For 33 years, The Legal 500 has been analysing the capabilities of law firms and sets across the world. In the research team, we constantly track which sections are used most by clients, and this often matches up with an increase in that section from submissions, client referees, requests for interviews and feedback – all of which make up the research process. The international arbitration rankings are consistently one of our most used and read editorial sections and one of the most competitive areas for law firms, sets, lawyers and barristers. This very much chimes with what we constantly hear anecdotally in the market, with international arbitration frequently cited as the preferred form of dispute resolution.

The Arbitration Powerlist: Southeast Asia 2022 showcases the leading practitioners working in Singapore, Malaysia, Indonesia, Thailand, Philippines, Vietnam, Brunei and Cambodia. It is perhaps unsurprising that a region of the world that is so incredibly diverse would reflect that same diversity onto this list of the best arbitration practitioners in this fascinating part of the world. This, in turn, translates into a list of practitioners that offer their clients an incredible array of services.

In the process of compiling this list and speaking with the candidates presented here, we were granted a fascinating insight into the way the wider region works; how practitioners listed here interact with and learn from each other, as well as how they do so with experts from other parts of the world. Arbitrators in Southeast Asia recognise the value of the incredible cultural diversity in the region, which then allows them to work extremely efficiently with other international lawyers. Arbitration is a practice in which multidisciplinary approaches to cases tend to offer unique perspectives in many cases, and we are proud to showcase many instances of what this successful approach looks like in the following pages. We are very confident that the lessons these candidates generously shared with us will inspires and provide an example many will seek to follow.

That is certainly possible, not least because Southeast Asia is a region full of opportunity in an astounding number of practice areas and sectors, but also in the wider market. Construction and infrastructure projects are connecting that part of the world and providing vital shelter to millions of people, whilst telecommunications and energy projects connect people like never before. It is against this backdrop that the work of the following candidates allows their expertise to shine even brighter.

As with any publication of this nature, we were faced with the dilemma of including as many worthy candidates as possible without diluting the significance of their listing. After lengthy discussions across the editorial team, we decided that a larger selection was necessary to provide sufficient nuance and balance across so many different markets. We hope that by expanding the selection we have managed to include some surprises.

To collate the list of leading practitioners we have of course drawn on our research team’s expertise. We have also approached leading arbitrators, arbitral institutions and general counsel active in the market to help create a definitive list of the leading arbitration counsel in Southeast Asia today. As such, we think the listing reflects those practitioners that are deemed the gold standard by businesses.
Important Regional Arbitration Centres - Southeast Asia

Maxwell Chambers  
Location: Singapore

Singapore Institute of Arbitrators (SIARB)  
Location: Singapore

Singapore International Arbitration Centre (SIAC)  
Location: Singapore

Singapore International Commercial Court (SICC) Registry Services  
Location: Singapore

Asian International Arbitration Centre (AIAC)  
Location: Malaysia

The Malaysian International Chambers of Commerce (MICCI)  
Location: Malaysia

BANI Arbitration Center  
Location: Indonesia

Indonesian Capital Market Arbitration Board (BAPMI)  
Location: Indonesia

Surakarta Center of Arbitration (SCA)  
Location: Indonesia

Indonesian National Board of Arbitration (BANI)  
Location: Indonesia

The Chartered Institute of Arbitrators: Indonesia Chapter  
Location: Indonesia

The Indonesian Mediation Center  
Location: Indonesia

The Thai Chamber of Commerce (TCC) and Board of Trade of Thailand (BOT)  
Location: Thailand

Pacific International Arbitration Centre (PIAC)  
Location: Vietnam

Vietnam International Arbitration Centre  
Location: Vietnam

Brunei Darussalam Arbitration Centre  
Location: Brunei

National Commercial Arbitration Centre  
Location: Cambodia
Loretta Malintoppi
39 Essex Chambers

Location: Singapore
Number of years in practice: 32
Number of years as an arbitrator: 20
Admissions: Rome and Paris
Main sectors covered: Investment arbitration, public international law, oil, gas, energy, commercial transactions, agency and pharma
Geographical areas of focus: Asia, Europe, Latin America
Languages: Italian, English, French, Spanish

Loretta Malintoppi is an experienced arbitrator who has sat in arbitrations under a variety of arbitration rules, including DIAC, UNCITRAL, LCIA, ICSID, and others. Her focus includes infrastructure projects, oil and gas, international sales contracts, and shareholder agreements disputes.

Malintoppi won the Global Arbitration Review Award in 2021 for ‘Best prepared & most responsive arbitrator’.

Christopher Lau
3VB

Location: Singapore
Number of years in practice: 47
Number of years as an arbitrator: 17
Current number of arbitrator appointments: Eight
Admissions: Singapore Bar and Bar of England and Wales (non-practicing)
Main sectors covered: Commercial disputes including construction, corporate, energy, maritime, aerospace, communications, pharmaceuticals, military, defence procurements
Geographical areas of focus: Asia, Middle East, Europe, Americas, and Australia
Languages: English

Christopher Lau’s arbitration practice encompasses all aspects of commercial disputes, including construction, corporate, energy, maritime, aerospace, communications, pharmaceuticals, and military and defence procurements. Lau has sat in arbitrations conducted either on an ad hoc basis or under various institutional arbitration rules seated in various civil and common law jurisdictions around the world. He has served as independent, non-executive director of various companies, serving predominantly on their risk management and audit committees.

Chong Yee Leong
Allen & Gledhill

Location: Singapore, Malaysia, Vietnam
Number of years in practice: 32
Number of years as an arbitrator: 14
Current number of arbitrator appointments: One chair and one sole
Admissions: Singapore Bar, Malaysian Bar, Solicitor of England and Wales (non-practicing)
Main sectors covered: Construction, energy, oil and gas, power, infrastructure, investment and company disputes
Geographical areas of focus: South East Asia, South Asia, Japan and South Korea
Languages: English, Malay

Yee Leong is the co-head of the Allen & Gledhill’s international arbitration practice. With over 32 years of experience, he is recognised as a leading international dispute resolution practitioner in the Asia-Pacific region. Yee Leong focuses on construction, energy, oil and gas, power and infrastructure projects and investment and commercial disputes, and he has been involved in numerous arbitrations administered by or in accordance with the rules of the Singapore International Arbitration Centre (SIAC), International Chamber of Commerce (ICC), London Court of International Arbitration (LCIA), Hong Kong International Arbitration Centre (HKIAC), Asian International Arbitration Centre (AIAC), Japan Commercial Arbitration Association (JCAA) and United Nations Commission on International Trade Law (UNICTRAL). He is also a chartered arbitrator and a fellow of the Chartered Institute of Arbitrators (CIArb) and the Singapore Institute of Arbitrators (SI Arb). Yee Leong is the deputy chairman of the Board of Directors for SIAC, and is also on the panel of arbitrators for SIAC, AIAC, and CIArb Presidential Panel of Arbitrators. He is also a jurisdictional council member for Singapore for Inter-Pacific Bar Association.
ACCRALAW was founded in 1972, out of the shared vision of its five founding partners to establish an institutional law firm based on the highest standards of legal competence.

Today, 47 years after it first opened its doors, the Firm has approximately 160 lawyers (41 of whom are partners), around 130 support staff, and two branches in the two most important commercial cities in the country outside Metro Manila. ACCRALAW is uniquely positioned to service clients throughout the Philippines. Equally as important, its lawyers have vast cross-border experience in complicated international transactions and are able to quickly service and communicate with its international clients in real time. The Firm also has an impressive network of correspondent firms positioned in the primary business centers of the world. The Firm’s strong presence in the Philippines, coupled with its international experience, makes it truly distinct in the Philippines.

The economy of the Philippines, together with the rest of Asia, is growing at an unprecedented rate. Moreover, financial centers and fortunes are shifting towards this region where there is a burgeoning, young, upwardly mobile and educated population with increasing disposable income. In the face of all this growth and economic activity, ACCRALAW is strategically and uniquely situated to serve its clients within the region and without.
In conversation with...

I am active both as counsel and arbitrator, mostly as President or Sole Arbitrator. From these different perspectives, I have gained valuable insights and developed keen instincts and discerning knowledge at performing either role. This has become a tool to weed the chaff from the grains and to select the best grains to advance or resolve the cause.

At the local scene, it is important to be aware of, among others (1) the law arbitral – most specialty mandatory provisions of the arbitration law; (2) the pro or anti-arbitration bias of the local judiciary; (3) the ease of dealing with local counsel which is invariably necessary.

Several of our lawyers have taken post graduate studies, including practical legal training. While our legal system is primarily based on Spanish law or civil law, our commercial laws are primarily based on US laws on uniform law principles. Thus, we are familiar with both civil and common law principles. Moreover, for international commercial arbitration, we have adopted the UNCITRAL Model Law.

We are also quite active in the Asian Law Association where our firm acts as the Secretariat. We handled an arbitration matter for a multinational company involving the construction of a process plant. The plant followed the international standard plans and specifications of our client. To ensure compliance with these international standard plans and specifications, our client brought to the Philippines, on secondment to its local subsidiary, two foreign engineers who were designated as the Employer’s representatives. The construction contract was entered into arbitration matter for a multinational company involving the construction of a process plant. The plant followed the international standard plans and specifications of our client. To ensure compliance with these international standard plans and specifications, our client brought to the Philippines, on secondment to its local subsidiary, two foreign engineers who were designated as the Employer’s representatives. The construction contract was entered into.

To save the day, we filed with the Arbitral Tribunal an urgent motion to present these two witnesses by video-conferencing which was granted. Thus, we were able to thwart the contractor’s ploy to prevent our principal witnesses from testifying.

In conversation with...

What do you think are the most important qualities or skills you bring to an arbitration?

I believe that the most important qualities or skills to bring to an arbitration are experience and knowledge. In law, in business and in life, it makes it easier for me to understand the client’s immediate, ultimate and practical objectives in that I am able to understand and relate not just to the legal issues that are involved, but also the short-, mid- and long-term implications these may have to their businesses.

Arnold M. Corporal

Location: Philippines

Languages: English, Filipino, Tagalog

Arnold Corporal is a senior partner at ACLRAW and works under the firm’s litigation and dispute resolution department.

He has been practicing law for more than 20 years, and is focused on litigation and arbitration of international and regulatory disputes involving public utilities and other regulated businesses such as telecommunications, broadcast and media companies, toll roads, electric and water utilities, banks and other financial institutions, property development and construction companies.

Corporal’s experience in arbitration spans the entirety of his 20 years in the practice of law, having represented the firm’s clients before the Construction Industry Arbitration Commission (CIAC), the Philippine Dispute Resolution Center (PDRC), Singapore International Arbitration Centre (SIAC), Singapore International Arbitration Centre (SIAC), Singapore International Arbitration Centre (SIAC), Singapore International Arbitration Centre (SIAC), International Chamber of Commerce – International Commercial Arbitration (ICC-ICA), and in various ad hoc arbitrations.

In conversation with...

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Patricia-Ann T. Prodigalidad
ACCRALAW

What do you think are the most important qualities or skills you bring to an arbitration?

Though arbitration is typically distinguished from litigation, the skills that make me a good litigator are what bring me to my arbitration practice. I have a science background and, because of it, I can quickly understand technical and complex transactions and distill the salient issues from the voluminous documentation. I bring to the table as well my innate passion for learning—learning about novel concepts and industries, learning about practices in other jurisdictions, and developing soft skills that are needed in dealing with arbitration participants. My most important skill, for which I have been recognized in the litigation field, is my ability to come up with strategic approaches to problems and craft out-of-the-box solutions and arguments. Strategy and creativity are essential not just for litigation or arbitration but in lawyering in general.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

ADR, especially arbitration, has been recognized and used in the Philippines for decades. What international counsel will need to appreciate is that, despite this long history, ADR and arbitration continue to be emerging practices. So, they should expect resistance from counterparts and anticipate attempts of opposing counsel to bring into the arbitration practices that are traditional in litigation. Positives in this jurisdiction are the country’s pro-arbitration policy and the judiciary’s overhauling of arbitration practices. How would you describe your firm’s arbitration practice in the wider region?

The international arbitration scene has exhibited substantial advancement in terms of diversity and inclusion. Indeed, the best proof of this is that the ICC International Court of Arbitration has recently elected its first female president and, from what I understand, a majority of the court’s members are now female. Recognizing female arbitrators by giving them leadership roles in esteemed institutions does not always translate to inclusiveness in terms of tribunal appointments. There must be an active push to disseminate information to the users of arbitration on the availability of competent, efficient, and trustworthy ADR practitioners who do not fit the stereotypes of the past (that is, white and male). Thus, though the arbitration world has become more diverse and inclusive in the past decade, still much more needs to be done, especially in the Philippines.

In conversation with...

Patricia-Ann T. Prodigalidad is a senior partner of ACCRALAW, a full service and institutional law firm in the Philippines. Ms. Prodigalidad currently serves as the firm’s managing partner. With over 25 years of experience in managing disputes in complex commercial and corporate governance matters as well as handling numerous high-profile cases and cross-border litigations, Ms. Prodigalidad has been consistently recognized as one of the country’s prominent practitioners and leading lawyers. She leverages her science background and biology degree in representing clients in product liability, intellectual property, and environmental litigation. She has assisted clients in various congressional inquiries before various committees of the Philippine House of Representatives and the Senate. Though an active litigator, Prodigalidad is likewise an accomplished ADR practitioner. She penned the first ever arbitration advocate’s manual in the Philippines – the Philippine Dispute Resolution Center, Inc. In addition, Patricia is on the board of arbitrators of the Philippine Construction Industry Arbitration Commission, Philippine International Commercial Court for Conflict Resolution and is the sole female accredited Philippine arbitrator on the panel of arbitrators of the Philippine International Commercial Arbitration Centre. She is currently the alternate court member for the Philippines in the ICC Court of Arbitration.

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Oliver L. Pantaleon
ACCRALAW

Location: Philippines
Number of years in practice: 25
Admissions: Philippine Bar
Main sectors covered: Energy, oil and gas, banking and finance, real estate, environment
Languages: English and Filipino

Oliver L. Pantaleon is a senior partner at ACCRALAW. He is also head of the litigation and dispute resolution department. He has over 25 years of complex litigation experience. His practice focuses on commercial and civil litigation, including high-stakes business disputes, energy disputes, contractual and transactional disputes, shareholder disputes, director and officer liability, and antitrust litigation. His oil and energy disputes practice involves complex cases with reputational and industry-wide implications. His white-collar practice includes representation of directors and officers of corporate clients in criminal cases. He has acted for a diverse range of clients, including a multinational oil company, an international tobacco manufacturer, the largest domestic and foreign banks.

Jose Martin R. Tensuan
ACCRALAW

Location: Philippines
Number of years in practice: 25
Number of years as an arbitrator: Four
Admissions: Philippine Bar
Main sectors covered: Banking, construction, health, mining, oil and gas, pharmaceutical, telecommunications
Languages: English, Filipino, Mandarin

Jose Martin R. Tensuan handles, for both Filipino and foreign clients, a diverse array of litigation cases involving constitutional, civil, criminal, commercial, contractual, corporate rehabilitation and insolvency, environmental, family, and zoning, planning & land use issues. He strategies, structures, and drafts contracts in relation to commercial arrangements for the successful out-of-court dispute resolution of his clients.

He has handled significant cases/transactions where he: represented clients in proxy fights and successfully prevented hostile take-overs of clients in the telecommunications, infrastructure and banking industries; assisted in negotiating and drafting various major agreements pertaining to Stage 2 of the Skyway Project; represented the country’s biggest telecommunications company in relation to the validity of and compliance with Securities and Exchange Commission Memorandum Circular No. 8, Series of 2013 on Guideline on Compliance with the Filipino-Foreign Ownership Requirements prescribed in the Constitution and/or Existing Laws by Corporations Engaged in Nationalized and Partly Nationalized Activities; represented the largest Philippine domestic pharmaceutical company in relation to frivolous criminal actions as well as eminent domain proceedings initiated by local government units; and represented and successfully defended the directors of the owner of the country’s longest oil pipeline in Writ of kalayaan and related criminal and civil proceedings.

Antonio Eduardo S. Nachura, Jr.
ACCRALAW

Location: Philippines
Number of years in practice: 25
Main sectors covered: Public utilities, banking, telecommunications, construction, property
Languages: English and Filipino

Antonio Eduardo S. Nachura, Jr. specialises in litigation, alternative dispute resolution, administrative law, civil law, criminal law, and corporate law. He has appeared before the various prosecutorial offices, trial and appellate courts, as well as quasi-judicial agencies and regulatory boards.

Mr Nachura also handles arbitration cases before the International Court of Arbitration and the Philippine Dispute Resolution Center, Inc. (PDRC).

Antonio Jose Gerardo T. Paz
ACCRALAW

Location: Philippines
Number of years in practice: 14
Admissions: Philippine Bar
Main sectors covered: Construction, mining, energy, public utilities, product liability and consumer protection
Languages: English and Filipino

Antonio Jose Gerardo T. Paz specialises in arbitration, alternative dispute resolution, arbitration, appellate practice, product liability and consumer protection, administrative law, criminal law, civil law, and family law.

For both Filipino and foreign clients, Paz has appeared as counsel before the various trial and appellate courts, as well as the various quasi-judicial agencies, prosecutorial offices, regulatory boards and arbitration tribunals constituted by the Philippine Dispute Resolution, Inc. and the Construction Industry Arbitration Commission. He has represented clients in various sectors such as wholesale and retail distribution, manufacturing of motor vehicles, water distribution, pharmaceutically, public utilities, telecommunications, banking, power and energy, government service, and media.
Michael Weatherley
Ashurst

Location: Singapore
Number of years in practice: 2
Admissions: England & Wales, Australia (NSW)
Main sectors covered: Energy (renewable and conventional), construction/infrastructure, mining and resources, M&A/private equity

Geographical areas of focus: Southeast Asia (including Singapore, Indonesia, Vietnam, Malaysia, Brunei, Thailand) and Australia

Michael Weatherley is a Partner in Ashurst’s global international arbitration team.

He is a commercial arbitration specialist, with experience spanning a number of industry sectors, including (most prominently) renewable energy, gas, power, construction/infrastructure, engineering, mining and resources and international sale of goods. He also has a burgeoning practice in post-M&A disputes.

Throughout his time in Ashurst’s Brisbane, London and Singapore offices, Weatherley has represented clients in arbitrations under all of the major rules and in many of the major seats of arbitration. He has also assisted clients in managing cross-border litigation, including (often challenging legal and political environments. A fascinating insight into how to navigate, and effectively enforce, one’s rights in this region’s most complex legal, factual and technical picture. That kind of complexity is a regular feature of arbitration; but so are cases involving the hard practical realities of operating in certain South East Asian jurisdictions. Probably my most interesting case related to a client’s forced evacuation from their interests in a major gold, silver and copper mine in Indonesia. We filed what was, at the time, the highest value arbitration in SIAC’s history, seeking c. $3bn in compensation. The case ultimately settled but it was nevertheless a fascinating insight into how to navigate, and effectively enforce, one’s rights in this region’s often challenging legal and political environments.

What do you think are the most important qualities or skills you bring to an arbitration?

I think my favourite client compliment was that I possess ‘level-headed tenacity’. I am certainly passionate about my client’s causes and tirelessly to help them achieve their goals. That I think is fuelled by natural competitiveness but also strong personal bonds formed with clients in the trenches of major disputes. The key, however, is maintaining a considered and measured approach while doing so. Never over-reaching, focusing on what is truly important to the success of the case and knowing when it is better to settle than fight to the bitter end.

In conversation with...

What are the most impressive arbitrations you have worked on as counsel?

One career highlight was winning a $50m award for a Japanese contractor in a dispute concerning the construction of a geothermal power plant in Indonesia. We proved our client’s consortium partner had improperly manufactured a pretzel for its own use from the project and were able to claim the cost of our client being left ‘holding the baby’. I was of course proud of the result but even more so of the way in which the whole team (lawyers, clients, experts and witnesses) collaborated to so effectively distil for the tribunal what was an exceptionally complex legal, factual and technical picture.

Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing we can discuss?

I’ve always enjoyed the cut and thrust of a good debate (I truly my loved ones have endured in equal measure to my arbitration opponents). I was lucky enough to have mentors at Ashurst that recognised and that disposition at an early stage in my career and allowed me home my written and oral advocacy on actual cases. Our global head of arbitration, Matthew Saunders, gave me my first shot at oral advocacy before an eminent three-member panel seated in Stockholm. I was to speak to the expert evidence. With only a few years of post-qualification experience and 40 minutes at stake I was a little nervous to say the least. Oral openings went well but the day before I was due to sum up, our main expert was forced to admit an embarrassing error in his calculations. My triumphant ‘chain of thought’ was therefore delayed. The experience soon became ‘who’s the funniest lawyer’ and in addition to the obvious, I learnt that adaptability is one of the most important traits of any advocate.

How would you describe your firm’s arbitration practice in Southeast Asia? What strengths does it have as a wider group of attorneys?

I’d say that we are team of true arbitration specialists with:

• a market-leading reputation for running complex, high-value procedural and construction/infrastructure arbitrations;
• unmatched experience resolving disputes relating to the construction of large-scale power projects in South-East Asia, particularly in the renewable energy space (geothermal, wind, solar, mining and resources);
• genuine expertise in, and repeat mandates relating to, the recent spate of LNG pricing disputes (among the most high-value, complex disputes currently being resolved in the market);
• a burgeoning financial disputes and M&A disputes practice, with numerous high-value mandates in each sector.

We also pride ourselves on combining local expertise with global reach. We can and regularly do draw on Ashurst’s global network given the international nature of our caseload. That means clients have access to support whenever it was needed and whatever the timezone. At the same time, our lawyers have longstanding on-the-ground experience in the region. Our South East Asia head of arbitration, Rob Palmer, for example, has been based here for almost 20 years (including time living and working in Thailand, Indonesia and Singapore). We understand the cultural, legal, business and political nuances of the region and tailor our service accordingly.
In conversation with…

Sapna Jhangiani QC

Sapna Jhangiani QC specialises in international arbitration and is recognised as a leader in the field.

Jhangiani is Vice Chair of the ICC Commission on Arbitration and ADR and is Chair of the Singapore branch of the Chartered Institute of Arbitrators.

Jhangiani was awarded a diploma in international commercial arbitration by Queen Mary University of London in 2006, and graduated with distinction. She has managed cases spanning a number of industries under local and international law. These include arbitrations, including those of the ICC, SIAC, LCIA, SCMA, DIFC-LCIA, AIAC, LMAA, HKIAC, as well as under local law in arbitrations seated in Hong Kong, Singapore, London and Paris. Jhangiani is also a member of the Singapore Institute of Arbitrators. Two of the most challenging cases I have ever worked on. I focused on building strong communication and collaboration within the team, and they performed fantastically, achieving an excellent outcome for the client.

A 400m shareholder dispute relating to investments in India in which I was counsel.

Another example is being instructed late in the day – around 1 month before the hearing. The issues in dispute – particularly the legal aspects of the case – were very complex. I worked extremely hard to master my brief, and spent weeks immersed in the law. With the assistance of myfantastic juniors, I gave my all to preparing for the hearing, and drafting my written closing submissions (of which there were several rounds). I believe our collaborative efforts had a direct and positive impact on the ultimate outcome.

If I had to highlight three important skills or qualities to bring to an arbitration, I would focus on the following. Firstly, an eye for the relevant: this is a key skill in advocacy, which is an exercise in selectivity and judgment. I have spent my entire career focusing on developing and improving my oral and written advocacy skills, honing my ability to spot what is relevant, and to exercise my judgment. Amongst other things, this gives me the courage to focus on the important points in a case, and enables me to tailor my presentation to the specific case and the tribunal I am appearing before.

Secondly, varied cross-jurisdictional experience: I have a wealth of experience in diverse fora, spanning both the common and civil law (with over 5 years spent practising in Dubai). I find this experience invaluable in dealing with the complex interplay of different procedures, issues and laws – including conflicts of laws – which are involved in an international arbitration. It is also extremely useful when formulating a strategy and advising on the enforcement of international awards.

And last but not least, strong interpersonal skills: I know that the more under-rated skills for advocates are humility and listening skills. They are paramount, but not relied on enough. Whilst I will firm views on case strategy, I focus on developing my relationships and other lateral skills in order to develop the best ideas and strategies, taking the view that the best outcomes arise from diverse contributions. I am a strong communicator and collaborator - a client will never be in any doubt that I and my juniors are 100% on their side and that we are partners, as part of a cohesive and well-oiled team.
Michael T. Macapagal is a partner in Quisumbing Torres' dispute resolution practice group. He heads the restructuring & insolvency focus group and is a member of the energy, mining & infrastructure industry group, and the compliance and competition focus groups. He has 13 years of legal practice involving arbitration, construction, healthcare disputes, compliance, civil and criminal litigation, labour law, intellectual property law, public-private partnerships, project finance and joint venture matters. He received the sixth-highest score in the 2008 Philippine bar examinations. He has been recently cited as an arbitrator, construction, healthcare disputes, compliance, civil and criminal litigation, labour law, intellectual property law, public-private partnerships, project finance and joint venture matters. He was also part of teams that assisted in arbitrations involving the Philippine government.

He is a member of the Philippine International Center for Conflict Resolution, Inc. - Member, Deputy Secretary-General for Case Administration; Young Singapore International Arbitration Centre Group (YSIAC); Young International Council for Commercial Arbitration (ICCA) - Member, Local Steering Secretary-General for Case Administration); Young Singapore International Arbitration Centre Group (YSIAC); Young International Council for Commercial Arbitration (ICCA) - Member, Local Steering Secretary-General for Case Administration).

Marvin V. Masangkay
Quisumbing Torres (Member firm of Baker McKenzie)

Marvin Masangkay is a partner in Quisumbing Torres' dispute resolution practice group and leads the aviation sector of the firm's industrials, manufacturing & transportation industry group. He has sixteen years of experience handling commercial, civil, criminal and appellate litigation. He has handled commercial, civil, criminal and appellate litigation. He has handled commercial, civil, criminal and appellate litigation. He has also handled commercial, civil, criminal and appellate litigation. He has represented clients engaged in the energy, aviation, outsourcing, pharmaceutical, mining, and manufacturing industries. He is a trained arbitrator in the Philippine Dispute Resolution Center, Inc., and a member of the Philippine Institute of Arbitrators and the Chartered Institute of Arbitrators. Masangkay is also a founding member of the European Chambers of Commerce of the Philippines' Aviation Committee and is currently co-chairperson of said committee.

Nandakumar Ponniya
Baker McKenzie Wong & Leow

Nandakumar Ponniya leads the dispute resolution practice for Baker & McKenzie in the Asia Pacific region, comprising nine offices with over 200 practitioners. He also leads the energy, mining & infrastructure-related disputes practice within Baker McKenzie globally. He has particular expertise in international arbitration, commercial litigation, and corporate restructuring and insolvency, especially in the major Asian markets. He also advises on investment arbitration, particularly in relation to matters in Asia. He has appeared as counsel before all divisions of the Singapore Courts, including the Court of Appeal. Ponniya has conducted international arbitrations involving all the major arbitral rules including ICC, SIAC, HKIAC, KLICA, BANI, UNCITRAL, and ICSID, with hearings in multiple jurisdictions such as Singapore, Kuala Lumpur, Jakarta, Hong Kong, London, and Mexico City. He has been skilled in alternative dispute resolution matters, including adjudication and mediation, as well as restructuring, insolvency, and front-end risk advisory work.

KC Lye
Breakpoint LLC

KC Lye's considerable experience includes being the former head of the dispute department of Norton Rose Fulbright in Singapore. Now he is practicing as an independent arbitrator and counsel.

PRIVATE PRACTICE POWERLIST 2022

ARBITRATION | SOUTHEAST ASIA

PROFILES | A-Z BY FIRM
Bun Youdy
Bun & Associates

Location: Phnom Penh, Cambodia
Number of years as an arbitrator: Nine
Main sectors covered: Foreign investment, banking and finance, telecoms and new technology, fintech, oil and gas
Geographical areas of focus: Asia, Europe, US
Languages: English, French, Khmer

Bun Youdy is current managing partner at Bun & Associates and a former President of the National Commercial Arbitration Centre of Cambodia (NCAC). He has been involved with arbitration in Cambodia and NCAC since the early stages of the development of the sector, was among the first-generation commercial arbitrators admitted to the NCAC panel, and was one of the Centre’s founding board members. He also sat on the NCAC’s Appointment Committee which is entrusted to decide on arbitrators’ appointments and jurisdictional challenges related matters. In addition, Youdy is a Fellow of the Singapore Institute of Arbitrators (SIArb) since 2015.

Notably, Youdy has acted for an international construction company to successfully enforce a foreign arbitration award in Cambodia under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards; and represented a leading Cambodian company in a dispute related to a supply of products for cool room installation. Phin Sovath assists numerous clients in organising their dispute resolution options and strategies. Sovath has acted as joint counsel in relation to a dispute connected to the construction of public infrastructure; provided advice to an international construction company to enforce a foreign arbitral award in Cambodia under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards; and represented a leading Cambodian company in a dispute related to a supply of products for cool room installation. He is a member of the National Commercial Arbitration Centre (NCAC) and a Fellow of the Singapore Institute of Arbitrators (SIArb). He assisted the team that drafted the Internal Rules and Arbitration Rules of the NCAC and was the Vice Chairman of the Executive Board of the NCAC (2016-2019) where he has developed Commercial Arbitration Training Curriculum and Training Material for NCAC funded by World Bank. Sovath has also served as a member of NCAC Education Committee and as a trainer for prospective arbitrators.

Phin Sovath
Bun & Associates

Location: Phnom Penh, Cambodia
Number of years as an arbitrator: Nine
Main sectors covered: Intellectual property, corporate and M&A, commercial, foreign investment, oil & gas, real estate, telecoms and new technology, fintech, entertainment
Geographical areas of focus: Asia, Europe, US
Languages: Khmer, English

Ben Dominic Yap
C&G Law

Location: Makati City, Philippines
Number of years in practice: 24
Number of years as an arbitrator: 30+

Phin Sovath assists numerous clients in organising their dispute resolution options and strategies. Sovath has acted as joint counsel in relation to a dispute connected to the construction of public infrastructure; provided advice to an international construction company to enforce a foreign arbitral award in Cambodia under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards; and represented a leading Cambodian company in a dispute related to a supply of products for cool room installation. He is a member of the National Commercial Arbitration Centre (NCAC) and a Fellow of the Singapore Institute of Arbitrators (SIArb). He assisted the team that drafted the Internal Rules and Arbitration Rules of the NCAC and was the Vice Chairman of the Executive Board of the NCAC (2016-2019) where he has developed Commercial Arbitration Training Curriculum and Training Material for NCAC funded by World Bank. Sovath has also served as a member of NCAC Education Committee and as a trainer for prospective arbitrators.

