

ARBITRATION & ASIA: OPPORTUNITIES AND CHALLENGES

As Asia's prominence in international dispute resolution continues to grow, this half-day seminar takes stock of issues arising in Asia-related arbitration, and the evolving international infrastructure for the resolution of Asia-related disputes.



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Hong Kong



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Swee Im Tan
39 Essex
Chambers
Malaysia



Robert Pé
Arbitration
Chambers
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Manish Aggarwal
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Brad Wang
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**Matthew
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**Reza
Mohtashami
QC**
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LLP London



Jern-Fei Ng QC
Essex Court
London



Chin Leng Lim
CUHK and
Keating Chambers
London



Sherlin Tung
CMS Hong
Kong LLP

Date: 29 January 2020, 5:00 pm

Location: 39 Essex Chambers, 81 Chancery Lane, London WC2A 1DD

RSVP to eva.wong@fangdalaw.com

Co-organisers

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China International Economic and Trade Arbitration Commission
Hong Kong Arbitration Center



Programme

5.00pm – 5.30pm

Registration

5.30pm – 5.45pm

Introduction by Matthew Townsend, *Fangda Partners*

5.45pm – 6.45pm

Panel Session I: The current state and future of International Commercial Arbitration in Asia

- Ms. Swee Im Tan, *39 Essex Chambers*
- Mr. Robert Pé, *Arbitration Chambers*
- Mr. Brad Wang, *CIETAC HKAC*
- Mr. Jern-Fei Ng QC, *Essex Court*
- Mr. Matthew Townsend, *Fangda Partners*
(moderator)

6.45pm – 7.45pm

Panel Session II: The current state and future of Investor-State Arbitration in Asia

- Mr. Peter Yuen, *Fangda Partners*
- Mr. Manish Aggarwal, *Three Crowns LLP*
- Ms. Sherlin Tung, *CMS Hong Kong LLP*
- Mr. Chin Leng Lim, *CUHK and Keating Chambers London*
- Mr. Reza Mohtashami QC, *Three Crowns LLP*
(moderator)

7.45pm – 8.00pm

Closing remarks by Mr. Gaëtan Verhoosel, *Three Crowns LLP*

8.00pm

Refreshments





Peter Yuen, Fangda Partners, Hong Kong

Peter is head of the firm's dispute resolution practise in Hong Kong. His practice spans a number of areas including international and regional arbitration, having acted for clients in a number of high profile China-related commercial arbitrations. Peter has been ranked a Leading Individual for International Arbitration in Chambers Asia since 2010. He is qualified to practise Hong Kong law and English law. Peter's experience in arbitration covers both institutional (mainly, ICC, SCC, LCIA and HKIAC) and ad hoc (mainly UNCITRAL) arbitrations in both English and Chinese languages.



Gaëtan Verhoosel, Three Crowns LLP, London

Gaëtan has served as advocate and as arbitrator in a large number of both commercial and investment treaty arbitrations, some of which have been widely reported because of the significance of the financial recoveries at stake or the novelty of the legal issues involved. Gaëtan is the Co-Chair of the IBA Arbitration Committee and was appointed to the ICSID Panel of Arbitrators by the Kingdom of Belgium. He teaches international investment law at King's College School of Law in London. Prior to co-founding Three Crowns, Gaëtan was a partner and the global co-chair of the international arbitration practice at a prominent international law firm. Prior to entering private practice, he served as a Legal Advisor at the World Trade Organization in Geneva, where he advised dispute settlement panels adjudicating disputes between sovereigns across a range of industry sectors. Gaëtan has been ranked as a leading international arbitration practitioner in all major publications, including Chambers UK, Chambers (Global, Europe, and Latin America), PLC Which Lawyer (England), Legal 500 (UK), Legal 500 (Latin America), Who's Who Legal, and GAR's 45 under 45.



Swee Im Tan, 39 Essex Chambers, Malaysia

Tan Swee Im is an international arbitrator member at 39 Essex Chambers, based in their Kuala Lumpur office. Her focus is on the construction, infrastructure and energy sectors with extensive experience ranging from the early procurement strategy stage, to contract drafting, advisory during the project life, through to dispute resolution. She has spent more than 30 years in these sectors in counsel and advisory roles, including having been seconded to the KL International Airport and Malaysia-Singapore Second Crossing projects, been an in-house counsel and founded a boutique legal firm in 1999. She is now a fulltime Arbitrator and Adjudicator and Accredited Mediator. She is on the panel of the Asian International Arbitration Centre, Singapore International Arbitration Centre, Hong Kong International Arbitration Centre and Hainan International Court of Arbitration, as well as an Advocate & Solicitor of the High Court of Malaysia, Barrister-at-Law (Middle Temple), a Fellow of the Chartered Institute of Arbitrators, Malaysian Institute of Arbitrators, Asian Institute of Alternative Dispute Resolution, Chartered Institute of Building, Malaysian Society of Adjudicators and Dispute Board Federation and holds a Diploma in International Commercial Arbitration.

Robert Pé, Arbitration Chambers, Hong Kong and London



Robert S. Pé is an independent arbitrator and mediator. He is a fellow of the Chartered Institute of Arbitrators and a member of the HKIAC Council, the International Court of Arbitration of the International Chamber of Commerce and the ICC Commission on Arbitration and ADR. He is also a member of the CIETAC, HKIAC, LCIA, KLRCA, SIAC and SHIAC panels of arbitrators and has decided multiple disputes arising from private equity investments in Asia. Prior to becoming a full-time arbitrator in 2017, Mr. Pé was in private practice as an equity partner of a leading international law firm. The Chambers legal directory repeatedly ranked him as a Band 1 leading individual and described him as “*an outstanding international arbitration expert*”, who is “*well prepared, creative and highly effective*”.

