Fourth Annual ICC Asia-Pacific Conference:

International Arbitration—
A Regional Journey

May 19-21, 2013
Seoul, Korea

Venue
Lotte Hotel Seoul
30 Eulji-ro, Jung-gu,
Seoul 100-070
Korea

Objective
As the economy and cross-border transactions surge in the Asia-Pacific region, so does dispute resolution. Consequently, the region remains at the cutting edge of arbitration trends. Join us on a journey of the exciting developments that continue to enhance the Asia-Pacific region. We will learn from practitioners, arbitrators, in-house counsel and law makers why the region has embraced the benefits of international arbitration and how it seeks to find ways to make best practices more accessible. The conference will explore the issues which affect the international arbitration field now and learn about the opportunities that are yet to come.

Who should attend
Arbitrators, legal practitioners, in-house counsel, and academics who wish to know more about developments in international arbitration in the Asia-Pacific Region.
Fourth Annual ICC Asia-Pacific Conference

Program

Sunday May 19, 2013

6:30 - 8:00 p.m.
Welcome Cocktail Reception

Bae Kim & Lee LLC
Hyundai Marine & Fire Insurance Bldg. 17F
137 Teheran-ro, Gangnam-gu, Seoul

Monday May 20, 2013

8:00 a.m.
Registration and Continental Breakfast

Lotte Hotel Seoul
30, Eulji-ro, Jung-Gu
Seoul 100-721
Korea

9:00 - 9:15 a.m.
Welcome & Introduction

9:15 - 10:45 a.m.
Country Focus: South Korea

With a vigorous economy and modern arbitration laws, South Korea is well positioned to be deemed one of the most promising frontiers for international business transactions. In a nutshell, Korea has long been a signatory of the New York Convention; their federal legislation, the Arbitration Act of Korea, mirrors the key provisions of the UNCITRAL model law; they have entered into a progressive FTA with the U.S.; and, Korean courts have proven to be very positive and arbitration friendly when deciding arbitration-related disputes. With a seemingly positive framework in place, where is South Korea headed in the international arbitration world? Have they come to embrace investment arbitration? This panel will open the conference by providing attendees an overview of how South Korea progressed to this point, the issues they are facing today, and their prospects for the future.

Discussion

10:45 - 11:05 a.m.
Coffee Break
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11:05 a.m. - 12:35 p.m.

Bridging the Gap: The Impact of Culture on the International Arbitration Process

Is there a significant difference in holding an arbitration in a jurisdiction in the east as opposed to one in the west? Can parties expect any special nuances when going before an arbitrator from a country of Asian culture compared to one with a U.S. or Canadian background? Similarly, how do counsel from these different regions diverge in style when presenting their cases? Many scholars agree that East Asian culture is one of "consensus building" as opposed to the Western tradition of zealous advocacy, which can lead to a significant difference in how proceedings are conducted. This panel will discuss nuances in Asian and North American culture which affect arbitration and highlight the practical differences that commonly arise. Finally, they will sum up their discussion by offering insight on how to tailor a case to suit the players from these various cultures.

Discussion

12:35 - 1:45 p.m.

Lunch

1:45 - 3:15 p.m.

International Investment Arbitration in Asia

One of the fastest growing sectors in the world of international arbitration is undoubtedly investment and state-party arbitration. As a large, diverse and generally arbitration-forward region, Asia is well positioned to be at the forefront of this trend. This panel will discuss recent arbitration cases involving Asian states, viable and beneficial dispute resolution options including the 2012 ICC Rules of Arbitration, and touch upon the BITs in place with governments with Asia. The panelists will also share their thoughts on how they see investment and state party arbitration evolving in the region over the next decade.

Discussion

3:15 - 3:35 p.m.

Coffee Break

3:35 - 5:00 p.m.

Regional Overview: The Latest Initiatives Impacting International Arbitration

As economic trade and investment continue to flow across borders, businesses from around the world increasingly turn to international arbitration as their preferred method of dispute resolution. Often times, this results in a positive shift in laws and initiatives passed by individual governments for the purpose of encouraging international arbitration, and thus, cross border business transactions. In this panel, we will be provided with an update of the legal landscapes in Singapore, Malaysia, the U.S. (California) and Canada.

Discussion

7:30 p.m.

Dinner
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Tuesday May 21, 2013

8:00 - 9:00 a.m.
Continental Breakfast

9:00 - 10:30 a.m.
Highlight on Jurisprudence: The Latest on the Approach of U.S. Courts and Hong Kong Courts in Enforcing International Arbitration Awards

A recent string of federal U.S. cases have provided varied reasons for the non-enforcement of some international arbitration awards: the doctrine of forum non conveniens, lack of personal jurisdiction, and non-compliance with a pre-condition to arbitrate, to name a few. Do these decisions work to safeguard the legitimacy of the international arbitration process or are they overreaching and just create more uncertainty for parties looking to enforce their awards in the U.S.? On the other side of the Pacific, Hong Kong courts have put forth a decision which works to reinforce their willingness to give great deference to the power of arbitral tribunals by enforcing a contentious award. This panel of U.S. and Hong Kong practitioners will summarize the key cases from the past year of each jurisdiction and discuss the reaction from the international arbitration community.

