



LONDON INTERNATIONAL ARBITRATION COLLOQUIUM 2023:

STATE SOVEREIGNTY AND IMMUNITY IN COMMERCIAL ARBITRATION



The **London International Arbitration Colloquium** 2023 brings together the Asian International Arbitration Centre (AIAC), SOAS University of London Arbitration and Dispute Resolution Centre (SADRC), International Dispute Resolution Centre, London (IDRC) and the Government of Malaysia, to deliver a unique conference on the subject of international arbitration involving sovereign states.

In particular, the conference will examine the core issues that have emerged from the high-profile multi-billion dollar 'Sulu case', in which Malaysia recently secured significant judgements from the Paris Court of Appeal and The Hague Court of Appeal. The day's event will feature a series of panel discussions on jurisdictional challenges in investment arbitration, the impact of investment claims on states and their sovereignty and territorial integrity, and the role of third-party funding in access to justice. The **London International Arbitration Colloquium** promises to bring together the collective knowledge and experience of its event partners to deliver an in-depth, academic assessment of the impact of the Sulu case and the future of international arbitration involving foreign investors and sovereign states.

DATE

25th September 2023,
Monday

TIME

9:00 a.m. – 5:00 p.m. (London Time);
4:00 p.m. – 12:00 a.m. (Malaysia Time)

VENUE

International Dispute Resolution
Centre (IDRC), London



SCAN HERE

Admission is free. Limited seats available

For more information, please contact events@aiac.world or +603 2271 1000

Registration link: https://bit.ly/Colloquium_London2023

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PROGRAMME

9:00 a.m. – 10:00 a.m.

Breakfast and Registration

Master of Ceremonies: **Dr. Amel Makhoul**
(Member of SOAS Arbitration and Dispute
Resolution Centre (SADRC))



10:05 a.m. – 10:15 a.m.

Welcoming Remarks by **Professor Emilia Onyema**
(Director, SOAS Arbitration and Dispute Resolution
Centre (SADRC))



10:15 a.m. – 10:30 a.m.

Keynote Address by **The Honourable Dato' Sri Azalina Othman Said**
(Minister in the Prime Minister's Department
(Law and Institutional Reform), Malaysia)



10:40 a.m. – 11:45 a.m.

Session 1: International Arbitration and State Sovereignty

Objectives:

- To deliberate on the role of international arbitrators in upholding the cause of justice.
- To discuss the roles of the arbitrators and the forum court in dealing with arbitration proceedings involving sovereign States.
- To revisit the discussion on the impartiality and independence of international arbitrators for the effective delivery of justice and upholding the rule of law.
- To examine the necessity for sanctions regime for international arbitrators.



**DATO' FIROZ HUSSEIN BIN
AHMAD JAMALUDDIN**
Senior Partner, Messrs Firoz
Julian and AIAC Advisory
Board Member



PROFESSOR CATHERINE A. ROGERS
Department of Legal Studies, Bocconi
University and the Co-chair of the
ICCA-Queen Mary Task Force on Third
Party Funding in International Arbitration



MR GORDON NARDELL KC
Barrister, Twenty Essex



DR. BRENDAN PLANT
Associate Professor at Downing College at
the University of Cambridge, a Fellow of
the Lauterpacht Centre for International
Law at the University of Cambridge, and
a Barrister at Twenty Essex

11:45 a.m. – 12:15 p.m.

Q&A for Session 1

12:15 p.m. – 1:15 p.m.

Lunch

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1:30 p.m. – 2:30 p.m.

Session 2: Regulating Third-Party Funding in International Arbitration and A Review of *R (on the application of PACCAR Inc and others) (Appellants) v. Competition Appeal Tribunal and others (Respondents)* [2023] UKSC 28: Its Impacts and the Way Forward

Objectives:

- To explore the multifaceted issues of the burgeoning practice of third-party funding in international arbitration, *inter alia*, the duty of disclosure, confidentiality, conflict of interest, security for costs, adverse costs, and ethical issues.
- To examine how best access to third party funding can be deployed to serve the cause of justice.
- To examine the best way to regulate third party funders.
- To analyse the possibility of whether the PACCAR case would trigger a global review to regulate third party funding.



MR. HUSSEIN HAERI
Partner, Withersworldwide
LLP and Member of SOAS
Arbitration and Dispute
Resolution Centre (SADRC)



PROFESSOR VICTORIA SHANNON SAHANI
Professor of Law, Boston University
School of Law and Member of the
ICCA-Queen Mary Task Force on Third
Party Funding in International Arbitration



MR. STEPHEN FIETTA KC
Fietta LLP



MS. CAMILLA GODMAN
Investment Manager, Senior Legal
Counsel, FCI Arb, Omni Bridgeway

2:30 p.m. – 3:00 p.m.

Q&A for Session 2

3:15 p.m. – 4:15 p.m.

Session 3: Impact of Investment Claims on States and Investors

Objectives:

- To explore the impact of investment claims on the relationship between the investor and the state and its impact on the economic development of states and commercial viability of foreign investors.
- To explore the wider impact of investment claims on the relationship between the home and host states.
- To explore how investment claims can be better managed particularly the idea of an investment advisory centre for states.



PROFESSOR MARTIN W LAU
Professor of South Asian Law at
SOAS University of London,
Member of SOAS Arbitration and
Dispute Resolution Centre (SADRC)
and Essex Court Chambers



MR. BAIJU VASANI
Barrister and Arbitrator,
Twenty Essex and Member of
SOAS Arbitration and
Dispute Resolution Centre
(SADRC)



PROFESSOR STEVEN P. FINIZIO
Partner, WilmerHale London
and Deputy Director of SOAS
Arbitration and Dispute
Resolution Centre (SADRC)



MS. ANGELINE WELSH KC
Barrister, Essex Court Chambers

4:15 p.m. – 4:45 p.m.

Q&A for Session 3

4:45 p.m. – 5:00 p.m.

Closing Remarks by **The Honourable Dato' Seri Diraja Dr. Zambry Abd Kadir**
(Minister of Foreign Affairs, Malaysia)

