

## LEGAL PLUS CONFERENCE FOR GENERAL COUNSEL

**THAILAND:  
ANNUAL INTERNATIONAL  
ARBITRATION & REGULATORY SUMMIT**

(This conference will be conducted in English)

Wednesday, 8 August 2018, 9:00am – 4:20pm

Bangkok Marriott Marquis Queen's Park

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## SPEAKERS



**Julian Cohen**  
Barrister, Gilt Chambers  
**Chairman**



**Prof. Wisit Wisitsora-at**  
Permanent Secretary, Ministry of  
Justice Office of the Permanent  
Secretary & Chairman, Thailand  
Arbitration Centre  
**Opening Address**



**Prof Bruce Collins Q.C.**  
FCI Arb BA LLB [HONS] Sydney,  
LLM[Melbourne], Wentworth  
Chambers, Sydney, Arbitration  
Chambers, Temple, London,  
Arbitration Chambers, Hong Kong  
**Keynote Speaker &  
Moderator – 2nd Grand Panel**



**Victor P. Leginsky**  
Independent International  
Chartered Arbitrator  
B.Ed., J.D., FCI Arb  
**Moderator – 1st Grand Panel**



**Daniel Levison**  
Partner, Morrison & Foerster



**Francis Xavier S.C.**  
Regional Head,  
Disputes Practices,  
Rajah & Tann Singapore LLP



**Litsan Chong**  
Counsel,  
Thailand Arbitration Centre



**John Frangos**  
Consultant, Tilleke & Gibbins



**Surasak Vajasit**  
Managing Partner,  
R&T Asia (Thailand) Limited



**Ravi Shankar**  
Senior Partner, Law Senate



**Steven Lim**  
Senior Partner, Singapore,  
CMS Singapore



**Olga Boltenko**  
Olga Boltenko, Partner,  
Fangda Partners Hong Kong



**Cameron Ford**  
Corporate Counsel, Rio Tinto



**Abhinav Bhushan**  
Regional Director for South  
Asia, ICC Arbitration & ADR,  
International Chamber of  
Commerce, International Court  
of Arbitration (ICC), Singapore



**Heehwan Kwon**  
Director, KCAB INTERNATIONAL



**Graham Trace**  
Head of Litigation,  
Investigations & Enforcement  
(Asia Pacific), Barclays



**Moses W. Park**  
Barrister, Liberty Chambers

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上海国际仲裁中心  
Shanghai International Arbitration Center

**Singapore-Thailand Chamber of Commerce**

**THAC**  
Thailand Arbitration Center

**THAI - ITALIAN CHAMBER OF COMMERCE**

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Venue: Bangkok Marriott Marquis Queen's Park

The Sala Thai Ballroom, 5/F  
199 Sukhumvit Soi 22, Klong Ton, Klongtoey,  
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SCHEDULE

