



## SINGAPORE CHAMBER OF MARITIME ARBITRATION

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Dear Members

I am pleased to advise you that substantive progress has been made in this area. Indonesia has been featured prominently in recent news with a new government in charge and a fresh emphasis placed on the development of the maritime sector, raising prospects of fresh investment potential into the country. Working in concert with representatives from Indonesia National Board of Arbitration (BANI), a joint conference is close to becoming a reality. I am now writing to seek your interest to attend the conference which SCMA plans to host jointly with BANI. Kindly advise as soon as possible, enabling us to increase the pace of progress towards this initiative. Details as follows:

### Conference format:

- Format : 1 day conference
- Venue: Local hotel in Jakarta
- Date : Monday 6<sup>th</sup> April
- Time : 09:00 till 18:00, with tea and lunch breaks included
- Sponsorship opportunities: Available. Please call me.
- Cost : To be advised but expected to be modest. Travel and living will of course be for your own account and arrangement but we will try to work out a delegate package with the hotel
- Presentation: Joint event hosting by SCMA BANI, with a session conducted in the morning and in the afternoon. The sessions will be chaired jointly by representatives of both side. Each session will kick off with short presentations from each side to provide background, local perspectives and experiences. This will be followed by a panel discussion + open forum to explore and expand on content presented. The intention is to create highly interactive experiences for every participant.
- Objective: Discuss development of maritime arbitration law, practice and procedure in Indonesia and Singapore and to explore / identify potential areas of collaboration / joint development.

### Theme

- ***Title: Maritime and Trade Arbitration in Indonesia and Singapore.***

Morning Session: Arbitration/ADR Agreement and Procedure and Award Enforcement.

Tentative topics to be explored:

1. What are the advantages and disadvantages of dispute resolution agreements that require parties to negotiate a settlement or enter mediation before going to arbitration?

2. Do the procedural rules of your institution allow other parties to be added in an arbitration started between two parties? If so, in what way can they be added (co-claimant, co-respondent, third party?)
3. What are the steps required to enforce an international arbitration award effectively in your country?
4. The ASEAN Economic Community (AEC) shall be the goal of regional economic integration by 2015, envisaging a single market and production base, a highly competitive economic region, a region of equitable economic development and a region fully integrated into the global economy. Should international arbitration laws in ASEAN be harmonized?

**Afternoon Session: Maritime Law and Arbitration. Tentative topics to be explored:**

1. What is or are the criteria for a country to be called a maritime country/state? What are the requirements for the development of maritime sector/industry in a country? (sea transport, port & harbor, ship building/repair, fishery, ship financing & insurance, off-shore operation, logistics/forwarding, others)
2. What kind of potential legal and commercial issues that may arise in the development of maritime sector/industry? (bureaucracy of the administration, licensing, investment, financing, etc)
3. To what extent can arbitration and other forms of alternative dispute resolution can be used for settling such disputes [between parties, between states or between party and state, - bilateral, interstates disputes]?
4. The ASEAN Economic Community will certainly increase the cross-border/maritime trade between the ASEAN countries. Is there a need for harmonizing maritime legislation? (public law/legislation, private/commercial law legislation, i.e. liability regime)

Our Indonesian partners have requested the inclusion of some specific areas/aspects of maritime industry such as sea-transport, port and harbor matters and other related fields of maritime sector. Although unable to provide confirmation, they are working hard to provide a high level representative from the government sector to provide an official perspective. Following the declared objective of the new government to emphasize focus on developments in the maritime sector, the conference will strive to engage many interested parties from the various sectors of maritime industry there as well as regulatory representatives to attend. I expect attendance of stakeholders from their side to be substantive and all participants ought to have a great opportunity for high visibility to network and engage them in constructive discussions.

I look forward to hearing from you.

Regards

Lee Wai Pong  
Executive Director