

The Rise of International Commercial Arbitration and Developments In Investment Treaty Arbitration: ASIA'S RESPONSE

6 - 8 October 2016

Softel Nusa Dua Beach Resort, Bali - Indonesia

SPEAKERS AND MODERATORS

H.E. Renaud Sorieul *	Prof. Colin Ong	Mr. Stephen Jagusch	Ms. Kim Rooney
Mr. Yu Jianlong	Mr. Michael Hwang	Ms. Teresa Cheng	Prof. Benjamin Hughes
Dr. Michael Pryles	Mr. Lawrence Teh	Mr. Yu Jin Tay	Mr. Lawrence Schaner
Prof. Philip Yang	Mr. Lee Young Seok	Mr. Khong Cheng-Yee	Mr. David Bateson
Prof. Datuk Sundra Rajoo	Prof. Anselmo Reyes	Mr. Alvin Yeo	Prof. Hi-Taek Shin
Mr. Joao Ribeiro	Prof. Doug Jones	Prof. Locknie Hsu	Mr. Cao Li Jun *
Ms. Corrine Montinerri *	Prof. Michael O'Reilly	Mr. Fu Yong Chen	Ms. Lucy Reed *
Mr. M. Husseyn Umar	Mr. Nikolaus Pitkowitz	Prof. Huala Adolf	
Mr. Rizar I. Nazaroedin *	Prof. Frans H. Winarta	Mr. Stephen Nathan QC	(*) t.b.c.
Ms. Yoshimi Ohara	Mr. Andrew Moran	Mr. Michael Lee	

REGISTRATION FORM

NAME :

ORGANIZATION/COMPANY :

PROFESSION/OCCUPATION :

ADDRESS :

PHONE / FAX / EMAIL :

CLOSING DATE AND PAYMENTS

- Latest date for participant's registration and its corresponding payment is 6 September 2016 Admission fee: IDR 8,000,000 per person, which includes 2 days conference and materials kit, lunch and coffee breaks as well as Gala Dinner
- Special Rate for BANI Listed Arbitrators, Member of IArbl, students and academics, or group of 2 persons or above from same organization/company with discount.
- Strictly limited capacity. Register early to guarantee seat availability.
- Kindly complete the above Registration Form and send it by fax : +62 21 7940543 or by email : bani-arb@indo.net.id, or you can also register, booking the hotel and getting other information through the website of APRAG 2016 at apragbali2016.baniarbitration.org.

REGISTRATION SHALL ONLY BE HONORED AFTER THE REGISTRATION PAYMENT IS TRANSFERRED TO :

PT. PESONA NUSA TENGGARA
BANK CIMB NIAGA, Cabang Mataram
A/C 800119340800 (IDR account)

CONTACT:

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APRAG CONFERENCE 2016



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In October 2016, BANI Arbitration Centre of Indonesia has the honor to host the APRAG Conference. The theme of the conference is "the Rise of International Commercial Arbitration and Developments in Investment Treaty Arbitration: Asia's Response." This theme is taken because Asia in particular and other regions in the World have witnessed the tremendous growth of international commercial arbitration. This rise is an interesting development but also a challenge especially for the arbitration institutions in the Asia.

In addition, the regions have also witnessed the growth of investment arbitration disputes and how the countries in disputes have shown their resistance to the investor-state dispute settlement (ISDS) mechanism. This is shown among others by a number of countries, which have taken a hostile response to ISDS. A number of countries have shown their position not sign the investment treaty and plan to cancel or not to renew their bilateral investment treaties containing ISDS.

The Conference will be arranged in 5 Sessions: 1. Diversity and Unification of Arbitration Practices in Asia, 2. Third Party Funding and Costs In Investment and Commercial Arbitration?, 3. Investment Arbitrations in Asia, 4. Prospects for harmonization of commercial and investment arbitration within the new ASEAN Economic Community, 5. Members Update and Collaboration Perspectives.

Bali has always been a well known in island the world and is one of the best islands for tourism. Bali is known as the islands of Gods and it has a unique culture and tradition where its people preserve their tradition and culture in the midst of the flowing of tourism into the island .

We would like to welcome you all to come to Bali and attend the Conference. Get the fruitful and exciting discussion and exchange of ideas on international commercial arbitration. Make use the best opportunity to set up the arbitration network as well as to enjoy the Bali Island has to offer.