9:00 – 9:05	Welcome Message by Chairman Julian Cohen, Barrister, Gilt Chambers	12:55 – 14:00	Networking Lunch
9:05 – 9:15	Opening Address by Thailand Arbitration Centre Prof. Wisit Wisitsora-at, Permanent Secretary, Ministry of Justice Office of the Permanent Secretary & Chairman, Thailand Arbitration Centre	14:00 – 14:45	1st Grand Panel – Advising Counsels on Choosing Arbitrators and Other Forms of ADR Depending on Your Situation / Region Moderator • Victor P. Leginsky, Independent International Chartered Arbitrator B.Ed., J.D., FCI Arb Panellists: • Ravi Shankar, Senior Partner, Law Senate • Litsan Chong, Counsel, Thailand Arbitration Centre • Abhinav Bhushan, Regional Director for South Asia, ICC Arbitration & ADR, International Chamber of Commerce, International Court of Arbitration (ICC), Singapore • Cameron Ford, Corporate Counsel, Rio Tinto • Heehwan Kwon, Director, KCAB INTERNATIONAL
9:15 – 9:45	Keynote Section – What's in the Average Arbitrator's Tool Box? What is the Legitimate Basis for the 'Rules' by Which International Commercial Arbitration is Conducted? Prof Bruce Collins Q.C. FCI Arb BA LLB [HONS] Sydney, LLM[Melbourne], Wentworth Chambers, Sydney, Arbitration Chambers, Temple, London, Arbitration Chambers, Hong Kong	14:45 – 15:10	An In-House Counsel's Perspective on Managing Cross Border Regulatory Risk in Asia Graham Trace, Head of Litigation, Investigations & Enforcement (Asia Pacific), Barclays
9:45 – 10:15	Cross Border Disputes – Role of Arbitration Victor Leginsky, Independent International Chartered Arbitrator B.Ed., J.D., FCI Arb	15:10 – 15:35	Networking Break & Afternoon Refreshment
10:15 – 10:45	Treaty Arbitration Thailand and Asia – What has 2018 got in Store Francis Xavier S.C., Regional Head, Disputes Practices, Rajah & Tann Singapore LLP	15:35 – 16:20	2nd Grand Panel – Interim Measures in Arbitration Proceedings Moderator • Prof Bruce Collins Q.C. FCI Arb BA LLB [HONS] Sydney, LLM [Melbourne] Wentworth Chambers, Sydney, Arbitration Chambers, Temple, London, Arbitration Chambers, Hong Kong Panellists: • Surasak Vajasit, Managing Partner, R&T Asia (Thailand) Limited • Steven Lim, Senior Partner, Singapore, CMS Singapore • Olga Boltenko, Partner, Fangda Partners Hong Kong
10:45 – 11:15	Networking Break & Morning Refreshment	16:45 (departure)	Free shuttle bus to Networking Cocktail Party at Thailand Arbitration Centre Meeting location: hotel main lobby
11:15 – 11:45	Political Risk Insurance and Protection of Chinese Investment in Asia Pacific – The Host State's View Olga Boltenko, Partner, Fangda Partners Hong Kong	17:00 – 18:00	Networking Cocktail Party at Thailand Arbitration Centre
11:45 – 12:05	Shareholders Disputes in International Arbitration Moses W. Park, Barrister-at-Law, Liberty Chambers		
12:05 – 12:55	Advising on Internal Investigations • John Frangos, Consultant, Tilleke & Gibbins • Daniel Levison, Partner, Morrison & Foerster		

**Julian Cohen, Barrister, Gilt Chambers**

Julian has nearly 25 years of specialist experience of heavyweight international commercial arbitration in Asia Pacific, the Middle East and Europe. In addition to acting as counsel, he also acts sits regularly as an arbitrator. His areas of practice include a wide range of company and commercial disputes as well as construction and engineering arbitrations. He was called to the Bar in England in 1990, became a solicitor in 1993, and moved to Hong Kong in 1998. He was a Partner in the Construction and Engineering Disputes practice of Pinsent Masons before moving to the Hong Kong Bar in 2010. Julian has been recognised as one of the world's leading construction disputes lawyers (Expert Guides 2013 and 2015) and lectures and writes regularly on arbitration related topics.

**Prof. Wisit Wisitsora-at, Permanent Secretary, Ministry of Justice Office of the Permanent Secretary & Chairman, Thailand Arbitration Centre**

Prof. Wisit Wisitsora-at hold a Bachelor of Law (Hons), from Thammasart University, then he qualified as a Thai Barrister at Law. Additionally, he earned second bachelor degree of Law (Hons), from University of Wales at Aberystwyth, and also qualified as a Barrister at Law of Gray's Inn, United Kingdom.

Prof. Wisit Wisitsora-at started his career at the Legal officer of Legal Execution Department, then became the judge. He has extensive experience of Legal so his position is in the area of legal, such as Executive Director-General Legal Execution Department, Director-General office of Justice Affairs, Chairman of UNCITRAL Working Group V Insolvency Law United Nations, Chairman of Intergovernmental group of experts on lessons learnt from United Nations Congresses on Crime Prevention and Criminal Justice and Many others.

