



# ASIA PACIFIC ARBITRATION CONFERENCE

15 NOVEMBER 2016  
9AM - 5PM  
MAXWELL CHAMBERS, SINGAPORE

## EXPERT SPEAKERS INCLUDE



JONATHAN ELLIS  
Director,  
Accuracy



CAMERON FORD  
Corporate  
Counsel, Rio  
Tinto



KENT PHILLIPS  
Partner, Hogan  
Lovells



SAMANTHA GERSHON  
Partner,  
Withers



N. JANSEN CALAMITA  
Head,  
Investment  
Treaty Law &  
Policy, National  
University of  
Singapore



ABHINAV BHUSHAN  
Director, South  
Asia, ICC  
Arbitration  
& ADR,  
International  
Chamber of  
Commerce



MICHAEL D. LEE  
Vice President,  
American  
Arbitration  
Association/  
ICDR



STANLEY PARK  
Managing  
Director/Head  
Of Legal –  
Asia Pacific,  
Scotiabank



JOHN K. ARTHUR  
FCIArb,  
Barrister and  
Member of the  
Victorian Bar



CHUNG-YOON YANG  
Counsel,  
General  
Manager, Seoul  
International  
Dispute  
Resolution  
Center

### OVERVIEW

Having gained more and more support from governments across numerous Asian countries, arbitration as an ADR mechanism has been steadily gaining traction. This is in particular accelerated by the current global economy slowdown which has impacted upon both domestic and cross-border transactional works has slowed, and picked up the pace in disputes cases significantly.

In addition, the quality of arbitration centres in the Asia Pacific region have been constantly improving and being extensively promoted both directly and indirectly through arguments that arbitration is a more cost and time effective way of resolving disputes as compared to traditional ways such as litigation which can at times prove to be costly.

Singapore in particular is seen as a rising star in the arbitration field. The International Chamber of Commerce (ICC) has ranked the city-state as the number one seat of ICC arbitration in Asia for the last five years, as well as in the top five most preferred seats of ICC arbitration in the world for the last ten years. On top of that, there are now more arbitrations filed before the China International Economic and Trade Arbitration Commission (CIETAC) and the HKIAC as compared to those filed in traditional arbitral centres like the ICC in Paris and the LCIA.


Arbitration as a choice in resolving in-

ternational disputes will likewise continue to gain momentum and sour further grow as Asia continues to expand its international business reach.

Asia Legal Business is proud to present the **Asia Pacific Arbitration Conference 2016**. This conference gathers together international and regional arbitrators, in-house counsels, legal practitioners and industry experts to discuss recent developments in Asia Pacific's arbitration practices and key drivers behind the growing trends in the establishment of new arbitration centres and increasing competition between existing ones, hot pressing legal issues and best practice solutions in the region.

### AGENDA AT A GLANCE

- Arbitration Trends, Practices and Legislation Updates in Asia
- Emergence as a Popular Arbitration Hub Away from Traditional Seats - Is Asia Becoming the Next Arbitration Superpower?
- Rise of Investment Treaty and Investor State Arbitration Practices in Asia
- Family Law and Arbitration Practices in Asia Pacific
- The Yin and Yang of International Arbitration - A Regional Perspective
- Best Practices in Expert Evidence and Witnessing During Arbitration Proceedings
- Arbitration as a Default Dispute Reso-



**3 Public CPD points**  
Practice Area: Alternative Dispute Resolution  
Training Level: General

**SILE Attendance Guidelines:**  
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lution Mechanism for Cross-Border Deals & Transactions

### BENEFITS OF ATTENDING

- FREE\* passes to in-house counsel and business leaders with access to full-day sessions
- Key insight into the key issues and recent trends in arbitration practice within the Asia Pacific region
- Networking opportunities with leading lawyers, arbitrators, legal in-house experts and key decision makers
- In-depth panel discussion sessions with some of the most distinguished corporate counsels in the region
- VIP networking luncheon and refreshments

For more information, please visit [WWW.LEGALBUSINESSONLINE.COM/CONFERENCES/APAC-ARBITRATION-2016%20](http://WWW.LEGALBUSINESSONLINE.COM/CONFERENCES/APAC-ARBITRATION-2016%20)

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Limited complimentary seats available only for In-house Legal, General Counsels and Academia on a first-come-first-serve basis. Discounts are available for members of supporting organizations for this event. Please contact Willy at [willy.leonardi@thomsonreuters.com](mailto:willy.leonardi@thomsonreuters.com) for further details.

