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**SINGAPORE:**  
**2<sup>ND</sup> ANNUAL TECHNOLOGY:**  
**EFFECTS ON ARBITRATION IN SE ASIA –**  
**A GAME CHANGER FOR 2023?**

Thursday, 6 July 2023, 1:45pm – 6:15pm

Venue: Maxwell Chambers, Singapore  
 (This conference will be conducted in English)



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**SPEAKERS**



**Paul Key KC**  
 Essex Court Chambers London  
 Chairman



**KC Lye**  
 Independent Arbitrator  
 and Counsel  
 Keynote Speaker



**Partheban Pandiyan**  
 Senior Associate,  
 K&L Gates Straits Law  
 Moderator – 1st Grand Panel



**Steven Y. H. Lim**  
 Arbitrator and Barrister,  
 39 Essex Chambers  
 Moderator – 2nd Grand Panel



**Nicholas Lauw**  
 Partner, RPC Premier Law



**Julian Cohen**  
 Arbitrator & Barrister,  
 Resolution Chambers  
 International



**Jonathan Crompton**  
 Partner, RPC



**Hyunyang Koo**  
 Partner, Lee & Ko



**Olga Boltenko**  
 Partner, Fangda Partners



**Alexandra Gerungan**  
 Senior Partner, ADCO Law



**Charmian Aw**  
 Partner, Squire Patton Boggs,  
 Singapore



**Ben Olbourne**  
 Barrister & Arbitrator,  
 39 Essex Chambers



**Peter Scott Caldwell**  
 Independent Arbitrator  
 & Mediator



**Piyush Gupta**  
 Senior Corporate Counsel,  
 Singapore Airlines Limited



**Nishtha Kharb**  
 Advisor to Board, DLT  
 Technologies



**Eunice Chua**  
 Chief Executive Officer,  
 Financial Industry Disputes  
 Resolution Centre Ltd  
 (FIDReC)

13:45 – 13:55	<b>Welcome Message by Chairman</b> Paul Key KC, Essex Chambers
13:55 – 14:15	<b>Keynote Session: Global Update in International Arbitration in the Digital Era</b> KC Lye, Independent Arbitrator and Counsel
14:15 – 14:55	<b>1st Grand Panel: Enforcement of Awards – Different Regions Different Options</b> <b>Moderator:</b> • Partheban Pandiyan, Senior Associate, K&L Gates Straits Law <b>Panellists:</b> • Alexandra Gerungan, Senior Partner, ADCO Law • Olga Boltenko, Partner, Fangda Partners • Hyunyang Koo, Partner, Lee & Ko
14:55 – 15:15	<b>M&amp;A / JV Disputes – Issues After The pandemic</b> Ben Olbourne , 39 Essex Chambers
15:15 – 15:35	<b>China's Personal Data Export Laws – Are you Ready?</b> Charmian Aw, Partner, Squire Patton Boggs, Singapore
15:35 – 15:55	<b>Short Networking Break &amp; Afternoon Refreshment</b>
15:55 – 16:15	<b>Construction Disputes and The Use of Tech After the Pandemic: Back to Normal or Lessons Learned?</b> Julian Cohen, Independent Arbitrator & Barrister, Resolution Chambers International
16:15 – 16:35	<b>Challenges in Using AI, ChatGPT &amp; Essential Data Privacy Issues in the Digital Domain?</b> Nishtha Kharb, Advisor to Board, DLT Technologies
16:35 – 16:55	<b>Asia IP Disputes, Technology and Enforcement</b> Nicholas Lauw, Partner, RPC Premier Law
16:55 – 17:20	<b>Crypto &amp; Blockchain Disputes &amp; Update in Regulations in Asia</b> Jonathan Crompton, Partner, RPC
17:20 – 18:00	<b>2nd Grand Panel: Arbitration V Mediation - Different Answers to Different Industries: Has Technology Changed the Playing Field?</b> <b>Moderator:</b> • Steven Y. H. Lim, Arbitrator and Barrister, 39 Essex Chambers <b>Panellists:</b> • Piyush Gupta, Senior Corporate Counsel, Singapore Airlines Limited • Peter Scott Caldwell, Independent Arbitrator & Mediator • Eunice Chua, Chief Executive Officer, Financial Industry Disputes Resolution Centre Ltd (FIDReC)
18:00 – 18:15	<b>Chairman's Round Up and Lucky Draw</b>