Cecil Abraham
Cecil Abraham & Partners

Location: Kuala Lumpur, Malaysia
Number of years in practice: 52

Ben Dominic Yap has acted as counsel in arbitrations involving contracts governed by the laws of the Philippines, Singapore, England, and Thailand.

Cecil Abraham & Partners

Cecil Abraham is Senior Partner at Cecil Abraham & Partners. He is also an Associate Member at 3 Verulam Buildings, UK. Abraham has acted as arbitrator in multiple disputes and is regularly appointed as an arbitrator in complex commercial international arbitrations. He has appeared regularly before the Court of Appeal, the Federal Court, the Special Court, and the Privy Council, and has over 300 reported decisions of note to his name. He holds the distinction of having acted for the former Prime Minister of Singapore, the late Mr. Lee Kuan Yew, and several Prime Ministers of Malaysia. Abraham is also a current member of the Advisory Council of the International Council for Commercial Arbitration (ICCA).
Profile of Sunil Abraham

Sunil Abraham is a partner and arbitration lawyer at Cecil Abraham & Partners. He specialises in corporate and commercial disputes, as well as disputes in the banking and securities, media, telecommunications, public, and administrative and environmental law sectors. He has significant advocacy experience before the High Court, Court of Appeal and Federal Court and before arbitral tribunals. He is also a member of Arbitrators International. Sunil has appeared in a number of cases before the Federal Court, including cases involving the registration and enforcement of arbitral awards, the validity and enforceability of introducer agreements within the meaning of Section 24 of the Contracts Act 1950, and appeals before the Court of Appeal and the Federal Court on complex issues of public and private international law.

Main sector experience includes work in the energy, power, oil and gas, infrastructure, construction, engineering, real estate, utilities, natural resources, international trade and commodities.

Geographical areas of focus: Southeast Asia

Languages: English and Malay

Profile of Paul Sandosham

Paul Sandosham heads the Energy, Infrastructure and Resources Disputes practice for Southeast Asia at Clifford Chance Asia. His broad sector experience in dispute resolution includes work in the energy, power, oil and gas, infrastructure, construction, engineering, real estate, utilities, natural resources, and commodities sectors. Sandosham also frequently deals with disputes arising in numerous jurisdictions, including India, UAE, Qatar, Bahrain, KSA, Mauritius, Maldives, Tanzania, Nigeria, Pakistan, Turkey, China, and Australia. He is a qualified Chartered Arbitrator, and a Fellow of the Chartered Institute of Arbitrators (CIArb) and Singapore Institute of Arbitrators. He is the Chairman of the Board of Directors of CIArb Singapore. In addition to acting as counsel in litigation and international arbitration matters, Sandosham is also regularly appointed to sit as sole arbitrator or Tribunal Chairman in disputes arising out of complex global projects. He is on the panel of Arbitrators of SACE, AWAC, HCAC, DRC, BAI, BCIDR and PRCAC, and is on the ICC Singapore Nomination Commission. He represents large multinational corporations, international banks, and financial institutions with a presence across APAC.

Geographical areas of focus: APAC and India

Languages: English, Malay, Bahasa Indonesia, Hindi & Punjabi

Profile of Kabir Singh

Kabir Singh is a partner in the international arbitration and dispute resolution practice of Clifford Chance. He represents clients in cross-border disputes with a focus on India, Indonesia, and Southeast Asia and often represents large multinational corporations, international banks, and financial institutions with a presence across APAC.

Geographical areas of focus: Southeast Asia

Languages: English, Mandarin

Profile of Romesh Weeramantry

Romesh Weeramantry heads the head of international dispute resolution at the National University of Singapore Centre for International Law. He is also an Adjunct Professor at the NUS Faculty of Law, where he teaches an LLB/LLM arbitration course alongside Benjamin Hughes. Weeramantry is also a consultant to the Singapore Law Society Committee on Public International Law, an editorial board member of the ICSID Review, and the Director of the 2021 and 2022 Singapore International Arbitration Academy.

Languages: English

Profile of Paul Tan

Paul Tan is a commercial arbitration and international arbitration specialist, covering both commercial and investor-state disputes. His practice focuses on managing disputes across Southeast Asia, with experience advising on complex issues of public and private international law. Tan advises a wide range of clients, including leading multinational organisations, global insurers, financial institutions and Asian governments.

Geographical areas of focus: Southeast Asia

Languages: English, Mandarin, French, German, United States of America

Geographical areas of focus: APAC and India

Languages: English, Mandarin, French, German, United States of America

Languages: English, Mandarin, French, German, United States of America

Languages: English
Cruz Marcelo & Tenefrancia

Business message
Cruz Marcelo & Tenefrancia Law Offices is an enduring legal institution committed to the core values of integrity, professionalism and meritocracy in providing unparalleled legal representation and highest quality of service to clients, in various fields of law, and extending to the broader context of Philippine society.

As a full-service and optimal solutions firm, its lawyers are experts in their respective fields of specialisation. In the area of dispute, and specific to arbitration, CMT has extensive practice as Philippine arbitration counsel and an advisor in both domestic and international arbitration. The arbitration disputes CMT has handled involve diverse subject matter including information technology, construction and infrastructure, mining, civil, commercial contracts, and labour and employment.

CMT's trained teams are keen in understanding the technical and financial aspects of the dispute, with primordial focus on the client's objectives. CMT's representation extends from being counsel during arbitration proceedings to post-award, including judicial recourse (and appellate) review of awards. CMT also handles enforcement mechanisms/remedies related to arbitration awards as well as in resisting the same.
Elmar B. Galacio is a senior litigator and previously deputy general counsel of the Integrated Bar of the Philippines (IBP). He is a lecturer on arbitration and ADR, both domestic and international. He finished his law degree from the University of the Philippines (UP) College of Law where he was a member of the Honor Society of the Order of the Purple Feather (OPF), and his Masters Degree in Public Policy (WPP) from the Graduate Research Institute for Policy Studies (GRIPS) in Japan.

Galacio has a recognised expertise in a wide range of practice areas, including commercial, criminal, administrative/regulatory, and civil litigation, as well as labour employment and labour relations dispute resolution. Galacio is also licensed in the US and the Philippines as a certified fraud examiner which is a seldom possessed by litigators. As such, he often engages as head internal examiner in the Bangkok Central ng Pilipinas (BSP) in complex litigation. He has trained subject matter experts in banking fraud for their evidence presentation. His litigation practice covers on the merits, applications for provisional for their evidence presentation. His litigation practice covers commercial, construction, mining and natural resources, and information technology, amongst others.

He was a three-time finalist for ALB dispute resolution lawyer of the year category. He is also a distinguished practitioner in dispute resolution in 2020 and 2021. He has published articles on arbitration and has contributed immensely to the legal community by contributing various indispensable legal opinions, advice and strategy for the past two years.

As head of the Arbitration Practice Group of CMT, Galacio is the lead strategist and practitioner in all its arbitration activities, acting as such in all stages of the process including post-award proceedings, whether in local or foreign-seated arbitral proceedings or the institutional. CMI’s experience in arbitration practice covers commercial, construction, mining and natural resources, and information technology, amongst others.

Galacio heads the Arbitration and Alternative Dispute Resolution (ADR) practice of the Cruz Marcelo & Tenefria Law Offices in Manila, Philippines. He is widely recognised for his expertise in arbitration and ADR. He has extensive practice as a Philippine arbitrator (whether as chairperson or member of the Tribunal) and as arbitrator counsel and advisor in both domestic and international arbitration, for over 20 years.

Galacio’s recognition in the international stage includes being a fellow of the Chartered Institute of Arbitrators (CIArb) and a member of the International Chamber of Commerce (ICC) of World Business Law, International Commercial Arbitration (ICCA), and Asia Pacific Institute of Expertise (APIEx). He has obtained an Oxford Diploma in Business Law, International Council for Commercial Arbitration (ICC) Institute of World Business Law. He has trained subject matter experts in banking fraud for their evidence presentation. His litigation practice covers commercial, construction, mining and natural resources, and information technology, amongst others.

Galacio has obtained Fellowship status as arbitrator with the UK-based CIArb and is a member of the Paris-based ICC Institute of World Business Law, which constitutes a foreign arbitral award that is contrary to public policy, in interpreting this ground for a refusal to recognise a foreign arbitral award under the New York Convention.

Finally, except perhaps for institutional arbitration, the arbitral award or annulment of an award is reviewable. Mostly, arbitration counsel and arbitrators are also litigators.

How would you describe your firm’s arbitration practice in your region? What strengths does it have as a wider group of attorneys?

Our arbitration/ADR practitioners not only have a keen appreciation of the intricacies of the entire arbitration process. Being specialising in certain subject matter, they have a deep understanding of the substantive aspects of the dispute. We encourage and ensure that our practitioners are updated both on the technical subject matter and on current best practices as arbitration counsel/advisor or arbitrator. This is achieved through regular trainings and workshops conducted in-house, locally, or abroad. Also, being a full-service firm, our subject matter experts from the other practice groups (e.g., certified public accountants, engineers, specialists (in corporate, special projects, infotech, cybersecurity and fintech), fraud examiners, labor lawyers) provide an excellent complementary and indispensable role.

What do you think are the most important qualities or skills you bring to an arbitration?

I bring to an arbitration a 20-year experience and leadership in litigation, in all its stages and involving diverse subject matter: labour, maritime, investment, intellectual property, construction, banking, infotech, mining, commercial contracts, fraud, telecommunications, elected, civil, corporate, administrative, and regulatory disputes. Whether as arbitrator or arbitration counsel, expertise in litigating provides an excellent complement in understanding the dispute and the parties’ interests; anticipating the process; and providing alternative feasible and expeditious solutions.

Obtaining and maintaining relevant credentials, continuous dynamic engagement with local and international arbitral institutions, and sustained participation in trainings both on subject matter expertise (like being a certified fraud examiner registered in the Philippines and in the USA) and on arbitration procedure are significant considerations and proficiencies that I contribute to an arbitration.

Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing we can discuss?

As Chairperson of a tribunal in a recent online arbitration, I requested a 25-year-old witness to raise her right hand so I could administer an oath prior to her evidence examination by counsel. As I noticed a ‘raised hand’ icon flashing in her screen frame, I implored whether she had a question or request. She replied that she had none so I asked her to click the icon off. ‘But your Honour, you told me to raise my hand,’ she retorted. So, realising the awkward quandary I had thrown myself into, the light reply I could muster was, ‘sii’ok, I’m not sure though if I should apologise that we the arbitrators belong to an earlier non-techie generation. I requested her again to physically or actually (not just virtually via online icon), raise her right hand, and when she complied, I said, ‘do you swear to tell the truth and nothing but the truth in this arbitration?’ It was a relief that the witness responded with a physical actual utterance (not just through an ‘okay’ icon), raise her right hand, and when she complied, I said, ‘do you swear to tell the truth and nothing but the truth in this arbitration?’ It was a relief that the witness responded with a physical actual utterance (not just through an ‘okay’ icon)
Simeon V. Marcelo
Cruz Marcelo & Tenefrancia

In conversation with...

What do you think are the most important qualities or skills you bring to an arbitration?

As an arbitration practitioner, I believe there are three important qualities: perseverance, creativity, and people skills. First, as an arbitration practitioner, I am persistent in advocating for the best interest of the client and the interest of the law. Second, I am creative in understanding the technical aspects and legal requirements of a case. Third, I am courteous, persuasive, and I understand the requirements of a case. I am also adept at striking a balance between likability and aggressiveness since this is instrumental in winning any case.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

As to the substantive law on arbitration, Republic Act No. 9232 otherwise known as the Alternative Dispute Resolution Act of 2004 (ADR Act) is the main arbitration law in the Philippines. In addition, the Supreme Court of the Philippines has promulgated the Special Rules of Court on Alternative Dispute Resolution or A.M. No. 11-08-SC. The ADR Act has specific provisions on the following: (a) Republic Act No. 876 on the Arbitration Law governs domestic arbitration, subject to the specific rules stated in the ADR Act, the Supreme Court’s Special Rules on Alternative Dispute Resolution and the Model Law; (b) for construction disputes, Executive Order No. 1508 governs this type of arbitration; and (c) the 1985 UNCITRAL Model Law governs international commercial arbitration that may be seated in the Philippines.

International counsel should be cognizant that there is no specialized arbitration court in the Philippines. While there is no explicit prohibition for international counsel to practice arbitration in the Philippines, for arbitration-related cases, only Philippine lawyers can appear before the courts.

Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing we can discuss?

Way back in 1984, I handled my first arbitration case involving a transaction on a purchase of certain assets amounting to millions of pesos. My client was determined to nominate the late Jaime Cardinal Sin as his party-appointed arbitrator. He was then the highest Roman Catholic official in the Philippines. While I explained to my client that its very unlikely that the late Jaime Cardinal Sin would agree to such appointment, my client was still adamant about his chosen arbitrator. Constrained by the situation, I wrote a letter to Jaime Cardinal Sin requesting him to be our party-appointed arbitrator. After more than a week, the Office of the late Jaime Cardinal Sin replied with a letter politely declining our request.

How would you describe your firm’s arbitration practice in your region? What strengths does it have as a wider group of attorneys?

Our arbitration team is known for its consistent high-quality work and the innovative strategies it provides to our clients. Our arbitration team currently acts as counsel in diverse fields and industries, even in technical fields. Our team is able to do this because of the diverse backgrounds of CMT’s lawyers, many of whom have obtained undergraduate or postgraduate degrees and certifications in technical or specialised fields such as engineering, accounting and finance, international trade, economics, and information technology.

Our arbitration team’s diverse exposure on different fronts has allowed it to develop a nuanced understanding of, and thus expertly navigate, the Philippine arbitration system. While it is highly regulated by the legal community, the arbitration team maintains a low public profile. This allows our attorneys to allocate the best interests of our high-profile clients, away from the media spotlight and above the political fray.
Davinder Singh, SC
Davinder Singh Chambers

Location: Singapore
Number of years in practice: 39
Geographical areas of focus: Global
Languages: English

Davinder Singh is the Executive Chairman of Davinder Singh Chambers LLC, and the Chairman of the Singapore International Arbitration Centre (SIAC). Davinder’s experience spans almost four decades. He has litigated cases in almost every area of the law, including landmark cases.

He has an active international arbitration practice involving complex commercial disputes, international clients and multiple jurisdictions. He has advised and/or acted in numerous institutional and ad hoc arbitrations.

Davinder has time and again been recognised as a top litigator and arbitration counsel by various notable international publications and has been described as an ‘exceptional advocate’ with an ‘ability to grasp the facts and distil them into a very cogent and persuasive argument’ and noted to be ‘by far the best litigation lawyer in Singapore’.

Davinder was appointed Senior Counsel in 1997. He graduated with an LLB (Hons) from National University of Singapore in 1982 and was admitted to the Singapore Bar in 1983. He is a Senate member of the Singapore Academy of Law. In addition to being a member of the SIAC panel of arbitrators, he is a recommended international arbitrator with the Pacific International Arbitration Centre, Vietnam, and is on the panel of arbitrators for the Oman Commercial Arbitration Centre, Muscat and The Japan Commercial Arbitration Association. He also sits as a director on various boards.

Lakshanthi Fernando
CMS Singapore

Location: Singapore
Number of years in practice: 22
Languages: English, French & Sinhalese

Lakshanthi Fernando leads the commercial dispute resolution and employment practices at CMS Singapore as well as the firm’s Sri Lanka Practice Desk, overseeing a broad range of contentious work in Singapore and the wider Asia-Pacific region. Her main areas of work include international arbitration involving complex commercial and corporate disputes, international projects and finance disputes. She is an experienced solicitor advocate, having acted as lead party counsel in international proceedings administered under most major rules and procedures and as the first chair before all levels of the Singapore Courts. Fernando is a member of the Singapore Academy of Law’s Editorial Board as well as the Advocacy and International Relations Committees. Additionally, Fernando leads CMS’ initiatives in Asia Pacific and has been recognised for her efforts in diversity and inclusion.

Mark Mangan
Dechert LLP

Location: Singapore
Number of years in practice: 22
Main sectors covered: Financial services, technology, telecoms, media, corporate and commercial, hotels and leisure
Geographical areas of focus: South, East and North Asia, Australia, UK and Europe
Languages: English

Mark Mangan is highly experienced covering disputes in oil and gas, mining, nuclear energy, renewables, and construction sectors, amongst others. He has also covered shareholder disputes and post-M&A disputes, and is noted for his experience in investment treaty disputes and international sports disputes. Mangan and his team at Dechert LLP were awarded International Arbitration Team of the Year at the Legal 500 Southeast Asia Awards for 2020/21.

Mark was also a finalist for the prestigious Private Practice Lawyer of the Year award, covering all legal practice areas in Southeast Asia. He is a co-author of a leading book on Singapore Arbitration, A Guide to the SIAC Arbitration Rules (Oxford University Press), a co-editor and author of The Guide to Investment Treaty Protection and Enforcement (Global Arbitration Review), and a co-editor of Global Arbitration Review’s Investment Treaty Arbitration Knowhow series.

ARBITRATION | SOUTHEAST ASIA
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PROFILES | A-Z BY FIRM
Jaikanth Shankar
Davinder Singh Chambers LLC

Location: Singapore
Number of years in practice: 17
Admissions: Singapore, England & Wales, New York
Geographical areas of focus: Global

Jaikanth Shankar is the Chief Executive Officer and a member of the Board of Directors of Davinder Singh Chambers LLC. He undertakes a broad range of work in the areas of international commercial arbitration, commercial litigation and insolvency. He also has an active investigations practice.

He regularly appears before the Singapore Courts and has also been involved in arbitrations under several institutions including Singapore International Arbitration Centre, Hong Kong International Arbitration Centre, International Chamber of Commerce and London Court of International Arbitration. He has also conducted several ad hoc arbitrations.

Shankar has handled several joint venture and shareholder disputes, claims concerning breaches of directors’ duties, complex contractual and commercial disputes as well as insolvency-related disputes. Shankar has also acted for high-profile clients in a number of defamation suits and has handled cases involving white-collar crime and employment disputes.

Shankar has been recognised as a leading litigator and arbitration counsel by various notable institutions including Singapore International Arbitration Centre, Honk Kong International Arbitration Centre, International Chamber of Commerce and London Court of International Arbitration. He has also conducted several ad hoc arbitrations.

Albert Marsman is the head of De Brauw’s Singapore office. He has handled arbitrations under the SIAC, ICC, ICSID, UNCITRAL, NAFTA and ICAA Rules. His focus is the energy, mining, financial services and technology sectors.

He is lead counsel for the Kingdom of the Netherlands in its first two investment arbitrations (at ICSID) with a claim value of more than €3bn. He is also lead counsel for renewable energy company Amcol in its $150m ICSID investment arbitration against the Republic of Croatia and for financial services company NN in its $550m ICSID investment arbitration against the Republic of Argentina in connection with an expropriation of assets.

Marsman was one of the lead partners in the historic victory in the Yukos setting-aside proceedings with a case value of $17bn, constituting the largest arbitral awards ever rendered. He was lead counsel for the National Bank of Kazakhstan in a dispute over the ownership of assets valued at $22bn, and represents the Republic of Kazakhstan as lead counsel in its $550m dispute with European investors. In June 2013 he secured a victory for the Republic of Kazakhstan in a dispute regarding sovereign immunity over USD 2.8bn in assets of Kazakhstan’s sovereign wealth fund.

Marsman is the author of a 715-page treatise on Sovereign Immunity and has been a member of the academic advisory board of the International Institute for the Uniform Domain Name Dispute Resolution Policy.

Geographical areas of focus: Global
Languages: Dutch, English

Can you tell us about some of the most important cases you are currently involved with?

I am currently involved in a number of interesting cases. I am lead counsel to an international financial services company in its ICSID arbitration arising out of the nationalisation of a pension fund manager. The sum in dispute exceeds €500m. I am lead counsel for a Singaporean company in an SIAC arbitration involving a joint venture in the steel industry in Myanmar. I also have been counsel to Shell subsidiaries in five separate gas price review arbitrations with an accumulated amount in dispute of €3bn. I am counsel to the Republic of Kazakhstan and the National Bank of Kazakhstan in their dispute with a foreign investor. My work included a dispute over the ownership of central bank assets in the amount of €32.5bn and regarding immunity over $5.2bn in assets of a sovereign wealth fund.

I am lead counsel to a State in two ICSID arbitrations involving the issue of whether measures intended to curb climate change (such as prohibition to burn coal imposed on two coal-fired power plants) are compatible with investment treaties. This is the first arbitration of this kind. The sum in dispute exceeds €3bn.

Could you speak about the significance of the ICSID arbitrations?

What I believe is interesting about these cases is that, previously, several investment arbitrations involved around the question of whether a government could terminate measures intended to combat climate change.

There is the example of the Spanish cases, where the government had given incentives for renewable energy, and those were later in part reversed. These cases deal with the issue of climate change head-on. The claim is for stability around a certain incentive price or stability around the question of whether a government could terminate measures intended to combat climate change.

These are the first cases of their kind.

What do you think the potential impact these cases can have in the transitioning away from fossil fuels, as well as on investment treaties?

The impact is potentially not insignificant. If these types of measures are deemed incompatible with investment treaties, that could become problematic for governments seeking to curb climate change.

The issue here is that, in the eyes of the investor, governments need to compensate them when taking these types of measures. If there is such an obligation to compensate, it is possible that governments in the future may reconsider whether they take action to curb climate change or may be more reluctant to do so.

As an investor, can you claim profits that are calculated on a basis that does not consider adverse climate change effects? What do you think the potential impact these cases can have in the transitioning away from fossil fuels, as well as on investment treaties?

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As an investor, can you claim profits that are calculated on a basis that does not consider adverse climate change effects? What do you think the potential impact these cases can have in the transitioning away from fossil fuels, as well as on investment treaties?
**Toby Landau QC**

**Duxton Hill Chambers**

**Locations:** Singapore, London  
**Number of years in practice:** 28  
**Number of years as an arbitrator:** 26

**Admissions:** England & Wales, Queen’s Counsel, Singapore (first QC in Singapore’s history to be permanently called), Attorney and Counsellor-at-Law by state of New York, British Virgin Islands, Northern Ireland, DIFC

**Main sectors covered:** Commercial dispute resolution, company law, conflict of laws and private international law, energy and natural resources, infrastructure and construction, logistics, real estate, trading and commodities, marine

**Geographical areas of focus:** Worldwide

As counsel, Martin specialises in the field of Islamic finance and South Asian law.

In his arbitration practice, Martin sits as sole, presiding and co-arbitrator with experience under ad-hoc, LCIA, DIFC-LCIA and UNCITRAL rules, including Pakistan, Dubai, Qatar, Turkey and UK seated arbitrations and covers disputes from a broad range of areas: oil & gas, finance & corporate transactions, media law, import & export, media rights and others.

**Nguyen Thi Thu Trang**

**Dzungsrt & Associates LLC**

**Location:** Vietnam  
**Number of years in practice:** 10+  
**Main sectors covered:** Banking and finance, energy and natural resources, infrastructure and construction, logistics, real estate, trading and commodities, marine

**Geographical areas of focus:** Singapore, China, Korea

**Languages:** Vietnamese, English

Nguyen Thi Thu Trang is a special arbitration counsel at Dzungsrt & Associates LLC – Hanoi Office. She focuses on commercial and investment arbitration, commercial and enforcement litigation, and international business law. Trang has extensive experience in many arbitrations arising from construction and infrastructure projects, the energy sector, retailers, and international trade conducted at ICC, SIAC, HKIAC and VACC.

In 2019 and 2020 Trang was ranked as a Next Generation Partner in dispute resolution in Vietnam by The Legal 500 Asia Pacific.

**Professor Dr Martin Lau**

**Essex Court Chambers**

**Locations:** London, UK  
**Number of years in practice:** 25  
**Number of years as an arbitrator:** Five

**Current number of arbitrator appointments:** Six

**Admissions:** Essex Court Chambers, London  
**Main sectors covered:** Oil & gas, finance & corporate transactions, media law, import & export, media rights

**Geographical areas of focus:** Worldwide, particularly Middle-East and Asia

Languages: English, German (bilingual); Arabic, Urdu and French (intermediate)

As counsel, Martin specialises in the field of Islamic finance and South Asian law.

In his arbitration practice, Martin sits as sole, presiding and co-arbitrator with experience under ad-hoc, LCIA, DIFC-LCIA and UNCITRAL rules, including Pakistan, Dubai, Qatar, Turkey and UK seated arbitrations and covers disputes from a broad range of areas: oil & gas, finance & corporate transactions, media law, import & export, media rights and others.
DLA Piper’s leading international arbitration practice has lawyers located in Asia Pacific and worldwide. Many of its lawyers are acknowledged as leaders in the field of international arbitration and serve on the institutions that administer international arbitration across the world such as the Singapore International Arbitration Association, Thai Arbitration Institute, Hong Kong International Arbitration Center, the ICC International Court of Arbitration, the American Arbitration Association and the London Court of International Arbitration. The global reach of the practice leaves it especially well placed to put together teams that speak the ‘right language’ - not just literally, but also in the sense of understanding first hand the key business, political and cultural issues that may be in play. DLA Piper deliberately does not adopt a ‘fly-in/fly-out’ model but prides itself on its ability to put together teams with both international arbitration experience and an understanding of applicable local laws and cultures.

DLA Piper represents parties in international arbitrations arising in a broad range of industry sectors, including aviation, banking, construction, energy, insurance and reinsurance, international finance, international trade and investments, intellectual property, maritime, media and communications, technology and telecommunications.
Maurice Burke
DLA Piper

Location: Singapore
Number of years in practice: 31
Number of years as an arbitrator: 18
Admissions: Registered foreign lawyer in Singapore, Solicitor of the Supreme Court of Queensland, Solicitor of the High Court of Hong Kong, BANI Panel of Arbitrators, Ex-Director of Maxwell Chambers

Main sectors covered: Manufacturing, energy, financial services
Geographical areas of focus: Singapore, Indonesia, Vietnam, Philippines
Languages: English

Maurice Burke heads DLA Piper’s Litigation and Regulatory practice in Singapore, and also heads the Asia Investigations practice.

Widely recognised as one of the leading dispute practitioners in his field, Maurice has advised a broad range of multinational clients on successful strategies that meet their commercial goals. With over 25 years of experience in the Asia Pacific region, Maurice understands the market, its legal systems and how best to navigate through them. He has helped clients in international arbitration and litigation matters and investigations in - amongst other jurisdictions - Indonesia, Vietnam, Thailand, Malaysia and the Philippines.

Maurice is described as being ‘decisive and powerful’ and is a seasoned disputes lawyer, with extensive expertise in the Indonesia market. He has broad experience in the financial services and telecommunications sectors.

Queenie Chan
DLA Piper

Location: Hong Kong, Singapore
Number of years in practice: 33
Admissions: Solicitor of the Supreme Court of South Australia, Solicitor of the Supreme Court of Victoria, Solicitor of the High Court of Australia, Solicitor of the Supreme Court of New South Wales, Foreign Lawyer, Singapore

Main sectors covered: Insurance, financial services, power and energy, mining
Geographical areas of focus: Australia, Singapore, Indonesia, Malaysia, Korea, Japan, Thailand
Languages: English, Cantonese, Mandarin

Queenie Chan is a Senior Associate in the Litigation and Regulatory practice based in our Hong Kong and Singapore office. She is also responsible for managing the International Arbitration practice in the Asia Pacific region.

Queenie has vast experience in representing and advising construction companies in all stages of court proceedings, arbitrations, mediations and other regulatory matters for projects in Hong Kong, Singapore and internationally. She also has broad experience in the financial services and telecommunications sectors.

She is recognised as a ‘Rising Star’ in the 2020 Edition of The Legal 500 for Construction (Hong Kong) and is recommended by clients as ‘a safe pair of hands that can be trusted to get the job done’.

John Goulios
DLA Piper

Location: Singapore
Number of years in practice: 33
Admissions: Solicitor of the Supreme Court of Victoria, Solicitor of the High Court of Australia, Solicitor of the Supreme Court of New South Wales, Foreign Lawyer, Singapore

Main sectors covered: Insurance, financial services, power and energy, mining
Geographical areas of focus: Australia, Singapore, Indonesia, Malaysia, Korea, Japan, Thailand
Languages: English, Greek

John Goulios is the Global Co-Chair of the firm’s Insurance sector. He is a Partner in both the Australian and Singapore practices and works out of both offices. John was formerly the Managing Partner of the Singapore office and led the firm’s inaugural association with a local firm in Indonesia. John practices all forms of dispute resolution including litigation, mediation and international arbitration and is particularly experienced in handling large commercial disputes including class actions, cross border disputes and complex insurance claims involving high value or catastrophic losses. In his time in Asia, John has also handled corporate, commercial and regulatory mandates in the insurance sector including in captive insurance and conducted internal and regulatory investigations on behalf of global clients.

John has worked in the insurance sector for over 30 years. He practices in financial lines insurance (including D&O and W&I) and has defended financial institutions, lawyers, accountants, auditors, directors and officers, fund managers and trustees, and other commercial professions and their insurers in large and complex disputes including in various class actions in Australia and Asia. His insurer clients include local entities, Lloyd’s syndicates and many global insurers and reinsurers. John has also acted for such clients in significant energy, mining and general property and business interruption losses following natural catastrophes as well as complex losses flowing from pandemics.

John’s experience across Asia also includes acting for global clients in international arbitrations and commercial litigation concerning regional mergers and acquisitions and joint ventures, contractual, licensing and intellectual property disputes as well as technology, power and funds related actions.