He is a member Council of state, Thai Arbitration institute Committee, State Attorney Commission, Electronic Transaction Commission, Thai ASEAN Law Association, General Insurance Fund Board and Debt Collection Law Reform Committee.

Prof. Wisit Wisitsora-at currently holds the position of Permanent Secretary, Ministry of Justice and Chairman of UNCTRAL intergovernmental committee on Insolvency Law, Head of Thai Senior Legal Officials for ASEAN (ASLOM), his experiences in the area of legal would be most assistance to the Thailand institute of Justice.

**Prof Bruce Collins Q.C. FCI Arb BA LLB [HONS] Sydney, LLM[Melbourne], Wentworth Chambers, Sydney, Arbitration Chambers, Temple, London, Arbitration Chambers, Hong Kong**

Bruce Collins has practised extensively in arbitration for over 36 years. He is a member of the I.C.C. Court of International Arbitration in Paris, a member of the I.O.C. Court of arbitration for Sport, an adjunct professor of Law and honorary lecturer in International Commercial Arbitration. He is a former assistant Commissioner against Corruption in N.S.W., a Supreme Court referee, and Supreme Court Neutral evaluator. He lectures widely in arbitration subjects, is presently chairing the N.S.W. Government enquiry into Insolvency in the Construction Industry and representing Australia in the World Trade Organisation proceedings in Geneva commenced by Ukraine, Honduras and the Dominican republic. He has Chambers in eleven Wentworth, Sydney and in arbitration Chambers Hong Kong.

**Victor P. Leginsky, Independent International Chartered Arbitrator B.Ed., J.D., FCI Arb**

Victor P. Leginsky, Canadian citizen, is an experienced international arbitrator and Barrister & Solicitor, resident in Dubai, UAE since April 2007. Victor has prior high-level mediation experience having been appointed by the Attorney General of British Columbia, Canada, to be the Chair of the Manufactured Home Park Dispute Resolution Committee. He brings over 25 years of arbitration experience in Canada. Victor has earned the internationally-recognized designations of Chartered Arbitrator and Fellow from the Chartered Institute of Arbitrators. He is a committee member of the International Court of Arbitration (ICC) – UAE and member of ICC-Canada. He is alternate regional chapter co-ordinator of the Association of International Petroleum Negotiators (AIPN) and launched its seminar on oil & gas dispute resolution in the Middle East. He co-instructs, with Prof. Dr. Klaus Peter Berger a practical course in International Commercial Arbitration in Dubai. He is registered as a Barrister with the Dubai International Financial Centre (DIFC) Courts and is a member in good standing of the Law Society of British Columbia, Canada.

**Daniel Levison, Partner, Morrison & Foerster**

Daniel Levison is a partner in Morrison & Foerster's Singapore office, where he heads its Litigation Department. Mr. Levison counsels clients regarding compliance matters and conducts internal investigations and compliance reviews across the Asia-Pacific region, where he has over 17 years of experience.

Clients say that Mr. Levison "is intelligent, thorough and flexible in meeting our company's needs", and rely on his experience with highly sensitive matters, which have included fraud and corruption, cartel and other competition matters, anti-money laundering, export control, privacy and data security, and regulatory and product safety investigations. In addition, he assists clients with pre-acquisition and third-party anti-corruption due diligence, and developing, reviewing and implementing anti-corruption policies, procedures and training programs.

Mr. Levison was recently listed by Chambers Asia-Pacific 2018 as a top practitioner in his field for Corporate Investigations/Anti-corruption.

**Francis Xavier S.C., Regional Head, Disputes Practices, Rajah & Tann Singapore LLP**

Francis was appointed Senior Counsel in January 2009 and is Regional Head, Disputes Practices of the firm. He practices in the areas of international and treaty arbitration and cross-border commercial litigation. He is actively involved in corporate and commercial disputes especially in the areas of corporate, banking, property and financial, investment related claims. He also specialises in aviation law and advised in the class-action suit resulting from the crash of the SilkAir flight in Indonesia (1997) and the Taiwan SIA crash (2000).