\* program is subject to change without prior notice

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**Paul Key KC, Essex Court Chambers London**

Paul Key K.C. is recognised as one of the leading QCs at the English Commercial Bar. He has particular expertise and specialism in arbitration, both international commercial arbitration and investment treaty arbitration (including ICSID). He also regularly appears in arbitration-related Court matters, including appearing in the English Supreme Court in *Jivraj v Hashwani*. He has been ranked in the toptier (band 1) rankings for arbitration for over 10 years and has consistently been identified as one of the leading figures in that field (“a real arbitration expert”, “few can rival his expertise, ability and knowledge in the field of arbitration”, “the first port of call for important arbitration disputes”, “an arbitration guru”).

He has appeared as advocate in over 300 major international arbitrations worldwide, as well as appearing regularly before the English Courts (at all levels) and foreign Courts on arbitration matters. In addition to his extensive experience in international commercial arbitration, he is one of the very few English QCs to have real expertise in investment arbitration. He has been lead counsel in a very large number of BIT / investment arbitrations, acting both for and against States. He is Visiting Professor in international arbitration law at King's College, London, and has lectured and published widely in this field. He has been a longstanding representative of the UK on the ILA International Commercial Arbitration Committee and is also a delegate for the UNCITRAL Working Group on Arbitration.

**KC Lye, Independent Arbitrator and Counsel**

KC Lye is a seasoned dispute resolution specialist with over 20 years of experience. He is a Fellow of the Singapore Institute of Arbitrators and is on the panel of arbitrators of the Singapore International Arbitration Centre (SIAC), the Singapore Chamber of Maritime Arbitration (SCMA), and the Asian International Arbitration Centre (AIAC) and is qualified in both England & Wales and Singapore. After heading the dispute resolution department of a major international firm in Singapore, KC currently practices as an independent arbitrator and counsel. KC is also a prolific author and lecturer.

KC specialises in international arbitration, handling high-value disputes across sectors such as energy, infrastructure, oil and gas, and commercial fraud. He has represented clients in ICSID, SIAC, ICC, and LCIA arbitration and mediation proceedings. He has served as both sole arbitrator and panel member in commercial cases across Japan, India, China, the Philippines, and Rwanda.

KC has been recognised in the Hall of Fame for International Arbitration and consistently ranked as a Leading Individual in various legal directories. Clients highly value his intellectual firepower and his unwavering focus on achieving commercial outcomes.

**Partheban Pandiyan, Senior Associate, K&L Gates Straits Law**

Partheban Pandiyan is a member of the litigation and dispute resolution practice. He focuses on litigation before the Singapore Courts, and arbitration and representation before various tribunals and panels. His practice in dispute resolution covers diverse range of areas, including commercial disputes, banking and finance disputes, construction disputes, insolvency, debt recovery, insurance litigation, regulatory defence, and white collar crime. Partheban graduated from King's College London, United Kingdom in 2015. He was admitted as an advocate and solicitor of the Supreme Court of Singapore in 2017.

**Steven Y. H. Lim, Arbitrator and Barrister, 39 Essex Chambers**

Steven is an arbitrator and barrister. He has over 100 appointments as presiding, sole, co-arbitrator and emergency arbitrator, seated in Singapore, England, USA, India, South Korea, Thailand, and Vietnam. He is a member of the English and Singapore bars.

Steven has extensive experience with SIAC, ICC, UNCITRAL Rules, SCMA, KCAB and ad hoc cases involving Asia-Pacific jurisdictions and farther afield, and is on the SIAC, HKIAC, ICDR, KCAB, JCAA, CIETAC panels, amongst many others.

