



ASIAN INTERNATIONAL ARBITRATION CENTRE  
(Formerly known as KLRCA)



# ASIA ADR WEEK 2018

5-7  
MAY  
2018

DISCOVER THE DIFFERENCE:  
THE ASIAN EXPERIENCE

GENERAL ADMISSION:

Full Conference Fee: **MYR 1,588 / USD 410**

Day 1 & 2 Conference Fee: **MYR 1,088 / USD 280**

Full Conference Fee with 4 nights  
accommodation: **MYR 3,328 / USD 850**

CIPAA Day (7<sup>th</sup> May): **RM 588**

OFFICIAL LAUNCH OF THE  
ASIAN INTERNATIONAL  
ARBITRATION CENTRE

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**DAY 1: 5<sup>TH</sup> MAY 2018**  
**“THE ASIAN EXPERIENCE”**

09:00-10:00

**Official Launch of Asia ADR Week 2018 and Launch of the Asian International Arbitration Centre**

**Opening Speech** by *Datuk Professor Sundra Rajoo, Director of AIAC*

10:00-11:00

**Keynote Address** by *Guest of Honour, AALCO Secretary General H.E. Prof. Dr. Kennedy Gastorn*

11:00-11:30

Networking break

11:30-13:00

**Session 1: “Building a New Asia: A Spectrum of Opportunities”**

Far East or New West? Asia has for many years been the world’s engine for economic growth. A diverse panel of business leaders from various different industries, which arguably form the foundation of continued robust growth in Asia, discuss the future of ASEAN and beyond. Prominent speakers will be from the following industries:

*Moderated by Datuk Professor Sundra Rajoo, AIAC*

- **Oil & Gas** by *Abd Rahim Mahmood, Petronas*
- **Construction & Transportation** by *H.E. Dr. Makio Miyagawa, Japanese Ambassador to Malaysia*
- **Banking** by *Ramanand Mundkur, Mundkur Law Partners (India)*
- **Multilateral Finance** by *Diana Michaliova, Asian Infrastructure Investment Bank (China)*
- **Technology in the Free Trade Zone** by *Lars Markert, Nishimura & Asahi (Japan)*

13:00-14:00

LUNCH

14:00-15:30

**Session 2: “Business in Malaysia: Sharing Solutions, Getting the Deal Through”**

The Malaysian economy is expected to enjoy very high rates of growth in the upcoming years. New opportunities for growth come hand in hand with new challenges. The increased interdependence of social, economic and environmental systems, as well as the globalized interconnectivity of people all play a key role in and must be utilized to create a fertile ground for foreign ventures and investment. What are the critical steps Malaysia must take to remain an attractive business hub? by *Craig I. Celniker, Morrison & Foerster (APAC), Hemalatha Ramulu, Messrs Skrine, Datuk D.P. Naban, Messrs Lee Hishamuddin Allen & Gledhill, Arthur Dong, Angie Law Firm (China), Daniel Waldek, Herbert Smith Freehills. Moderated by Dr. Harald Sippel, AIAC*

- **ADR regime**
- **Protecting your IP rights**
- **Taxation**
- **Overcoming cultural differences**

15:30-16:00

Networking break

16:00-17:30

**Session 3: “Gaining the Edge in Business: Unravelling the Myths of the ADR Ecosystem”**

• **Breakout 1: “Emerging Trends in Investment State Disputes”** – what’s new, what works and what doesn’t, from the perspective of the State and Investor by *Tan Sri Cecil Abraham, Cecil Abraham & Partners, Raja Bose, K&L Gates, Dr Mariel Dimsey, CMS (Hong Kong), Professor Jansen Calamita, National University of Singapore-Centre for International Law. Moderated by Dr Gavan Griffith, Essex Court Chambers*

• **Breakout 2: “Innovation in Effective Cross-Border Contract Management”** – a study on core competencies and innovations in contract management, such as contract automation by *Erin Rankin, Freshfields Bruckhaus Deringer (Dubai), Nicholas Hoh, Herbert Smith Freehills, Anand Juddoo, Juddoo Consulting Ltd, Nandakumar Ponniya, Baker McKenzie. Moderated by Ing Loong Yang, Latham & Watkins LLP (Hong Kong)*

• **Breakout 3: “Realigning ADR to Global Business Needs”** – international ADR best practices that boosts investment appetite and how they can be implemented by *Dato’ Nitin Nadkarni, Messrs Lee Hishamuddin Allen & Gledhill, Oyinkan Badejo-Okusanya, Africa Law Practice (Nigeria), Peter Godwin, Herbert Smith Freehills, Khieu Mealy, SokSiphana & Associates (a member of ZICO Law, Cambodia). Moderated by Dr Nicolas Wiegand, CMS*