Matthew Townsend, Fangda Partners, Hong Kong



Matthew is an International Arbitration Counsel at Fangda Partners in Hong Kong and qualified in England & Wales. His practice is focused on international arbitration and dispute resolution, often (but not always) with a China element. He has represented clients in arbitration proceedings in a number of jurisdictions under the arbitration rules of all the major institutions. He focusses on the energy (including renewables and Oil&Gas), infrastructure, construction, technology and international trade sectors. Directories describe him as “*a rising star in international arbitration*”; “*a pleasure to work with*”; “*well-regarded*”; “*smart and sensible*” “*recognized for his [Mandarin] language skills*”; “*extremely clever*”; and “*effective*”.

Manish Aggarwal, Three Crowns LLP, London



Manish is a partner in the London office, and a dual-qualified English solicitor and Indian advocate. He has represented and conducted advocacy for corporations and States in complex, high-value commercial and investment treaty arbitrations in a broad range of sectors, including telecommunications, technology, pharmaceuticals, energy, infrastructure, and renewables, under all major arbitration rules. He is recognised in Who’s Who Legal 2019 as a “Future Leader” in Arbitration and in the Legal 500 UK as a “Next Generation Partner” in both the International Arbitration and Public International Law sections. He previously served as a member of the IBA Subcommittee on Investment Treaty Arbitration (2014-2016), and is presently serving on the Steering Committee of the Young Group for the Mumbai Centre for International Arbitration. He has also taught International and Comparative Arbitration at Queen Mary University’s School of International Arbitration, and International Investment Law at King’s College School of Law (Master of Laws program).

Reza Mohtashami QC, Three Crowns LLP, London



Reza Mohtashami QC is a partner in the London office. He has represented clients as counsel and advocate in more than 75 arbitrations conducted under a variety of arbitration rules in many different jurisdictions. Reza has particular expertise in disputes arising in emerging markets with a focus on the telecoms, energy and infrastructure sectors. Reza is as an officer of the IBA Arbitration Committee, trustee of the DIFC-LCIA Arbitration Centre, member of the AAA-ICDR Advisory Committee, and editorial board member of the ICC Dispute Resolution Bulletin and Global Arbitration Review. He is the immediate past president of the LCIA Arab Users' Council. Reza is a qualified English solicitor-advocate and was appointed Queen's Counsel in recognition of his advocacy skills in 2018. He is recognised as a Thought Leader in arbitration by Who Who's Legal with Chambers and Partners describing him as "very capable, intelligent and hard-working" and the "real deal." He speaks English, French and Farsi.

Brad Wang, CIETAC, Hong Kong



Mr. Wang is Deputy Secretary General of the China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center (CIETAC Hong Kong), which is the first overseas branch of the largest and oldest permanent arbitral institution in China. He leads the case management team there. His job responsibilities include supervising arbitration & mediation case management and scrutinizing draft arbitral awards. He's also a panel mediator at CIETAC. Mr. Wang obtained his degrees of LLB from Chinese mainland and the U.K., and LLM in Arbitration & Dispute Resolution and PCLL from Hong Kong SAR. Qualified in Chinese mainland, he joined a major firm there and worked as a litigator prior to his current work at CIETAC Hong Kong.

Jern-Fei Ng QC, Essex Court, London



Jern-Fei Ng QC was one of the youngest QCs to be appointed in 2018 and is described in the legal directories as: "*exceptional*"; "*formidable*", "*truly superb advocate*". Praised as a "*brilliant strategist*" who "*can eat documents for breakfast*" and who is "*able to annihilate the opposing witness in cross-examination*". Has an ability to "*present practical legal solutions that not only win you the battles, but also the war*". Featured in the Legal 500's Arbitration Power List and Who's Who Legal Arbitration: Future Leaders. Ranked in up to 5 practice areas in the UK legal directories and in up to 3 practice areas in the Asian legal directories. Acted as counsel in over 100 arbitrations and as arbitrator in over 20 cases.

Sherlin Tung, CMS Hong Kong LLP



Sherlin is a member of the CMS International Arbitration Group. With a focus on international commercial arbitration she has experience advising on disputes in jurisdictions around the world including Asia, Europe and North America. Before joining CMS, Sherlin was the Litigation and Arbitration Counsel for an international manufacturing conglomerate where she worked in international commercial litigations and arbitrations worldwide, particularly in the U.S., Switzerland, Singapore and Thailand. Prior to this Sherlin was a Deputy Counsel with the ICC International Court of Arbitration where she managed over 300 international arbitration matters and was a founding member of the New York case management office. Sherlin started her international arbitration career by working under the direct supervision of Pierre A. Karrer, an internationally renowned arbitrator. She has also acted as Tribunal Secretary in over thirty five international commercial arbitrations, both ad hoc and institutional, and is experienced under a number of leading arbitral rules including the DIAC, HKIAC, ICC, SCC and UNCITRAL Rules.

Chin Leng Lim, Chinese University of Hong Kong and Keating Chambers London



Chin Leng Lim is Choh-ming Li Professor of Law at The Chinese University of Hong Kong. Chin practises as a barrister from Keating Chambers, London where his work has included foreign investment and treaty matters and disputes which typically involve complex points of public and private international law. He is an Honorary Senior Fellow of BIICL and a Visiting Professor at King's College London. Chin is listed as an arbitrator in Shanghai (SHIAC), Shenzhen (SCIA), on the HKIAC's List, and in Kuala Lumpur (AIAC). His books include Lim, Ho and Paporinskis, *International Investment Law & Arbitration* (Cambridge, 2018), with a Foreword by Gaillard, and the forthcoming Cambridge Companion to International Arbitration. His writings have been cited by appellate courts, bar associations, in a legislative inquiry and in Royal Commission and International Law Commission reports.