Steven is recommended as “the perfect arbitrator”, “he is always on top of his cases and has a very good judgment and excellent manner”, “he manages cases very well, instilled confidence in the parties and demonstrates confidence, competence and ability in dealing with cases”, “his awards are well-reasoned and clear”, “a fair-minded and extremely capable arbitrator”, “all the representatives and parties came away thinking they got a very good and fair hearing”, “he is very good at getting to grips with legal areas”, “an outstanding up-and-coming superstar with a nice and sensible manner”.

**Nicholas Lauw, Partner, RPC Premier Law**

Nicholas is an information technology, intellectual property and digital assets law specialist with over 15 years of experience in both high-value contentious and non-contentious matters. He has established a practice at the cutting-edge of technology from working in both prominent international firms and some of Singapore's largest and most established law firms before joining RPC. Typically, he assists clients in managing and enforcing trademark, copyright and patent rights, and drafting and advising on agreements typical in the IT space such as master services agreements, software license agreements and software-as-a-service (SaaS) agreements. As part of this he has acted for clients in some of the largest intellectual property rights and information technology disputes, both before the Singapore Courts and arbitration. He also regularly advises clients in relation to personal data protection issues and has represented clients in online harassment cases and internet domain name disputes. Most recently he has advised various companies and individuals in the Web3 space in relation to NFTs, decentralised online platforms, decentralized autonomous organisations and the tokenisation of digital assets. As a thought leader on the subject, he has spoken about legal issues relating to NFTs at events such as Metajam Asia and NFT.NYC.

**Julian Cohen, Arbitrator & Barrister, Resolution Chambers International**

Julian has 30 years of specialist experience of heavyweight international, and domestic, disputes. Sums in dispute in his cases vary from small to in excess of USD 2 billion. In addition to acting as counsel, he also regularly sits as an arbitrator. Julian has over 10 years' experience in the MENA region, including 2 years based full time in Dubai, and an ongoing long-term commitment to the region. Julian has been involved in projects and disputes in Dubai, Abu Dhabi, Qatar, Oman, Iran, Saudi Arabia, Benin, Sierra Leone and Mali.

Julian was called to the Bar in England & Wales in 1990. He was with Pinsent Masons' Construction Disputes practice in London and Hong Kong from 1993 to 2009. He left Pinsent Masons as a partner in 2009, and was called to the Bar in Hong Kong in 2010. Julian is particularly well known for his heavy weight practice in relation to the Construction and Engineering sectors, the Energy, Oil and Gas sectors and International and domestic arbitrations.

**Jonathan Crompton, Partner, RPC**

Jonathan is a Partner in RPC's Commercial and Financial Disputes team, based in Hong Kong. Having worked in Asia for over 10 years, Jonathan advises companies and individuals on contentious scenarios involving their Asian businesses. He focuses in particular on technology and financial disputes. Jonathan leads RPC's cyber incident response team in Asia, and has advised clients across the world on cyber fraud, cyber-attacks, data privacy and law enforcement investigations. He has presented and published articles on data privacy and liability in the context of cyber security.

He also acts as international counsel for technology and other multinational companies facing disputes (litigation and arbitration), regulatory investigations, data requests and other contentious situations. He often acts on some of the highest profile cases where other lawyers are conflicted. As a result he has built a strong network of law firms and other service providers across Asia and beyond, upon which he can call at short notice. Jonathan is qualified to practice Hong Kong and English law and speaks English, French and Swedish.

**Hyunyang Koo, Partner, Lee & Ko**

As a partner at Lee & Ko's International Arbitration Team, Hyunyang Koo handles a broad range of international arbitration and cross-border litigation matters involving international construction, software license agreements, military projects, international sports-related disputes, distributorship agreements and etc. Prior to joining Lee & Ko in 2016, she worked at Samsung C&T legal team (international construction), where she handled legal affairs and advice regarding various offshore construction contracts in Australia, North America, South-East Asia, and Middle East. In Lee & Ko, her main area of practice includes international arbitration cases at leading arbitral institutions such as ICC, KCAB, SIAC, LCIA, SHIAC, CAS as well as ad hoc arbitrations and cross-border litigations.