APRAG Members:

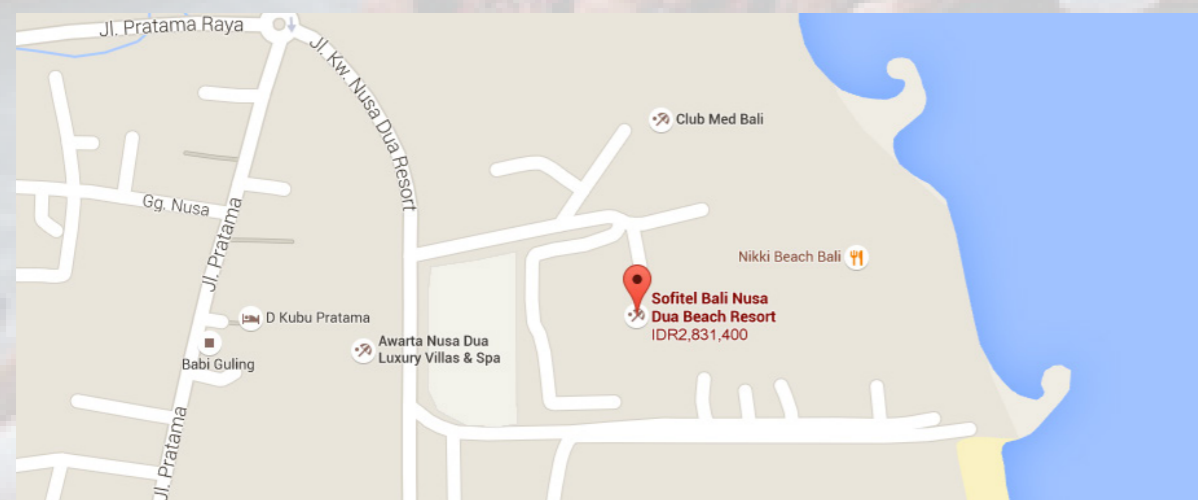
• Arbitration Association of Brunei Darussalam • Arbitration Association of Chinese Taipei • Arbitrators and Mediators Institute of New Zealand • Australian Centre for International Commercial Arbitration • Australian Commercial Disputes Centre • BANI Arbitration Center • Beijing Arbitration Commission • Chartered Institute of Arbitrators (Australia) • Chartered Institute of Arbitrators (East Asia) • Chartered Institute of Arbitrators (Malaysia) • China International Economic and Trade Arbitration Commission • Council for National and International Commercial Arbitration (CNICA) • Dubai International Arbitration Centre • FICCI Arbitration and Conciliation Tribunal • Hong Kong Institute of Arbitrators • Hong Kong International Arbitration Centre • Hong Kong Mediation and Arbitration Centre • ICC Asia • Indian Council of Arbitration • Indian Institute of Arbitration and Mediation (IIAM) • Institute of Arbitrators & Mediators Australia • Japan Commercial Arbitration Association • Jinan Arbitration Commission (JAC) • Karachi Centre for Dispute Resolution • Kazakhstani International Arbitrage (KIA) • Korean Commercial Arbitration Board • Korean Council for International Arbitration • Kuala Lumpur Regional Centre for Arbitration • Malaysian Institute of Arbitrators • Mongolian International and National Arbitration Center • Nani Palkhivala Arbitration Centre • Nepal Council of Arbitration (NEPCA) • Philippine Dispute Resolution Center, Inc • Qingdao Arbitration Commission (QDAC) • Shanghai Arbitration Commission (SHAC) • Shenzhen Arbitration Commission (SZAC) • Singapore Institute of Arbitrators • Singapore International Arbitration Centre • Thai Arbitration Institute (TAI) • Tokyo Maritime Arbitration Commission • Vietnam International Arbitration Centre • Western Australian Institute of Dispute Management



SOFITEL NUSA DUA BEACH RESORT

Indulge in a fine blend of French elegance and unique Balinese culture at Sofitel Bali Nusa Dua, a lavish 5-star beachfront resort with gorgeously landscaped pools and gardens against an immaculate stretch of white sand bordering the Indian Ocean.

Take on leisurely walks along leafy pathways or spend refreshing moments at the centerpiece lagoon pool. Unwind with soothing treatments at So Spa; rejuvenate at vietura bali artisan of anti-aging, or stay in shape at So Fit fitness centre. Enchant your taste buds at the resort's two restaurants and two bars. A kids club takes young guests into a fun world of discovery. Memorable meetings are possible with 12 function rooms, including a grand ballroom and a ballroom with ocean views. Ideal for business, leisure, or family fun, Sofitel Bali Nusa Beach Resort welcomes patrons to discover its luxury beachfront offerings for their memorable Bali holiday, only 30 minutes from the airport and main attractions within easy driving range.



The official conference website www.apragbali2016.com or apragbali2016.baniarbitration.com provides a registration and accommodation booking for participants convenience.

Accommodation booking by participants through the conference websites above will automatically apply the special participants rate for the venue hotel.

In addition to Sofitel Nusa Dua as the venue hotel where participants is advised to stay for convenience, there are a choices of alternative hotels in the area nearby the Conference Hotel that are also recommended for participants. Below are the options:

- Mercure Bali Nusa Dua
- Grand Aston Bali Beach Resort Nusa Dua
- IBIS Style Bali Benoa.

The conference organizer has arranged a special room rates for participants of APRAG CONFERENCE 2016 staying at venue hotel or the above alternatives hotels.