He is currently sitting as party-nominated arbitrator of a Mauritius entity in a bilateral investment treaty (ICSID) dispute with the Government of India. He is also counsel for an Asean government in an ICSID arbitration involving a European state investor.

Francis was recognised in the National Day Awards 2014 by the Singapore Academy of Law for his role as Chairman of the Academy's Junior College Law Program and Vice-Chairman of the Committee of Legal Education and Studies.

Francis has been recognised as a leading lawyer in the following publications: The Legal 500 Asia Pacific (2001 to 2018); Asialaw Profiles (2007 to 2018); Chambers Asia Pacific (2011 to 2018) and Chambers Global (2010 to 2018)

**Litsan Chong, Counsel, Thailand Arbitration Centre**

Litsan holds the position of Counsel for the foremost international arbitral institution in Thailand - the Thailand Arbitration Center (THAC). Prior to joining THAC, Litsan worked at Asian International Arbitration Centre. Her current role includes the administration and management of domestic/international arbitration proceedings. She is well-versed in the Thailand Arbitration Act 2002, THAC Arbitration Rules and a variety of arbitration rules in the region. She is also tasked with developing the philosophy and strategy of the Center and policy work of promoting alternative dispute resolution in Thailand.

Litsan read law at the University of Surrey and holds a LL.M. in International and European Law from the University of Jean Moulin Lyon III. Later, she completed the Bar Professional Training Course in London. Litsan is admitted to both the England & Wales Bar and the Malaysian Bar. She speaks English, French, Mandarin, Cantonese and Malay.

**John Frangos, Consultant, Tilleke & Gibbins**

John Frangos is a foreign consultant in Tilleke & Gibbins' dispute resolution group. He assists clients on complex disputes in Thailand and Vietnam, including anti-corruption and regulatory investigations, aviation matters, arbitration, and major commercial and liability claims. He leads the firm's aviation disputes practice and co-leads the firm's anti-corruption practice.

With over a decade of experience in Thailand and Vietnam, John brings strong knowledge of local business practices and customs. He also has a deep understanding of the region's political and economic landscapes which shape the legal environment that foreign investors must navigate.

John's clients include multinational and domestic firms in aviation, energy, manufacturing, healthcare and pharmaceuticals, construction and engineering, finance, and others.

John serves on the Corporate Responsibility and Anti-Corruption Commission for the International Chamber of Commerce - Thailand. In that capacity he has assisted the Thai government by providing his expertise and comments on draft anti-corruption laws. He has also worked with the Vietnamese government to propose amendments to draft laws on aircraft registration and repossession. John sits on the Executive Committee of the Chartered Institute of Arbitrators, Thailand branch.

**Surasak Vajasis, Managing Partner, R&T Asia (Thailand) Limited**

Surasak is recognised by The Legal 500 Asia Pacific as a Leading Individual for Corporate and M&A and a Band 1 lawyer for Dispute Resolution by Chambers Asia Pacific, naming him as one who "wins plaudits from the market" and with clients describing him as "one of the best" based on his "reputation on complex matters." A large part of Surasak's practice focuses on representation in litigation and dispute resolution proceeding, including arbitrations, mediations and other alternative dispute resolution proceedings. Surasak is also consistently recognised as one of the leading lawyers in Thailand for Restructuring & Insolvency.

With more than 31 years of work in the private and public sectors, Surasak has extensive experience in corporate and financing transactions, including privatisations, securities transactions (public issues of debt and equity), loan facilities, project finance, restructuring and bankruptcy-related work. He represents some of Thailand's state enterprise banks and other financial institutions and a number of publicly-traded companies. Additionally, he has been involved in some of Thailand's most important infrastructure projects including, expressways, railways, tollways, waterworks and telecommunications projects. He also represents several multinational clients in complex Thai regulatory matters, particularly those involving customs and anti-corruption proceedings.