**Olga Boltenko, Partner, Fangda Partners**

Ms. Boltenko is an investment and trade lawyer with over ten years of experience in public international law and investor-State dispute resolution. She has acted as legal counsel in investor-state disputes under the auspices of the Permanent Court of Arbitration, the ICSID, the SCC, the ICC, the LCIA, and as tribunal secretary in dozens of commercial disputes in a wide array of industries including oil and gas, mining, infrastructure, construction, telecommunications and pharmaceuticals, across Asia and beyond.

Ms. Boltenko teaches a master of laws degree in arbitration and ADR with a focus on Belt & Road investment law at The University of Hong Kong. She is also a professor of law at the Royal University of Law and Economics in Phnom Penh, Cambodia, where she teaches a course in investment law at the dual degree program with the Free University of Brussels. Ms. Boltenko is listed as an arbitrator on the panels of the HKIAC, SIAC, AIAC, CIETAC, AFSA (Arbitration Foundation of Southern Africa), XAAC (Xi'An Arbitration Commission) and RSPP (Russian Union of Industrialists and Entrepreneurs).

**Alexandra Gerungan, Senior Partner, ADCO Law**

Alexandra Gerungan is a seasoned litigator with over two decades of experience in dealing with litigation and alternative dispute resolution. Alex, as she is more commonly known, has represented high-profile clients in a wide range of litigation and dispute resolution matters, including civil lawsuits, arbitration, employment, debt recovery and restructuring, insurance claims, police and anti-corruption investigations, compliance and internal investigations, as well as general corporate or commercial issues.

Alex has been recognized as a top litigator by numerous local and international legal publications. Alex received her bachelor degree from the University of Indonesia and her master degrees in European and International Business Law from Leiden University. She is the member of Chartered Institute of Arbitrators (MCIARB).

**Charmian Aw, Partner, Squire Patton Boggs, Singapore**

Charmian is a Partner with Squire Patton Boggs and based in the global data team's Singapore office. She represents market-leading global corporations in navigating the increasingly complex, diverse and fast-evolving tech and data legal landscape in the Asia Pacific. Charmian has spearheaded multijurisdictional projects (covering up to 82 jurisdictions) on regulatory compliance, data governance, cybersecurity readiness, and cross border transfers. She has successfully resisted sanctions for dozens of companies in semi-contentious data investigations, information disclosure requests, and time-sensitive breach reporting.

While her practice is largely sector-neutral, she has supported industry players in digital health, retail, social media, e-commerce, fintech, hospitality and aviation (to name a few) on cutting-edge projects, typically on a region-wide or global basis. Charmian is ranked in leading legal directories including Chambers, Who's Who Legal, Global Data Review and Best Lawyers.

**Ben Olbourne , Barrister & Arbitrator, 39 Essex Chambers**

Ben is an experienced counsel at the English Bar and an arbitrator in international commercial disputes. He is a member of 39 Essex Chambers and is English qualified, however, he has lived and worked in Asia for more than 10 years. In his counsel work, he provides advisory and advocacy services across a broad range of sectors, principally general commercial, international trade and commodities, business sales and purchases, joint venture and other commercial agreements, energy, and insurance and re-insurance. He has acted for private and state-owned enterprises in many jurisdictions. Most of his work is multi-jurisdictional and involves issues of private international and foreign law. Ben also sits regularly as an arbitrator (50+ appointments) and has been appointed under all of the leading arbitral rules in matters with seats in Singapore, Australia, India, Hong Kong, Vietnam, Russia, France and England among others. He is recommended as counsel and/or as arbitrator in the leading regional directories.

**Peter Scott Caldwell, Independent Arbitrator & Mediator**

Peter Scott Caldwell is regularly appointed as arbitrator, mediator, dispute board member and adjudicator on a wide variety of disputes or projects in various Asian jurisdictions involving parties from around the world.