John is a member of the panel of arbitrators of the Singapore International Arbitration Centre, the Pacific International Arbitration Centre and on the panel of arbitrators and mediators for the Kuala Lumpur Regional Centre for Arbitration. John is also a member of the Australian Institute of Company Directors, an independent non-executive director of IG-Re Singapore Pte Ltd and formerly a director of Lion Nathan Insurance (Singapore) Pte Ltd.

Don Rojanapenkul
DLA Piper

Location: Thailand
Number of years in practice: 26
Admissions: Lawyers Council of Thailand, Notarial Services Attorney, Extra-Ordinary Member, Thai Bar Association

Main sectors covered: Construction, energy, insurance, financial services, telecommunications, retail, real estate
Geographical areas of focus: Thailand
Languages: Thai, English

Don Rojanapenkul is an experienced lawyer with over 20 years’ experience in litigation and arbitration. Don has represented multinational corporations in various forms of dispute resolution ranging from court proceedings to arbitrations and mediations. Don specializes in large and complex construction and infrastructure disputes as well as insurance and commercial litigation and dispute resolution.

Don has a strong track record of dealing with litigation and arbitration disputes with particular experience in commercial litigation, fraud, intellectual property, labour, bankruptcy, administrative and criminal disputes.
Peter Shelford practiced in London for over 20 years before moving to Asia in 1996. Since then, he has specialised in disputes in Southeast Asia. He is experienced in all aspects of litigation and international arbitration, with particular emphasis on insurance, construction, energy and commercial disputes.

Geographical areas of focus: Europe, Asia

Languages: English

Peter Shelford focuses his practice on international arbitrations arising from technology and IP disputes, financial services disputes involving investment funds and private equity businesses, shareholder disputes, and cross-border construction and infrastructure matters. He also has significant experience in obtaining interim relief, including anti-suit injunctions, anti-arbitration orders, and freezing orders.

Matthew Shaw is often the first port of call for colleagues in DLA Piper's network with Southeast Asian disputes, not least because he has conducted cases in Southeast Asia as a first rate lawyer for almost 12 years, and he routinely acts as lead counsel for the firm’s clients in arbitration matters from beginning to end, including in hearings. He has also taught arbitration to students in Western Australia and in Jakarta for several years.

Matthew Shaw
DLA Piper

Location: Singapore
Number of years in practice: 17
Number of years as an arbitrator: Five
Admissions: Solicitor of the Senior Courts of England and Wales
Main sectors covered: Technology and intellectual property, financial services and investment funds, construction and infrastructure
Geographical areas of focus: Singapore, Indonesia, particularly oil and gas and infrastructure projects; Philippines, particular experience working for Philippine EPC contractors on joint projects in the Philippines in the power sector and the transport/infrastructure sector. United States / Offshore, particular experience with private equity investment funds, fintech companies, as well as technology companies operating from the United States into Asia
Languages: English

Matthew Shaw focuses his practice on international arbitrations arising from technology and IP disputes, financial services disputes involving investment funds and private equity businesses, shareholder disputes, and cross-border construction and infrastructure matters. He also has significant experience in obtaining interim relief, including anti-suit injunctions, anti-arbitration orders, and freezing orders. Matthew is often the first port of call for colleagues in DLA Piper’s network with Southeast Asian disputes, not least because he has conducted cases in Southeast Asia as a first rate lawyer for almost 12 years, and he routinely acts as lead counsel for the firm’s clients in arbitration matters from beginning to end, including in hearings. He has also taught arbitration to students in Western Australia and in Jakarta for several years.

In conversation with...

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

Most important is to understand and respect the local culture. Secondly, learn about the panel of arbitrators. I have been involved in many arbitrations both in London and in Asia and I know many of the arbitrators; you need to understand quickly how they like cases to be presented and what they are likely to focus on.

What are the most impressive arbitrations you have worked on as counsel?

Three cases that have each been impressive in their own way are the following. Firstly, acting for a big Korean shipyard in a dispute over the construction and delivery of six vessels which were of brand-new design. The case was settled, and I recall each firm of lawyers had to sign each page of the settlement terms which comprised 36 lever arch bundles. It took us all night whilst the clients went off and partied! Secondly, acting for the owner of an iconic building in Singapore who was in dispute with the architect over the design of a similar building in China. And thirdly, acting for a wealthy metal trader who was in dispute with a Russian government entity. I was involved in arbitration proceedings in Stockholm and Moscow as well as litigation in London, Monte Carlo, Amsterdam, New York and Hong Kong.

Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing we can discuss?

In my Russian case above, I recall being in a taxi with the client’s son and being told by the taxi driver that we were being followed. The taxi driver proved it by doing a U-turn and the car following did the same thing. I subsequently established it was a private detective trying to see if the client’s son was visiting any banks that might have assets of the client. Later that day the client found a camera in her room in her hotel which I had been pushed through a hole in the wall from the next-door bedroom! We all checked out of the hotel (a famous 5-star hotel which I will not name) that night!
Zachary Song
DLA Piper

Location: Singapore
Number of years in practice: 14
Number of years as an arbitrator: Three
Admissions: Registered foreign lawyer in Singapore, New York State Bar, New Jersey Bar, Washington DC Bar
Main sectors covered: Construction, insurance
Geographical areas of focus: Singapore, Indonesia, South Korea, Thailand, Vietnam
Languages: English, Korean

Zachary Song is a New York qualified lawyer and Of Counsel based in Singapore with substantial experience conducting international arbitrations. Song started his legal career in New York in 2007 and has broad international arbitration experience. His clients are multinational companies and he works on complex multi-party, cross-border disputes in the construction and insurance sectors. He has advocated arbitration matters before arbitral institutions such as the LCIA, SIAC, HKIAC, ICC, SCC, CIID as well as ad hoc tribunals.

Zachary has particular experience regarding delay matters and joint venture issues in construction projects, material non-disclosure, broker’s duties with respect to the insurance policies, and with commercial issues regarding the sale of commodities including steel, petrochemicals, heavy industry machinery. He has also represented clients in multiple investor-state arbitrations in relation to construction and commercial disputes.

Based on his extensive international background with experience ranging from New York, Seoul, Bangkok, and Singapore, Zachary is able to serve clients from a wide array of jurisdictions. He is an appointed panel arbitrator of the THCC and Member of CIIN. He is also a member of the Society of Construction Law.

Zachary is bilingual in Korean and English. As a committee member and advisor to the Korean Association in Singapore, he helps the Korean community in Singapore on a pro bono basis.

Zachary has been in Singapore for eight years. Prior to that he was in Bangkok with another international law firm for two and a half years, and before that he worked in South Korea and New York. He has extensive knowledge of Southeast Asia and speaks at events on cutting-edge arbitration issues. He is very strategic in his approach to winning cases.

Robert Tang
DLA Piper

Location: Brussels
Number of years in practice: 14
Number of years as an arbitrator: Two
Admission: Solicitor of the Senior Courts of England and Wales
Main sectors covered: Insurance, financial services, construction, energy, technology and commercial
Geographical areas of focus: United Kingdom, South Korea, Hong Kong, Singapore
Languages: English, Chinese

Robert Tang is an English-qualified partner based in Singapore. He represents a broad range of global clients on high-profile disputes, both in Thailand and internationally. His principal areas of practice are insurance and reinsurance, bank and securities, consumer protection, civil and criminal disputes. Robert also advises clients on fraud, investigation and the white-collar crime.

Robert has been recognised as a ‘Next Generation Partner’ in Thailand for Dispute Resolution: International Arbitration 2019-2022, and Insurance 2020-2022.

Ekasit Suttawat
DLA Piper

Location: Thailand
Number of years in practice: 13
Number of years as an arbitrator: Two
Admission: Solicitor of the Senior Courts of England and Wales
Main sectors covered: Insurance, financial services, construction, energy, technology and commercial
Geographical areas of focus: Thailand
Languages: Thai, English

Ekasit Suttawat specializes in litigation and dispute resolution, with a wide range of experience in commercial litigation and arbitration. He has extensive experience in commercial disputes already escalated to the courts, and also those prior to and pending the litigious procedure. He has represented Thai and multinational corporations in the court and arbitration proceedings in the area of construction, insurance and reinsurance, bankruptcy and business reorganisation, labour, consumer protection, international trade, civil and criminal disputes. Ekasit also advises clients on fraud, investigation and the white-collar crime.

Ekasit has been ranked as a rising star for Dispute Resolution in Thailand by The Legal 500 Asia Pacific 2020-2022. He is a regular speaker on construction law and disputes, and commercial contract and arbitration procedure topics at public seminars and academic presentations.

In conversation with…

What do you think are the most important skills or qualities you bring to an arbitration?

One of the most important skills is the ability to listen to your clients. While lawyers may see arbitration as a battle of legal arguments and facts, clients want to understand how the arbitration will help them and their business to achieve their commercial objectives. Whether that is winning damages from opponents or mitigating and eliminating exposures in sticky situations. Keeping such considerations in mind when formulating the strategy for a dispute should enhance your role as a trusted advisor to the client. Clients of course value lawyers who are knowledgeable about the issues in dispute and the rules of an arbitration. What makes a difference is not only knowing the rules, but also how to navigate them to obtain favourable ‘rules of engagement’ for an arbitration.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene? At DLA Piper we have a diverse team, combining the strengths of local capabilities with the leading international experience of our global offices. Our international arbitration team is renowned for its expertise and is highly regarded globally. Our team regularly advises clients on major international arbitrations and these engagements are essential to us.

What is the importance of local counsel in your team’s work? How do you see your role? Local counsel matter expertise, but also locally qualified lawyers to assist with complex arbitrations in the region is invaluable and certainly makes a good foundation to develop a strong practice.

Clents of course value lawyers who are knowledgeable about the issues in dispute and the rules of an arbitration. What makes a difference is not only knowing the rules, but also how to navigate them to obtain favourable ‘rules of engagement’ for an arbitration. What is the importance of local counsel in your team’s work? How do you see your role? Local counsel matter expertise, but also locally qualified lawyers to assist with complex arbitrations in the region is invaluable and certainly makes a good foundation to develop a strong practice.
Location: Hong Kong
Number of years in practice: 22
Number of years as an arbitrator: Nine
Current number of arbitrator appointments: Six
Admissions: Solicitor of the Senior Courts of England & Wales, Solicitor of the High Court of Hong Kong, Legal Practitioner in the Greater Bay Area in the People’s Republic of China
Main sectors covered: Corporations, shareholders and joint ventures, international sale of goods and distribution contract, intellectual property, technology and life sciences, private equity, financial institutions and insolvency proceedings, energy and offshore, hospitality, sports and entertainment, maritime, transportation and insurance
Geographical areas of focus: Singapore, Hong Kong, China
Languages: English, Cantonese, Mandarin

Ernest Yang is a Partner at DLA Piper. He heads the Litigation and Regulatory group in Hong Kong and is responsible for the International Arbitration practice in Asia. Ernest is a qualified Solicitor Advocate in England and Wales. Ernest recently passed the examination for Hong Kong legal practitioners to practise law in the Greater Bay Area in the People’s Republic of China.

Ernest’s main area of practice is in commercial litigation and arbitration. He is experienced in handling international disputes covering areas such as sale of goods, trade and commodities, joint ventures, energy and offshore projects, international investment and technology. Ernest is experienced in handling arbitration disputes in a variety of venues including Australia, Beijing, Hong Kong, Singapore, Switzerland, London, and Stockholm before arbitral institutions such as the BIAC, CIEAC, HKIAC, ICC, LCIA, LMAA, SCC, SCMA, SHIAC and SIAC (in alphabetical order).

Clients characterise him as ‘highly experienced’, and also praise his ‘good legal insight’. He has also been recognised in China Business Law Journal 2016-2021 as The A-List Top 100 Lawyers for China practice.

Since 2011, Ernest has started to accept appointments as arbitrator and was appointed as arbitrator in various jurisdictions (including as a sole arbitrator) on many occasions.
Drew & Napier is acclaimed for providing world-class legal service and representation to discerning clients since 1889. They are one of the largest, full-service law firms in Singapore, with an international arbitration practice that is renowned as a top practice in the Asia Pacific region and listed as one of the world’s top 100 arbitration practices by Global Arbitration Review since 2010.

Drew & Napier’s international arbitration practice handles all stages of the arbitral process as well as enforcement of arbitral awards in the Singapore Courts and beyond. They are highly experienced in billion-dollar, complex international commercial arbitrations and landmark investor-state disputes/investment treaty arbitrations, where they have acted as counsel and arbitrator. As counsel, Drew & Napier has acted for both states and investors.

Drew & Napier is frequently instructed by international law firms to act as lead counsel at arbitration hearings in Hong Kong, India, London, Milan, Shanghai, Dubai and Singapore. They have a strong core team which focuses almost exclusively on international arbitration, as well as eminent advocates who are well versed in arbitration practice. They have specialist arbitration lawyers who practise in specific industry sectors, such as building and construction, energy and utilities, finance, commodities, information technology, intellectual property, oil and gas, property and shipping, corporate joint ventures, franchising, distribution, and investments.

Drew & Napier’s clients include Fortune 500 companies, financial institutions, foreign governments, multinational corporations and state-owned entities.

Drew & Napier is pre-eminent in dispute resolution, competition and antitrust, corporate insolvency and restructuring, intellectual property (patents and trade marks), tax and telecommunications, media and technology, and have market-leading practices in mergers and acquisitions, banking and finance, and capital markets.

In 2020, Drew & Napier united with leading law firms in Southeast Asia to form a network of blue-chip law firms – Drew Network Asia (DNA). Comprising of legal powerhouses Makarim & Taira S. from Indonesia, Shearn Delamore & Co. from Malaysia, and Martinez Vergara & Gonzalez Sociedad (MVGS) from the Philippines, alongside Drew & Napier, DNA is a cohesive and integrated team operating as ‘a firm of firms’ with international perspective and strong local expertise and arbitral capabilities in the region and beyond.

To find out more about Drew & Napier, please visit: www.drewnapier.com and www.drewnetworkasia.com
Cavinder Bull SC
Drew & Napier LLC

Location: Singapore
Number of years in practice: 28
Number of years as an arbitrator: Ten
Current number of arbitrator appointments: Nine

Admissions: Singapore, England & Wales, New York
Main sectors covered: Administrative and public law, commercial litigation, competition law, construction and engineering, corporate litigation, Indian law, investor-state arbitration, public international law, SEC expertise, sports, telecommunications, media and technology disputes

Languages: English, Chinese

Cavinder Bull, SC is the CEO of Drew & Napier, one of the largest law firms in Singapore. He has over 25 years of experience in international arbitration. He acts as counsel in both commercial and investor-state cases, and as an arbitrator in ICSID, NAFTA, the Permanent Court of Arbitration (PCA), International Court of Arbitration (ICC), Singapore International Arbitration Centre (SIAC), and London Court of International Arbitration (LCIA) arbitrations.

He sits on the Governing Board of the International Council for Commercial Arbitration (ICCA), the World Bank Sanctions Board, and the Advisory Board of the ASIA International Arbitration Rules Drafting Committee. Bull is Vice-President of the Court of Arbitration of the SIAC and Vice-President of the Asia Pacific Regional Arbitration Group.

Bull has been inducted into The Legal 500’s hall of fame for international arbitration for two consecutive years. He is lauded by the publication as a ‘very astute lawyer on strategy and law, and his advocacy is outstanding, and he is quite simply in a league of his own’.

Bull graduated with First Class Honours in law from Oxford University in 1992, winning the Ballot Prize for Public International Law from Trinity College. He was called to the Bar of England & Wales the following year, placing fourth in the Bar examinations. He returned to Singapore and passed the Singapore Bar exams, winning two prizes, including the prize for top candidates. He was a Justice’s Law Clerk before joining Drew & Napier where he has been practising since, save for some time in the United States where he obtained an LL.M from Harvard Law School and then practised litigation in New York with Sullivan & Cromwell. Bull is one of a handful to have been appointed Senior Counsel by the Chief Justice of Singapore before the age of 40.

Our capability to handle regional disputes has been substantially enhanced by the launch of Drew Network Asia (DNA) which allows us to partner with leading Southeast Asian law firms, Makarim & Taira S from Indonesia, Shermann Delaney & Co. from Malaysia and Martinez Vergara & Gonzalez S.Coevald (MWVS) from the Philippines. We are currently in talks with top firms from other ASEAN countries and anticipate that this network will grow.

Within our own firm, one of our greatest strengths is the depth of our bench. We have 16 arbitration teams, each led by senior advocates and capable of independently running international arbitrations. So, the volume of cases in the firm is very significant and it all contributes to the collective knowledge and expertise that the firm has in arbitration work.

What are the most impressive arbitrations you have worked on as counsel?

There is no end to interesting work. I represented Sharp Corporation in an arbitration against Haier concerning a contract for all of Sharp’s television business in North America valued at more than US$1bn. I have also been involved for many years in representing the Government of Laos in its arbitrations and related Court proceedings in its dispute with Sumaco Investments and Lao Holdings. Both those cases are in the public domain. Presently, I am also involved in two unrelated confidential arbitrations where my clients are up against parties from Myanmar closely linked to the military which has taken control of the country.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

It is crucial to know the relevant jurisdiction well. This goes beyond knowing the law and what the practice of arbitration is like. Knowing what commercial life is like in the country where the dispute arises from helps in the understanding and presentation of a case.

Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing that can be published?

I was involved in an arbitration in Milan many years ago. On the last day, in the middle of the hearing, a waterer in a striped apron and floppy hat appeared with an enormous tray of espressos each with a little tin foil hat on it. The hearing stopped as we all watched him hand out amazing Italian coffee. It turned out the claimant had decided to buy coffee on the last day of the hearing for everyone; his legal team, opposing counsel, the arbitrator, the transcriber, everyone. It was a rare moment of civility in what can be a very combative profession.

In conversation with…

How would you describe your firm’s arbitration practice in Southeast Asia? What strengths does it have as a wider group of attorneys?

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Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing that can be published?
Siraj Omar SC
Drew & Napier LLC

Location: Singapore
Number of years in practice: 24
Number of years as an arbitrator: Eight
Current number of arbitrator appointments: One as chair, one party-appointed, one as sole arbitrator
Admissions: Singapore, England & Wales
Main sectors covered: Banking and finance, corporate-commercial, insurance, restructuring and insolvency
Geographical areas of focus: Singapore, Indonesia, India, US
Languages: English, Mandarin

Siraj Omar, SC is a director of Drew & Napier’s dispute resolution department. He specialises in complex, high-value commercial disputes and has almost 25 years of active trial and appellate practice in the Singapore Courts and in international arbitrations. He also sits as an arbitrator and as a mediator.

Omar currently serves on the board of directors and the board executive committee of the Singapore International Arbitration Centre (SIAC), as deputy commissioner of the Government Procurement Adjudication Tribunal, as a civilian panel member on the Military Court of Appeal and as a member of the Specialist Mediator Panel (Singapore) of the Singapore International Mediation Centre (SIMC). He is also a member of the Practice Advisory Committee of the Singapore Management University School of Law and holds Fellowships at the Singapore Academy of Law, the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators.

Established as a leading lawyer in international arbitration and dispute resolution, he has been recognised by ranking legal publications such as The Legal 500 and asialaw. He has been described as ‘a formidable litigator’ and ‘a leading light and a juggernaut in the industry’.

Omar was appointed Senior Counsel in 2019, one of a select few to be accorded the honour.

Randolph Khoo
Drew & Napier LLC

Location: Singapore
Number of years in practice: 32
Number of years as an arbitrator: 11
Current number of arbitrator appointments: One
Main sectors covered: Commercial litigation, corporate litigation, Greater China desk, India desk, international trade, private client disputes, SIAC expertise
Geographical areas of focus: Singapore, China, Russia, India, Indonesia
Languages: English, Chinese

Randolph Khoo is deputy managing director of Drew & Napier’s dispute resolution department and heads the dispute resolution practices of the Greater China, India and international trade desk and private client disputes group.

He is keenly involved in arbitration and international disputes. Khoo has been recognised by Benchmark Litigation 2022 as a Litigation Star, in addition to being endorsed by The Legal 500 Asia Pacific 2022 and Best Lawyers International: Singapore (2022) for international arbitration and dispute resolution.

Khoo has been praised by legal publications and clients for being ‘especially experienced in China-related arbitrations, having advised numerous Chinese clients on high-stakes disputes, and acted as counsel in arbitrations held under CETAC rules, and a leader of a very accessible and efficient team, who is well versed in international arbitration, willing to listen and extremely business-oriented’.

He holds numerous appointments in arbitration-related professional bodies in Singapore and overseas. Khoo is a Primary Panel Arbitrator of the Singapore Institute of Arbitrators, Panel Arbitrator & Mediator of the Asian International Arbitration Centre, Arbitrator of The Chinese Arbitration Association, Taipei, and International Arbitrator of The Russian Arbitration Center. He is also a Panel Arbitrator of the Malaysian Institute of Arbitrators, Asian Institute of ADR, Shanghai Arbitration Commission, Shanghai International Economic and Trade Arbitration Commission (Shanghai International Arbitration Center) as well as the South China International Economic and Trade Arbitration Commission / Shenzhen Court of International Arbitration and holds Fellowships with the Chartered Institute of Arbitrators as well as arbitration institutes in Singapore, China, Malaysia, New Zealand, India, Indonesia and Hong Kong.
Blossom Hing
Drew & Napier LLC

Location: Singapore
Number of years in practice: 25
Number of years as an arbitrator: 11
Current number of arbitrator appointments: One
Admissions: Singapore, New York
Main sectors covered: Commercial litigation, corporate litigation, corporate restructuring and workouts, employment, investment funds, international trade
Geographical areas of focus: Singapore, Indonesia, China, Hong Kong, US, Europe
Languages: English, Chinese

Blossom Hing is a director of Drew & Napier’s dispute resolution and corporate restructuring and workouts practices. With over two decades of experience, she handles oppression actions, derivative actions, contentious commercial, shareholder, employment, contractual and other disputes, appearing before SIAC, LCIA, HKIAC and CIAC hearings, as well as the Singapore High Court and Court of Appeal. Hing sits on the SIAC and CIAC panels of arbitrators and is regularly appointed as an arbitrator.

She works extensively with clients based in Indonesia, China, Hong Kong, the US, and Europe as well as Singapore. Hing has been recognised in The Legal 500 Asia Pacific, IFLR1000, asialaw Leading Lawyers, Best Lawyers International, and Benchmark Litigation Asia-Pacific for her dispute resolution and restructuring/insolvency work.

Hing was recently selected as Benchmark Asia-Pacific’s Top 100 Women in Litigation 2022. She was named Litigator of the Year in Southeast Asia in the 2021 Asian Legal Business (ALB) Women in Law Awards, and was also identified as one of Asia's top 50 most highly recommended arbitration and litigation practitioners in ALB's Asia Super 50 Disputes Lawyers in the same year. Earlier in 2020, Hing won the Woman Lawyer of the Year (Law Firm) in the 2020 ALB SE Asia Law Awards.

Christopher Chong
Drew & Napier LLC

Location: Singapore
Number of years in practice: 22
Main sectors covered: Banking and finance, commercial disputes, construction and engineering, natural resources (mineral, oil and gas)
Geographical areas of focus: Singapore, Indonesia, China and Hong Kong, Thailand, United States
Languages: English, Chinese

Christopher Chong heads Drew & Napier’s construction and engineering practice, and is a director in the firm’s dispute resolution department. He is an experienced lead counsel who has successfully argued cases in both international and domestic arbitrations, at all levels of the Singapore Courts, and in adjudications.

Chong is recognised as a leading lawyer in construction and international arbitration in leading legal publications. He regularly represents parties in both international and domestic arbitrations administered by arbitral institutions such as SIAC, ICC and CETAC and in ad hoc arbitrations, in disputes across different sectors. He also regularly represents parties in arbitration related court proceedings such as interlocutory injunction applications, anti-suit injunction applications and setting aside applications.

Over the last two decades, Chong has developed a market reputation as a go-to lawyer for banking, construction and natural resource disputes. He has an enviable win record for high net worth individuals against financial institutions and is involved in some of the largest private banking disputes in Singapore. He acts for some of the largest international and domestic players in the construction sector in projects in Singapore and the region. He has represented producers, off-takers, traders and end users in natural resource disputes.

Chong is a fellow of the Singapore Institute of Arbitrators as well as an accredited construction adjudicator by the Singapore Mediation Centre. Chong is also accredited by the Singapore Academy of Law as a Senior Accredited Specialist (Building and Construction).
Adam Maniam is a specialist in handling complex arbitration and litigation matters. In addition to a very active court practice, Maniam has extensive experience representing clients in international arbitrations under the major institutional rules across a wide range of sectors. Maniam has particular expertise in the infrastructure, oil and gas, energy and natural resources sectors and also regularly handles joint venture and shareholder disputes. Recent examples of Maniam’s work include handling an oil and gas oil where he secured emergency orders to prevent the termination of a highly lucrative licensing agreement and the successful representation of a client in an $80m infrastructure dispute.

Maniam is also very experienced in advising and acting in arbitration-related litigation. This includes advising on the enforcement or setting aside of awards as well as obtaining urgent injunctive relief in support of arbitration. Maniam recently obtained urgent injunctive relief from the Singapore High Court in support of an ongoing arbitration where the amount in dispute was close to $1bn.

Maniam regularly handles multi-jurisdictional arbitrations involving parties located in ASEAN, Asia-Pacific and other countries such as Papua New Guinea, Australia and the United Kingdom.

Maniam is widely regarded as one of the rising stars of the Singapore arbitration and litigation bar. He has been named as one of the most highly regarded future leaders by leading publications, while The Legal 500 has identified Maniam as a next generation partner. In 2021, Maniam was named Young Lawyer of the Year at the ABA SE Asia Law Awards 2022 and was also identified as one of the 50 disputes lawyers in the region in ABA’s Super 50 Disputes Lawyers. Sources describe Maniam as ‘tenacious’ and ‘a brilliant thinker’, with ‘top of the line capability’, ‘first-rate advocacy’ and ‘who turns rings around more senior opposing counsel’.

In conversation with…

What are the most impressive arbitrations you have worked on as counsel?

The first arbitration I worked on which actually went all the way to the merits hearing was an upstream oil and gas dispute. The proceedings were multi-lingual and I only had one language to speak to use. As it was my first time on such a case, things did not go as smoothly as I wished and I found myself feeling pretty miserable. To make up for my shortcomings during the hearing, I worked very hard on the post-hearing brief to make it easy to read and understand. I also read the entire record of the proceedings. I think the client must have lost because almost every legal point was decided against us. But, in fact, we won—not because of the legal arguments we put forward, but because we won on the facts—we persuaded the tribunal that the other side’s version of events could not possibly have happened. From that case, I learnt never to give up and that the process of investigating and presenting objective evidence is of paramount importance.

For a number of years after that, I had the privilege of working on a series of arbitrations relating to scandals that plagued the Indian Premier League (for cricket). I think ‘persuasion’ not because I wished disputes were settled upon anyone, but because such disputes are not that common and because they related to publicly reported matters for a billion-dollar project. It was very exciting for me. I learnt about the technicalities of broadcasting from clients who later became friends. Not all the arbitrations (and satellite arbitrations) were ruled in our favour, but recently after more than a decade, there has been some vindication. So, I recently got confirmation that the client’s victory was more permanent, believing in your cause, the truth may one day come to light given the correct circumstances.

What do you think are the most important qualities that a lawyer should bring when heading a dispute?

I need to believe that I empathise and communicate well and have an open mind. After all, fact is sometimes a matter of fiction. I believe in the willingness to put myself in clients’ shoes, and then the will to fight on their behalf to the end. For me, the most important quality is to have best to get your point in an intellectual but honest and concise manner. I also believe I have a rather grounded yet international outlook of life. I grew up in a small town in Malaysia, spoke Mandarin and a variety of Chinese dialects before I learnt English. When I moved to Singapore for higher education, I married a South American and I have a sister who is married to a European. I therefore do not think I could not possibly have happened. From that case, I learnt never to give up and that the process of investigating and presenting objective evidence is of paramount importance.

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Mahesh Rai
Drew & Napier LLC

Location: Singapore
Number of years in practice: 12
Number of years as an arbitrator: Four
Current number of arbitrator appointments: Three
Admissions: Singapore, England & Wales, New York, Cambodia (International)
Main sectors covered: Construction, energy, infrastructure, telecommunications, IT and commodities
Geographical areas of focus: UK, Asia-Pacific, Southeast Asia, US, Middle East
Languages: English, Hindi, Malay (basic)

Mahesh Rai is a Director at Drew & Napier, where he was one of the youngest to be admitted as an equity director at the age of 34.

As counsel, Rai is regularly instructed on complex disputes in the infrastructure, construction, telecommunications, IT, shipping, energy and commodities sectors. In addition to court litigation matters, he has represented clients in over 50 arbitrations.

In recent years, some of his successful matters have included high-profile arbitrations against the Governments of Maldives and Indonesia as well as a nine-year arbitration involving one of Asia’s largest petrochemical plants.

In 2021, he won the prestigious The Joseph Grimberg Outstanding Young Advocate Award for professional excellence, service to the profession and community, and upholding ethical standards.

Rai’s arbitration expertise is endorsed by several leading legal publications, including The Legal 500 Singapore, England & Wales, New York, and Chambers Global.

In conversation with...

What are the most impressive arbitrations you have worked on as counsel?

Two examples come to mind.

The first arbitration ran for nine years. An Indian state-owned company brought a claim against my client, a Korean multinational contractor, for failure to build a high-density polyethylene unit in one of the biggest petrochemical plants in Asia. Our client could not proceed with constructing the plant, so the Indian state-owned company brought in a replacement contractor instead and commenced an arbitration against my client. At one point, the other party’s claim in the arbitration was in the region of about $600m, after adding up their claim for damages and the interest. We eventually managed to show that the entire claim was unsustainable, and the other party eventually walked away with $56,000 in nominal damages, a huge win for the client.

What was interesting was the way we did it. In the first tranche, we used publicly available information from the auditor general in India to show a break in the chain of causation in the loss of production claim for the plant that my client was to build and in the delay damages claim, since the upstream plants were not even ready by the putative completion date of my client’s plant, no damages could be claimed. We also managed to convince the tribunal that the second head of damages claimed by the other party was for losses suffered by other plants which my client was not even supposed to build. The auditor general of India had taken the state-owned enterprise task for failing to sync the upstream and downstream plants, and that was the real reason behind the losses.

