This second quarter has been an eventful one for the East Asia Branch highlighted by several major events. This issue of the Newsletter covers the Branch AGM, Branch Annual Dinner, the PARDCI conference and evening talks held in Hong Kong and Taipei.

As with the previous quarters, the Branch Young Members Group (YMG) has been active in organising events attracting considerable interest, including the annual One Day Seminar on Contract Management, promotion talks and evening talks.

As always, news items for the Newsletter and letters from the readership are most welcome. Readers are also encouraged to submit articles, book reviews or letters relating to dispute resolution to Asian Dispute Review. For submission guidelines please visit www.asiandr.com. The forthcoming Branch events programme can be found on the back page of the Newsletter, and an up to date programme can be found on www.ciarbasia.org.

Jessica Chan and Kanice Chan

East Asia Branch Annual Dinner 2014
Hong Kong 13 March 2014

Over 180 branch members and guests enjoyed the Branch Annual Dinner which took place on 13 March 2014 at the Hong Kong Club.

The dinner began with the Branch chair Mr Man Sing Yeung delivering a report summarising the events and activities held during the past year. He also thanked all committee members for their hard work during the year. Following that, our guest speaker Mr Huen Wong, gave an informative and interesting speech.

Many participants stayed on after the dinner to mingle with old and new friends.

Lawrence Lee
Annual General Meeting of the Chartered Institute of Arbitrators (East Asia Branch)

Hong Kong 30 April 2014

The 42nd Annual General Meeting of the Chartered Institute of Arbitrators (East Asia Branch) took place at 6:15pm on 30 April 2014 at the Hong Kong International Arbitration Centre.

The AGM was well attended by approximately 100 members. Mr Man Sing Yeung, the immediate past Branch Chairman, chaired the AGM jointly with Mr Richard Leung, the Vice-Chairman.

Mr Yeung started the meeting by giving an overview of the Branch’s development and its growth in the region over the past 12 months. He summarised the activities, training courses and joint events with other institutions organised by the Branch. The highlight was the Branch’s continuous involvement in providing support to the Hong Kong Government in the development of arbitration and mediation practices in Hong Kong.

He also emphasised the major upcoming event for the CIArb in 2015 – the centenary celebrations. The Branch is honored to be the only venue outside the UK to run a series of events marking this centenary milestone.

The focus of the AGM was the announcement of the election results for the Branch Committee members for the 2014/2015 term. Mr Yeung and Mr Leung read out the voting results of the nominations and the names of the newly elected Committee members. Congratulations!

The AGM was followed by an interesting talk by Mr Frank Poon from the Department of Justice of the Hong Kong Government.

Evening talk by Mr Frank Poon on “Promotion of Arbitration – A Joint Enterprise”

Hong Kong 30 April 2014

On 30 April 2014, Mr Frank Poon from the Department of Justice of the Hong Kong Government, delivered an evening lecture on “Promotion of Arbitration – A Joint Enterprise” at the Hong Kong International Arbitration Centre.

Mr Poon commenced his talk by explaining the importance of arbitration in Hong Kong. This has also been reflected in the Chief Executive’s 2014 Policy Address. Mr Poon further explained that arbitration is vital to enhancing Hong Kong as the regional centre for international dispute resolution in the Asia Pacific. Arbitration is also a boost to Hong Kong as a leading global financial centre.

“The Hong Kong Government plays a pivotal role in supporting arbitration”, said Mr Poon. The Arbitration Ordinance provides a comprehensive legal framework for governing arbitrations in Hong Kong. The Hong Kong International Arbitration Centre, established in 1985, is a leading institution in administering arbitral services in the region.

Mr Poon went on to discuss in detail the strong initiatives driven by the Government in promoting arbitration in Hong Kong. These initiatives include speeches by Senior Counsel and other senior officials, road shows outside of Hong Kong and support for activities organised by arbitral institutions. Furthermore, the Government is lobbying support for holding international arbitrations in Hong Kong from the governments of Mainland China, Japan and Korea.

In closing, Mr Poon invited the assistance of arbitral institutions including CIArb for the promotion of arbitration and mediation practice in Hong Kong. The enhancement of Hong Kong as the regional centre for arbitration has a wider and beneficial meaning for the city, as Mr Poon summarised.

This interesting and informative talk finished with a Q & A session.