For further inquiry regarding conference venue and hotel reservation, please contact: mice@pesonawisata.com

OPTIONAL TOUR Post Conference

- Watching Kecak dance at Pura Luhur Uluwatu
- Sightseeing at local markets
- Temple's tours: Tanah Lot, Uluwatu
- DEVDAN theatrical performance

All above optional tours can be arranged during your arrival, or please contact: mice@pesonawisata.com



PROGRAM

Thursday - 6 Oct 2016

09.00 - 17.00	Delegates Registration
17.00 - 19.00	Meeting of APRAG Member Delegations Representative
19.00 - 21.00	Dinner

DAY 1 Friday - 7 Oct 2016

07.00 - 08.00	Preparation	VIP room
08.00 - 08.20	Balinese Traditional Procession	EO
08.20 - 08.30	Welcome Address - Chairman BANI	M. Husseyn Umar
08.30 - 08.45	Opening Address - APRAG President	Yu Jianlong
08.45 - 09.00	ASEAN Secretary General - Keynote Address	HE Le Luong Minh *
09.00 - 09.15	Chief of Justice of the Supreme Court of the Republic Indonesia - Keynote Address	Prof Dr H M Hatta Ali SH, MH *
09.15 - 09.20	Striking the Balinese cultural Gong as the blessing symbol of the Opening the Conference	
09.20 - 09.30	Coffee Break	

Session 1	Diversity and Unification of Arbitration Practices in Asia	Chair : Dr Michael Pryles
09.30 - 10.45	This session we look at issues such as:	Speakers :
a	Is there a common international arbitration culture in the Asia Pacific Region ?	Cao Li Jun* Prof Anselmo Reyes
b	Is the march of common law procedure too pervasive?	Yoshimi Ohara
c	Who should control the length of a hearing?	Stephen Nathan QC
d	Is the role of arbitrators different?	Michael Lee
e	Are adversarial proceedings appropriate?	Lee Young Seok
f	Is there a fundamental difference in the approach to commercial transactions?	Kim Rooney
g	Is the approach to dispute resolution in general different?	Lawrence Teh
h	Is it possible to ensure international uniformity in arbitration procedures and culture?	Prof Philip Yang

Session 2	Third Party Funding and Costs In Investment and Commercial Arbitration ?	Chair : Colin Ong Second-Chair: Professor Ben Hughes
10.45 - 12.15		
a	Should third-party funding in Investment and Commercial arbitration be allowed?	Prof Doug Jones AO
b	Issues of confidentiality and privilege - can third-party funding be regulated?	Nikolaus Pitkowitiz
c	Should there be a harmonised system of costs in international arbitration?	Lawrence Schaner
d	Are there any best practices for reducing time and costs in Investment Treaty Arbitration and commercial arbitration that can be adopted throughout the region?	Prof Michael O'Reilly



	e	Can an egregious error on the award of costs by an arbitral tribunal be challenged in the seat and at the courts of enforcement?	Michael Hwang
	f	Should there be harmonisation of practices on dealing with security for costs in the Asia-Pacific region?	Andrew Moran
12.15 – 13.45		Luncheon Adjournment	
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Session 3		Investment Arbitrations in Asia	Chair : David Bateson Prof. Hi-Taek Shin
13.45 – 15.15			
	a	Has Investment Arbitration had any effect in shaping Investment Treaties of States?	Stephen Jagusch
	b	Are Investment Treaty Arbitration cases dominated by the same arbitrators and law firms from US and Western European countries?	Teresa Cheng,
	c	Do Asian witnesses and Asian law firms face cultural disadvantages in appearing before European Tribunals?	Yu Jin Tay
	d	As some Asian States have withdrawn from BIT treaties and Investment Treaty Arbitration, is this an opportunity for the ICC and UNCITRAL to flourish?	Lucy Reed * Rizar I. Nazaroedin *
	e	Are Asian States better off adopting UNCITRAL Arbitration or ICC Arbitration as opposed to Investment Treaty Arbitration?	Renaud Sorieul * Joao Ribeiro Corrine Montinerri *
15.15 – 15.30		Coffee Break	
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Session 4		Prospects for harmonization of commercial and investment arbitration within the new ASEAN Economic Community	Chair : M. Husseyn Umar Khong Cheng-Yee
15.30 – 17.00			
	a	Are there unique attributes of international arbitration culture in ASEAN.	Prof. Sundra Rajoo
	b	How should commercial arbitration complement the current dispute resolution mechanisms in ASEAN	Frans H. Winarta
	c	What are the opportunities for the international arbitration community to assist in developing best practices for international arbitration within the AEC	Alvin Yeo
	d	A harmonised system of international commercial arbitration within the AEC and Beyond ?	Prof Locknie Hsu
		Break	
19.00 – 22.00		Gala Dinner	

DAY 2
Saturday - 8 October 2016

Session 5		Members Update and Collaboration Perspectives	Chair: Yu Jianlong
09.00 – 10.00		HKIAC, BAC, BANI, KLRCA	Fu Yong Chen Prof Huala Adolf
10.00 – 10.15		Coffee Break	
10.15 – 12.00		SIAC, ACICA, CIETAC, KCAB, JCAA	
12.00 – 12.15		Closing Remarks	Prof. Michael Pryles
12.15 – 14.00		Lunch	