Surasak served for eight years as a judge of the Courts of Thailand.

**Ravi Shankar, Senior Partner, Law Senate**

S. Ravi Shankar is an International arbitration lawyer practising in the field of arbitration and corporate dispute resolution. He is a Senior partner in the New Delhi based Lawsenate law firm. He is a qualified Advocate on Record in the Supreme Court of India. He is also the president of "Arbitration Association of India" which is a national body of practitioners, arbitrators and users. He is holding a Post graduate degree in Business Administration and a degree in the field of law. He is having about 20 years of experience in the field of dispute resolution and has travelled across the globe on various assignments. He has published various publications in the field of law particularly in the field of Arbitration. He also has addressed various international and domestic conferences in the field of Dispute resolution. He has handled various high value arbitrations and litigations in India and outside India. He is an active member of various international professional organisations including IBA, ICCA, IAA, IAL, AAL etc..

**Steven Lim, Senior Partner, Singapore, CMS Singapore**

Steven is an advocate and arbitrator. He has more than 25 years' experience in international dispute resolution and arbitration in the Asia-Pacific region. He appears as an advocate in international arbitrations and regularly sits as sole, party appointed and presiding arbitrator. He is a panel arbitrator with the SIAC, HKIAC, ICDR, KCAB and AIAC, has sat in ICC and SCMA cases, and also as an Emergency Arbitrator.

Steven has received recognition as a leading individual in international dispute resolution and arbitration in Singapore, Hong Kong and Asia-wide in the Chambers and Legal 500 directories, where he has been described as "a prominent counsel in arbitration", "very impressive advocate", "respected for his incisive mind", "peers point out his sharp intellect", "respected both as arbitration counsel and increasingly active arbitrator", "an excellent communicator - he identifies the salient issues to pursue and lets you know what the game plan is. He focuses people's minds on those issues", "excellent at assessing the merits of a client's position", and "commended as a lawyer who strives to better his understanding of client needs" and has been noted for his "rising profile as an arbitrator".

**Olga Boltenko, Partner, Fangda Partners Hong Kong**

Ms. Boltenko is a partner at Fangda Partners in Hong Kong. She chairs the ICC Hong Kong Commercial Law and Practice Committee, and she is an adjunct lecturer at the University of Hong Kong. Ms Boltenko specialises in investment arbitration. She has acted as counsel in investor-state disputes under the auspices of the Permanent Court of Arbitration, the World Bank, the UNCITRAL, and as tribunal secretary in dozens of commercial disputes, both ad hoc and institutional (including SIAC, ICC, HKIAC, SCC), in a wide array of industries including oil and gas, infrastructure, construction, telecommunications and pharmaceuticals. She is listed as arbitrator on the HKIAC list of arbitrators, and on the KLRCA, CIETAC, and SIAC panels of arbitrators.

**Cameron Ford, Corporate Counsel, Rio Tinto**

Cameron is Senior Counsel with a multinational mining company in Singapore practising in disputes and commercial law. As well as the usual LLB and LLM, he has a Graduate Certificate in International Arbitration from NUS, a Master of Arts in Contemporary China from Nanyang Technological University, and is a PhD candidate at Monash University on security for costs in international arbitration.

Cameron spent most of his career in private practice in law firms and at the independent Bar in Australia practicing in commercial dispute resolution before going in-house in 2008. He has worked as in-house counsel in Singapore since 2009 with a half-year stint in Mongolia.

Cameron is a Fellow of the major arbitration institutes and is on the panels of the SIAC, SIARB, IACA, HKIAC and the Beijing Arbitration Commission. He is Chair of the SIAC Users Council Committee for Australia and New Zealand, a Member of the SIAC Users Council Executive Committee, Corporate Counsel Liaison for the IBA Pacific Forum, Chair of the Singapore Chapter of the Australian Law Council, on the Executive Committee of the Singapore Corporate Counsel Association, and is mediator and security of payment adjudicator.