17:30-18:30

**Session 4: “Real Money, Real Investors, Real Time, Real Talk – What ADR Can Do For You”**

Rapid Fire Debate moderated by *Benjamin Hughes, Hughes Arbitration Chambers*

- **Stretching the rules in arbitration: Tactical Advantage or Abuse of Process?** *P. Gananathan, Messrs P. Gananathan & Loh vs. Dr Chinyere Ezeoke, Universiti Malaya*
- **Equal Representation in ADR: Absence of Opportunities or Failure to Seize?** *Asya Jamaluddin, CMS vs. Sharon Chong, Messrs Skrine*
- **Confidentiality vs Transparency: If it’s not broke, why fix it?** *Shanti Mogan, Messrs Shearn Delamore vs. Ooi Huey Miin, Messrs Raja Daryl Loh*
- **Med-Arb: How effective is it?** *Shanti Abraham, Shanti Abraham & Associates vs. Anil Changaroth, ChangAroth Chambers LLC & ChangAroth InterNational Consultancy*

18.30 onwards

Asia ADR Week Welcome Cocktail

## DAY 2: 6<sup>TH</sup> MAY 2018

### “DISCOVER THE DIFFERENCE”

09:00-10:00

#### Exclusive Premier: “Unveiling the Amendments to the Arbitration Act, 2005”

**Panel Discussion** by *Datuk Professor Sundra Rajoo, Director of AIAC, The Honourable Justice Professor Anselmo Reyes, International Judge of the Singapore International Commercial Court*

10:00-10:30

Networking Break

10:30-12:00

#### Session 1: “Together Towards the Future – But First, a Look Back”

The year 2017 was a year with many important changes in international arbitration. With one of the foci on recent trends in Malaysia and more generally Asia, the speakers of this session will take a look back on various different changes, which took place in 2017 by *Benjamin Hughes, Hughes Arbitration Chambers, Professor Philip Yang, Phillip Yang & Co. Ltd (Hong Kong), Dr Winnie Jo-Mei Ma, Chinese Arbitration Association (Taipei), Christopher Lau SC, 3 Verulam Buildings Barristers, Ing Loong Yang, Latham & Watkins LLP (Hong Kong), Andrew G. Moran QC, The Arbitration Chambers. Moderated by Datuk Professor Sundra Rajoo, AIAC*

12:00-13:00

#### Session 2: “Tomorrow’s Methods: Holistic Resolution of Conflicts & Dispute Avoidance”

We are seeing a paradigm shift towards holistic methods of dispute resolution as well as dispute avoidance. This session explores what these methods are and when and how they are applied most effectively by *Sujatha Sekhar Naik, SIDREC, Li Hu, CIETAC, Paul Rose, ArbDB, Janet Checkley, SIDRA. Moderated by Professor Philip Yang, Phillip Yang & Co. Ltd (Hong Kong)*

13:00-14:00

LUNCH

14:00-15:30

#### Session 3: “Training Workshop for Selected Spotlight ADR Topics”

- **Breakout 1: “The AIAC Rules, Your Partner Throughout the Proceedings”** – using the AIAC Rules to manage the costs of arbitration proceedings by *Sudharsanan Thillainathan, Messrs Shook Lin & Bok, Ben Olbourne, 39 Essex Chambers, Peter Godwin, Herbert Smith Freehills, Rammit Kaur Charan Singh, Victorious Vie Plt. Moderated by Aniz Ahmad, Cecil Abraham & Partners*
- **Breakout 2: “Arbitration Agreements Built to Last”** – dissecting all elements of arbitration agreements, drafting enforceable arbitration agreements and the do’s and don’ts to avoid pathological clauses by *Koh Swee Yen, Wong Partnership LLP, Celine Chelladurai, Messrs Celine & Oommen, Christine Artero, The Arbitration Chambers, JLN Murthy, ICADR Regional Centre (India). Moderated by Christopher Lau SC, 3 Verulam Buildings Barristers*
- **Breakout 3: “Making the Most of Interim Measures”** – a study on the various forms of relief that can safeguard parties’ interests pending an outcome by *Filip Boras, Baker McKenzie (Austria), Hiroki Aoki, Nagashima Ohno & Tsunematsu, Elaine Yap, Elaine Yap Law Office, Sanjay Mohanasundram, Mohanadass Partnership. Moderated by Sitpah Selvaratnam, Messrs Tommy Thomas*

15:30-16:00

Networking break

16:00-17:30

#### Session 4: “The Dawn of the Digital Era of ADR”

When a snake sheds its skin, it changes; when a caterpillar becomes a butterfly, it transforms. Will dispute resolution merely shed its skin, or will it turn into a butterfly? This session looks into the trends of digitization and artificial intelligence (AI) and explores how they can be utilized to increase efficiency and whether the field of dispute resolution will undergo the fundamental changes other industries have already undergone or will undergo in coming years. *Moderated by Shannon Rajan, Messrs Skrine*