In the second tranche, the only remaining claim also crumbled because we showed the flimsiness of their calculations. In one example, we simply went online and cross-referenced the prices of certain ingredients in the petrochemical process; we discovered that the other side’s calculations had added some additional zeros behind some of the unit prices - 10,000 rupees instead of around 100 rupees. Just correcting that one error led to the deflation of US$30m from the claim. That was, I think, one of the more memorable arbitrations we have fought because of the length of the time and how painful it was for the client.

The second arbitration was against a South Asian government. Our client was to construct 10,000 social housing units, in return for two leases of two resort islands. The government changed, the contracts with our client were cancelled and the government essentially expropriated the resort islands. We managed to secure the testimony of the former Housing Minister which confirmed that the government acted wrongly in terminating the contracts. After we filed the witness statement, the government started vilifying him in the national media for his provision of testimony in the arbitration. The former Minister resigned and the government undertook not to make further statements against the former Housing Minister, which confirmed that the government acted wrongly in terminating the contracts. The former Minister resigned and the government undertook not to make further statements against the former Housing Minister.

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What is important about arbitration is that the same strategy rarely works twice. This makes it important to properly strategise for each case, taking into account the facts and the strengths and weaknesses of the case, as well as the client’s objectives and inclinations.

What else would you like to highlight for younger practitioners starting out today?

Where I am today is a mixture of good fortune and hard work. Good fortune in the sense that I was fortunate enough to have good mentors early on in my profession, who not just guided me, but also gave me the opportunities for advocacy very early on in my career. I am also fortunate that I was hired by Drew & Napier, a leading disputes practice, and then worked with people who saw the value in investing in young advocates. Younger practitioners should seize every opportunity that they are given even if it may appear terrifying. They should look out for themselves and seize those opportunities by the horns and aim to develop their advocacy skills. Also, bear in mind that not everyone has the same journey. You get to chart your own path and if at first things do not work out, keep at it and you will find your own way.
Kelvin Teo
Drew & Napier LLP

Location: Singapore

Number of years as an arbitrator: 17
Number of arbitrator appointments: One, as sole arbitrator
Main sectors covered: Construction and engineering, corporate restructuring and workouts, energy, government, infrastructure, international trade, mediation, natural resources (mineral, oil, gas), private client disputes, projects, and project finance, projects and infrastructure, real estate

Languages: English, Chinese

In conversation with...

Rathen than the details of the arbitrations which must remain confidential, I will mention instead a case which I handled which I think will strike a chord. First of all, it is always nice to be involved in big-ticket arbitrations such as the ones I have had in the past, where you get to work alongside and opposite so many different people on both sides of the table.

In one LCIA arbitration arising out of a nuclear power plant project that I represented the owner in, I was very experienced and had a high profile. I dealt with technical design consultancy reports, and was part of an expert panel that was engaged. I also made representations before the court, and finally argued in the arbitration itself, and for the first time, I was asked to present my arguments, which consisted of leading construction minds in the world. All of us were involved in the project, and in a number of SIAC and ICC arbitrations.

In the pre-covid days, all of us – more 30 lawyers (including five queen's counsel and an international judge), almost 20 experts, and a number of client representatives and witnesses – gathered in London for five weeks for the evidential hearing. We almost could not fit everyone into a single room at the hearing venue in London.

You definitely take away a lot, from the different perspectives and backgrounds, the discussions that you have going into the night, and the different ways of working, of all of which came together to form a top-level work written submissions, and then experience the thrill of engagement as you argue at the hearing. You see how the other side has prepared their case theory and then finally get the tribunal to agree with you that this was in fact what had happened.

It is extremely satisfying when you dig deep into the documentation and facts, and uncover together with the clients, facts that help formulate and support the case theory and then finally get the tribunal to agree with you that this was in fact what had happened.

Lastly, I also enjoyed working on arbitrations where I could deal with the entire life-cycle of the dispute, from advising at the pre-dispute stage, to arguing at the arbitral tribunal, and finally assisting in the litigation in the Singapore Courts that arose from the award. If you help clients to formulate the strategy as it happens, and then you get involved in the administrative stage, and finally if one or both parties think there is anything wrong with the award you take it up in Court and get it set aside or remitted back to the tribunal.

I hope that this is a snapshot of what I have done in my career, and that I can share it with you all. Ultimately, our job is to make sure that what we say is true, and that the tribunal accepts and supports our arguments. It is extremely satisfying when you dig deep into the documentation and facts, and uncover together with the clients, facts that help formulate and support the case theory and then finally get the tribunal to agree with you that this was in fact what had happened.

What do you think are the most important qualities or skills you bring to an arbitration? First, I bring in the dispute management aspect which is very important to me. When I join a project, I think about whether this is the kind of project that the tribunal is being carried out in. In extreme cases for example the client will want clear and pragmatic advice on the facts and law, and will end up terminating the counsel or arbitrator, in a way that minimizes their legal expenses.

Another important advantage is my ability to go and argue the case rather than have to hire barristers to argue it. This includes going to apply to the Singapore Courts to set aside or remit unsatisfactory aspects of an arbitral award. Having the same person see the through from start to end is a real advantage in terms of consistency, structure, and ensuring that nothing goes unexplored.

Another aspect that the clients have tended to appreciate is do I take the trouble to try and understand how things are carried out in practice for that sector, industry or country, because the insights gain are helpful not just when I work on that matter itself, but also applicable to construction and dispute resolution generally.

For example, once you have done a number of disputes involving concrete or ground conditions or engineering or delay and disruption issues, you will probably get a rough idea of how the experts in the discipline tend to approach such issues. You will know what are the significant hurdles to look out for. Alas, insights to human nature tend to be generically applicable to any arbitration or construction.

I suppose some of that pragmatic creativity I have seen in my clients over the years has rubbed off on me, so I don't have to spend a lot of time thinking about what to say, and I can be quite direct and straightforward. It is a real advantage in terms of structure and organisation, and it is also easier for the tribunal to understand the issues as they come up. It is a lot more straightforward to present your arguments, rather than have to hire counsel to present an argument.

Ultimately, any creative solution has to be, and must be, both realistic. You must consider how it will impact the parties, whether it is something which the clients will understand, otherwise it is no good at all. In that regard, I do make sure I communicate very candidly and frequently with the client to ensure that the victory conditions are clear.
Clients which The Legal 500 has spoken to have said that Mr Yim is a phenomenal advocate and that his "oral advocacy is exceptional" - he is eloquent and very persuasive and has a certain presence in the tribunal hearing room. He is clearly well respected by tribunals and opposing counsel. Mr Yim was appointed Senior Counsel in 1998, with the honour of being one of the youngest senior counsel below 40 years of age at that time.

In conversation with...

You are one of the region’s most senior and pre-eminent practitioners, with enviable experience and useful insights. One aspect of arbitration that is not often talked about is how to manage the relationship with the client. What advice would you be able to offer?

First, counsel needs to identify the legal issues that are involved in the case. In other words, the areas in which parties are likely to cross swords, and the tribunal is obliged to answer. It is in identifying the list of legal issues, and the matters that need to be decided that the clients will appreciate that counsel is familiar with their case. In international arbitration, technology issues are often in play, whether it is in energy, engineering, IT (information technology), or telecommunications. We often encounter disputes in the expert evidence. Counsel needs to tell the clients how he is going to approach expert evidence in those areas and where he is going to get good experts to stand up for his client’s case. Thirdly, counsel needs to deal with the different laws in motion, from the law governing the contract to the law governing the arbitration, and at times, conflict of laws issues. These days, you may have one foreign party contending with another foreign party, and the arbitrators could be from 3 different jurisdictions.

There are also some other important things to pay attention to. Counsel should have read all documents and correspondence between the parties before the very first interview with the clients. Thus, from the first meeting, the clients would expect counsel to be able to explain to them on the areas of disputes of fact, expert evidence and law. At the first or second first meeting, two frequently asked questions will always be, 'Who do you think we should appoint as our party-nominated arbitrator?', and, 'Give us the estimated costs going forward at the different stages.'

What do you think are the most important qualities or skills an arbitrator ought to possess in order to thrive in today’s landscape?

I think one must have an international outlook as well as an appreciation of different cultures and how it impacts parties drafting and understanding the contract. One must have a broad view of international commerce, business and industries, and be aware of all the different happenings in our world because international arbitration necessarily involves several international elements.

It is important to appreciate the broad differences between the common law and the civil law approach towards legal issues. An international arbitrator should always keep an open mind as well as appreciate people from different cultures and jurisdictions. One is often asked to apply the law from a different jurisdiction to the one he practices to the legal issue. And in areas where an international arbitrator may only have cursory experience, he needs to listen to the evidence and analyse them fairly and logically, this is key to arriving at the justice of the case.

What else would you say contributes to Drew & Napier’s remarkable success in the region?

Drew & Napier started a network called DNA, which stands for Drew Network Asia. We have a leading law firm as our member in three other countries, Indonesia, Malaysia and the Philippines. And we will expand that network to other ASEAN countries. Drew & Napier in Singapore is leading that pack. Through the DNA network, we reinforce each other’s practice. We are more than best friends; we promote and work with each other. And of course, we also work with lawyers in other countries that are not in the network. The idea of the network is primarily to form a tight lattice of great lawyers who are dedicated to clients’ causes so that we can better fulfill our clients’ needs.
He has heared cases governed by the laws of Australia, Austria, BVI, Cayman Islands, China, England and Wales, Fiji, France, Germany, Hong Kong, India, Indonesia, Japan, Korea, Malaysia, Mauritius, Mongolia, Nepal, the Philippines, Saudi Arabia (including Sharjah), Singapore, Sweden, Switzerland, Taiwan, the United Arab Emirates, Vietnam, as well as lex mercatoria and the CISG. The Vietnamese and he has also handled complex conflict of law and jurisdictional issues, joinder and intervention. He also has experience as arbitrator under multiple and applicable law.

Professor Hughes is a Fellow of the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators. He has taught extensively in the field of international dispute resolution prior to joining NUS as an adjunct professor, including as associate professor at the National University of Singapore Law School, the South China University of Technology, and as a visiting professor at the University of Hong Kong. He has been appointed to the international arbitration team at Shearman & Sterling in the US and Singapore.

Fountain Court Chambers

Since leaving law firm practice in 2013, he has been appointed to numerous arbitral institutions worldwide, including the arbitral and ad-hoc and VIAC. He has also handled several billion US dollars in dispute.

Since leaving law firm practice in 2013, he has been appointed in cases seated in Singapore, to the benefit of both. Therefore, Singapore is a small common law jurisdiction, its arbitration-related legislation and court jurisprudence are among the most sophisticated and arbitration-friendly in the world. As an Asian English-speaking common law lawyer, the many laws and legal authorities are numerously focused on these issues. This requires hands-on management by the tribunal at all stages of the arbitration, including the document production phase, to prevent the proceedings from going off track. There is not sufficient space here to describe all the practical measures which can be deployed, and creativity is often required to tailor them to each case. Thus, the task of eliminating the complexity of the dispute and should not oversimplify matters, but they can make the arbitration more manageable by focusing the attention of the parties and the tribunal on the important and central issues in dispute.

What are the most important qualities in an international arbitrator and in international arbitration counsel?

An arbitrator's job is to first have a duty to never appear to be biased, and to appear to do their job on the other hand is to decide the case in a fair, efficient and impartial manner. These are different roles which require different qualities.

The main challenge of not being in a law firm anymore is that I no longer have a team of associates, paralegals and support staff at my beck and call. I do miss that!

In addition to practising as an international arbitrator, I am free to take up other roles that might be more difficult to manage in the context of a law firm partnership: For example, I am a member of the Investment Committees at Omni Bridgeway, a member of the SIAC, an adjunct professor at the National University of Singapore Law Faculty, and I serve on numerous other boards or committees of arbitral institutions and journals. I find these roles very interesting, and they keep me up to date on the latest developments in the field.

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Christine Artero
Fountain Court Chambers

Locations: London, Singapore
Number of years in practice: 14
Number of years as an arbitrator: Five
Main sectors covered: Commercial disputes
Geographical areas of focus: Worldwide, with a focus on South-East Asia and Europe
Languages: English, French

Christine Artero is a full-time arbitrator with The Arbitration Chambers (Singapore) and Fountain Court Chambers (London and Singapore). Artero is educated in both civil and common law and she is admitted to the Bar of England and Wales. Artero is also a fellow of the Chartered Institute of Arbitrators and of the Singapore Institute of Arbitrators. She has served as sole arbitrator, co-arbitrator, and presiding arbitrator in arbitrations administered by the ICC, SIAC, LCIA, HKIAC, RACB, AIAV, and PCA, as well as in ad hoc arbitrations. Her experience spans a broad range of commercial disputes, including joint venture and shareholder disputes, fraud cases, construction and infrastructure projects, shipping, shipbuilding, heavy machinery, manufacturing, agency and distributorship agreements, and general contractual disputes. Prior to launching her career as an independent arbitrator, she worked in private practice at Shearman & Sterling, as counsel at the LCIA, where she oversaw the administration of over 200 arbitrations, and as tribal secretary to the UK’s leading arbitral tribunals at The Arbitration Chambers. Artero teaches as an adjunct professor International Arbitration at the Chambers. Artero teaches as an adjunct professor International Arbitration at the Chambers. She has over 80 arbitral tribunals at The Arbitration Chambers. Artero has been involved in a substantial number of arbitrations administered by the ICC, SIAC, and UNCITRAL Rules, as well as ad hoc arbitrations. She has served as sole or presiding arbitrator in arbitrations seated outside of London. Many of her cases are seated in Singapore, where he has been based for 11 years and which is the leading seat in Asia. He has also appeared in arbitrations seated in other Asian seats, including Hong Kong, Japan, and Vietnam, and has been involved in a substantial number of cases relating to India, the Philippines, Australia, and Indonesia. Clients tend either to be businesses based around the Asia-Pacific region, or global multinationals involved in disputes in Asia. His experience includes cases under English substantive law, other common law systems, and civil law systems, often working with co-counsel.

Andrew Pullen
Fountain Court Chambers

Locations: London, Singapore
Number of years in practice: 14
Number of years as an arbitrator: Seven
Current number of arbitrator appointments: One as sole arbitrator; one as chair
Admissions: Advocate and solicitor (Singapore), solicitor-advocate (England & Wales), barrister (Inner Temple), attorney and counselor at law (New York State)
Main sectors covered: Technology, fast-moving consumer goods, financial services, energy
Geographical areas of focus: Asia, Languages: English, Chinese

Andrew Pullen’s practice is focused on appearing as counsel and sometimes sitting as arbitrator in international arbitrations in the Asia-Pacific region. He is also instructed by clients from the Asia-Pacific, involved in arbitrations seated elsewhere, such as London. Many of his cases are seated in Singapore, where he has been based for 11 years and which is the leading seat in Asia. He has also appeared in arbitrations seated in other Asian seats, including Hong Kong, Japan, and Vietnam, and has been involved in a substantial number of cases relating to India, the Philippines, Australia, and Indonesia. Clients tend either to be businesses based around the Asia-Pacific region, or global multinationals involved in disputes in Asia. His experience includes cases under English substantive law, other common law systems, and civil law systems, often working with co-counsel.

Professor Darius Chan
Fountain Court Chambers

Locations: London, Singapore
Number of years in practice: 14
Number of years as an arbitrator: Seven
Current number of arbitrator appointments: One as sole arbitrator; one as chair
Admissions: Advocate and solicitor (Singapore), solicitor-advocate (England & Wales), barrister (Inner Temple), attorney and counselor at law (New York State)
Main sectors covered: Technology, fast-moving consumer goods, financial services, energy
Geographical areas of focus: Asia, Languages: English, Chinese

Professor Darius Chan has advised clients on complex technology matters relating to joint venture, commercial fraud, and investment treaty claims. In recent years he has seen an increase in fintech, as well as web3 and cryptocurrency disputes.

Simon Dunbar
Gateway Law Corporation

Location: Singapore
Number of years in practice: 17
Number of years as an arbitrator: 12
Current number of arbitrator appointments: 8
Admissions: Singapore, England and Wales, New York State and Federal Courts
Main sectors covered: Joint ventures, energy, hospitality, technology, infrastructure, investor state
Geographical areas of focus: Asia-Pacific
 Languages: English, German

Simon Dunbar is an international dispute resolution lawyer specialising in international arbitration. Dunbar has represented clients in international arbitrations under all of the major institutional rules, with a focus on joint venture, energy, hospitality, technology, infrastructure and investor-state disputes. In addition to his work as counsel, Dunbar has acted as sole or presiding arbitrator in arbitrations under the SIAC, ICC, and UNCITRAL Rules, as well as ad hoc arbitrations. He is a Fellow of the Chartered Institute of Arbitrators and serves on the SIAC Users Council and the Professional Affairs Committee of the Singapore Academy of Law. He is experienced with both common law and civil law.

Peter Godwin
Herbert Smith Freehills

Location: Kuala Lumpur, Malaysia
Number of years in practice: 29
Number of years as an arbitrator: 10
Admissions: Solicitor of England & Wales, Solicitor of Hong Kong
Main sectors covered: Construction, telecoms, pharma, international trade, consumer and insurance
Geographical areas of focus: Middle East, Europe, Asia, especially Malaysia and Japan
Languages: English

Peter Godwin is a specialist in crisis management, investigations, litigation, arbitration and other forms of dispute resolution. He has practised in Asia for the past 25 years and is especially strong acting for Japanese clients. Godwin also has experience practising in Middle East/Africa and Europe.

Tomas Furlong
Herbert Smith Freehills

Location: Singapore
Number of years in practice: 17
Number of years as an arbitrator: 12
Current number of arbitrator appointments: 8
Admissions: Singapore, England and Wales, New York State and Federal Courts
Main sectors covered: Joint ventures, energy, hospitality, technology, infrastructure, investor state
Geographical areas of focus: Asia-Pacific
 Languages: English, German

Tomas Furlong is noted for his work in cross-border and local Asian disputes, with a focus on the energy, aviation, and TMT sectors. He also covers joint ventures, commercial fraud, and investment treaty claims. In recent years he has seen an increase in fintech, as well as web3 and cryptocurrency disputes.

Andrew Pullen’s practice is focused on appearing as counsel and sometimes sitting as arbitrator in international arbitrations in the Asia-Pacific region. He is also instructed by clients from the Asia-Pacific, involved in arbitrations seated elsewhere, such as London. Many of his cases are seated in Singapore, where he has been based for 11 years and which is the leading seat in Asia. He has also appeared in arbitrations seated in other Asian seats, including Hong Kong, Japan, and Vietnam, and has been involved in a substantial number of cases relating to India, the Philippines, Australia, and Indonesia. Clients tend either to be businesses based around the Asia-Pacific region, or global multinationals involved in disputes in Asia. His experience includes cases under English substantive law, other common law systems, and civil law systems, often working with co-counsel.

Professor Darius Chan has advised clients on complex technology matters relating to joint venture, commercial fraud, and investment treaty claims. In recent years he has seen an increase in fintech, as well as web3 and cryptocurrency disputes.

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Narendra Adiyasa
Linklaters

Location: Indonesia
Number of years in practice: 14
Number of years as an arbitrator: One
Admissions: Indonesian Advocates Association (PERADI)
Main sectors covered: Mining, infrastructure, financial institutions, technology media and telecommunications, consumer goods and retail
Geographical areas of focus: Indonesia
Languages: Indonesian and English

Narendra Adiyasa now works at Linklaters. He previously headed the dispute resolution and employment practices at Hiswara Bunjamin & Tandjung, the associate firm for Herbert Smith Freehills in Indonesia. He is a fellow of the CIArb (FCIArb) and is in the process of being listed as a BANI (the Indonesian National Board of Arbitration) arbitrator.

Bernard Sihombing
HHP law Firm

Location: Indonesia
Number of years in practice: 14
Admissions: Indonesian Advocates Association (PERADI)
Main sectors covered: Mining, infrastructure, financial institutions, technology media and telecommunications, consumer goods and retail
Geographical areas of focus: Indonesia
Languages: Indonesian and English

Bernard Sihombing is an associate partner in the firm’s dispute resolution practice group. He has more than 10 years of experience acting as counsel in arbitration proceedings and enforcement of international and domestic awards in Indonesia. He represented clients in disputes concerning construction agreements, distributorships, joint ventures, M&A, insurance coverage, and other types of commercial contracts. He is also experienced in commercial litigation, compliance and investigations, and insolvency matters. Sihombing is ranked as a Rising Star in The Legal 500 2021 and 2022 editions.

Daniel Waldek
Herbert Smith Freehills

Location: Singapore
Number of years in practice: 15
Number of years as an arbitrator: Four
Admissions: England & Wales, Eastern Caribbean Supreme Court (British Virgin Islands)
Main sectors covered: Energy, Infrastructure, and Construction
Geographical areas of focus: Asia-Pacific Region, with a focus on Vietnam, Indonesia, Thailand, South Asia, Japan, South Korea, China

Daniel Waldek carries out his own advocacy, both at procedural hearings and at merits hearings. He is particularly experienced cross-examining factual and expert witnesses, especially involving complex construction, energy, and infrastructure disputes. He has appeared as counsel in arbitrations following the ICC, LCIA, and SIAC, as well as ad hoc arbitrations. He is also appointed as an arbitrator by the SIAC.

Alastair Henderson
Herbert Smith Freehills

Location: Singapore
Number of years in practice: 32
Number of years as an arbitrator: 13
Current number of arbitrator appointments: One as chair, one as co-arbitrator
Admissions: England & Wales (solicitor)
Main sectors covered: Construction, engineering, infrastructure, energy, natural resources, joint venture, shareholder disputes, general cross-border and international commercial contract disputes
Geographical areas of focus: Southeast Asia and all over the world

Alastair Henderson had particular expertise in the countries of Southeast Asia. He is based in Singapore (and previously Bangkok) for 23 years. However, he handles cases all over the world, with or without Asian connections. Henderson's typical clients are multinational corporations, larger local corporations and Governments and other public agencies.
Zara Shafruddin
Jones Day
Location: Singapore
Number of years in practice: 11
Admissions: New York, England & Wales, Supreme Court of New South Wales, Federal and High Courts of Australia, Registered Foreign Lawyer (Singapore)
in sectors covered: Joint ventures, post M&A disputes, energy & resources, construction, oil & gas, manufacturing, life sciences
Geographical areas of focus: Southeast Asia, Northeast Asia (particularly China, Hong Kong and Korea), Europe, North America

Zara Shafruddin acts in cross-border disputes and international arbitrations across the Asia-Pacific region, the United Kingdom, and Europe. She has represented clients across a diverse range of industries, including oil and gas, shipping, mining, construction, and private equity funds. Shafruddin is noted for her expertise with respect to disputes arising from M&A activity and joint ventures in Asia, particularly in China and Hong Kong. She holds several law degrees and awards from Columbia University (New York, USA) and Griffith University (Australia) and is triple qualified in New York, England and Wales, and New South Wales (Australia), and is a registered foreign lawyer in Singapore.

Judith Gill QC
Independent arbitrator
Location: Singapore
Number of years in practice: 33
Current number of arbitrator appointments: Seven as chair, one as sole arbitrator
Admissions: England & Wales
Main sectors covered: Joint venture agreements, corporate sale and purchase agreements, construction and infrastructure disputes, energy contracts, manufacturing, distributorship agreements, technology agreements, investment treaty disputes
Geographical areas of focus: Asia, Singapore in particular, Western Europe, Middle East and Americas
Languages: English
Judith Gill QC spent four years as Arbitrator Member at Twenty Essex. Gill was appointed Queen’s Counsel in 2009, and has spent many years at Allen & Overy, where she was head of International Arbitration Group.

Kent Phillips
Hogan Lovells Lee & Lee
Location: Singapore
Number of years in practice: 25
Number of years as an arbitrator: 30
Main sectors covered: Energy, oil, gas, construction, joint venture and investment
Geographical areas of focus: Singapore, Europe, US, Japan, Korea, Vietnam, Indonesia, Philippines and India
Languages: English
Kent Phillips has been based in Singapore for more than ten years and in London for fourteen years before that. He acts for clients in Japan, Korea, US and Europe in arbitrations concerning their investments in this region, including in Vietnam, Indonesia, the Philippines, and India. As an international arbitration specialist, Phillips’s trial experience includes high-value commercial disputes across a number of sectors and jurisdictions. He has conducted arbitrations under leading institutional rules in most major seats, under both civil and common law. Additionally, Phillips has extensive experience as an arbitrator and is a director of the Chartered Institute of Arbitrators – Singapore branch.

Dyah Paramita
Hogan Lovells DNFP
Location: Jakarta, Indonesia
Number of years in practice: 11
Admissions: Indonesia
Main sectors covered: Oil and gas, construction, commercial, antitrust and competition
Geographical areas of focus: Asia Pacific
Languages: English and Bahasa Indonesia
Dyah Paramita is a senior associate at Hogan Lovells DNFP. She is also a certified mediator at the Supreme Court of the Republic Indonesia and a Member of the Chartered Institute of Arbitrators (MCIArb). Her clients came from various industries including digital (e-commerce, content), oil and gas (pipeline facility sharing, FSU), rig operation and drilling, oil spill, liabilities, onshore production facility, construction ( toll road, financing, specific-purpose building), aerospace service, and manufacturing. Paramita is especially strong regarding antitrust and competition issues, including distribution agreements, exclusivity, parity clauses, amongst others.

Judith Gill QC
Independent arbitrator
Location: Singapore
Number of years in practice: 33
Current number of arbitrator appointments: Seven as chair, one as sole arbitrator
Admissions: England & Wales
Main sectors covered: Joint venture agreements, corporate sale and purchase agreements, construction and infrastructure disputes, energy contracts, manufacturing, distributorship agreements, technology agreements, investment treaty disputes
Geographical areas of focus: Asia, Singapore in particular, Western Europe, Middle East and Americas
Languages: English
Judith Gill QC spent four years as Arbitrator Member at Twenty Essex. Gill was appointed Queen’s Counsel in 2009, and has spent many years at Allen & Overy, where she was head of International Arbitration Group.

Dyah Paramita
Hogan Lovells DNFP
Location: Jakarta, Indonesia
Number of years in practice: 11
Admissions: Indonesia
Main sectors covered: Oil and gas, construction, commercial, antitrust and competition
Geographical areas of focus: Asia Pacific
Languages: English and Bahasa Indonesia
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Dyah Paramita
Hogan Lovells DNFP
Location: Jakarta, Indonesia
Number of years in practice: 11
Admissions: Indonesia
Main sectors covered: Oil and gas, construction, commercial, antitrust and competition
Geographical areas of focus: Asia Pacific
Languages: English and Bahasa Indonesia
Dyah Paramita is a senior associate at Hogan Lovells DNFP. She is also a certified mediator at the Supreme Court of the Republic Indonesia and a Member of the Chartered Institute of Arbitrators (MCIArb). Her clients came from various industries including digital (e-commerce, content), oil and gas (pipeline facility sharing, FSU), rig operation and drilling, oil spill, liabilities, onshore production facility, construction ( toll road, financing, specific-purpose building), aerospace service, and manufacturing. Paramita is especially strong regarding antitrust and competition issues, including distribution agreements, exclusivity, parity clauses, amongst others.

Dyah Paramita
Hogan Lovells DNFP
Location: Jakarta, Indonesia
Number of years in practice: 11
Admissions: Indonesia
Main sectors covered: Oil and gas, construction, commercial, antitrust and competition
Geographical areas of focus: Asia Pacific
Languages: English and Bahasa Indonesia
Dyah Paramita is a senior associate at Hogan Lovells DNFP. She is also a certified mediator at the Supreme Court of the Republic Indonesia and a Member of the Chartered Institute of Arbitrators (MCIArb). Her clients came from various industries including digital (e-commerce, content), oil and gas (pipeline facility sharing, FSU), rig operation and drilling, oil spill, liabilities, onshore production facility, construction ( toll road, financing, specific-purpose building), aerospace service, and manufacturing. Paramita is especially strong regarding antitrust and competition issues, including distribution agreements, exclusivity, parity clauses, amongst others.
Thayananth Baskaran
Independent Arbitrator

**Location:** Malaysia

**Number of years in practice:** 21

**Number of years as an arbitrator:** Ten

**Current number of arbitrator appointments:** Two

**Admissions:** Malaysia, England & Wales

**Main sectors covered:** Construction, commercial

**Geographical areas of focus:** England, India, the Middle East and Asia

**Languages:** English, Malay, Tamil

Thayananth Baskaran’s primary area of practice is construction law. He drafts various building and engineering contracts, advises on disputes arising from such contracts and appears as counsel to resolve these disputes. Baskaran also sits as an arbitrator, mediator, and administrator.

Baskaran has drafted building and engineering contracts based on Malaysian standard forms, such as PWD and PAM, English standard forms, such as IChemE, JCT and NEC, and international standard agreements. Baskaran also sits as a mediator in commercial arbitrations governed by the AIAC, ICC, PMAC, and UNCITRAL rules. He also appears as counsel in the High Court of Malaysia and the appellate courts of Malaysia in relation to construction disputes. The judgments in some of the cases he has appeared in have been published in the law reports. Baskaran regularly acts as counsel in adjudication proceedings. Baskaran has appeared as counsel in court-annexed and private mediations. Baskaran was appointed as an adjudicator in the fifteenth adjudication registered under the Malaysian Construction Industry Payment and Adjudication Act 2012 and now regularly sits as an adjudicator. Baskaran has been appointed as an arbitrator in a variety of commercial disputes, including disputes arising from building and engineering contracts, development agreements, hotel management agreements, and joint venture agreements. Baskaran also sits as a mediator in major projects he has, or has been, involved in, including Merdeka 118, a mega-tall skyscraper under construction in Kuala Lumpur; the Refinery and Integrated Petrochemical Development Project in Penang; the MaaS Rapid Transit Klang Line; the Light Rail Transit Ampang; Bandar Utsa-Klang and Kelana Jaya Lines; the Malay Railways East Coast Railway Line; various phases of the Electrified Double Track Project; and the two Penang Bridges, all in Malaysia; and the National Highway Development Project in India. Baskaran has advised on projects throughout Asia and Europe. He has a particular interest in railway projects and has advised on every major Malaysian railway project during his years in practice.