**Abhinav Bhushan, Regional Director for South Asia, ICC Arbitration & ADR, International Chamber of Commerce, International Court of Arbitration (ICC), Singapore**

As Director, Abhinav focuses on helping companies, investors, and attorneys in the Region understand how they can efficiently resolve international commercial disputes by raising their awareness on the ICC's Dispute Resolution Services and its commitment to international arbitration, the procedure, and thought leadership.

Prior to serving as Regional Director, he was the first Indian Deputy Counsel of the ICC Court in Paris, France, where he gained first-hand experience working on arbitrations arising out of common law jurisdictions, in particular working with parties from the United Kingdom, India, Singapore and other regions of Asia. Mr. Bhushan is a regular contributor to various publications on developments in international arbitration and Indian arbitration law.

He is also an avid promoter of arbitration-related training opportunities for young attorneys and law students. Additionally, Mr Bhushan is the co-chair of ICC Young Arbitrators Forum (YAF), Asia Chapter.

Before joining the ICC, Mr. Bhushan completed his LLM at the Columbia Law School and earned a certificate in foreign and comparative law. He was also a member of the Columbia International Arbitration Association and a research assistant.

He earned his first law degree from the Government Law College, Mumbai, India. Upon graduation, he worked as an associate with Mulla & Mulla & Craigie Blunt & Caroe, in Mumbai, India.

**Heehwan Kwon, Director, KCAB INTERNATIONAL**

Heehwan Kwon received his B.A. in Public Administration & Law from Yonsei University, Korea in 2001 and earned his masters of Investment Business Administration from KDI School of Public Policy and Management, Korea in 2006. He received his Certificate on Program on Negotiation, Harvard Law School, USA and was a visiting researcher of Fordham Law School, USA in 2010. Currently he is a Ph.D. candidate in International Trade & Logistics of Choong Ang University.

He currently serves as director of KCAB INTERNATIONAL. Mr. Kwon's professional positions and memberships include Deputy Secretary General, Korean Council for International Arbitration (KOCIA); Member, Executive Committee, Seoul International Dispute Resolution Center (SIDRC); Member, the Chartered Institute of Arbitrators (MCIArb); Consulting Panel, Korea Internet & Security Agency (KISA); Director & Deputy Secretary General, Korea Research Trade Association (KTRA) and Managing Editor, Editorial Board of the Korean Association of Arbitration Studies (KAAS).

**Graham Trace, Head of Litigation, Investigations & Enforcement (Asia Pacific), Barclays**

Graham leads a team of lawyers covering contentious disputes, internal and regulatory investigations and enforcement actions across the Asia Pacific region for Barclays. This includes Barclays' investment banking and corporate businesses across Singapore, Hong Kong, China, Japan & India. Graham joined Barclays in 2007 from global law firm DLA Piper. He has held various roles in Barclays' legal function serving the UK retail bank and Barclaycard, group centre functions, and the wealth management business during and immediately after the global financial crisis where he managed complex cross border disputes. Graham relocated to Asia at the start of 2015 to lead the regional team and its engagement with regulators.

**Moses W. Park, Barrister, Liberty Chambers**

Moses W. Park is a dispute resolution lawyer practicing as a barrister (trial advocate) based in Hong Kong. His practice mainly focuses on conduct and resolution of cross-border and international commercial arbitration and litigation. He has successfully handled a broad spectrum of commercial work with an emphasis on civil fraud, asset-tracing/recovery, enforcement of foreign arbitral awards and judgments, securities and investment products as well as shareholder disputes. His clients have included international corporations and businesses as well as high and ultra-high net worth individuals.

Moses' work extends to regulatory fields (providing advice on matters governed by securities and competition legislation) often involving a mix of private and public law elements. He has recently contributed a chapter in Construction Contract Essentials in Hong Kong published by the University of Hong Kong Press. He is currently serving in the Committee of Arbitration and the Committee of International Law at the Hong Kong Bar.

## Thailand: Annual International Arbitration & Regulatory Summit

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