



## Caidan Cao

Partner, Yuanda

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Practices	Clean Energy & Environmental; Regulatory Compliance; Outbound Investment
Industries	Manufacturing; Consumer Products
Admissions	China
Education	Stanford University School of Law, Environmental, Energy and Natural Resources Law LL.M. Sweden Lund University School of Law, Intellectual Property Law LL.M. Sweden Lund University, Society, Science and Technology, M.Sc

Caidan's practice mainly focuses on EHS (Environment, Health and Safety), renewable energy and legal compliance for corporations' overseas business operation. She graduated from Stanford Law School with LL.M. Degree in environmental law, energy law and nature resources law. She has extensive experience in legal compliance and regulatory matters concerning environmental protection, work safety and energy issues. She is also experienced in energy projects development and financing, climate change and green finance, environmental and energy litigation, international energy cooperation, and legal compliance for corporations' overseas business operation.

In the past years Caidan has intensively engaged in the legal work aiming to promote the development of renewable energy industry, including advocating forward-looking legislation and policies and drafting the proposals, advising energy companies on project development, investment and financing issues, advising the legal issues arising from technological innovation of renewable energy power generation and grid connection, advising the compliance and regulatory matters for energy projects, assessing, mitigating and managing legal risks, and handling environmental and energy litigation cases. In addition, Caidan also provides legal advice and solutions on legal compliance issues for corporations' cross-border investment and business operation, including market access and accreditation, product quality and safety standards, international environmental compliance standards, regulation of energy industry, compliance of international labour law, and establishment of overseas legal entities.

Before her career in YuandaWinston, Caidan worked as Managing Partner of Beijing Office in a prestigious Chinese Law Firm, where she managed all the legal work and lawyers team in Beijing Office. When she served as Regional Legal Head of an international organization crossing Beijing, Hong Kong, Taipei and Seoul, she established a multi-jurisdictional legal team and managed international legal work in both common law and civil law systems. She also interned with the United Nations Headquarters in New York, and clerked with the International Criminal Tribunal for the former Yugoslavia. In her previous work she has conducted legal research in numerous international projects and engaged in the draft of international treaties

and instruments.

Given her solid legal expertise and practice experience on dealing with complex environmental and energy law issues, Caidan was recognized as “2021 LEGALBAND Top Chinese Lawyer (Energy and Nature Resources). She understands energy industry business very well, and particularly has an insight to the legal need of energy industry. Furthermore, she is a good legal solution provider and capable of cooperating and communicating with different stakeholders: government departments, international organizations, think tanks, academic institutions and multinational corporations.

## Experience

### Environmental and Energy Litigation

- Handled plenty of strategic litigation cases and handled complex litigation including class actions, product liability, tort, energy and climate litigation.
- Filed the first climate litigation representing renewable industry against the renewables curtailment in China and claimed RMB1,700,000,000 (1700 million) for compensation.
- Filed the class action lawsuit challenging the noncompliance with safety assessment requirement of nuclear power plant before getting construction permit.
- In order to promote the implementation of the Regulation on the Development of Renewable Energy in Taiwan, filed an energy lawsuit against a company from energy-consuming industries on its failure to perform its legal duty to consume renewable electricity as big user.
- Represented the environmental administrative cases and environmental criminal cases for a multinational company in China.
- Represented a product liability dispute case suing a large-scale supermarket on its liability of excessive pesticide residues of agricultural products.
- Represented several environmental administrative review cases.

### EHS (Environmental, Health and Safety) and Energy Legal Compliance

- Advised Chinese corporations and Chinese government on legal compliance and regulatory matters in chemical sector, including EU REACH (Registration, Evaluation, Authorization and Restriction of Chemicals) and the US TSCA (US Toxic Substances Control Act).
- Advised a large state-owned company (SOE) on legal compliance issue regarding work safety and its hazardous chemicals business.
- Advised a multinational company in manufacturing industry on its legal compliance of environmental protection issues.

- Advised a Chinese company in chemical industry on the legal compliance regarding the business operation of hazardous chemicals.
- Drafted legislation proposals on forest and ocean protection, energy and climate change policy, toxic and hazardous chemicals regulation and natural resources law and policy. Advocated Congress, Central Government, State Council and local government to make positive legislative and policy changes.
- Participated in the project led by Jiangsu Government for establishing the standards and compliance system for hazardous chemicals management in industrial park.
- Advise the Nature Conservancy on the regulatory affairs concerning the import-export and supply chain of timber product.
- Advised Eco Foundation Global on environmental and corporate legal issues.