Baskaran has appeared as counsel in several domestic and international arbitrations governed by the AIAC, ICC, PMAC, and UNCITRAL rules. He also appears as counsel in the High Court of Malaysia and the appellate courts of Malaysia in relation to construction disputes. The judgments in some of the cases he has appeared in have been published in the law reports. Baskaran regularly acts as counsel in adjudication proceedings. Baskaran has appeared as counsel in court-annexed and private mediations. Baskaran was appointed as an adjudicator in the fifteenth adjudication registered under the Malaysian Construction Industry Payment and Adjudication Act 2012 and now regularly sits as an adjudicator. Baskaran has been appointed as an arbitrator in a variety of commercial disputes, including disputes arising from building and engineering contracts, development agreements, hotel management agreements, and joint venture agreements. Baskaran also sits as a mediator in major projects he has, or has been, involved in, including Merdeka 118, a mega-tall skyscraper under construction in Kuala Lumpur; the Refinery and Integrated Petrochemical Development Project in Penang; the MaaS Rapid Transit Klang Line; the Light Rail Transit Ampang; Bandar Utsa-Klang and Kelana Jaya Lines; the Malay Railways East Coast Railway Line; various phases of the Electrified Double Track Project; and the two Penang Bridges, all in Malaysia; and the National Highway Development Project in India. Baskaran has advised on projects throughout Asia and Europe. He has a particular interest in railway projects and has advised on every major Malaysian railway project during his years in practice.

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**Ian Johnston**

**Kennisleys**

**Location:** Bangkok, Thailand

**Number of years in practice:** 16

**Admissions:** Solicitor England & Wales 2006, Solicitor Hong Kong 2008

**Main sectors covered:** Commercial Arbitration, Insurance, Reinsurance, Hospitality and Construction

**Geographical areas of focus:** Asia, the UK, the Middle East and Australia

**Languages:** English

Johnson is experienced acting in arbitrations under LCIA, SIAC, and ICC rules. She specialises in international commercial arbitration, investment treaty arbitration and public international law. Johnston is also involved in drafting and negotiating and advising on a range of commercial and construction contracts, disputes and damages claims. Johnston is admitted as a solicitor in England and Wales and a barrister in Hong Kong. Johnston is a member of the Chartered Institute of Modern Arbitrators and is the author of a number of articles on arbitration and related matters.

**Elodie Dulac**

**King & Spalding**

**Location:** Singapore

**Number of years in practice:** 16

**Admissions:** Paris, France, England & Wales (Solicitor-Advocate); Singapore International Commercial Court (Foreign Lawyer)

**Main sectors covered:** Energy, mining, joint ventures

**Geographical areas of focus:** Asia and East Africa

**Languages:** English and French

Elodie Dulac is a partner at the King & Spalding international arbitration group in Singapore, where she has been based for over 15 years. She specialises in international commercial arbitration, investment treaty arbitration and public international law. Dulac typically acts in Asia-related cases and has particular expertise in energy, mining, and joint ventures/shareholder disputes, as well as investor-state disputes. She has also represented an Asian conglomerate in a shareholders’ dispute, which is one of the largest SIAC arbitrations to date, and represented an energy company in an ICID arbitration against a South-east Asian state concerning revenue allocation under a gas service contract. In addition to her work as counsel, Dulac has been appointed as chair of the tribunal and sole arbitrator in more than 20 arbitrations. She is dual-qualified in Paris and England & Wales (Solicitor-Advocate) and is also a registered foreign lawyer before the Singapore International Commercial Court.

**Anisha Sud**

**King & Spalding**

**Location:** Singapore

**Number of years in practice:** Ten

**Admissions:** State Bar of Texas

**Main sectors covered:** Energy and pharmaceutical, investment disputes, and commercial matters

**Geographical areas of focus:** Asia, North and South America, and Europe

**Languages:** English

Anisha Sud’s client base is based primarily in Asia, North and South America, and Europe. Sud works with major multinationals and oil and gas corporations.
Karen Mills is a founding member of the Karim Syah Law Firm in Jakarta. She has sat as arbitrator in a number of cases involving oil, gas, mining, energy, insurance, financing, aviation, maritime, joint ventures, cross-border transactions, construction and pharmaceutical industries. Mills is especially strong regarding investor-state disputes, and has represented various state-owned and private multinational companies in both resolutions of disputes and structuring of transactions. Mills is also experienced in insurance, maritime and aviation law, IT, and general cross-border investment and transactions.

Karen Mills has been admitted to practice before the Southern and Eastern District Federal Courts of New York (admitted to practice before the District Court for the Southern District of New York). She is a member of the Bar of the State of New York, the Bar of the State of Illinois, the Bar of the State of New Jersey, the Bar of the State of Texas, and the Bar of the United States District Court Southern District of New York. She has been a member of the Illinois State Bar Association, the Illinois State Bar Foundation, the American Bar Association, and the Chicago Bar Association. She is a member of the Bar of the State of Illinois, the Bar of the State of Texas, and the Bar of the United States District Court Southern District of New York. She has been a member of the Illinois State Bar Association, the Illinois State Bar Foundation, the American Bar Association, and the Chicago Bar Association. She is a member of the Bar of the State of Illinois, the Bar of the State of Texas, and the Bar of the United States District Court Southern District of New York. She has been a member of the Illinois State Bar Association, the Illinois State Bar Foundation, the American Bar Association, and the Chicago Bar Association.

Karen Mills is a member of the organisation's existence and currently is a member of its Advisory Council. She is also a member of the main committee of Karim Syah Law Firm in Jakarta. She has sat as arbitrator in cases involving oil, gas, mining, energy, insurance, finance, tax, and general investment and trade. As counsel she has successfully acted as lead counsel for the Indonesian government in a number of investor-state disputes, and has represented various state-owned and private multinational companies in both resolutions of disputes and structuring of transactions. Mills is especially strong regarding investor-state disputes, and has represented various state-owned and private multinational companies in both resolutions of disputes and structuring of transactions.

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Karen Mills has published over 100 papers in international professional journals and sits on the board of a number of organisations such as the IMF/BA Investor-State Mediation Task Force, Appointing Committee of the Chinese European Arbitration Centre and the Editorial Board of the Journal of World Energy Law & Business. She sits as arbitrator throughout the region and the US, often serving as judge and arbitrator for the VIS and other major competitions, also serving on the Board of the Vis East Moot Organisation. She has been a Fellow of the CIArb since 1996 and a Chartered Arbitrator since 1998. She established and, for its first ten years chaired, the Indonesian Chapter of the CIArb and is also a member of the main committee of the CIArb's East Asia Branch. Mills was one of the original members of ArbitralWomen and served on the Board and Executive Board for the first 26 years of the organisation's existence and currently is a member of the Mentoring and Funding committees.

Amanda Lees specialises in cross-border dispute resolution and practices in Singapore. She has significant experience in both commercial and investment treaty arbitration.

Amanda is widely considered to be an authority in international arbitration in the Asia Pacific region, including in Malaysia, Indonesia, Vietnam, Myanmar, India, China, Hong Kong, Singapore and Australia. Her experience also includes serving as counsel in complex cross-border litigation. She is regularly appointed as arbitrator and features on arbitrator panels of leading arbitral institutions. Amanda is also a prominent speaker at events and conferences.

Watch Amanda Lees in conversation here:

Private Practice Powerlist – Amanda Lees - YouTube
In conversation with...

What do you think are the most important qualities or skills you bring to an arbitration?

Advocacy and formulation of strategy and legal arguments. Each case must be looked at keenly for detail – and more often than not, each little detail counts towards winning the case. In high-stakes disputes and arbitrations, even the most minute of margins count, and I am there to make it count. These, in my view, are the key ingredients and skills necessary to win over the arbitral tribunal.

How would you describe your firm’s arbitration practice? What strengths does it have as a wider group of attorneys?

The firm’s arbitration practice is dynamic, strategic and is known for its strength in skilled advocacy. As advocates and counsel, we make it our business to know and deploy arguments that are strategically placed and sticks with the arbitral tribunal or before judges in related court proceedings. We work closely with top advocates from the region and other premier global firms such as Singapore, Hong Kong, Thailand and United Kingdom (including Queens’ Counsel). The firm’s arbitration practice is a multi-faceted, multi-disciplinary practice, and includes a number of ground-breaking cases.

Another aspect is to be mindful of any remedies in aid of arbitration available within the jurisdiction. Such skillsets are common, and it is equally critical to be good at these types of satellite litigation. It’s almost impossible for international counsel to know of every detail of the local arbitration scene or requirements. It is therefore important (and probably most important) to know of local counsel that do.

What are the most impressive arbitrations you have worked on as counsel?

I had an arbitration before the Asian International Arbitration Centre (AIAC), involving voluminous documents and large legal teams for both sides. The arbitral tribunal members are known legal luminaries. The matter proceeded smoothly without the prescribed timetable, with fantastic coordination between the AIAC liaison officers, legal teams, arbitrators, witnesses, experts and all concerned. The electronic bundles, e-file transcript, as well as the AIAC’s facilities were top notch, ensuring everything moved along like clockwork. It was almost a perfect storm. On reflection, this was a result of every party including the opponents doing their part (without pulling any punches) in the preparation and lead up to the evidentiary hearing, with the common aim of having a smooth arbitration and to assist the arbitral tribunal in its task of determining the parties’ case one way or the other.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

If the seat of the arbitration is a local one, it is imperative to avoid specific pitfalls in the arbitration which may be fatal later, in setting aside procedures. It is critical to play the long game.

Kwan Will Sen
Lim Chee Wee Partnership (LCWP)

Location: Malaysia
Number of years in practice: 12
Admissions: Malaysian Bar, Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Corporate and commercial litigation, disputes, energy, oil and gas, shipping and aviation, and competition law

Malohandass Kanagasabai
Mohananad Partnership

Location: Kuala Lumpur, Malaysia
Number of years in practice: 30
Current number of arbitrator appointments: 15

Do you have any interesting stories relating to the arbitrations you have worked on?

As a cross examiner, we are often told never to ask a question that we do not know the answer to. But I’ve learnt from experience that that is not a rule in civil law. The instincts of a seasoned cross examiner are often the best barometer.

I once had a witness before me whom I sensed was keen to get things off his chest. His body language and discomfort with his witness statement were giveaway. He was a witness for the opposite party in an arbitration.

So I gave him opportunity to speak. Briefly at first as he had found his voice. I allowed him to open up. It was cathartic for him and soon he was telling the Tribunal that the reason for not paying my client had more to do with his employer’s own financial woes than my client’s alleged poor workmanship.

The Arbitration arbitrator nominated for the opposite party role called for a time out requesting to be dismissed, that I seemed to have cast a spell on the witness!
SM Shanmugam
Lee Hishammuddin Allan & Gledhill

Location: Kuala Lumpur, Malaysia
Number of years in practice: 19
Main sectors covered: Corporate disputes, shareholders dispute, directors’ fiduciary duties, commercial dispute, contractual, negligence claim, securities litigation, insider trading, stock market manipulation, trust, probate and administration
Geographical areas of focus: Malaysia, Singapore
Languages: English, Malay and Tamil

Nahendran Navaratnam is the principal partner at Navaratnam Chambers. He is a Chartered Arbitrator and a Fellow of the Chartered Institute of Arbitrators and the Malaysian Institute of Arbitrators. He is listed on the panel of arbitrators of the Asian International Arbitration Centre (AIAC), International Chamber of Commerce (ICC), Chartered Institute of Arbitrators (CIArb), Malaysian Institute of Arbitrators, Hong Kong International Arbitration Centre (HKIAC), Hainan Arbitration Centre, Singapore International Arbitration Centre (SIAC) and the Kuala Lumpur Tin Market (KLTM). He is also a member of the Malaysia Branch of the International Chamber of Commerce (ICC) Arbitration Committee. He receives appointments as Arbitrator in both local and international cases involving Indonesian conglomerates.

Location: Jakarta, Indonesia
Number of years in practice: Twelve
Admissions: Indonesian Advocate Association (PERADI) and all courts in Indonesia’s jurisdiction
Main sectors covered: Litigation and dispute resolution, arbitration, bankruptcy and delay of payment (restructuring and insolvency), employment, regulatory and compliance with various industries, e.g. construction, power, energy, mining
Geographical areas of focus: Indonesia, Singapore, United Kingdom, United States of America, Japan and China
Languages: Bahasa Indonesia and English

Sitorus is a senior associate in the litigation and dispute resolution department of Makarim & Taira S. He advises and represents local and foreign clients from various industries in major cases over complex issues, as well as advising on regulatory and compliance matters. Sitorus has regularly acted as lead counsel as well as Indonesian counsel before all levels of the Indonesian courts and arbitration proceedings under the rules of BANI, SIAC and ICC. He specialises in civil litigation, domestic and international arbitration (including enforcement), bankruptcy and delay of payment as well as employment matters. He was ranked in The Legal 500 Asia Pacific guide’s dispute resolution section as a next generation partner in 2019 and 2020 and as a rising star in 2021 and 2022.

Rudy Andreas Sitorus
Makarim & Taira S.

Location: Kuala Lumpur, Malaysia
Number of years in practice: 19
Main sectors covered: Corporate disputes, shareholders dispute, directors’ fiduciary duties, commercial dispute, contractual, negligence claim, securities litigation, insider trading, stock market manipulation, trust, probate and administration
Geographical areas of focus: Malaysia, Singapore
Languages: English, Malay and Tamil

SM Shanmugam is a highly experienced litigator with broad experience in corporate, commercial, and securities law. He is also noted for his work on international and domestic commercial arbitration. Shanmugam is ranked by Legal 500 Asia Pacific as a Leading Individual in Dispute Resolution and has co-authored numerous articles published by legal journals.

Location: Indonesia
Number of years in practice: 15
Admissions: Indonesian Advocates Association (PERADI)
Main sectors covered: Energy mining infrastructure, financial institutions, TMT, consumer goods and retail
Geographical areas of focus: Indonesia
Languages: Indonesian, English

Brian Manuel (formerly of Baker McKenzie) is counsel at MacalloHarlin Mendrofa Advocates. He is skilled in handling matters relating to commercial litigation, bankruptcy/restructuring, arbitration, and compliance. Manuel has assisted both local and international clients in complex litigation proceedings, as well as substantial debt restructuring cases involving Indonesian conglomerates.

Location: Jakarta, Indonesia
Number of years in practice: 15
Admissions: Indonesian Advocates Association (PERADI)
Main sectors covered: Energy mining infrastructure, financial institutions, TMT, consumer goods and retail
Geographical areas of focus: Indonesia
Languages: Indonesian, English

Brian Manual
MaccaloHarlin Mendrofa Advocates

Location: Kuala Lumpur, Malaysia
Number of years in practice: 19
Martinez Vergara & Gonzalez Sociedad (MVGS)

Business message

Martinez Vergara & Gonzalez Sociedad (MVGS) is a full-service law firm established in 2007. MVGS takes pride in having established itself as a leading law firm in the Philippines, recognised by international review bodies including The Legal 500 Asia Pacific, and providing a full range of excellent legal services in banking and finance, capital markets, mergers and acquisitions, projects and energy, intellectual property, litigation and dispute resolution, taxation, immigration, and labour and employment. The firm also offers outstanding services in the specialised areas of business formation and foreign investment, real estate and construction, restructuring and insolvency, commercial arbitration and ADR, antitrust and competition, corporate services, and data privacy.

The firm always aims to match its clients’ needs with appropriate strategies and legal services of the highest quality in a cost-efficient and timely manner. With its reputation for being a dynamic and business-oriented law firm, MVGS enjoys the confidence and trust of its local and foreign clients, including some of the Philippines biggest conglomerates and institutional clients.

MVGS joined Drew Network Asia (DNA) in October 2021. Formed in March 2020, DNA is an alliance of some of the most influential and well-established South East Asian law firms, namely Drew & Napier LLC from Singapore, Makarim & Taira S. from Indonesia and Shersa Delamore & Co. from Malaysia. The addition of MVGS expanded DNA’s regional footprint in ASEAN which now boasts more than 480 fee-earners and 150 partners in four countries: Singapore, Indonesia, Malaysia and the Philippines.

Dispute resolution group

The dispute resolution (DR) team of the firm handles the full range of dispute resolution involving not just traditional court litigation but also alternative dispute resolution (ADR), especially commercial arbitration and mediation.

In traditional court litigation, the firm has an extensive practice in the fields of commercial, debt restructuring, civil, criminal and tax litigation.

The firm also has a strong ADR team with its DR head and senior partner being a Court of Appeals mediator, and its ADR head being an accredited arbitrator of the Department of Justice’s Office of Alternative Dispute Resolution, as well as a trustee and accredited arbitrator of the Philippine Dispute Resolution Center, Inc. (PODRIC), the premium arbitration center in the Philippines, and its deputy secretary-general and head of the Training and Education Committee. Two partners and one senior associate are also trained arbitrators of PODRIC. One of the partners is also a trained mediator, file counsel and tribunal secretary of PODRIC, while one of the senior associates is a trained file counsel and tribunal secretary of PODRIC.

In addition, a partner in the DR and ADR team is also a trained arbitrator of the Integrated Bar of the Philippines as well as a trained Tribunal Secretary of the Hong Kong International Arbitration Center.

The unique background of the partners and associates of the DR and ADR team, as both advocates and neutrals, allow them to approach ADR matters referred by clients from the perspective of both advocate and neutral. These dual perspectives not only allow the team to analyse evidence, formulate strategies, and present client’s claims and defenses as advocates building their client’s case. At the same time, the team, culling from their respective experiences as neutrals or associates to neutrals, are also able to anticipate the key points and matters that the neutral will look for in resolving the disputing parties claims and defenses.

Regardless of the subject matter of the disputes involved, the DR and ADR team pride themselves in delivering prompt, practical and commercially-viable solutions to all disputes referred to them by the firm’s clients.
In conversation with…

What do you think are the most important qualities or skills you bring to an arbitration?

As counsel, I am very hands on. I make sure to review all documents and am involved in the interview of all possible witnesses. My philosophy is that preparation and hard work are always key to winning an arbitration and these mean that my team and I should study all the evidence so we will know all the facts, both beneficial and detrimental, relevant to the client’s claims and defenses.

I also make sure that the client is engaged in the arbitration from the onset. I make sure that the client understands the arbitration process and what it should expect. I also involve the client in the case strategy, and ensure that it knows the strengths and weaknesses of its claims and defenses. I encourage the client to disclose everything remotely relevant to the case, knowing that an accidentally undiscovered information may affect the outcome of the arbitration.

As an arbitrator, I carry over the same attention to details. I review all submissions and listen attentively to all testimonies during the hearings. I make sure to come to the hearings prepared so I can ask any clarificatory questions that must be asked to fully understand both parties’ claims and defenses.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

An international counsel should realize that while arbitration in the Philippines is a fast developing arena, it is still not as common as court litigation. Hence, the international counsel may encounter situations that he would not encounter in arbitrations before other jurisdictions where arbitration is firmly developed.

Do you have any interesting stories relating to arbitrations you have worked on? Do you have something funny or revealing we can discuss?

The only interesting thing I think of at the moment is to come clean that I am not a very ‘techie’ person. I am not into IT stuff at all. However, I have handled and led teams already in two arbitrations where IT knowledge and aptitude were crucial in the investigation of possible witnesses. I was actually very surprised that I was able to understand all the IT and ‘techy’ concepts involved. Of course, it helped that I had associates who had helped me understand all the ‘techy’ concepts involved. Also, it is a testament to my philosophy that preparation and hard work are always key to the successful prosecution and defense in arbitration.

How would you describe your firm’s arbitration practice in your region? What strengths does it have as a wider group of attorneys?

Performance is driven by passion for excellence. The Firm’s arbitration group is fortunate composed of people who value excellence every time and who are not satisfied by merely getting things done. Also, the objective of the Firm’s arbitration group is to train as much as possible everyone in the group to be not just counsel but also arbitrators. Hence, aside from myself, three of the members of the Firm’s arbitration group are trained arbitrators of the Philippine Dispute Resolution Center, Inc. (PDRCI), the first and premiere arbitrator and ADR center in the Philippines. Also, two of these three members are at the same time accredited File Counsels and Tribunal Secretaries of PDRCI, and one of these two members is at the same time a trained Tribunal Secretary of the HKIAC.

The advantage that these bring to Firm’s arbitration group is the knowledge by the team members of what arbitrators look for from parties and counsel when hearing the arbitrations before them.

Kristine R. Bongcaron

Martinez Vergara & Gonzalez Sociedad

Location: Philippines
Number of years in practice: 10
Admissions: Integrated Bar of the Philippines
Main sectors covered: Construction, commercial
Geographical areas of focus: Philippines
Languages: Filipino, English

Kristine R. Bongcaron co-heads the commercial arbitration team at Martinez Vergara & Gonzalez Sociedad and is the head of the intellectual property team. Bongcaron’s dispute resolution practice focuses primarily on litigation of commercial and intellectual property disputes, debt restructuring and data privacy, as well as commercial arbitration and mediation. She represents clients in construction arbitrations before the Construction Industry Arbitration Commission (CIAC), as well as in ad hoc and institutional commercial arbitrations.

Bongcaron is active with the Philippine Dispute Resolution Center, Inc. (PDRCI), the first and premiere arbitral institution in the Philippines, where she is a trained arbitrator, trained mediator, and accredited file counsel and tribunal secretary. She is a member of PDRCI’s Rules Revision Committee, and chairs its Data Privacy Committee. Bongcaron is also the Data Privacy Officer of PDRCI. Bongcaron is also a trained arbitrator of the Integrated Bar of the Philippines (IBP) and a trained tribunal secretary of the Hong Kong International Arbitration Center (HKIAC).

Eduardo A. Martinez

Martinez Vergara & Gonzalez Sociedad (MVGS)

Location: Philippines
Number of years in practice: 29
Admissions: Integrated Bar of the Philippines
Main sectors covered: Construction, commercial, intellectual property
Geographical areas of focus: Philippines
Languages: English and Filipino

Eduardo A. Martinez specializes in litigation and dispute resolution and is the head Martinez Vergara & Gonzalez Sociedad’s Dispute Resolution Group. Martinez regularly advises clients in civil, criminal, as well as commercial litigation matters.

Martinez is an Appeals Court Mediator, accredited by the Philippine Academy of Mediation, which furthers his alternative dispute resolution credentials. He is also a contributor to the Daily Tribune, a national newspaper.
Mishcon De Reya's disputes team has cutting-edge experience, acting both as counsel and as arbitrators. The team consists of experts in all forms of dispute resolution with a focus on negotiating settlements, international arbitration, cross-border litigation, investor-state dispute settlement, and white-collar crime and investigations.

Mishcon De Reya's team includes practitioners with a proven track record of advising clients in Asia, as well as investors into the region, on disputes, crisis management, and other matters which cause problems and disruption.

They regularly act as counsel in proceedings before the main arbitral institutions in the region, especially SIAC and the ICC, and have overseen litigation and enforcement proceedings in the courts of Singapore, Thailand, Indonesia, Vietnam, Philippines, Malaysia, Hong Kong, Japan, China, Bangladesh, and Mongolia.

Their work spans a range of sectors and capabilities, including energy, FinTech and cryptocurrencies, hospitality and leisure, investor-state dispute settlement, international trade, technology, media and telecommunications, and white-collar crime and investigations.
Gavin Margetson
Mishcon de Reya

Location: Singapore
Number of years in practice: 22
Number of years as an arbitrator: Seven
Main sectors covered: Energy, technology, media and telecommunications, shareholder disputes, international trade
Languages: English (native), Japanese (casual)

Described as ‘an outstanding practitioner who combines excellent strategic judgement with close attention to detail and strong client-handling skills’, Gavin Margetson is regarded as ‘a key name to note’ particularly for energy and telecoms sector disputes.

Margetson began his dispute resolution career with Herbert Smith Freehills in London, before moving to Asia in 2004. He spent over 10 years in Tokyo, first on secondment with Marubeni Corporation and then acting for a succession of major Japanese corporates on international arbitrations seated in London, Paris, Geneva, Singapore and Stockholm. He became a partner at HSF in 2010.

Margetson relocated to Southeast Asia in 2014. He spent three years leading the HSF disputes team in Bangkok and working on Singapore-seated arbitrations for HSF, before becoming the head of international arbitration for Bryan Cave Leighton Paisner in the region. In 2020, Margetson joined Mishcon de Reya to help set up the firm’s first office outside of London and lead the disputes practice in Southeast Asia.

His recent experience includes acting as lead counsel on: a landmark SIAC arbitration against the Indonesian state-owned oil and gas E&P company; a SIAC arbitration involving claims of minority oppression arising out of a joint venture for the construction and operation of telecoms towers in Myanmar; and Thai Arbitration Institute proceedings against a helicopter service provider for oil and gas platforms in the Gulf of Thailand.

Previously, Margetson led teams in arbitrations concerning the systems used to clean crude oil on board commercial bulk carriers, the delivery of telecommunications satellites into geostationary orbit, the installation of the I-ME-WE telecoms cable across the Indian Ocean and the purported forfeiture of shares under a joint operating agreement for an oil and gas block in Sumatra, Indonesia.

Margetson also sits as an arbitrator, and most recently issued an award in SIAC proceedings concerning the television rights for an international cricket series. He is a panel member for SIAC, AIAC, TAI, THAC, PIAC and ICAA. He is a fellow of the Chartered Institute for Arbitrators and a former Chairman of the ICC Thailand Arbitration Commission. Margetson is an English-qualified solicitor, and he was also called to the Singapore bar in 2020.
Henry Winter
Mishcon de Reya

In conversation with…
What do you think are the most important qualities or skills you bring to an arbitration?

Distilling complex concepts into simple terms. Even the most complex cases are usually won by the party who is best able to answer a few decisive questions. I aim to provide the Tribunal with the most straightforward route to finding in favour of my client. This involves giving the Tribunal the line of argument – and most importantly the evidence – it needs to write the award. This has to be done clearly, decisively and in a structured way.

I also try to remember the human element of each arbitration and that I'm in the business of persuasion. Acting with honesty and integrity, building a rapport with the Tribunal and maintaining their trust is not just ethically the right thing to do. It also helps your client's case.

In any arbitration, there will be ups and downs, and it can be stressful for the parties involved. In any arbitration, there will be ups and downs, and it can be stressful for the parties involved. I try to keep my sense of humour and remain (or at least appear to remain) calm. The more unreasonable my opponent is being, the more reasonable I like to appear.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

There are quite a few memorable stories, but one does come to mind. We were adverse to an overly aggressive New York firm, who appeared to be in a constant (and somewhat hypocritical) state of outrage. They were representing the Claimant but they engaged in most known forms of guerrilla tactics to frustrate the arbitral process. In one foray, as part of their ongoing disclosure obligations, they belatedly dumped over 10,000 untranslated Korean language documents on a week before witness statements were due. This was obviously going to be problematic for our non-Korean speaking witnesses. But we saw an opportunity. We applied to the Tribunal for an order requiring the Claimant to bear the cost of translating the documents and a delay of several months while this was done. The Tribunal wasn't impressed with the document dump and granted our request. After this rap across the knuckles, the Claimant requested urgent mediation and we were able to mediate our dispute. The Tribunal then agreed to that strength: we can take on disputes against the most high-profile New York firms, should they choose to engage us. This is a heavily disputes-focused firm and we play to that strength: we can take on disputes arising from across the region. Our arbitration practice in Southeast Asia is especially well versed in civil litigation, and we have a strong reputation in the region.

Well versed in dealing with large and complex cases, we have a deep understanding of the local legal landscape and can provide expert advice. We have a strong team of arbitrators who are experienced in the field, and we are well-equipped to handle any type of arbitration.

How would you describe your firm's arbitration practice in Southeast Asia? What strengths does it have as a wider group of attorneys?

We have two highly collaborative partners – Gavin Margetson and me – who are both arbitration specialists but generalists in terms of industry sectors. Gavin has more of an emphasis on energy and TMT disputes, and I focus more on international trade and investor-State disputes. But we have both worked across a lot of different industries and a recent theme has been disputes arising in the Fintech and crypto space.

The team is still new and growing, but despite our relatively small size we have a lot of experience across Southeast Asia and the wider Asia Pacific. Gavin has been in Asia for almost two decades and has a lot of experience dealing with disputes involving Japan, Thailand, Myanmar and Indonesia. My practice has tended to focus more on Vietnam, the Philippines and Malaysia, as well as the region’s links with Australia.

We are also rarely conflicted in Asia. Mishcon is a heavily disputes-focused firm and we play to that strength; we can take on disputes that others might decline for fear of upsetting an institutional corporate client. We have lawyers who are admitted in multiple jurisdictions (UK, Australia, Singapore and Indonesia) and it’s a great team. We enjoy working together and are genuinely collaborative and collegiate in our approach.

How do you handle opposition from opposing counsel?

Tribunal – I've found that arbitrators are usually more impressed when counsel are unnecessarily difficult. We try to build a rapport with opposing counsel, and of knowing your Tribunal – and especially who to and not to appoint – is vital. Adopt a ‘horses for courses’ approach, do your research and make sure you select the right arbitrator for your dispute. Being plugged into the local arbitration scene certainly helps with this, as there is only so much you can learn about a potential arbitrator from desktop research.

Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing we can discuss?

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As one of the best-resourced law firms in Asia, we represent clients in complex, high-stakes disputes and advise on many of the region’s most prominent cross-border transactions involving jurisdictions including Australia, Bangladesh, Cambodia, China, Hong Kong, India, Indonesia, Japan, Malaysia, Myanmar, Pakistan, the Philippines, Singapore, South Korea, Sri Lanka, Thailand and Vietnam.

Our international arbitration practice

Our global arbitration team is comprised of leading advocates and arbitration practitioners, many of whom are world-renowned arbitrators and who hold leadership positions at major arbitral institutions. We are regularly engaged by clients across the globe to represent them on some of the most complex, high-value and strategically important international disputes – including commercial arbitrations, investor-state arbitrations, transnational litigation, global enforcement and acting as arbitrator. We are also entrusted by major arbitral institutions to represent them when appearing either as a party or as amicus curiae in legal proceedings involving important principles of international arbitration law and practice.