Discussion

10:30 - 10:50 a.m.
Coffee Break

10:50 a.m. - 12:50 p.m.
Corporate Counsel Roundtable: A Discussion on the State of International Arbitration in Asia and North America

Going into the fourth year of this conference, we continue the tradition of holding a panel discussion amongst in-house counsel in order to gain their viewpoint on the state of international arbitration in Asia and North America. How have their views evolved on dispute resolution? Are they satisfied with the speed and efficiency of the process? What are the challenges they see continuing to plague the system? With economic growth progressing in both regions, it is inevitable that more business will be transacted and inexorably, that more disputes will arise. How does international arbitration best fill this vacuum? This panel will close the conference with sharp and honest insight into these questions.

Discussion

12:50 p.m.
Closing Remarks
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Speakers

- Mark Beckett, Partner, Chadbourne & Parke LLP, New York
- John Beechey, President, International Court of Arbitration®, Paris
- Fred Bennett, Partner, Quinn Emmanuel Urquhart & Sullivan LLP, Los Angeles
- Andrea Carlevaris, Secretary General, International Court of Arbitration®, Paris
- Cedric Chao, Partner, Morrison & Foerster LLP, San Francisco
- Teresa Cheng, SC, Des Voeux Chambers, Hong Kong
- Craig Chiasson, Counsel, Borden Ladner Gervais LLP, Vancouver
- Peter Chow, Partner, Squire Sanders, Hong Kong
- Yves Derains, Founding Partner, Derains & Gharavi, Paris
- Mark Feldman, Assistant Professor of Law, Peking University, Shenzhen
- Brenda Horrigan, Partner, Herbert Smith Freehills LLP, Shanghai
- Grant Kim, Of Counsel, Morrison & Foerster LLP, San Francisco
- Joongi Kim, Professor, College of Law, Yonsei University, Seoul
- Jun-Hee Kim, General Counsel, Hyundai Heavy Industries, Seoul
- Kevin Kim, Partner, Bae, Kim & Lee LLC; ICC Court member for Korea, Seoul
- Young Seok Lee, Partner, Yulchon LLC, Seoul
- L. Rod Manning, Former General Counsel, The Racal Corp.; Thales, Inc.; Siemens Enterprise Communications; Miami
- Alexis Mourre, Partner, Castaldi Mourre & Partners, Paris
- Luis O’Naghten, Partner, Akerman Senterfitt, Miami
- Kim Kit Ow, Director, Arbitration & ADR, Asia, ICC International Court of Arbitration®, Singapore
- Vinayak Pradhan, Partner, Skrine, Kuala Lumpur
- Kim Rooney, Arbitrator, Gilt Chambers, Hong Kong
- Claudia Salomon, Partner, Latham & Watkins LLP, New York
- Lawrence Schaner, Partner, Jenner & Block, Chicago
- Steven Smith, Partner, Jones Day, San Francisco
- Christopher Tahbaz, Partner, Debevoise & Plimpton LLP, Hong Kong
- Alvin Yeo S.C., Senior Partner, WongPartnership LLP, Singapore
- Junghye Yeum, Partner, Lee & Ko, Seoul
- BC Yoon, Partner, Kim & Chang, Seoul
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Logistical and Registration Information

Venue:
Lotte Hotel Seoul
30 Eulji-ro, Jung-gu,
Seoul 100-070
Korea

How to register:
Please complete and return the registration form indicating method of payment to:

Email:  aay@iccwbo.org

Post:  ICC North America
c/o United States Council for International Business
1212 Avenue of the Americas, 21st Floor
New York, NY 10036
USA

Tel:  +1 212 703 5044
Fax:  +1 212 575 0327

Website:  www.iccnorthamerica.org

Registration will be confirmed upon receipt of registration form and payment.

Registration fee:

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<td>☐ US $800</td>
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Registration Fee for Academics, Corporate Counsel, Sole Practitioners and Government Representatives:

☐ US $700

The fee includes working papers, continental breakfast, refreshments, lunch, dinner and reception.

Travel and accommodation:
Travel and hotel expenses are not included. Participants are responsible for making their own travel arrangements and hotel reservations. We have negotiated rates at the Lotte Hotel Seoul: KRW 250,000 per night for a single occupancy Superior room; and KRW 280,000 per night for double occupancy Superior room excluding taxes and other charges. Please mention “ICC Asia-Pacific Conference” when making your reservations. Additionally, please note that room availability is limited and only valid with reservations made on or before April 19, 2013.

Cancellation charge:
50% of the contribution to costs will be refunded if notice of cancellation is received in writing before May 3, 2013. Cancellations after this date are not refundable. However, registration may be transferred to another person from the same company or organization at no extra charge, provided that notice is sent to aay@iccwbo.org prior to the conference.
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Registration Form

Participant information:
Title (Mr/Dr/Ms/etc.): ____________________________

Last name: ____________________________
First name: ____________________________
Position: ____________________________
Company: ____________________________
Address: ____________________________
City/state: ____________________________
Zip/postal code: ____________________________
Country: ____________________________
Email: ____________________________
Phone: ____________________________
Fax: ____________________________

Registration fee: (Please check the appropriate box.)
Until April 19, 2013: $800
After April 19, 2013: $900
“Early bird special”
For USCIB members: $900
For non-members: $1000
For Academics, Corporate Counsel, Sole Practitioners and Government Representatives: $700

Method of payment:
By credit card:
□ American Express □ MasterCard □ Visa
Card number: ____________________________
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The details you provide on this form will be used for registration purposes. They will be stored in ICC’s databases for the sole use of ICC (International Chamber of Commerce) and USCIB (United States Council for International Business). You may have access to these details and request deletions and corrections at any time by contacting Alexandra Akerly at 212-703-5044. The details you provide may be used by ICC and USCIB to keep you informed of developments in your area of activity through publications, subscriptions, events and other commercial offers.
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