- **Optimization of legal research and ADR through technology** by *Jo Fan Pang, Can Law*
- **Online brand protection** by *Denis Cai, Dot Trademark*
- **Impact of technology on cross border transactions and investment state disputes** by *Dr Martins Paprinskis, UCL London*
- **Electronic discovery of documents** by *Daniel P. Levison, Morrison & Foerster*
- **Artificial intelligence in arbitration** by *Lucas Bento, Quinn Emanuel Urquhart & Sullivan LLP (New York)*
- **The AIAC Case Management System** by *Alonso Mayodormo Castilla, AIAC*

17:30 onwards

40<sup>th</sup> Anniversary Gala Dinner



# DAY 3: 7<sup>TH</sup> MAY 2018

## CIPAA CONFERENCE

09:30-11:00

### CIPAA Conference opening

A snapshot of the success of statutory adjudication in Malaysia showcasing procedural details, enforcement procedure, adjudicated amounts and overview of the 2018 CIPAA Report (up till May 2018)

11:00-11:30

Networking Break

11:30-13:00

### Session 1: "Making it Matter: Natural Justice in CIPAA"

The speakers will analyse the most important findings and decisions of the federal court and its impact on statutory adjudication by *Foo Joon Liang, Messrs Gan Partnership, Wilfred Abraham, Messrs Zul Rafique, Sudharsanan Thillainathan, Messrs Shook Lin & Bok, Ramdas Tikamdas, Messrs Siva, Ram & Associates, Nahendran Navaratnam, Navaratnam Chambers. Moderated by Datuk Professor Sundra Rajoo, AIAC*

13:00-14:00

LUNCH

14:00-15:30

### Session 2: CIPAA Refresher Course

- **Breakout 1: "Drafting a Concrete Clad Decision"** – the dos and don'ts in writing an Adjudication Decision by *Dr. S. Sivasangaran Nadarajah, Messrs S. Nadarajah & Co, Belden Premraj, Messrs Belden, Sabarina Samadi, Zaid Ibrahim & Co (a member of ZICO Law), John Cock, On Q Consulting Limited. Moderated by Ir Harbans Singh, HSKS Dispute Resolution Chambers*
- **Breakout 2: "The ABCs of the Adjudication Process"** – a back to basics overview from the submission of a Payment Claim to the issuance of a Decision by *Ramdas Tikamdas, Messrs Siva, Ram & Associates, Ivan LOO, Messrs Skrine, Tan Swee Im, Messrs Tan Swee Im & Partners, Kevin Prakash, Mohanadass Partnership. Moderated by James Monteiro, Messrs. James Monteiro*
- **Breakout 3: "Procedure: What Your Administrative Authority Wants You to Know"** – a look into the nitty gritty of the administration of adjudication cases and ensuring procedural compliance by *Huganeswaran Veerasagram, AIAC, Tatiana Polevschikova, AIAC, Janet Chai, Chooi & Co, Deepak Mahadevan, Messrs Azmi Fadzly Maha & Sim. Moderated by Shanta Mohan, Chambers of Shanta Mohan*

15:30-16:00

Networking break

16:00-17:30

### Session 3: "Moving to Mastery: the Standard Form Contracts"

It has been just under a year since the successful and widely acclaimed launch of the Standard Form Contracts. This session explores the various issues that have arisen since, the industry response to this innovative initiative and what is in store moving forward by *Lam Wai Loon, Messrs. Harold & Lam Partnership, Ir. Harbans Singh, HSKS Dispute Resolution Chambers, Kevin Prakash, Mohanadass Partnership, Karen Gough, 39 Essex Chambers. Moderated by Kuhendran Thanapalasingam, Messrs Zul Rafique*

# REGISTER NOW!

Kindly complete the registration form as below and send it together with your payment by **2 MAY 2018** via:

FAX: 03 2271 1010

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Full Name: \_\_\_\_\_

Company/Organisation: \_\_\_\_\_

Designation: \_\_\_\_\_

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Admission Package: (Please tick one)

Full Conference Fee: MYR 1,588 / USD 410

Day 1 & 2 Conference Fee: MYR 1,088 / USD 280

Full Conference Fee with 4 nights accommodation: MYR 3,328 / USD 850

CIPAA Day (7<sup>th</sup> May): RM 588

Mode of Payment: (Please tick one) (Please ensure that payments are free of any bank charges)

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Payment by bank transfer or account deposit must be evidenced by a copy of the bank-in slip or transaction reference and submitted with the registration form.

Registration will be confirmed after receipt of payment. No cancellations allowed after confirmation but you may send another person to attend in your place. The organisers reserve the right to (1) postpone or change the timing and content of the programme and venue at any time; or (2) cancel the event at any time and under such circumstances, will refund the registration fee in full.