer from 1=Almost Always, to 5=Almost Never.) (circle your choice) / 在以下的争端解决程序中，总的来说当事各方可以就结果提出上诉：（请从1到5标明程度，1=几乎总是，5=几乎从不）（请圈出您的选择）

a. Consensual dispute resolution proceeding (such as conciliation and mediation) / 双方同意的争端解决程序（例如调解）

Almost always——1——2——3——4——5—— Almost never

几乎总是——1——2——3——4——5——几乎从不

b. Arbitration. / 仲裁

Almost always——1——2——3——4——5—— Almost never

几乎总是——1——2——3——4——5——几乎从不

c. Court Litigation. / 法庭诉讼

Almost always——1——2——3——4——5—— Almost never

几乎总是——1——2——3——4——5——几乎从不

59. In the following dispute resolution proceedings, how often must the basis for the result / decision be explained by the: (Please RATE your level of answer from 1=Almost Always, to 5=Almost Never.) (circle your choice) / 在以下的争端解决程序中，以下的人对作出的结果或决定所基于的理由做出解释的频率如何：（请从1到5标明程度，1=几乎总是，5=几乎从不）（请圈出您的选择）

a. Facilitator in a consensual dispute resolution proceeding (such as conciliation and mediation) / 双方同意的争端解决程序（例如调解）中的调解人

Almost always——1——2——3——4——5—— Almost never

几乎总是——1——2——3——4——5——几乎从不

b. Arbitrator in an arbitration proceeding / 仲裁程序中的仲裁员

Almost always——1——2——3——4——5—— Almost never

几乎总是——1——2——3——4——5——几乎从不

c. Judge in a litigation proceeding. / 诉讼程序中的法官

Almost always——1——2——3——4——5—— Almost never

几乎总是——1——2——3——4——5——几乎从不

60. The results of consensual dispute resolution proceedings (such as conciliation and mediation) are enforceable: (Please rate each item: 1 = Strongly Agree to 5=Strongly Disagree). /双方同意的争端解决程序（例如调解）的解决结果是可以执行的：
（请从 1 到 5 标明您的同意程度， 1=强烈同意， 5=强烈不同意）

- 准
- Depending on the parties' consent /取决于当事双方的同意
 - Depending on approval by a higher authority / 取决于上一级权力机构的批准
 - Depending on the issue in dispute / 取决于争议的问题
 - Depending on the monetary value of the dispute / 取决于争议的金钱价值

61. The decision of arbitration proceedings are enforceable: (Please rate each item: 1 = Strongly Agree to 5=Strongly Disagree). /仲裁程序所作出的裁决是可以执行的：
（请从 1 到 5 标明您的同意程度， 1=强烈同意， 5=强烈不同意）

- 准
- Depending on the parties' consent /取决于当事双方的同意
 - Depending on approval by a higher authority / 取决于上一级权力机构的批准
 - Depending on the issue in dispute / 取决于争议的问题
 - Depending on the monetary value of the dispute / 取决于争议的金钱价值

62. The decisions of court litigation proceedings are enforceable: (Please rate each item: 1 = Strongly Agree to 5=Strongly Disagree). /诉讼程序所作出的裁决是可以执行的: (请从 1 到 5 标明您的同意程度, 1=强烈同意, 5=强烈不同意)

- ___ Depending on the parties' consent /取决于当事双方的同意
- ___ Depending on approval by a higher authority / 取决于上一级权力机构的批准
- ___ Depending on the issue in dispute / 取决于争议的问题
- ___ Depending on the monetary value of the dispute / 取决于争议的金钱价值

V. Contact. /联系方式

If you would be willing to contact the scholar who prepared this questionnaire, please write a letter to the following address: /如果您想与编写此问卷的学者联系, 请写信至以下地址:

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