The Singapore team

Our Singapore international arbitration team has extensive experience in Asia. We conduct our own advocacy in international arbitrations and our team members regularly sit as arbitrator. We offer strategic, commercial advice in all stages of the process – from negotiating risk allocation and dispute resolution clauses, to structuring investments to benefit from investment treaty protections, to the conduct of arbitration proceedings under all major arbitral rules or related court litigation (such as applications for urgent interim relief) and the global enforcement of arbitral awards. Our priority is to achieve the right outcome for our clients, working as a strategic partner to meet their commercial objectives in an efficient and cost-effective manner.

With two specialist international arbitration partners in the stalwart specialist team, we have unparalleled, deep expertise in:

- Energy, natural resources and infrastructure disputes
- Financial institutions and private equity disputes
- Technology disputes (including fintech, telecommunications and space)
- International law, investment law and investor-state disputes

Furthermore, we pride ourselves on our deep industry knowledge. Our clients include major corporations, global financial institutions, governments and state-owned entities, from across all industry sectors including energy, mining and metals, infrastructure, commodities, transport, banking and finance, and technology and innovation. Clients benefit from our high-quality legal advice, sector knowledge and know-how, and the access to our global network of international experts.

Business message

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Andrew Battisson
Norton Rose Fulbright

Location: Singapore
Number of years in practice: 20
Number of years as an arbitrator: Seven
Current number of arbitrator appointments: Four

Admissions: Australia (Commonwealth, NSW and ACT), Registered Foreign Lawyer (Singapore)

Main sectors covered: Energy, financial services, infrastructure, natural resources, space, technology and telecommunications

Geographical areas of focus: Global, with an emphasis on India and the Asia Pacific

Andrew Battisson is an international arbitration lawyer who practices globally, with an emphasis on the Indo-Pacific. He is a qualified barrister and solicitor. Battisson specialises in international commercial arbitration, investor-state arbitration and related enforcement and transnational litigation. He acts as counsel to a range of clients in arbitrations under all the major arbitral rules under both national laws and international law worldwide. He also sits as arbitrator in disputes involving a wide variety of parties, laws and industry sectors. He is an active member of the international arbitration community and is an ACICA Fellow, an Australian delegate to the ICC Commission on Arbitration and ADR, and serves on the SIAC Users’ Council.

Battisson has particular experience with disputes in the construction and infrastructure sector; energy and natural resources; financial services and fintech sectors and the space and telecommunications sector. He represents clients in domestic and international courts, including the High Court of Australia; the Federal Court of Australia; the Supreme Court of New South Wales; the Victorian County Court; the District Court of Western Australia; and the Supreme Court of Queensland. He also represents clients in arbitrations under the major arbitral institutions and ad hoc arbitration rules, including ICSID, ICC, SIAC, HKIAC and UNCITRAL. These disputes usually involve a wide range of applicable laws and multiple jurisidictional parallel court proceedings.

Battisson has experience in disputes concerning commodities, infrastructure, oil and gas, renewables, the power sector, telecoms, digital infrastructure and technology. He has also represented clients in intellectual property disputes and in arbitration and enforcement proceedings involving stabilisation clause in the concession agreements and enforceability of the local courts of the seat of arbitration – this determines how likely an arbitral award would be upheld on a setting aside application or enforcement of the arbitral award. He is also an assistant editor of the Singapore Law Blog and publishes and speaks regularly on international arbitration.

Katie Chung
Norton Rose Fulbright

Location: Singapore
Number of years in practice: 15
Number of years as an arbitrator: Eight
Current number of arbitrator appointments: Six, as sole arbitrator

Admissions: Advocate & Solicitor, Supreme Court of Singapore; Solicitor-Advocate, England & Wales

Main sectors covered: Commodities, oil, gas, renewables, power, telecommunications, technology, financial institutions, fast-moving consumer goods

Geographical areas of focus: Primarily in Asia, but also Europe, US, Africa

Languages: English, Mandarin, Cantonese

Katie Chung is an international disputes and arbitration lawyer based in Singapore. Katie is recognised as a Rising Star by The Legal 500 Asia Pacific and has been described as an ‘impeccably well-prepared and learned arbitrator’ , ‘cuts to the chase, knows her stuff’ and ‘is really impressive’. With more than 15 years’ experience in international arbitration, Chung has advised and represented both private and state-owned clients in Asia Pacific-related international arbitrations conducted under major international and ad hoc arbitration rules, including ICSID, ICC, SIAC, HKIAC and UNCTRAL. These disputes usually involve a wide range of applicable laws and multiple jurisdictional parallel court proceedings.

Chung has extensive experience in disputes concerning commodities, infrastructure, oil and gas, renewables, the power sector, telecoms, digital infrastructure and technology. She has also represented clients in intellectual property disputes and in arbitration and enforcement proceedings involving stabilisation clause in the concession agreements and enforceability of the local courts of the seat of arbitration – this determines how likely an arbitral award would be upheld on a setting aside application or enforcement of the arbitral award. She is on the reserve panel of arbitrators for the Singapore International Arbitration Centre (SIAC), the List of Arbitrators for the Hong Kong International Arbitration Centre (HKIAC), the Panel of International Arbitrators of the Singapore International Arbitration Centre (SIAC), the Panel of Arbitrators of the Thailand Arbitration Center (THAC). She is a member of the executive committee of the Asia-Pacific Forum for International Arbitration (AFIR) and its publications sub-committee. Chung is also an assistant editor of the Singapore Law Blog and publishes and speaks regularly on international arbitration.

In conversation with…

What are the most impressive arbitrations you have worked on as counsel?

It is of course vital to have an understanding of any mandatory laws or principles in a jurisdiction that may impact questions of e.g., arbitrability, conduct of the arbitration or the powers of the tribunal if the jurisdiction is also supplying the governing law applicable to the substante of the dispute, then an understanding of the key legal principles is also vital. In my practice I frequently work with local counsel and so have strong working relationships and a network of contacts in the local arbitration scene is very helpful.

Do you have any interesting stories relating to the arbitrations you have worked on?

My children have worked out that if I am in the midst of a hearing, I do not have the time to negotiate or try to do anything other than “they drive a snarling bargain”!

Katie Chung
Norton Rose Fulbright

In conversation with…

What are the most impressive arbitrations you have worked on as counsel?

I am currently acting on one of two claimants in a high stakes arbitration against an Asian state arising out of concession agreements for offshore gas fields in Asia – the dispute concerns major changes to domestic laws concerning decommissioning and whether those changes amount to breaches of the stabilisation clause in the concession agreements and breaches of international investment law.

Do you think there are the most important qualities or skills you bring to an arbitration?

A great deal of tenacity, being both cerebral and commercial, strategic and creative.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

The familiarity of the local courts of the seat of arbitration or enforcement courts with international arbitration – this determines how likely an arbitral award would be upheld on a setting aside application or enforced under the New York Convention 1958, or how the local courts may view an asymmetric arbitration clause.

In conversation with…

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In conversation with…

How would you describe your firm’s arbitration practice in your region? What strengths does it have as a wider group of attorneys?

Norton Rose Fulbright’s arbitration practice has a large global footprint – our international arbitration lawyers are primarily based in London, Paris, Singapore, Hong Kong, Dubai, Montreal, Houston, and Austin. This means we are able to act for clients in the key arbitration seats in the world and we are familiar with all major arbitral institutions. Our senior practitioners hold positions either on the board of arbitral institutions (e.g. LCIA, SIAC), national committees (e.g., ICC), or in users’ councils (e.g. SIAC), and some have been involved in the drafting of institutional arbitral rules. As a wider group of attorneys, we can represent clients in both commercial and investor-state arbitrations across all sectors. In certain jurisdictions we are also able to represent clients in the national courts for the purpose of seeking interim measures, enforcing or setting aside awards. A number of arbitration lawyers (partners and associates alike) regularly sit as arbitrator.

In conversation with…

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Samuel Leong
Norton Rose Fulbright

Location: Singapore
Number of years in practice: Eight
Number of years as an arbitrator: Four
Current number of arbitrator appointments: Three
Appointments as sole arbitrator to date: Admissions: Advocate & Solicitor in Malaysia; Registered Foreign Lawyer in Singapore
Main sectors covered: Aviation, energy, commodities and FMCG sectors
Geographical areas of focus: Southeast Asia (in particular Malaysia and Indonesia) and India
Languages: English, Malay and Mandarin

Samuel Leong is a senior associate in the dispute resolution and international arbitration team at Norton Rose Fulbright Singapore. Leong’s practice focuses on cross-border disputes in the aviation, energy, commodities and FMCG sectors, as well as commercial disputes arising out of contractual arrangements relating to tax in emerging markets. Most recently, he represented a global MNC in a consolidated SIAC Arbitration arising out of a corporate dispute (quantified at over $1.1bn) relating to an FMCG joint venture in Asia. Prior to joining Norton Rose Fulbright, Leong was counsel at the Singapore International Arbitration Centre (SIAC), where he assisted the Registrar of SIAC in the administration of over 250 arbitrations. These arbitrations include arbitral proceedings conducted under the SIAC Rules, UNCITRAL Arbitration Rules, ICC Rules of Arbitration as well as Emergency Arbitration applications. Apart from acting as arbitration counsel, Leong has also been appointed as sole arbitrator in ad hoc and SIAC administered arbitrations. He has also acted as tribunal secretary in arbitrations conducted under the SIAC Rules and the LCIA Rules. He is a member of the YSIAC Committee and the Asian International Arbitration Centre (Malaysia) (AIAC) Academy Tutors Panel. Leong graduated with a Bachelor of Laws (LL.B) from the University of Malaya, Kuala Lumpur and a Master of Laws (LL.M.) from Columbia University School of Law, New York (as a Fulbright and Harlan Fiske Stone Scholar). He is qualified as an advocate and solicitor in Malaysia. Leong serves as the Honorary Secretary of the Malaysian Association in Singapore (MASU), and is a member of The NeiFs (Norton Rose Fulbright Singapore’s rock band).

In conversation with

What do you think are the most important qualities or skills you bring to an arbitration?

Being counsel in an international arbitration often requires one to act, effectively, as a translator. First, in translating the commercial significance of the dispute within its factual context to the arbitral tribunal. Second, in translating the effect and importance of the various statements being prepared to the client, including every request for document production made in a long Redfern Schedule, to the conduct and outcome of the case. Perhaps as a result of having grown up in a trilingual environment (English, Malay and Mandarin-Chinese) in Selangor, Malaysia – this “translating” between commercial-speak and legal-speak is something I both enjoy and would suggest that I do well.

What are the most impressive arbitrations you have worked on as counsel?

As they say, you always remember your first. The first SIAC Arbitration that I had worked on from beginning to end perhaps exemplified the cross-border nature of practicing international arbitration in Singapore – the case involved a claimant (representing a consortium of companies) and a respondent, a shipyard in Indonesia, with an SIAC-appointed sole arbitrator based in Singapore. Perhaps the fact that the Final Award was in our client’s favour also helped to etch this case in my memory.

What impressed me about this Arbitration was the Arbitrator’s efficiency in producing the Final Award and the SIAC’s helpful assistance in relation to authenticating the Award and with obtaining a Power of Attorney by the Arbitrator in respect of registering the Final Award with the Indonesian Courts (which, as it turned out, was a very important document).

What do you have any interesting stories relating to the arbitrations you have worked on?

I recall how, just days after I had been celebrating my first-ever appointment as an arbitrator at the relatively young age of 32, the Parties wrote very politely to me to inform me that they had arrived at a settlement.

I still laugh about it when I tell people that a “tried and tested” way to achieve an amicable settlement of a dispute is to have me as the arbitrator!

Kenneth Tan
Norton Rose Fulbright

Location: Singapore
Number of years in practice: Eight
Admissions: Singapore, England and Wales
Main sectors covered: Energy, natural resources and infrastructure, FMCG, private equity, technology, hospitality, media and entertainment
Geographical areas of focus: Vietnam, Philippines, Indonesia
Languages: English, Mandarin

Kenneth Tan’s practice is focused on dispute resolution and international arbitration in particular. He has conducted arbitrations under the SIAC, HKIAC, LCIA, ICC, UNCITRAL and ICSID arbitration rules. Before joining Norton Rose Fulbright, Tan gained substantial experience with the arbitration teams of international law firms, and he has been assistant to one of Asia’s leading arbitration practitioners.

In conversation with

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As they say, you always remember your first. The first SIAC Arbitration that I had worked on from beginning to end perhaps exemplified the cross-border nature of practicing international arbitration in Singapore – the case involved a claimant (representing a consortium of companies) and a respondent, a shipyard in Indonesia, with an SIAC-appointed sole arbitrator based in Singapore. Perhaps the fact that the Final Award was in our client’s favour also helped to etch this case in my memory.

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I still laugh about it when I tell people that a “tried and tested” way to achieve an amicable settlement of a dispute is to have me as the arbitrator!
Rosli Dahlan Saravana Partnership (RDS) is an award-winning, full-service commercial law firm with diverse experience among the firm’s partners, who are consistently ranked as leading lawyers in Malaysia by notable legal rankers.

The sophistication, size, and geographic reach of RDS’s practice allows them to offer an unsurpassed range of legal knowledge and experience in both civil and commercial disputes. Their dispute resolution practice advises and represents leading multinational corporations, conglomerates, local corporations and government linked-companies in resolving contentious matters involving a full spectrum of issues.

RDS understands the customs and industry practices of this field thoroughly due to experience derived from working knowledge and deep expertise in advising and representing clients in intricate and high-end disputes. Coupled together with RDS’s substantive knowledge of all facets of contractual disputes, they are able to hit the ground running and provide clients with specifically tailored strategic advice and innovative solutions with a view to obtaining the best possible outcome.

RDS partners are widely regarded as amongst the best in the region. They command industry prestige and respect and are favoured by clients for the most complex and significant matters. When litigation is the best course, RDS possess highly experienced trial lawyers, and will ensure that their client’s rights are protected to the best extent possible. Whether at the negotiation table, in the courtroom, or before an international arbitration tribunal, RDS’s lawyers will deliver accurate and holistic advice with an extraordinary track record of success.

RDS work closely with clients to manage actual and potential risks. They are focused on offering the most effective solutions that are practical, commercially oriented and aligned with business objectives. The practical experience, technical strength, and strategic insight of RDS’s lawyers will ensure any business is positioned to overcome its toughest challenges.

RDS have the full range of specialist expertise to assess and evaluate every aspect of a civil or commercial dispute, devising legal strategies that deliver results in line with clients’ drives and objectives.
Throughout my career I have been fortunate enough to be involved in various arbitrations with complex and interesting issues. Recently, I have acted as counsel for a telecommunications provider in an intellectual property dispute against a governmental body regarding the development of a valuation software. The value of the claim is approximately RM110,000,000.00. I found this case to be particularly interesting because the intellectual property aspects of the dispute which are interwoven with contractual obligations.

I have also been appointed as counsel to act for the owner of a coal-fired power plant to oppose a claim against them for the reimbursement of goods and services tax in accordance with a contractual obligation. This case is interesting because it involves tax obligations regarding the repealed Goods and Services Tax Act 2014 as the tax authorities had belatedly decided to pursue this tax claim against my client’s contractor.

I had also been appointed as counsel to act for an oil and gas company regarding the failure to deliver a vessel in accordance with the specifications of a charterparty agreement and/or unlawful termination of the charterparty agreement. I found this case particularly interesting because the late delivery of the vessel involved many current issues such as force majeure and frustration of contract due to the COVID-19 outbreak.

What do you think are the most important qualities or skills you bring to an arbitration?

I believe that the depth of my knowledge in various fields and aspects of the law sets me apart. I have been in active legal practice for more than 40 years. Throughout these years I have handled and dealt with various fields and aspects of the law. This has in turn sharpened my analytical skills and improved my ability to effectively identify and dissect legal issues. It has also provided me with various opportunities to hone my advocacy skills in persuading judges as well as arbitral tribunals. Being an empanelled arbitrator myself, I believe that I would be able to identify key issues in the minds of an arbitral tribunal and address them appropriately.

I believe in tailoring my approach to the unique requirements of every case. I work closely with clients to manage actual and potential risks in a matter. I focus on offering the most effective solutions that are practical, commercially oriented and aligned with my client’s objectives.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?

Malaysia's arbitration act is based on the UNCITRAL Model Law on International Arbitration. As such, it is in line with international standards and best practices. Malaysia's Arbitration act is a mandatory law which applies to domestic arbitration and international arbitrations where the seat of arbitration is in Malaysia.

Malaysia is a signatory to the New York Convention. The Government of Malaysia and/or Malaysian Courts will apply the New York Convention on the basis of reciprocity, to the recognition and enforcement of awards made only in the territory of other New York Convention signatories. In addition to this, Malaysia is also a party to the ICSID Convention on the Settlement of Investment Disputes between States and Nationals of Other States.

The Asian International Arbitration Centre is the main arbitral institution in Malaysia. The AIAC Arbitration Rules have recently been revised in 2021. The AIAC Arbitration Rules 2021 replaces the AIAC Arbitration Rules 2019 and will apply to all AIAC arbitrations commenced on or after 1 August 2021 unless parties have agreed otherwise. The AIAC Arbitration Rules 2021 aim to improve the time and cost efficiency of arbitral proceedings and increase transparency in arbitration. The key highlights are:

- Incorporation of the UNCITRAL Arbitration Rules into the AIAC Arbitration Rules 2021’s main body. This results in a comprehensive set of rules and eliminates conflicts between the provisions of the AIAC Arbitration Rules 2021 and the UNCITRAL Arbitration Rules;
- A summary determination procedure is introduced to allow any party to submit a request for a summary determination to dismiss in whole or in part, a claim, counterclaim or defence where it manifestly without merit or where it manifestly falls outside the jurisdiction of the Arbitral Tribunal;
- A fast track procedure where the dispute is quantified at less than US$1,000,000 for an international arbitration or less than RM2,000,000.00 for a domestic arbitration or where there is exceptional urgency;
- The Director of the AIAC has the power to consolidate two or more arbitral proceedings where (i) all parties have agreed; (ii) the claims and counterclaims are made under the same arbitration agreement; or (iii) the claims and counterclaims arise from the same legal relationship between parties and the arbitration agreements are compatible.

Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing we can discuss?

I was counsel in an arbitration regarding a development right agreement entered into by a foreign landowner in 1995. The claimed amount was approximately RM20,000,000.00. I succeeded in resisting the claim as the majority of the arbitral tribunal agreed with my submissions. However, the other party’s appointed arbitrator disagreed with me and even saw fit to write a dissenting arbitration award; this is by far the most unusual occurrence throughout my years as an arbitration practitioner. We even questioned the effect and validity of the dissenting arbitration award and it was found that there was no legal effect.

Datuk D.P. Naban
Rosli Dahlan Saravana Partnership (RDS)
Rosli Dahlan
Rosli Dahlan Saravana Partnership (RDS)

Location: Malaysia
Main sectors covered: Appellate counsel work, commercial fraud, corporate debt recovery and insolvency, civil, corporate and commercial litigation, international and cross-border disputes, land disputes and land acquisitions

Geographical areas of focus: Malaysia

Rosli Dahlan is conversant in both civil and shariah law. His wide network of regional and international contacts has enabled him to resolve contentious cross-border issues in the Asian region and internationally, including successfully securing the release of Malaysians detained in neighbouring countries. With more than 30 years of experience in civil and commercial disputes, Dahlan has a pre-eminent reputation in the resolution of complex, high-value and high-profile disputes for every type of client, locally and internationally. He has won landmark cases that made headlines against the abuses by public authorities and government agencies in land acquisition, human rights, illegal deportations, fundamental liberties and prosecutorial misconduct.

Dahlan has appeared in several high-profile judicial review cases – against the registrar of societies to reinstate the de-registration of a political party from contesting in the general election which eventually formed the government; against various state governments for wrongful acquisition of private land; and against enforcement agencies for abuse of the Anti-Money Laundering, Anti-Terrorist Financing and Proceeds of Unlawful Activities Act 2001. He also acted against the Speaker of Parliament for tabling laws contrary to the Federal Constitution. Rosli is the lead counsel in the 1MDB Asset Recovery Task Force which comprised of the Attorney General’s Chambers, Bank Negara Malaysia, National Anti-Financial Crime Centre, Malaysian Anti-Corruption Commission and Royal Malaysian Police. Within one year of establishing RDS, he is ranked as a leading individual for dispute resolution by The Legal 500 Asia Pacific 2021, Malaysia Top 100 Lawyers 2021 by Asia Business Law Journal, and Asia Super 50 Disputes Lawyers 2021 by Asia Legal Business.

Nagarajah Muttiah
Rosli Dahlan Saravana Partnership (RDS)

Location: Malaysia
Number of years in practice: 40+

Main sectors covered: Building and construction, engineering, general and civil litigation, insurance, shipping and aviation, employment, intellectual property

Geographical areas of focus: Malaysia

Nagarajah Muttiah has vast experience in shipping litigation and maritime insurance. He is also actively involved in other practice areas such as aviation, building and construction as well as general & civil litigation.

Nagarajah was called to the English Bar in 1979 and the Malaysian Bar in 1980 and has been active in practice for more than 40 years. He has appeared and acted in numerous landmark litigation cases.

Nagarajah was the former President of the Malaysian Maritime Law Association and a former member of the International Pacific Bar Association where he had presented a number of papers over the years.

R Rishi
Rosli Dahlan Saravana Partnership (RDS)

Location: Malaysia
Number of years in practice: 40+

Main sectors covered: Corporate and commercial litigations, defamation disputes, corporate fraud

Geographical areas of focus: Malaysia

Rishi has appeared at all levels of Malaysian civil courts, before domestic and international arbitral tribunals and continues to regularly do so. Rishi’s expertise centres primarily on corporate and shareholder disputes, anti-money laundering compliance, defamation, and arbitration. Rishi sub-specialises in corporate fraud. He is currently involved in aspects of international civil recovery suits involving the infamous 1MDB saga, which includes matters against International Petroleum Investment Company (IPIC) and Aabar Investment PJS. Rishi spent his formative years delving in complex ‘big ticket’ corporate, commercial disputes involving financial institutions, leading audit firms, newspapers, multinationals, and listed companies. Additionally, Rishi also regularly represents clients before domestic and international arbitral tribunals. Despite having an affinity for courtroom battles, Rishi’s approach towards disputes and his advice to clients are (always) solution driven and cost conscious. Solutions proffered to clients and favourable outcomes/objectives achieved incidentally tend to prompt engagements from counterparts/adversaries/opponents. Rishi is a former secretary of the Malaysian Middle Temple Alumni Association (TMMTA) and was a contributing author of the Malaysian White Book on Civil Procedure, 2013, 2015 and 2018 editions.

Rosli Dahlan Saravana Partnership (RDS)

Location: Malaysia
Main sectors covered: Corporate and commercial litigations, defamation disputes, corporate fraud

Geographical areas of focus: Malaysia

Rosli Dahlan is conversant in both civil and shariah law. His wide network of regional and international contacts has enabled him to resolve contentious cross-border issues in the Asian region and internationally, including successfully securing the release of Malaysians detained in neighbouring countries. With more than 30 years of experience in civil and commercial disputes, Dahlan has a pre-eminent reputation in the resolution of complex, high-value and high-profile disputes for every type of client, locally and internationally. He has won landmark cases that made headlines against the abuses by public authorities and government agencies in land acquisition, human rights, illegal deportations, fundamental liberties and prosecutorial misconduct.

Dahlan has appeared in several high-profile judicial review cases – against the registrar of societies to reinstate the de-registration of a political party from contesting in the general election which eventually formed the government; against various state governments for wrongful acquisition of private land; and against enforcement agencies for abuse of the Anti-Money Laundering, Anti-Terrorist Financing and Proceeds of Unlawful Activities Act 2001. He also acted against the Speaker of Parliament for tabling laws contrary to the Federal Constitution. Rosli is the lead counsel in the 1MDB Asset Recovery Task Force which comprised of the Attorney General’s Chambers, Bank Negara Malaysia, National Anti-Financial Crime Centre, Malaysian Anti-Corruption Commission and Royal Malaysian Police. Within one year of establishing RDS, he is ranked as a leading individual for dispute resolution by The Legal 500 Asia Pacific 2021, Malaysia Top 100 Lawyers 2021 by Asia Business Law Journal, and Asia Super 50 Disputes Lawyers 2021 by Asia Legal Business.
Nur Syafinaz Vani
Rosli Dahlan Saravana Partnership (RDS)

Location: Malaysia
Main sectors covered: Banking and finance litigation, civil litigation, healthcare and medical negligence, restructuring and insolvency
Geographical areas of focus: Malaysia

Syafinaz Vani was admitted as an advocate and solicitor of the High Court of Malaya in 2011. She holds a Bachelor of Laws (LLB) from the University of London with an Upper Second-Class Honours and a Master of Laws with Distinction from University College London. She also has a Bachelor of Laws with Distinction from University College London.

She handles a wide array of civil litigation disputes throughout her practice, specialising in the recovery of gaming debts as well as banking and finance litigation. She also handles matters involving the law of defamation, medical negligence, professional negligence, recognition and enforcement of foreign judgments and land law.

Shaun Tan Cheng Hong
Rosli Dahlan Saravana Partnership (RDS)

Geographical areas of focus: Malaysia

Shaun has been actively involved in construction disputes and arbitration since the start of his legal career in 2014. He has been involved in various modes of construction dispute resolution such as statutory adjudication, domestic and international arbitration and Malaysian court proceedings. He has appeared at all levels of the Malaysian courts including its apex court. He has also appeared before domestic and international arbitral tribunals.

Shaun is empanelled as an arbitrator at the Asian International Arbitration Centre and the Thailand Arbitration Centre. He is also a Mediator and Adjudicator at the Asian International Arbitration Centre.

Kenny Lam Kian Yip
Rosli Dahlan Saravana Partnership (RDS)

Geographical areas of focus: Malaysia

Kenny is a Partner at Rosli Dahlan Saravana Partnership’s (RDS) Dispute Resolution and Intellectual Property Department.

Kenny graduated from the National University of Malaysia (UKM) in 2014. He was admitted as an advocate and solicitor of the High Court of Malaya in 2015.

Kenny is an active practitioner in civil, corporate and commercial disputes across various industries, including oil and gas; aviation; construction; manufacturing; IT and software development etc., and his clients include Fortune 500 companies, individuals, small and medium sized enterprises (SMEs). He has appeared as counsel in all levels of Court and arbitration proceedings.

Kenny’s practice also focuses on the protection of intellectual property rights. He advised clients on various intellectual property issues, including intellectual property ownership, licensing and assignment, global and domestic brand management, and infringement & enforcement of IP rights.

Hayden Tan Chee Khoon
Rosli Dahlan Saravana Partnership (RDS)

Location: Malaysia
Number of years in practice: Three
Admissions: England & Wales, Advocate and solicitor of the High Court of Malaya
Main sectors covered: Commercial disputes, contractual disputes, appellate cases, defamation and public law litigation
Geographical areas of focus: Malaysia
Languages: English, Malay, Mandarin

Hayden Tan Chee Khoon is a Senior Associate in Messrs Rosli Dahlan Saravana Partnership. He has a busy and varied practice which includes defamation, common law and public law, with a particular focus on business contractual disputes. He regularly appears in the High Court and the appellate courts.

Hayden is instructed on urgent court applications to preserve the status quo pending referral of disputes to arbitration. He has successfully obtained a Fortuna injunction in favour of a renowned operator of department stores, so that an arbitration can be formally commenced. When he was a pupil lawyer, he also assisted in the injunction and stay applications involving Tealive and Chatime pending the resolution of the dispute via arbitration/settlement.

Hayden has advised and acted in various high-profile commercial disputes. Notably, he has acted for the corporate plaintiff against AirAsia Berhad, which is one of the most successful budget airlines, as well as for a share purchaser against MYSJ Sdn Bhd, which is the operator of the mobile application ‘MySejahtera’ used by the Government of Malaysia in its combat against Covid-19. He also acted as a co-counsel for a Russian entity in a complex civil litigation, involving claims of defamation, breach of contract, copyright infringement and breach of confidential information.

Besides, Hayden also acts as junior counsel to Datuk Naban for complex commercial disputes involving claims worth more than RM100m. He is prized for his ability to identify issues quickly, to provide early assessment of liability, and to develop pre-trial strategies.
Kuhan holds a Bachelor of Laws (Honours) degree from Aberystwyth University and a Masters of Law in Shipping Law (LLM) from Cardiff University. He was called to the Bar of England and Wales (Middle Temple) in 2018 and subsequently to the Malaysian Bar in 2020.

Kuhan is a Legal Associate with Messrs. Rosli Dahlan Saravana Partnership. He has assisted in several high value dispute resolution cases in the Malaysian Courts and in Arbitration. He has experience in both 'dry' and 'wet' shipping disputes, disputes involving multi modal transport claim and international sale contracts. He has also advised clients, both domestically and internationally, on charterparty contracts and on vessel and yacht acquisitions.

Besides maritime law, Kuhan is also actively involved in many strata management and employment law cases. Besides this, Kuhan is also actively involved human rights causes where, he presently serves in the Bar Councils Human Rights Committee and Environmental Committee, focused on climate change issues.

Lisa Yong is a Senior Associate at Rosli Dahlan Saravana Partnership’s (RDS) Dispute Resolution Department.

Lisa holds a Bachelor of Laws (LLB) from the University of Liverpool. She was called to the Bar of England and Wales in 2017 and admitted as an Advocate and Solicitor of the High Court of Malaya in 2019.

Lisa’s practice focuses on fraud and asset recovery, land acquisitions, land and commercial disputes. She has advised and acted in various high-profile cases. Notably, Lisa is a key figure in managing one of the world’s largest fraud cases spanning from both domestic and international scenes.

Lisa is a dynamic and motivated individual who strives to deliver the best solutions to her clients ranging from multinational corporations, large private corporations, government linked bodies, foreign companies and individuals.

Lisa’s multilingual ability enables her to cater to a myriad of backgrounds for which she can easily establish a better understanding of the complications and disputes brought to her.

Clament Tay is a Senior Associate at Rosli Dahlan Saravana Partnership’s Dispute Resolution Department.

He holds a Bachelor of Laws (Hons) degree from the University of Hull, United Kingdom. He was admitted to the Malaysian Bar in 2018.

Clament’s core area of practice is in construction, engineering, oil & gas, and infrastructure projects. He regularly advises clients on multiple aspects of the project such as pre-contractual negotiations, contract administration, risk / dispute management and dispute resolution.