Peter is a chartered engineer with many years' experience in managing major civil engineering works. He is also a Chartered Arbitrator and accredited mediator. Peter was a member of the working party which drafted the first edition of the IBA Rules for the Taking of Evidence in International Commercial Arbitration.

He is board member of the Dispute Resolution Board Foundation Region 2, an Arbitrator Member of the Society of Construction Arbitrators and a member of the ICC Commission on Arbitration and ADR.

He is a former Secretary-General of Hong Kong International Arbitration Centre and a founder member and past chair of the Society of Construction Law Hong Kong, a past chair of the Chartered Institute of Arbitrators (CIArb) regional branch and was involved in founding the Thai Branch of CIArb.

**Piyush Gupta, Senior Corporate Counsel, Singapore Airlines Limited**

Piyush is an experienced corporate lawyer with more than two decades of experience, both as an in-house counsel as well as a private practitioner. Piyush has advised clients on the full range of matters covering aviation, corporate finance, corporate regulatory, competition, ESG-reporting and compliance and FCPA/anti-bribery matters in senior advisory capacities across Asia.

Piyush has considerable experience in working on projects covering multiple jurisdictions, including Indonesia, The Philippines, India, China, EU, The United States, and Singapore.

Piyush has published literature in prestigious newspapers and industry journals such as Singapore Law Gazette, Business Standard, Aviation World, Asia Legal Business, Robotics Law Journal, Asian Counsel, India Business Law Journal, Legally India and Legal Era and has consistently been ranked by international publications like Asia Legal 500, Chambers & Partners and Asialaw in the last few years.

**Nishtha Kharb, Advisor to Board, DLT Technologies**

Nishtha is a distinguished technology & innovation focused lawyer with over 16 years of experience in handling complex legal and regulatory issues, particularly in the Asia region. She has served as Chief Legal Officer at MBK Healthcare Management, a wholly owned subsidiary of Mitsui & Co with a mandate to grow the healthcare ecosystem of Mitsui with investments in leading healthcare providers such as IHH. She has been nominated among a select panel of UN WIPO's Neutral (Arbitrator/Mediator) in Asia. Previously, in her role of Legal Director, ASEAN, Japan & Korea at Reckitt, she managed legal affairs contributing towards innovative solutions to people's everyday challenges in the arena of health and well-being.

As Legal Head of Asia for another dynamic, US head-quartered health-tech company, Carestream Health Inc, a portfolio company of a USD44-Billion private-equity firm, Onyx, she successfully contributed to the company's journey to become the Asia's preferred innovative solution provider in the digital health space. Prior to joining Carestream, she was the in-house counsel and Data Privacy Officer at Philips Electronics Pte Ltd for ASEAN and South-East Asia operations and lead lawyer for Philips Innovation and Development Asia. She started her career as a dispute lawyer of world's leading dispute law firm, Herbert Smith where she worked on some of the most complex cross border disputes. She was one of the youngest to be appointed as co-head of India desk at Herbert Smith's Singapore office. She has also held Board position in the Singapore chapter of the Association of Corporate Counsel (ACC), one of the world's largest professional association of in-house counsels.

**Eunice Chua, Chief Executive Officer, Financial Industry Disputes Resolution Centre Ltd (FIDReC)**

Eunice is the CEO of Singapore's Financial Industry Disputes Resolution Centre (FIDReC). She has more than 15 years' experience in mediating, managing and adjudicating disputes. Before her appointment at FIDReC, Eunice was an Assistant Professor at the SMU School of Law. She remains a Research Fellow of the Singapore International Dispute Resolution Academy at the School. Eunice has served as a Justices' Law Clerk and an Assistant Registrar of the Supreme Court of Singapore. While at the Supreme Court, she concurrently held appointments as a Magistrate of the State Courts and Assistant Director of the Singapore Mediation Centre. She was also the first Deputy Chief Executive Officer of the Singapore International Mediation Centre.

## Singapore: Technology: Effects on Arbitration in SE Asia – A Game Changer for 2023?

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