For Speaking Opportunities, please contact **Willy Leonardi** at [willy.leonardi@thomsonreuters.com](mailto:willy.leonardi@thomsonreuters.com) or **+65 6870 3102**  
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# ASIA PACIFIC ARBITRATION CONFERENCE

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**08:30am**

## Registration and Refreshments

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**09:00am**

## Welcoming Remarks by the Conference Chairperson

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**09:10am**

## Panel: Arbitration as a Default Dispute Resolution Mechanism for Cross-Border Deals & Transactions

- Combining with other with other dispute resolution mechanisms in a multi-tiered process
- Proceeding cost and length of time consideration to reach arbitration award
- Managing international arbitrations effectively – Practical tips and advice for In-house counsels
- Avoiding key pitfalls and challenges in cross-border arbitration due to cultural diversity and varying legal landscapes

### Moderator

KENT PHILLIPS, Partner, Hogan Lovells

### Panelists

CAMERON FORD, Corporate Counsel, Rio Tinto

MARY THOMSON, Chartered Arbitrator FCIArb FHKI Arb, Barrister, Arbitrator, Adjudicator & Mediator, Associate Member, St Philips Stone Chambers London & Singapore

EUNICE CHUA, Assistant Professor, School of Law, Singapore Management University, Ex-Deputy Chief Executive Officer, Singapore International Mediation Centre  
MICHAEL D. LEE, Vice President, American Arbitration Association/ICDR

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**10:20am**

## Refreshment Break

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**10:50am**

## Panel : Best Practices in Expert Evidence and Witnessing During Arbitration Proceedings

- Appointment process and selecting a suitable expert witnesses
- Trustworthiness of expert witness testimony – how to carefully screen them?
- Independent dispute advisory, expert witness services & claim support
- Evaluating the duration and costs incurred in engaging expert witnesses – is it worthwhile?

### Moderator

JONATHAN ELLIS, Director, Accuracy

### Panelists

JOHN K ARTHUR, FCIArb, Barrister and Member of the Victorian Bar

JULIAN COHEN, Barrister and Arbitrator, Gilt Chambers, Hong Kong

JOHN PIKE, General Counsel, Singapore Myanmar Investco Ltd

JELITA PANDJAITAN, Partner, Linklaters

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**12:00pm**

## Presentation: Family Law and Arbitration

- ADR generally in Hong Kong
- Private adjudication pilot scheme for family cases
- Mediation in family cases
- Collaborative practice
- Judge lead mediation : FDR and CDR
- Private FDRs
- The future – financial and children's arbitration?

### Speaker

SAMANTHA GERSHON, Partner, Withers

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**12:45pm**

## Networking Luncheon

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**01:55pm**

## Presentation: Rise of Investment Treaty and Investor State Arbitration Practices in Asia

- Investor-State Arbitration – how it works and what it means for Asia
- Bilateral and multilateral investment treaties signed by Asian States
- Overview of the ASEAN Comprehensive Investment Agreement (2012)
- Discussion of key issues surrounding investment treaty arbitration
- Trans-Pacific Partnership (TPP); Regional Comprehensive Economic Partnership (RCEP)
  - How will they impact on future investment arbitration proceedings in Asia?

### Speaker

N. JANSEN CALAMITA, Head, Investment Treaty Law & Policy, Principal Research Fellow, Research Associate Professor (CIL), Centre for International Law, National University of Singapore

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**02:35pm**

## Presentation: The Yin and Yang of International Arbitration - A Regional Perspective

- Recognition of international commercial arbitration (ICA) as the preferred method for resolving transnational disputes
- Support of domestic courts of States applying domestic laws (lex arbitri) to give effect to the New York Convention (NYC), and if applicable the Model Law, but not undue interference from those courts - this is its yin and yang
- Internationalist approach by national courts in construing the NYC and the Model Law is in accord with

international, and in particular, Asian practice

- Encouraging of uniformity in interpretation, the development of an internationally acknowledged harmonized procedural jurisprudence, the facilitation of international trade and the comity of nations

### Speaker

JOHN K. ARTHUR, FCIArb, Barrister and Member of the Victorian Bar

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**03:15pm**

## Refreshment Break

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**03:45pm**

## Panel: Emergence as a Popular Arbitration Hub Away from Traditional Seats - Is Asia Becoming the Next Arbitration Superpower?

- Shift in preference for arbitration seats - Levelled playing field in the Asian legal industry between international and domestic law firms
- Stiffer competitions faced by law firms to up their game and better market themselves
- Arbitration lawyers and specialists becoming key assets, and sought-after targets for competitors – how should law firms react and respond?
- Significant movements observed for international arbitration specialists among international law firms
- Becoming a top-notch arbitration hub in the region and subsequently attracting greater investments in a country – Why governments need to go all out to establish new arbitration centres and promote existing ones

### Moderator

DAVID BATESON, International Arbitrator, 39 Essex Chambers

### Panelists

ABHINAV BHUSHAN, Director, South Asia, ICC Arbitration & ADR, International Chamber of Commerce  
STANLEY PARK, Managing Director/Head Of Legal – Asia Pacific, Scotiabank  
MICHAEL D. LEE, Vice President, American Arbitration Association/ICDR  
CHUNG YOON YANG, Counsel, General Manager, Seoul International Dispute Resolution Center

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**04:55pm**

## Chairperson Closing Remarks

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**05:00pm**

## End of Conference