He has also been involved in arbitration, adjudication and court proceedings, wherein he acted for various notable players in the industry.

Besides construction disputes, Clament is also involved in civil fraud and corporate insolvency cases.
Mohan Pillay

Location: Singapore
Number of years in practice: 36
Number of years as an arbitrator: Ten
Current number of arbitrator appointments: four (three as Presiding Arbitrator and one as Sole Arbitrator)
Admissions: Singapore, England and Wales
Main sectors covered: Infrastructure and energy
Geographical areas of focus: Asia Pacific
Languages: English

Mohan Pillay has over 35 years experience in advisory, commercial litigation and regional arbitral work, particularly involving construction and engineering projects. He has appeared regularly as lead counsel before arbitration tribunals, the High Court, and Court of Appeal in Singapore. He is a Senior Accredited Specialist in building and construction law, as well as a Chartered Arbitrator, and is regularly appointed Arbitrator (both sole and presiding) in domestic and international matters. He is a Founding Fellow of the International Academy of Construction Lawyers, and a past co-Chair of the Dispute Resolution & Arbitration Committee of the Inter Pacific Bar Association (2014 – 2018). His past appointments include President of the Singapore Institute of Arbitrators (SIArb) and Chairman, Society of Construction Law (SCL) Singapore. His current teaching appointments include Course Director of Construction Law (TLS), a series of workshops to introduce construction law principles organised by the SCL. His past teaching appointments have included Adjunct Associate Professor, Faculty of Law, National University of Singapore (2003–2011) and Visiting Professor, Centre of Construction Law, King’s College London (2005–2011).

Chau Huy Quang

Location: Vietnam
Number of years in practice: 26
Number of years as an arbitrator: 16
Current number of arbitrator appointments: 15
Admissions: Vietnam Bar Federation (VBF) Main sectors covered: commercial litigation, investment dispute settlement, construction & projects, international arbitration / mediation
Geographical areas of focus: Vietnam and the Southeast Asia region
Languages: Vietnamese and English
Dr Chau Huy Quang is a member of International Bar Association (IBA), member of Management Board of the Ho Chi Minh City Bar Association; and lecturer at the Judicial Academy of Ministry of Justice of Vietnam.

Timothy Cooke

Location: Singapore
Number of years in practice: 22
Number of years as an arbitrator: Seven
Current number of arbitrator appointments: As sole arbitrator in 3 arbitrations
Admissions: England & Wales Main sectors covered: Energy, private equity, entertainment & media, transportation, and telecommunications Geographical areas of focus: Southeast Asia Languages: English
Timothy Cooke is an international arbitration specialist, with a focus on investment disputes in Asia. He is especially strong regarding complex joint venture and shareholder disputes, as well as matters involving energy and natural resources, transportation, and the entertainment industry. Cooke is the author of the Singapore arbitration book, International Arbitration in Singapore: Legislation and Materials (Sweet & Maxwell). Cooke founded a committee to examine witness conferencing in international arbitration and led the drafting of the Chartered Institute of Arbitrators Guidelines on Witness Conferencing in International Arbitration. Has been a director of the Chartered Institute of Arbitrators (Singapore branch) since 2012. He has been the Director of the Chartered Institute of Arbitrators (Singapore) since 2012, Fellow at the Chartered Institute of Arbitrators (FCIArb), a member of COMBAR (Commercial Bar Association, England & Wales), a member of Singapore International Arbitration Centre Users’ Council, and a member of the BMA Working Group on crime and arbitration. Additionally, Cooke developed and coed led Reed Smith’s mobile application, the Arbitration Pricing Calculator, launched in January 2022. The app allows users to quickly and easily estimate the costs of arbitration at over 25 arbitral institutions around the world

Logan Sabapathy

Location: Kuala Lumpur, Malaysia
Number of years in practice: 36
Admissions: Malaysia Bar, Bar of England & Wales Main sectors covered: Corporate and commercial disputes Geographical areas of focus: Malaysia Languages: English, Malay
Logan Sabapathy founded Sabapathy & Co in 1994 and heads the firm’s dispute resolution practice. He is experienced in complex corporate and commercial disputes, Logan represents on civil disputes in various fields of commerce. In the context of arbitrations, Logan has also acted for clients in domestic and international arbitration proceedings. He is also a member of the Singapore Law Society.

Matthew Skinner

Location: Singapore, London
Number of years in practice: 20
Admissions: Malaysia Bar, Bar of England & Wales Main sectors covered: International arbitration, energy, private equity, technology, media & telecommunications Geographical areas of focus: Worldwide Languages: English
Skinner acts for significant oil and gas, pharmaceutical, construction, manufacturing and resources corporations as well as banks and energy companies. He has represented clients in commercially important matters including joint ventures, licencing, construction, gas pricing and post-M&A disputes. Recognised as a leader in his field and with truly global experience, Skinner also has experience in various forms of dispute resolution, including adjudication and mediation. Skinner is a Fellow of the Chartered Institute of Arbitrators (FCIArb), a Member of the SIAC Users Council and a Member of the Panel of the IMAA. He features on the SIAC, KLICA, HKIAC, IAMA, KICAB and Asia International Arbitration Centre panels. He regularly speaks and publishes on international arbitration.

Lilien Wong

Location: Kuala Lumpur, Malaysia
Number of years in practice: 11
Admissions: Malaysian Bar, High Court of Malaya Main sectors covered: TMT, supply of goods and services, sales and purchases, commercial disputes Geographical areas of focus: Malaysia Languages: English, Malay, Mandarin, Cantonese
Lilien Wong has experience with ICC, IAAC and SIAC arbitrations, and has been ranked as a Next generation partner in dispute resolution by The Legal 500 for the Asia Pacific region, 2022 edition.
Rodney Gomez
Shearn Delamore & Co.

Location: Kuala Lumpur, Malaysia
Number of years in practice: 32
Number of years as an arbitrator: Twelve
Number of current arbitrator appointments: One
Main sectors covered: Building, construction, engineering, oil and gas
Geographical areas of focus: Malaysia
Languages: English and Bahasa Malaysia

Rodney Gomez specialises in litigation and arbitration in the Malaysian market, acting primarily as counsel and lead counsel in litigation, adjudication and arbitral proceedings.

Benson Lim
Simmons & Simmons

Location: Singapore
Number of years in practice: Ten
Number of years as an arbitrator: Four
Number of current arbitrator appointments: Three sole arbitrator appointments in SIAC and ICC
Admissions: Singapore, England and Wales, and New York
Main sectors covered: Infrastructure, construction, energy, renewables, post-M&A, pharmaceutical, international trade, commodities, and tech
Geographical areas of focus: Southeast Asia, Greater China, and East and Central Asia
Languages: English and Mandarin Chinese

Benson focuses on international arbitration, although he possess experience in and rights of audience in Singapore courts. Most of his work is as arbitration counsel, but he has also been appointed three times as a sole arbitrator by SIAC and ICC. He has published articles in arbitration academic journals and led three teams of assistant editors at Kluwer Arbitration Blog. He is also a CIArb Fellow. Benson is and has been involved in several arbitration committees such as ICC Singapore Arbitration Group, SIAC, PacIFC, CCSID, ISDA, and FSDC. He is also a member of the ICC Task Force ‘Addressing Issues of Corruption in International Arbitration’ and a member of the ISDA Committee for the 2022-2025 terms. He has represented clients in investor-state and commercial arbitrations, including proceedings conducted under the ICSID, ICC, ICSID (Additional Facility), and UNCITRAL Rules, as well as SCC, HKIAC, SIAC and LCTR arbitrations seated in Hong Kong, Singapore and New York. He also has broad experience advising on general transnational litigation matters, including arbitration-related court proceedings and complex cross-border disputes. Lim has represented clients across a wide range of industries including construction, energy, financial services, mining, public utilities, and real estate. Prior to joining Sidley, Lim worked in the New York and Hong Kong offices of Debevoise & Plimpton. She also served as a law clerk to Judge Hosahit Onnada and Judge Leadv Soknakh at the International Court of Justice. Jennifer received a J.D. from Columbia Law School, where she was a James Kent Scholar, recipient of the David Berger Memorial Prize, and a senior editor of the American Review of International Arbitration. She received an LL.B. with First Class Honors from University College London in 2012. While in law school, Jennifer participated in the Philip C. Jessup International Law Moot Court Competition, and remains the only person in the history of the competition to receive the Stephen M. Schwebel Award for ‘Best Oralist in the Championship Round’ for two years in a row.

Jennifer Lim
Sidley Austin LLP

Location: Singapore
Number of years in practice: Ten
Admissions: New York, Hong Kong (non-practicing solicitor), Singapore (Registered as Foreign Lawyer)
Main sectors covered: Construction, energy, financial services, mining, public utilities, and real estate
Geographical areas of focus: Australia, Brazil, China, France, India, Indonesia, Japan, Malaysia, Singapore, Slovakia, South Korea, South Sudan, Spain, Thailand, USA, and Vietnam
Languages: English and Mandarin Chinese

Jennifer Lim focuses on international dispute resolution and arbitration matters. She has represented clients in investor-state and commercial arbitrations, including proceedings conducted under the ICSID, ICC, ICSID (Additional Facility), and UNCITRAL Rules, as well as SCC, HKIAC, SIAC and LCTR arbitrations seated in Hong Kong, Singapore and New York. She also has broad experience advising on general transnational litigation matters, including arbitration-related court proceedings and complex cross-border disputes. Lim has represented clients across a wide range of industries including construction, energy, financial services, mining, public utilities, and real estate. Prior to joining Sidley, Lim worked in the New York and Hong Kong offices of Debevoise & Plimpton. She also served as a law clerk to Judge Hosahit Onnada and Judge Leadv Soknakh at the International Court of Justice. Jennifer received a J.D. from Columbia Law School, where she was a James Kent Scholar, recipient of the David Berger Memorial Prize, and a senior editor of the American Review of International Arbitration. She received an LL.B. with First Class Honors from University College London in 2012. While in law school, Jennifer participated in the Philip C. Jessup International Law Moot Court Competition, and remains the only person in the history of the competition to receive the Stephen M. Schwebel Award for ‘Best Oralist in the Championship Round’ for two years in a row.

Lim is a member of the ICC Task Force ‘Addressing Issues of Corruption in International Arbitration’ and a member of the ISDA Committee for the 2021-2022 terms. From 2019 to 2020, she served on the HKIAC Committee. From 2014 to 2016, she was a member of the International Law Committee of the New York City Bar Association. She also served on the program committee for the 2016 Annual Meeting of the American Society of International Law.

Harald Sippel
Skrine

Location: Kuala Lumpur, Malaysia
Number of years in practice: 15
Number of years as an arbitrator: 11
Number of current arbitrator appointments: 2
Admissions: Austria, Malaysia (as foreign attorney, pending)
Main sectors covered: Agency, construction, corporate law/M&A, energy and natural resources, environment, IT, IP, pharmaceutical, sales/purchase
Geographical areas of focus: Experience throughout Asia, with a specialisation in East-West matters
Languages: German, English, French, Italian, Korean, Indonesian/Malaysian, Norwegian, Chinese Mandarin

Harald Sippel is one of leading experts on force majeure and hardship in East Asia, and is first editor of Force majeure and hardship in the Asia-Pacific Region (Jus, 2022).

PRIVATE PRACTICE POWERLIST 2022

ARBITRATION | SOUTHEEA ASIA
Sharon Chong Tze Ying
Skrine

Location: Kuala Lumpur, Malaysia
Number of years in practice: 13+
Number of years as an arbitrator: Five
Current number of arbitrator appointments: Three
Admissions: Called to the Malaysian Bar and admitted as an Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Aviation, commercial disputes, commodities, corporate and commercial disputes, shareholders disputes, joint ventures, oil and gas, sports law
Geographical areas of focus: Asia-Pacific

Sharon Chong is a dispute resolution partner and her portfolio focuses on aviation disputes, international arbitration, corporate and commercial litigation and arbitration, and insolvency and restructuring. She acts as an advocate in a wide array of cross-border disputes and has appeared at all tiers of the Malaysian courts and in international arbitrations in Asia and Europe.

Other areas of practice include regulatory enforcement, competition disputes, and data and E-discovery. Sharon is experienced in a broad range of corporate and commercial disputes and provides strategic input in advising corporate clients on fraud matters from the pre-dispute forensic investigation stage, to dispute resolution strategy.

Chong's clients have commented that her 'skillset, to dispute resolution strategy. She acts as an advocate in a wide array of cross-border disputes and has appeared at all tiers of the Malaysian courts and in international arbitrations in Asia and Europe.

Sharon Chong Tze Ying
Skrine

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Number of years in practice: 13+
Number of years as an arbitrator: Five
Current number of arbitrator appointments: Three
Admissions: Called to the Malaysian Bar and admitted as an Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Aviation, commercial disputes, commodities, corporate and commercial disputes, shareholders disputes, joint ventures, oil and gas, sports law
Geographical areas of focus: Asia-Pacific

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Skrine

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Geographical areas of focus: Asia-Pacific

Sharon Chong is a dispute resolution partner and her portfolio focuses on aviation disputes, international arbitration, corporate and commercial litigation and arbitration, and insolvency and restructuring. She acts as an advocate in a wide array of cross-border disputes and has appeared at all tiers of the Malaysian courts and in international arbitrations in Asia and Europe.

Other areas of practice include regulatory enforcement, competition disputes, and data and E-discovery. Sharon is experienced in a broad range of corporate and commercial disputes and provides strategic input in advising corporate clients on fraud matters from the pre-dispute forensic investigation stage, to dispute resolution strategy.

Chong's clients have commented that her 'skillset, to dispute resolution strategy. She acts as an advocate in a wide array of cross-border disputes and has appeared at all tiers of the Malaysian courts and in international arbitrations in Asia and Europe.

Sharon Chong Tze Ying
Skrine

Location: Kuala Lumpur, Malaysia
Number of years in practice: 13+
Number of years as an arbitrator: Five
Current number of arbitrator appointments: Three
Admissions: Called to the Malaysian Bar and admitted as an Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Aviation, commercial disputes, commodities, corporate and commercial disputes, shareholders disputes, joint ventures, oil and gas, sports law
Geographical areas of focus: Asia-Pacific

Sharon Chong is a dispute resolution partner and her portfolio focuses on aviation disputes, international arbitration, corporate and commercial litigation and arbitration, and insolvency and restructuring. She acts as an advocate in a wide array of cross-border disputes and has appeared at all tiers of the Malaysian courts and in international arbitrations in Asia and Europe.

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Sharon Chong Tze Ying
Skrine

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Number of years in practice: 13+
Number of years as an arbitrator: Five
Current number of arbitrator appointments: Three
Admissions: Called to the Malaysian Bar and admitted as an Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Aviation, commercial disputes, commodities, corporate and commercial disputes, shareholders disputes, joint ventures, oil and gas, sports law
Geographical areas of focus: Asia-Pacific

Sharon Chong is a dispute resolution partner and her portfolio focuses on aviation disputes, international arbitration, corporate and commercial litigation and arbitration, and insolvency and restructuring. She acts as an advocate in a wide array of cross-border disputes and has appeared at all tiers of the Malaysian courts and in international arbitrations in Asia and Europe.

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Sharon Chong Tze Ying
Skrine

Location: Kuala Lumpur, Malaysia
Number of years in practice: 13+
Number of years as an arbitrator: Five
Current number of arbitrator appointments: Three
Admissions: Called to the Malaysian Bar and admitted as an Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Aviation, commercial disputes, commodities, corporate and commercial disputes, shareholders disputes, joint ventures, oil and gas, sports law
Geographical areas of focus: Asia-Pacific

Sharon Chong is a dispute resolution partner and her portfolio focuses on aviation disputes, international arbitration, corporate and commercial litigation and arbitration, and insolvency and restructuring. She acts as an advocate in a wide array of cross-border disputes and has appeared at all tiers of the Malaysian courts and in international arbitrations in Asia and Europe.

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Winotia Ratna
Soemadjipradja & Taher

Location: Jakarta, Indonesia
Number of years in practice: 14
Admissions: Indonesian Advocate Bar Association (PERADI)
Main sectors covered: International arbitration, mining, oil and gas, construction, commercial civil disputes
Geographical areas of focus: Indonesia
Languages: English, Indonesian

Winotia Ratna joined Soemadjipradja & Taher in 2008. She graduated with a Sijara Hakam (Bachelor of Law) degree from the University of Indonesia and obtained a Master of Laws (LL.M) from Kings College of the University of London in 2012. She then completed the Singapore Institute of Arbitrators International Entry Course in 2014. Ratna is a licensed Advocate and a member of the Indonesian Advocates Association (PERADI).

John Regalado
SyCip Salazar Hernandez & Gatmaitan

Location: Makati City, Philippines
Number of years in practice: 13
Admissions: Philippine Bar
Main sectors covered: Aviation, banking, finance, construction, infrastructure, distribution, e-commerce, technology, energy, insurance, investments, mergers, acquisitions, and real estate
Geographical areas of focus: Asia, Europe and the United States
Languages: English, Filipino

John Regalado specialises in international commercial arbitration and construction arbitration. He has represented clients in disputes before the International Chamber of Commerce, the Philippines Construction Industry Arbitration Commission, ad hoc arbitral tribunals, and the Philippine courts in applications for interim relief. Regalado is a member of the Chamber Institute of Arbitrators. He is also a member of the Philippine Institute of Arbitrators. He is consistently ranked as a leading practitioner in arbitration for his work on energy disputes.

Ma. Patricia B. Paz
SyCip Salazar Hernandez & Gatmaitan

Location: Makati City, Philippines
Number of years in practice: 12
Main sectors covered: Water, energy, mining, environmental protection, land use and telecommunications
Languages: English, Filipino

Ma. Patricia B. Paz is experienced in dispute resolution for clients operating in regulated sectors such as water, energy, mining, environmental protection, and land use and telecommunications. She has also represented clients in domestic and international arbitrations, both institutional and ad hoc, as well as court procedures in aid of arbitration, intra-corporate and shareholders’ disputes, and white-collar crime investigations. Her work includes proceedings including for fraud and defamation, torts, local taxation, family law, and healthcare litigation. Paz is an accredited arbitrator of the Philippine International Center for Conflict Resolution and a member of the Philippine Institute of Arbitrators. Additionally, Paz was ranked by The Legal 500 Asia Pacific as a next generation lawyer in 2018 and rising star in 2020.

Carlos Roberto Z. Lopez
SyCip Salazar Hernandez & Gatmaitan

Location: Makati, Philippines
Number of years in practice: 13
Main sectors covered: Water, energy, mining, environmental protection, land use and telecommunications
Languages: English and Filipino

Carlos Roberto Z. Lopez is a partner in SyCip Salazar Hernandez & Gatmaitan. Besides specialising in dispute resolution and commercial arbitration, Lopez is also currently a lecturer at the Ateneo de Manila School of Law. His areas of expertise include litigation, intra-corporate disputes, and international commercial arbitration.

Leonard Yeoh
Tay & Partners

Location: Malaysia
Number of years in practice: 26
Admissions: The Honourable Society of Lincoln’s Inn London, Barrister-at-law England & Wales, High Court of Malaysia, Advocate & Solicitor Malaysia, Supreme Court of Singapore, Advocate & Solicitor Singapore
Main sectors covered: Malaysia, Singapore, China, Hong Kong, UK, US
Languages: English, Bahasa, Malaysian, Chinese

Leonard Yeoh has substantial trial, appellate, and arbitration experience and has litigated as counsel at all levels of the Malaysian and Singaporean court hierarchy as well as domestic and international arbitrations, representing mainly blue-chip corporate clients and foreign multinational companies. From 2000-2002, he practised with one of Asia Pacific’s premier law firms, based in Singapore and conducted domestic and international arbitrations held in Singapore.

Yeoh specialises in corporate and commercial litigation and has handled a broad spectrum of litigation and arbitration, including corporate and commercial disputes, labour and employment, building and construction, intellectual property, projects and infrastructure, private equity, venture capital, banking and finance, defamation, insurance and reinsurance, technology, professional indemnity, insolvency, media and entertainment law, sports sponsorship and marketing law, media-advertising law, aviation law, white-collar crime, anti-corruption, and money laundering and common law claims.

He is consistently ranked as Malaysia’s pre-eminent dispute resolution and employment lawyer by leading legal directories. Yeoh is a key opinion and thought leader in Malaysia. His views are followed and shared by lawyers, business leaders and politicians.
Twenty Essex

Business message
Twenty Essex is a leading international commercial set based in London and Singapore. They offer outstanding legal minds, combined with a modern, and commercial, disputes experience.

Their clients include major global companies, institutions, governments and their advisors from around the world, and their barristers advise and appear as advocates in court and arbitration in relation to a broad range of company and commercial, EU, competition, and public international law disputes. Practices involve the preparation and conduct of disputes before a wide range of courts and tribunals in the UK and on the international stage.

The vast majority of their work is international in nature and they have well-established links to many overseas markets, including through their Asian hub in Singapore servicing clients throughout Asia Pacific and beyond. They are one of only two sets of UK barristers’ chambers invited by the Singapore Ministry of Law in 2010 to set up in Maxwell Chambers.

Barristers at Twenty Essex have extensive experience of working closely with parties in the Asia Pacific region. This includes Australia, Bangladesh, Brunei, India, Indonesia, Japan, Korea, Malaysia, Myanmar, New Zealand, the PRC, Hong Kong SAR, Pakistan, Sri Lanka, Singapore, Timor Leste, Thailand and Vietnam.

Twenty Essex has a long history and solid reputation in international arbitration, with members regularly appointed to act as counsel or arbitrator.

As counsel, members are instructed in a broad range of arbitrations globally and regularly practice in both existing and developing arbitral seats worldwide. Individuals across a broad range of call years are available to act as sole counsel or in teams in institutional and ad hoc arbitrations spanning a variety of sectors.

Members have extensive experience of advising clients on commercial, investor-State and state-to-state arbitrations. They are instructed by clients on arbitrations under a broad spectrum of civil and common laws as well as public international law. Members also recognise the importance of enforcement of arbitral awards and have an excellent track record in assisting with enforcement around the world.

Twenty Essex is also home to 18 full-time highly respected international arbitrators, a number of whom were previously judges in the UK or overseas. These include some of the most renowned names in international arbitration from around the globe, including Professor Julian D M Lew QC, Sir Bernhard A, The Honourable Sir John Puddester QC, Sir William Rowley QC. Many of the senior barristers, including Duncan Matthews QC, Timothy Young QC, Sara Masters QC and Michael Collett QC, also have substantial arbitrator practices with expertise and experience of all the key institutions and ad hoc.

Twenty Essex has arbitrators based in London, Singapore and across the globe including Hong Kong and South Korea. Their arbitrators are sought after for sole, party and chair appointments from institutions and parties all over the world, and practice in a wide variety of arbitral seats. Twenty Essex’s arbitrators are members of all leading arbitral institutions (for example, ICC, LCIA, SIAC, HKIAC, ICSID, IBA, ICSA, CIETAC and SCC) and many hold leading positions in various international arbitral bodies.

Michael Lee

Locations: Singapore, London
Number of years in practice: 50
Number of years as an arbitrator: 21 years exclusively as international arbitrator
Admissions: Barrister, former solicitor of England & Wales
Main sectors covered: Energy, joint venture, engineering and construction, infrastructure, M&A, banking disputes
Geographical areas of focus: Europe, Southeast Asia
Languages: English, French

Michael Lee has a wide-ranging practice as an international arbitrator. He has served as a member of the tribunal in over 150 international arbitrations administered under the rules of various international arbitration institutions. These have included the SIAC, HKIAC, ICC, LCIA, ICSID and AAA, as well as ad hoc arbitrations and those under UNCITRAL rules.

Arбитrations in which he has been appointed have included disputes in the fields of energy supply, oil and gas, agency, joint ventures, procurement and engineering, as well as finance and banking involving a variety of national laws and jurisdictions.

Michael is on the panel of international arbitrators of the ABA, SIAC, HKIAC, Beijing Arbitration Commission, Asian International Arbitration Centre (formerly Kuala Lumpur Regional Centre for Arbitration) and Indian Council of Arbitration.

In conversation with...
What aspect of international arbitration do you find most satisfying?

Without a doubt, the thing that I find most satisfying about international arbitration is the variety. The variety of not only the subject matter but also the variety in individuals and cultures. In the makeup of the Tribunal, for example, as well as in the opportunity to work alongside counsel from different jurisdictions and parties from different cultural backgrounds. These interactions are inherently enriching, both personally as well as professionally. I have a very wide practice which, due to the reasons mentioned above, I find interesting and exhilarating. Travel has been a substantial component of that. Opportunities for travel are not now as great as they were pre-Covid, of course. I once served on a Tribunal concerned with a power takeoff dispute in South America where we had hearings in London, Paris, New York, and Brazil. Nowadays, an arbitration like that is likely to take place fully or partially remotely leading to a saving of time and expense.

But that does not necessarily diminish the variety I mentioned earlier. If anything, it serves as a testament to the adaptability of international arbitration, international arbitration practice has merely adapted to the new reality.

What qualities do you consider an arbitrator should have?

Two very important qualities come to mind. Firstly, diligence. Parties are entitled to expect their Tribunal to have studied the case before they reach the hearing and to be on top of it. Secondly, patience. Parties are also entitled to have their case heard fully by the Tribunal. Legal expertise is of course also important but so is commercial common sense.
Baiju Vasani
Twenty Essex (soon to join)

In conversation with…

What aspects of a potential case/ arbitration are more likely to grab your attention and have you eager to be involved?

The three criteria that grab my attention most are, first, cases that have a strong public international law element. For instance, I have been fortunate to be involved in cases involving country succession of bilateral investment treaties, and the meaning of territory in investment treaties in relation to disputed territory. Second, I’m always fascinated by cases that interplay between human rights, criminal law, and investment law. While these are three separate areas of international law, one often finds that there are cases where the three are at play together. Finally, I’m always looking for a sense of the equity or justice as well as the law. It is important to be passionate about your client’s case. That shows through in your advocacy.

You are noted for your distinguished academic background. How has teaching enriched your arbitration practice?

I had considered becoming an academic out of law school, so my passion for teaching has always been there. There is no doubt that teaching arbitration makes you a better arbitration lawyer. It forces you to be fully up to date on all the latest cases and literature you cannot teach last year’s course this year as the law has moved on. It allows you to refine your own thinking on the topics. As students question your thinking it forces you to defend positions or adopt new ones that you would not otherwise take. And most importantly the passion and dedication shown by the students for the topic make you realise how lucky you are to be undertaking a practice every day to which others aspire.

What qualities do you aim to instill into the younger generation of arbitrators?

If I could give three lessons it would be: first, always be a student. No matter how senior you get, always seek to be learning. Second, never accept the conventional way of doing things. Change and progress depends on people who challenge the established way. If you see a better way, stand up and say it. And finally, remember that you rise on someone’s shoulders. Everyone owes their success to others. So make sure you are offering your hand down to the next generation and not cutting the rope. Mentors were once mentored, and mentees should become mentors.

Nakul Dewan SA
Twenty Essex

Location: Singapore, Delhi, London
Number of years in practice: 20
Number of years as an arbitrator: Eight
Admissions: England & Wales, Singapore and India
Main sectors covered: Commercial
Geographical areas of focus: Asia, in particular India and Singapore
Languages: English, Hindi

Nakul Dewan SA has been designated as a Senior Advocate (equivalent of Queen’s Counsel) by the Supreme Court of India. He has been appointed as arbitrator by the SIAC, ICC and LCIA, and also accepts ad hoc appointments.

Baiju is a leader in international commercial arbitration and public international law, fields in which he has practised for the past 20 years. Until February 2022, Baiju split his time between Moscow and London. Prior to that he led the international arbitration practice as a partner in a major American law firm in the US and London. He has acted as counsel and sat as arbitrator under the rules of every major international arbitration institution worldwide, and is a Senior Fellow at SOAS, University of London, where he teaches international arbitration.
Tran Anh Hien
VILAF

Location: Ho Chi Minh, Vietnam
Number of years in practice: 17
Admissions: Vietnam Bar
Main sectors covered: Dispute resolution and contentious matters, M&A, private equity and corporate, employment
Geographical areas of focus: Vietnam and the Asia-Pacific Region
Languages: Vietnamese and English

Tran Anh Hien has extensive experience in litigation and arbitration in various forums including the Vietnamese courts, VIAC and SAC for more than 15 years. He regularly works with several international law firms in investment, construction, maritime, commercial, and insurance disputes in Vietnam and other jurisdictions. In addition to his experience in dispute resolution, he has advised state-owned entities and multinational enterprises on general corporate, restructuring, employment and M&A matters. He has also advised clients active in multinational insurance, pharmaceutical, chemical, tobacco, foods and wood manufacturing sectors on cross-border M&A transactions, as well as day-to-day operations. Hien was also ranked as a next generation partner by The Legal 500 in the 2021 and 2022 editions.

Daryl Chew
Three Crowns

Location: Singapore
Number of years in practice: 15
Number of years as an arbitrator: Ten
Admissions: Singapore and New York
Main sectors covered: Energy, oil and gas, nuclear and renewables, energy transition, construction, infrastructure, shipbuilding, power, industrial and petrochemical plants, M&A, joint ventures, private equity, shareholder, and general commercial disputes
Geographical areas of focus: Asia
Languages: English and Mandarin

Daryl Chew is the managing partner of Three Crowns’ Singapore office. He is active in a variety of sectors, including energy, construction, M&A, joint ventures, as well as general commercial disputes.

His expertise has been highlighted in multiple leading legal directories, and he was recently named among ‘30 people to Watch in Asia’ by Asia Law Portal.

Chew also serves as the Chairman of the Board of Maxwell Chambers, an Alternative Dispute Resolution complex in Singapore which aims to provide elite facilities and services for the purposes of carrying out alternative dispute resolution activities.

Alejandro Alfonso E. Navarro
Villaraza & Angangco

Location: Ho Chi Minh, Vietnam
Number of years in practice: 17
Admissions: Vietnam Bar
Main sectors covered: Dispute resolution and contentious matters, M&A, private equity and corporate, employment
Geographical areas of focus: Vietnam and the Asia-Pacific Region
Languages: Vietnamese and English

Alejandro Alfonso E. Navarro has over 30 years of litigation experience in appearing before various courts, including the Philippine Court of Appeals and Supreme Court. He has also appeared before the Singapore International Arbitration Centre representing a foreign client embroiled in a cross-border commercial dispute involving a $1.5bn claim which has an impact on the infrastructure development in the country.