#### Energy Project Development and Energy Financing

- Partnered with financial consultant and bankers to advise energy companies on financing vehicles of lending-based crowdfunding and equity-based crowdfunding to raise money for renewable energy projects. Advised renewable energy development projects and project financing issues. Offered training on project financing for more than 300 renewable energy enterprises.
- Provided legal advice for the design and operation of the renewable energy business incubator projects of an international Clean Energy Fund, which incubated renewable energy high-tech start-ups in China and the United States.
- Provided legal services for Distributed PV Generation project development and the associated legal issues of grid connection and energy trade.
- Provided legal services for the technology innovation project jointly conducted by Jiangsu Provincial Government and German Energy Company, which upgraded the power grid to connect 63 million kilowatt renewable electricity.
- Advised legal compliance and regulatory issues on coal chemical and Distributed PV projects development, including project approval, development and construction process, project site selection, land use, environmental compliance, and administrative regulatory compliance.
- Provided legal advice on environmental compliance for the equity investment of overseas coal power plant project invested by Chinese SOE Grid company .
- Provide legal services on SOE reform projects concerning corporate restructuring, merger and reorganization of a large state-owned energy company.
- Handled legal dispute case on project assets ownership and debt disputes of shantytown reconstruction project conducted by a large state-owned energy enterprise.
- Advised the product liability of auto-driving cars and new energy vehicle for a big state-owned company (SOE) in automobile industry.

## Climate and Green Finance, Carbon Trade, ESG Compliance

- Advised ESG compliance issues for an multinational company of e-Cigarettes industry headquartered in the U.S.
- Advised legal issues of carbon trade for a leading Chinese automobile company.
- Advised legal issues of carbon trade and climate change for a multinational company of technology industry headquartered in the U.S.
- Advised legal issues of carbon trade and climate change for a multinational company of energy industry headquartered in the U.S.
- Advised legal issues of carbon trade and green electricity transaction for a multinational company of energy industry headquartered in Europe.
- Advised The Nature Conservancy on legal issues of forest and timber product trading.
- Worked on the ESG Compliance and Assessment Standard project with Tsinghua University and People's Bank of China.
- Advised Green Finance (green loan and green bonds) Projects to promote the formulation of green finance regulations and policies, and drafted legislation and policy recommendations.
- Advised Chinese corporations on environmental compliance and climate issues arising from overseas business activities under the One belt, One Road Initiative.
- Carried out comparative legal studies on renewable energy law, greenhouse gas emission control law, carbon trading law between China and EU, and provided policy and legislative recommendations for legislators and policy makers in China and Taiwan.
- Advised multinational corporations on international law compliance for its global business and supply chain operation, and engaged in drafting legal compliance review documents, including but not limited to "Code of Conduct for Multinational Corporations compliance", ESG (Environmental, Social and Governance) compliance, ILO international labor treaty compliance, and the compliance issues of Industrial Subsidies under WTO trade mechanism.
- Participated in legal research projects, and supported the UN special rapporteurs on drafting international law documents, "UN Framework and Guidelines on 'Protection, Respect and Relief' for Business and Human Rights".
- Supported the OECD Organization on drafting and reviewing the international instrument, "the OECD Code of Conduct for Multinational Corporations".

## Publications

- Book: *Climate Change and Sustainable Development Law in a Nutshell* published in 2016, Nankai University Press.
- Book: *Legal Practice of Energy Industry – Legal Case Analysis and Legal Risk Management*, published in 2021, Law Press China

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- *Paten Right and Access to Medicine*, 2011
  - *Open Science and Intellectual Property Protection: Can Intellectual Property Right Promote Open Science?*, 2012
  - *Transnational Environmental Responsibility on Cross-Border Investment and Overseas Business Activities Under the One Belt One Road Initiative*, 2019
  - *“China – U.S. Joint Statement Addressing the Climate Crisis” : Discuss the International and National Rule Making of Global Climate Governance*, 2021
  - *How to Manage Legal Risks in M&A Transaction From the Perspective of Environmental Impact Assessment*, 2021
  - *The Regulation Trend of Self-Driving Vehicles and the Corresponding Solutions*, 2021
  - *Where Does China's Journey of Climate Governance Go? – Policy, Regulation and Enforcement of China's Carbon Peak and Neutrality Goal*, 2021