Navarro successfully caused the dismissal of a $50m claim of one of the largest QSRs in the country against his client, a local subsidiary of a publicly-listed Hong Kong company; led the strategy of one of the biggest banana sellers in the Philippines, as well as global companies. San Pedro has also appeared as counsel before various institutions and has acted as arbitrator and expert witness as well.

Augusto A. San Pedro, Jr.
Villaraza & Angangco

Location: Metro Manila, Philippines
Number of years in practice: 32
Number of years as an arbitrator: Three
Admissions: Philippine Bar
Main sectors covered: Commercial, joint venture and intra-corporate disputes, banking & finance, telecommunications, construction, insurance
Geographical areas of focus: Philippines
Languages: English and Filipino

Augusto A. San Pedro, Jr. is the Practice Head for the Arbitration Practice Group of Villaraza & Angangco. A founding member of the Philippine Dispute Resolution Center, Inc., established in 1996, he is also one of its earliest accredited arbitrators. A veteran of over 30 years of trial and appellate practice, he has represented a wide range of clients, including top conglomerates in the Philippines, as well as global companies. San Pedro has also appeared as counsel before various institutions and has acted as arbitrator and expert witness as well.
Joseph Anthony P. Lopez  
*Villaraza & Angangco*

**Location:** Metro Manila, Philippines  
**Number of years in practice:** 15  
**Main sectors covered:** Intra-corporate, banking, finance, telecommunications, construction and taxation  
**Geographical areas of focus:** Philippines  
**Languages:** English and Filipino

Joseph Anthony P. Lopez leads the Litigation & Dispute Resolution Department of Villaraza & Angangco, frequently representing clients in complex multi-jurisdictional disputes, including arbitration and its enforcement in the Philippines. He often represents clients active in the banking, insurance, telecommunications, construction, real estate, energy, and infrastructure sectors. He heads the legal team of a consortium of major banks involving the largest financial default in Philippine history, as well as another legal team in disputes involving the governmental award allowing the entry into the Philippines of a third major player in the telecommunications industry. Recently, he led the legal team in securing an acquittal of various senior officers of a financial institution charged with money laundering involving a multi-country cyberheist with elements in East Asia, Southeast Asia, South Asia and North America. His past experience includes leading on a case which prevented the collection of the largest tax claim in Philippine history. He also was the lead associate of the legal team defending against the largest mass-action filed in Philippine history. He likewise led the team in the first case filed in Philippine history against the then newly created Philippine Competition Commission involving one of the largest transactions in the telecommunications industry.

Thea T. Daep  
*Villaraza & Angangco*

**Location:** Metro Manila, Philippines  
**Number of years in practice:** 25  
**Main sectors covered:** Intra-corporate, banking, finance, anti-money laundering, fraud, family law  
**Geographical areas of focus:** Philippines  
**Languages:** English and Filipino

Thea T. Daep specialises in stockholder disputes, corporate restructuring, reorganisation and insolvency matters. She has acted as counsel for both local and international companies, and financial institutions, as well as trade creditors in corporate rehabilitation petitions and insolvency proceedings filed by distressed debtors. Daep also handles foreclosures, collection and asset recovery cases for one of the leading banks in the Philippines. Aside from her expertise in corporate rehabilitation, insolvency and corporate disputes, Daep specializes in anti-money laundering, fraud, and other investigations and has extensive experience in criminal defense work, both in the public and private sector. Daep is also credited with successfully defending high level officials of a major bank from administrative and judicial cases resulting from a first of its kind cross-border cyber heist. She is also noted for her work in family law litigation, including her win before the Philippine Supreme Court in a case regarding the novel issue of whether a dual citizen may re-litigate issues on property settlement in the Philippines by means of a petition for dissolution of marriage after having previously secured a divorce in the Dominican Republic.

Steven Burkhill  
*Watson Farley & Williams*

**Location:** Bangkok, Thailand  
**Number of years in practice:** 30  
**Main sectors covered:** Oil and gas, power, mining and commodities  
**Languages:** English

Steven Burkhill specialises in complex international disputes, particularly involving London and Asia-based arbitrations regarding oil and gas, power, and large-scale projects. He has represented global energy and natural resources companies in high-value finance disputes, as well as on notable energy claims. In addition, Burkhill has also worked closely with various funders based in different jurisdictions since 2013, especially in Asia.

Kay Kian Tan  
*Watson Farley & Williams*

**Location:** Bangkok, Thailand  
**Number of years in practice:** 11  
**Main sectors covered:** Energy, maritime and insurance

Kay Kian Tan is widely recognised as one of Thailand’s leading international arbitration and dispute resolution experts by leading legal directories. He focuses on energy, maritime and insurance sectors, where he advises clients on international commercial arbitration and litigation.

Janice Tay  
*Wong & Partners*

**Location:** Kuala Lumpur, Malaysia  
**Number of years in practice:** 15  
**Number of years as an arbitrator:** Five  
**Current number of arbitrator appointments:** Nice  
**Main sectors covered:** Commercial disputes, construction and engineering, energy, mining and infrastructure, marine

Janice has advised and represented clients in arbitrations conducted in accordance with various institutional rules such as ICC, PAM, AINC, SIAAC, HKIAC and IAC, as well as ad hoc arbitrations relating to projects in Malaysia, Singapore, Thailand, India, Hong Kong, Saudi, Sudan, Vietnam, Indonesia.

**Languages:** English, Bahasa Malaysia, Mandarin
YKVN is recognized as one of the leading Vietnam-based law firms. Established in 1999, YKVN has since grown to become an independent law firm with over 90 legal professionals through a unique platform combining three offices in Hanoi, Ho Chi Minh City and Singapore. Clients include Petrovietnam, the Government of Vietnam, as well as Vietnamese and international corporates.
Minh Dang
YKVN

Location: Singapore
Number of years in practice: 40+
Admissions: California, US, registered foreign lawyer in Singapore
Main sectors covered: Energy, shareholder disputes in connection with investment projects (inbound and outbound), real property development disputes
Geographical areas of focus: Vietnam-related disputes, arbitration disputes
Languages: Vietnamese, English and French

Minh Dang is serving his second term on the Court of Arbitration of the SIAC and his first term on the International Arbitration Committee of KCAB International.

In conversation with...
One impressive thing about YKVN is how you manage to consistently be at the forefront of developments, both domestically as well as internationally. Could you speak about how you manage that?

We recognise that we are pretty much at the cutting edge of the market in the sense that we are the only independent Vietnamese law firm maintaining a significant presence in the financial center of the region. Our Singapore office has ten lawyers. We’ve been around in Singapore for 11 years now. We’re very well-known and integrated into the Singapore legal establishment. With that, we’ve come to recognise that what we want to develop is a group of Vietnamese lawyers, but with at least dual qualifications. That could be England & Wales, for example. In fact, one of my partners is admitted in the state of Washington, in the US, in addition to Vietnam. I have another partner who is admitted in California in addition to Vietnam. What we are pushing is diversity, diversity of legal experience and culture, which then allows us to work very smoothly with other international lawyers. We are big believers in diversity, diversity of people, and diversity of knowledge. Bringing in skills and knowledge from other jurisdictions allows us to stay at the forefront of developments and remain at the cutting edge of the market.

What would you say are YKVN’s greatest strengths as a group of attorneys?

I think one of our strengths is that we always seek to learn more and adapt as the market changes around us. Vietnam is an emerging international arbitration market. A case I did eight years ago was probably the largest commercial arbitration in Vietnam up to that date, and the amount of the claim was around $110m. Before that, there was not a lot by way of international arbitration. There may have been some arbitrations happening through the Vietnam International Arbitration Center; however those were largely smaller claims, such as $2m, $3m. What that meant is that lawyers in the Vietnamese market lacked any experience. By partnering up with other firms outside Vietnam and tackling big, significant cases, we optimized our value.

Over the last eight years, the market has grown significantly. We have now participated in multiple arbitrations with claims exceeding $2bn, and we have grown in the process. What we have developed is an in-depth expertise of Vietnamese law issues that arise in these kinds of arbitrations. We know how the issues are structured, we know how international arbitration panels tend to deal with these types of issues. We have worked with the top international arbitration lawyers and law firms, both globally and regionally. We handle some of the smaller cases, but we tend to be the first stop firm in all the major cases.

What advice would you give to an emerging arbitrator in the region today?

In my view, one of the key components to be a good player in the practice of arbitration is extreme attention to detail. Lawyers, especially lawyers dealing with matters arising out of Vietnam, will relate to Vietnamese law, but tend not to dig deep enough. To give one example, recently, in Vietnam, the Supreme Court of Vietnam, or the Judicial Council of the Vietnamese Supreme Court, have recognised certain judgments as binding precedents. So, it is not sufficient to only look at the codes or the decrees. In addition, there are also cases that did not make the list, but you can refer to them if they are appropriate decisions with facts and law relevant to the arbitration case.

The reason we have gained the respect of the international co-counsel we work with is that we go very deeply into all of that. And the advice that we give to the co-counsel, as well as the client, is a result of this attention to detail. A lot of the time, a major percentage of documents are in Vietnamese. We have to be the lawyers who leave no stone unturned in reviewing and developing the evidence; we cannot expect that our co-counsel will do it for us. In short, in major cases, we know what our role and value add are, and that national counsel also know what their role and value add are.
**K. Nguyen Do**
YKVN

**Location:** Singapore  
**Number of years in practice:** 15  
**Admissions:** Washington State Bar Association; Vietnam Bar Federation; Registered Foreign Lawyer in Singapore  
**Main sectors covered:** Construction, international trade, oil & gas  
**Geographical areas of focus:** Vietnam  
**Languages:** English, Vietnamese  

Based in Singapore, K. Nguyen Do’s international arbitration experience relates principally to construction, investment, oil and gas and professional liability disputes. Nguyen has been involved in numerous high-profile high-value international arbitration and dispute resolution matters working alongside top international arbitration firms including Wilmer Cutler Pickering Hale and Dorr, Shearman & Sterling, Gaillard Banifatemi Shelbaya Disputes and Drew & Napier.

His articles on Vietnam-related arbitration have been published in GAR, the International Arbitration Review and the International Comparative Legal Guide to International Arbitration. In 2018-2019, he was the co-editor-in-chief of the FIDIC Second Edition suite, Vietnamese version. The suite comprises of three principal FIDIC Conditions of Contract (Red, Yellow and Silver books).

**Luu Tien Dzung**
YKVN

**Location:** Vietnam  
**Number of years in practice:** 20  
**Number of years as an arbitrator:** 20  
**Current number of arbitrator appointments:** Two as chair (20 chair appointments in the last ten years)  
**Admissions:** Vietnam Bar Federation; Registered Foreign Lawyer in Singapore  
**Main sectors covered:** Construction, international trade, sale of goods  
**Geographical areas of focus:** Vietnam  
**Languages:** Vietnamese, English  

Luu Tien Dzung, a former law clerk to a Chief Justice of the Supreme Court of Vietnam, is a co-head of YKVN’s litigation practice. Dzung is one of the top commercial litigators in Vietnam and perhaps the best known outside of Vietnam. In 2021 he was recognized by Asian Business Law Journal as one of Vietnam’s top 100 lawyers. In 2020, he was named by Asia Legal Business one of the top 15 litigators in Asia. In 2019, he was named Vietnam Lawyer of the Year by Benchmark based upon his celebrated defense of ride hailing firm Grab in the lawsuit initiated by local taxi company Vinasun through what turned out to be the longest civil trial in Vietnam’s history.

Dzung has extensive trial and VIAAC arbitration experience. His cases encompass a wide variety of commercial matters ranging from enforcement of foreign bankruptcy judgments, real property development disputes, and EPC contract disputes to civil responsibility for port accidents.

**Thang Pham**
YKVN

**Location:** Singapore  
**Number of years in practice:** 15  
**Admissions:** Hanoi Bar Association; Vietnam Bar Federation; California Bar Association; Registered Foreign Lawyer in Singapore  
**Main sectors covered:** International trade and investment, shareholder disputes, oil and gas  
**Geographical areas of focus:** Vietnam  
**Languages:** English, Vietnamese  

Based in Singapore, Thang Pham is experienced in complex cross-border arbitrations often working alongside top international arbitration firms including Wilmer Cutler Pickering Hale and Dorr, Shearman & Sterling, Gaillard Banifatemi Shelbaya Disputes and Drew & Napier.

Pham represents major Vietnamese State-owned enterprises, foreign investors and other Vietnamese companies in investment arbitrations relating to oil and gas, and tax shareholder, and professional liability disputes. Thang is currently a YSAC Committee member.
Truong Trong Nghia
YKVN

In conversation with...

What do you think are the most important qualities or skills you bring to an arbitration?

From my experience, a counsel representing a client in an arbitration case must have the following qualities and skills: to work out and advise his/her clients on the strengths and weaknesses of the client’s position that could change throughout the stages of the arbitration process; (ii) to build and present his/her arguments with a high persuasiveness; (iii) to master the governing law of the dispute, the relevant arbitration law and rules; and (iv) to be fluent in the language of the arbitration.

What do international counsel facing a matter in the jurisdiction need to know about the local arbitration scene?


Lex arbitri or the law of the seat of the arbitration.

Do you have any interesting stories relating to the arbitrations you have worked on? Is there something funny or revealing we can discuss?

In 2013, I represented an international company as a claimant in an arbitration case to demand payment of about $2m which is the outstanding fee from a project management contract. It took six months for the claimant to be awarded the payment of the fee including the legal cost. However, it taking close to ten years to enforce the award, even though the debtor still has assets which are now under the control of the judgment enforcement agency in Vietnam. The reason is that the key assets are the legal ownership of the property to be enforced is land. In Vietnam could be very lengthy and cumbersome if the property to be enforced is land. The enforcement of court judgments and arbitral awards in Vietnam could be very lengthy and cumbersome if the property to be enforced is land. In Vietnam could be very lengthy and cumbersome if the property to be enforced is land. The enforcement of court judgments and arbitral awards in Vietnam could be very lengthy and cumbersome if the property to be enforced is land.
Shelia Ahuja
Allen & Overy

Location: Singapore
Number of years in practice: 14
Number of years as an arbitrator: 7
Current number of arbitrator appointments: Ten
Admissions: Hong Kong, Senior Courts of England and Wales, Singapore
International Commercial Court
Main sectors covered: Energy and oil & gas, finance
Geographical areas of focus: Hong Kong, Singapore, India, Japan, Malaysia, Indonesia, Myanmar
Languages: English, Cantonese, Mandarin, Hindi, Sindhi

Chandra Hamzah
Assegaf Hamza & Partners

Location: Indonesia
Admissions: Indonesian Bar Association
Main sectors covered: Banking, anti-corruption
Geographical areas of focus: Indonesia

Eri Hertiawan
Assegaf Hamza & Partners

Location: Jakarta, Indonesia
Admissions: Indonesian Bar Association, Chattered Institute of Arbitrators, National mediation Centre (Pasat Mediasi Nasional), Centre for Effective Dispute Resolution (CEDR)
Main sectors covered: Shipping, aviation
Geographical areas of focus: Indonesia, UK
Languages: English

Harpreet Singh Nehal SC
Audent Chambers LLC

Location: Singapore
Admissions: Singapore Bar
Main sectors covered: Banking and finance, oil and gas, equity and trusts
Languages: English

Wynn Pakdeejit
Baker McKenzie

Location: Bangkok, Thailand
Number of years in practice: 26
Admissions: Thai Bar Association, Law Society of Thailand
Main sectors covered: Technology, IT, financial services, cryptocurrencies
Geographical areas of focus: Singapore, worldwide
Languages: Thai, English

Eleanor Hughes
Binance

Location: Singapore
Number of years in practice: 14
Main sectors covered: Technology, IT, financial services, cryptocurrencies
Geographical areas of focus: Singapore, worldwide
Languages: English

Tony Buddijaja
Buddijaja International

Location: Jakarta, Indonesia
Number of years in practice: 26
Number of years as an arbitrator: Eight
Current number of arbitrator appointments: Five as sole arbitrator
Admissions: Indonesian and Singapore Court
Main sectors covered: Construction, shipping and international trade, and insurance
Geographical areas of focus: Indonesia, Singapore, Malaysia, Australia, China, Korea and the USA
Languages: Bahasa Indonesia and English

Roberto N Dio
Castillo Laman Tan Panteleon & San Jose

Location: Philippines
Main sectors covered: Real estate, maritime, corporate law/ MBA, Criminal law, distribution, franchising, employment, projects and energy
Geographical areas of focus: Philippines

Robin Cheok Van Kee
Cheok Advocates & Solicitors

Location: Brunei Darussalam
Number of years in practice: 27
Admissions: England & Wales, Brunei Darussalam
Main sectors covered: Corporate, commercial
Geographical areas of focus: Brunei Darussalam
Languages: English, Bahasa Malaysia

Christopher Leong
Choo & Company + Cheang & Ariff

Location: Malaysia
Admissions: Asian International Arbitration Centre, AIAC, Harian International Arbitration Court, Securities Industry Dispute Resolution Center, High Court of Malaysia
Main sectors covered: Banking and finance, corporate and M&A, labour and employment, projects and energy
Languages: English, Bahasa Malaysia

Nish Shetty
Clifford Chance

Location: Singapore
Number of years in practice: 28
Number of years as an arbitrator: 15
Current number of arbitrator appointments: Eleven as sole arbitrator and ten as co-arbitrator
Main sectors covered: Construction, engineering, energy & national resources, finance & banking, investment, joint ventures, consortia
Geographical areas of focus: India, Asia Pacific
Languages: English, Tamil, Hindi (conversational), Tulu

Cyrus Das
Cyrus Das Advocates & Solicitors

Location: Malaysia
Number of years in practice: 49
Admissions: Malaysian Bar
Main sectors covered: Corporate and commercial, tax, constitutional and administrative law
Geographical areas of focus: Malaysia, Singapore
Languages: English

Frans H. Winarta
Frans Winarta & Partners

Location: Jakarta, Indonesia
Number of years in practice: 41
Number of years as an arbitrator: 21
Current number of arbitrator appointments: 4
Admissions: FCBArb., International Court of Arbitration of ICC, MCCI, SIAC, IAAC, SCG, IAC, IFI Panel, HKIAC, FICCI, IAC, KCAB, BAIAC, LCIA
Main sectors covered: Administrative law, construction, engineering, corporate law/ MBA, Criminal law, distribution, franchising, employment, energy and natural resources, banking and finance, information and communication, insurance, IP, joint ventures, maritime, pharmaceutical, real estate, transportation, arbitration
Geographical areas of focus: Indonesia, Singapore
Languages: Indonesian, English, Dutch

Kate Apostolova
Freshfields Bruckhaus Deringer

Location: Singapore
Number of years in practice: 12
Number of years as an arbitrator: Three
Admissions: New York; England & Wales; Singapore International Commercial Court 1
Main sectors covered: Energy, mining, technology, oil and gas
Geographical areas of focus: Asia, Europe, Americas and Africa
Languages: English, Bulgarian, Russian, Macedonian, Serbian
Nicholas Lingard
Freshfields Bruckhaus Deringer
Location: Singapore, Japan
Number of years in practice: 11
Admissions: Singapore International Arbitration Centre Users Council, New York, USA; New South Wales, Australia
Main sectors covered: Construction and engineering
Geographical areas of focus: Japan, Thailand, Singapore
Languages: English, Japanese

Gitta Satryani
Herbert Smith Freehills
Location: Singapore
Number of years in practice: 13
Admissions: Energy, power, mining, banking, infrastructure
Geographical areas of focus: Indonesia, Malaysia, Singapore
Languages: English, Bahasa Indonesia, Bahasa Melayu

Lexi Menish
Freshfields Bruckhaus Deringer
Location: Singapore
Number of years in practice: 11
Admissions: New York and Oregon
Main sectors covered: General commercial, energy (renewables and oil and gas)
Geographical areas of focus: Asia, United States
Languages: English, Mandarin

Jesus Paolo Protacio
Gatmaytan Yap Patacsil Gutierrez & Protacio (C&G Law)
Location: Philippines
Admissions: Integrated Bar of the Philippines
Main sectors covered: Natural resources, environmental law, tax, banking and securities
Geographical areas of focus: Philippines

Chinnawat Thongpakdee
Herbert Smith Freehills (Thailand) Limited
Location: Thailand
Number of years in practice: 18
Admissions: Indonesian Bar Association (PERADI)
Main sectors covered: Banking, energy, mining, construction, aviation
Geographical areas of focus: Thailand
Languages: English, Indonesian

Zachary Sharpe
Jones Day
Location: Singapore
Number of years in practice: 15
Admissions: New York, England & Wales, Registered Foreign Lawyer (Singapore)
Main sectors covered: Energy, construction, technology, manufacturing
Geographical areas of focus: Southeast Asia, Korea, Middle East
Languages: English, Korean

Raja Bose
K&L Gates
Location: Singapore
Admissions: Chartered Institute of Arbitrators of the UK, Singapore Institute of Arbitrators
Main sectors covered: Infrastructure, construction, shipping, marine insurance, oil and gas, trade finance, mortgage enforcement, corporate and commercial
Geographical areas of focus: Singapore, Hong Kong, Indonesia, Vietnam, China, India, Dubai, Malaysia, UK, Geneva, Paris, New York
Languages: Bahasa Indonesia, English, French, Hindi, Malay

Debby Sulaiman
Herbert Smith Freehills
Location: Jakarta, Indonesia
Number of years in practice: 19
Admissions: Indonesian Bar Association (PERADI)
Main sectors covered: Indonesian companies and international companies with interests in Indonesia
Geographical areas of focus: Indonesia
Languages: English, Indonesian

Wade Coricell
King & Spalding
Location: Singapore
Admissions: New York, Houston
Main sectors covered: Energy, infrastructure, technology
Geographical areas of focus: Singapore, Philippines, Indonesia, Latin America
Languages: English, Spanish

Jia Lin Hoe
King & Spalding
Location: Singapore
Number of years in practice: Eight
Admissions: New York, England & Singapore
Main sectors covered: Oil and gas, energy and natural resources, shareholder disputes, investment treaty disputes
Geographical areas of focus: Asia
Languages: English, Mandarin

Kumar Kanagasigam
Lee Hishammuddin Allan & Gledhill
Location: Kuala Lumpur, Malaysia
Number of years in practice: 38
Admissions: Bar of England and Wales (Honourable Society of Middle Temple), Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Banking, insolvency, corporate, commercial, contractual, breach of fiduciary duty and fraud
Geographical areas of focus: Malaysia
Languages: English and Malay

Jia Lin Hoe
King & Spalding
Location: Singapore
Number of years in practice: Eight
Admissions: New York, England & Singapore
Main sectors covered: Oil and gas, energy and natural resources, shareholder disputes, investment treaty disputes
Geographical areas of focus: Asia
Languages: English, Mandarin

Darshendev Singh
Lee Hishammuddin Allan & Gledhill
Location: Kuala Lumpur, Malaysia
Number of years in practice: 15
Admissions: Bar of England and Wales
Main sectors covered: Construction, engineering, infrastructure, oil and gas
Geographical areas of focus: Malaysia
Languages: English, Malay, Punjabi and Hindi

Lohut Pangaribuan
Lohut Marriot Parulian Pangaribuan
Location: Indonesia
Admissions: Supervisory Council of the Indonesian Advocates Association (PERADI)
Main sectors covered: Public interest, civil, criminal
Geographical areas of focus: Indonesia

Nitin Nadkarni
Lee Hishammuddin Allan & Gledhill
Location: Kuala Lumpur, Malaysia
Number of years in practice: 37
Number of years as an arbitrator: 15+
Current number of arbitrator appointments: Ten
Admissions: Bar of England and Wales (Honourable Society of Middle Temple), Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Energy, infrastructure, tax, customs and trade
Geographical areas of focus: Malaysia, South East Asia and the MENA region
Languages: English and Malay

Lambert Rasa Ratnam
Lee Hishammuddin Allan & Gledhill
Location: Kuala Lumpur, Malaysia
Number of years in practice: 39
Number of years as an arbitrator: Ten
Current number of arbitrator appointments: Two
Admissions: England & Wales, West Malaysia
Main sectors covered: Civil, commercial and corporate disputes
Languages: English

Kumar Kanagasigam
Lee Hishammuddin Allan & Gledhill
Location: Kuala Lumpur, Malaysia
Number of years in practice: 38
Admissions: Bar of England and Wales (Honourable Society of Middle Temple), Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Banking, insolvency, corporate, commercial, contractual, breach of fiduciary duty and fraud
Geographical areas of focus: Malaysia
Languages: English and Malay

Kumar Kanagasigam
Lee Hishammuddin Allan & Gledhill
Location: Kuala Lumpur, Malaysia
Number of years in practice: 38
Admissions: Bar of England and Wales (Honourable Society of Middle Temple), Advocate and Solicitor of the High Court of Malaysia
Main sectors covered: Banking, insolvency, corporate, commercial, contractual, breach of fiduciary duty and fraud
Geographical areas of focus: Malaysia
Languages: English and Malay

Biography
Malik Imitiaz Sarwar
Malik Imitiaz Sarwar Advocates & Solicitors

Location: Malaysia
Number of years in practice: 28
Admissions: Malaysian bar
Geographical areas of focus: Malaysia
Languages: English

Darwin Angeles
Moore&Quick Law Offices

Location: Philippines
Admissions: Integrated Bar of the Philippines, Philippine Dispute Resolution Center, Inc.
Main sectors covered: Data privacy, special projects, IP, tech, employment, arbitrations
Geographical areas of focus: Philippines
Languages: English

Yu Jin Tay
Mayer Brown

Location: Singapore
Number of years in practice: 24
Number of years as an arbitrator: 12
Current number of arbitrator appointments: 6
Admissions: England and Wales, Singapore
Main sectors covered: Energy, private equity disputes, investment arbitration, construction and infrastructure, defence procurement disputes, media and sports, retail
Geographical areas of focus: Indonesia, South Korea, India, Singapore, Japan, Vietnam, China
Languages: English, Man

André Yeap SC
Rajah & Tann Singapore

Location: Singapore
Number of years in practice: 35
Main sectors covered: Corporate, commercial, banking, securities, shareholder disputes, fraud, trust and estates, construction, natural resources, telecommunications
Geographical areas of focus: Singapore, Indonesia, Thailand, Malaysia, India, Philippines, Japan, China, Hong Kong
Languages: English

Michael Hwang
Michael Hwang Chambers LLC

Location: Singapore
Number of years in practice: 50+
Number of years as an arbitrator: 25+6
Current number of arbitrator appointments: (2019-2021) Chair: 12, Sole Arbitrator: 2
Admissions: Singapore, England & Wales, Malaysia
Main sectors covered: Corporate and commercial (including M&A), banking, financing, private disputes and investment dispute treaty
Geographical areas of focus: Over 40 countries and territories (and sitting in over 25 cities) mainly in Asia, Middle East, Europe and Africa
Languages: English and Mandarin Chinese

Yee Mei Ken
Shearn Delamore & Co.

Location: Kuala Lumpur, Malaysia
Number of years in practice: 24
Admissions: England & Wales, Malaysia
Main sectors covered: Corporate and commercial litigation, family business, fraud, shareholders’ and directors’ disputes, banking and insolvency litigation, winding-up proceedings, asset and debt recovery and restructuring
Geographical areas of focus: Asia
Languages: English, Malay, Chinese

Raja Eileen Soraya
Raja, Darryl & Loh

Location: Malaysia
Number of years in practice: 24
Admissions: Bar of England and Wales, High Court of Malaysia, Malaysian Bar
Main sectors covered: Media, reputational management, healthcare
Languages: English

Hafzan Taher
Soemadipradja & Taher

Location: Indonesia
Languages: English

Rodman Bundy
Square Patton Boggs

Location: Singapore
Admissions: International Bar Association, New York Bar
Main sectors covered: Construction, upstream oil and gas
Geographical areas of focus: Singapore, Indonesia, Cambodia, India, Ukraine, Iran, Colombia, Peru, Guatemala, Qatar, Ethiopia, Sudan, Yemen
Languages: English, French

Ricardo Ma P G Ongkiko
SyCip Salazar Hernandez & Gatmaitan

Location: Manila, Philippines
Number of years in practice: 33
Number of years as an arbitrator: Twelve
Current number of arbitrator appointments: 36 appointments: as chairman and sole arbitrator
Admissions: Philippine Bar (1989)
Main sectors covered: Construction, publication services, manufacturing, mining services and travel industry
Geographical areas of focus: Philippines
Languages: English, Filipino and basic Mandarin

Koh Swee Yen
Wong Partnership

Location: Singapore
Number of years in practice: 16
Current number of arbitrator appointments: 11
Admissions: Singapore Bar
Main sectors covered: Commercial, energy, international sales, trade, transport, technology, investment
Geographical areas of focus: Singapore, Vietnam, PRC, India, ASEAN
Languages: English

Emmanuel M Lombos
SyCip Salazar Hernandez & Gatmaitan

Location: Philippines
Admissions: Philippine Bar
Main sectors covered: State-owned enterprises and governments
Geographical areas of focus: Philippines
Languages: English

Matthew Scomb
White & Case

Location: Singapore
Number of years in practice: 22
Number of years as an arbitrator: 16
Admissions: England & Wales, Paris (France), Victoria (Australia)
Main sectors covered: Energy, construction, investment and general commercial disputes (M&A, JV etc.)
Geographical areas of focus: Asia broadly, with particular focus on India, Japan and Korea
Languages: English and French

Alvin Yeo
Wong Partnership

Location: Singapore
Number of years in practice: 34
Current number of arbitrator appointments: 20+
Admissions: Singapore Bar, English Bar
Main sectors covered: Banking, Corporate/commercial, and Infrastructure
Geographical areas of focus: Singapore, India, ASEAN, Japan, South Korea, Middle East, PRC
Languages: English

Sin Min Yoong
Shook Lin & Bok

Location: Malaysia
Admissions: Bar of England and Wales, Singapore Bar
Main sectors covered: Banking and finance, land, commercial, anti-money laundering, fraud
Geographical areas of focus: Malaysia, Singapore
Languages: English