Gina Leung
Evening talk on “Eight Winning Ways in International Arbitration” by Mr Jeremy Nicholson

Taipei 7 April 2014

The Taiwan chapter of the EAB invited Mr Jeremy Nicholson, a U.K. Queen’s Counsel and a fellow of CIArb, to give a talk, titled “Eight Winning Ways in International Arbitration,” in Taipei on 7 April, 2014. The talk was attended by over 80 people, including lawyers, law school students and professors as well as incumbent Members of Parliament. The Taipei Bar Association and National Chengchi University School of Law were the supporting organizations of the talk. They generously provided not only financial, but also administrative support to the CIArb.

In his talk, Mr Nicholson QC commented that parties and arbitrators in an arbitration should understand the arbitral process, re-visit the contract, pay attention to the facts, get the right people, and focus on cross-examination. Further, everyone should be realistic, which he means to focus on the key issues, and counsels should let the clients know the true chance of winning and ‘run a profit, cut a loss,’ if necessary.

A Q & A session followed after the conclusion of his talk. Mr Houchih Kuo, chair of the Taiwan chapter and a partner of Pontis Law, and Shilin Huang, deputy chair of the Taiwan chapter and a partner of K&L Gates also joined the session. The Q & A lasted close to an hour with participants raising numerous questions regarding international arbitration as well as China-related arbitration. Participants also eagerly shared their observations and experiences.

Houchih Kuo
The 9th Annual Winnie Whittaker Memorial Lecture on “The Far Reaching Consequences of Expert Evidence” by Mr John Molloy
Hong Kong 19 May 2014

This year, the Branch was honoured to have Mr John Molloy, a chartered quantity surveyor and a director of Construction Expert Services Limited, give a presentation at the 9th Annual Winnie Whittaker Memorial Lecture on 19 May 2014 at the HKIAC. This Memorial Lecture was well attended. In the Lecture, Mr Molloy, who is a renowned expert witness and experienced in giving expert evidence both in court cases and arbitrations, highlighted the fundamental duty of an Expert Witness since civil engineer Mr John Smeaton gave the first recorded expert evidence in court proceedings two hundred and thirty years ago and how such duty has evolved over time since then. Mr Molloy also shared with the audience many interesting cases drawn from various jurisdictions where the Expert Witness failed in his or her duty of impartiality and the consequences of such failure. Such consequences may affect not only the outcome of the matter in dispute but also the reputation of the Expert. Mr Molloy stressed the key attributes for being an Expert Witness are that the person must be knowledgeable, independent and honest.

The presentation was informative and interesting. There was also a vivid Q & A session after the presentation. The Branch as well as the audience wished to express our sincere thanks to Mr Molloy.

Richard Leung
On 24 April 2014, around 28 CIArb members attended a highly interactive non-technical talk given by Mr Edwin Choi, an experienced trainer and speaker on the topic of effective communication. The talk was titled “Crash Course on Effective Communication – 5 skills that you can use the next day” and Mr Choi delivered no less. Mr Choi used lively examples (with visual and audio aids) to teach the audience the do’s and don’ts in effective everyday communication, especially relating to communication in the workplace. The attendees participated in interactive games and practiced their newly learned skills in small and large groups.

Joe Gilfeather
CIArb YMG Joint Institutes Event – “One Day Seminar on Contract Management 2014”

Hong Kong 26 April 2014

The CIArb YMG co-organised with five other young professional institutions the “One Day Seminar on Contract Management 2014” on 26 April 2014. Approximately 220 participants, including engineers, surveyors, solicitors and 20 CIArb members filled the Chiang Chen Studio Theatre of the Hong Kong Polytechnic University.

The seminar covered topics including: Introduction to Construction Contracts (by Mr Steven Yip), Pre-Contract Issues (by Mr Anthony Man), Contract Management for Contractors (by Mr Antony Chow), Contractor’s View on NEC (by Mr William Leung), Management of Service Contracts (by Mr Nelson Ho) and Managing Construction Litigation and Arbitration in Hong Kong (by Mr Julian Cohen).

The YMG has been co-organising this successful annual event with the young groups of the Chartered Institution of Building Services Engineers, the Hong Kong Institution of Engineers, the Hong Kong Institute of Surveyors, the Institute of Civil Engineers, and the Law Society of Hong Kong for over ten years.

Patrick Ng

On 11 March 2014, Mr Paul Mitchard QC gave an evening talk on the “Key Principles of Private International Law Applicable to International Arbitration Practice”. Over 35 members attended this event, and the audience had the privilege of hearing from Mr Mitchard QC on his experience and insight on issues of private international law which frequently arise in international arbitration cases and how those issues can be addressed. This proved to be an insightful and interesting evening filled with interaction between Mr Mitchard QC and the audience.

Lawrence Lee / Burnston Fan

CIArb YMG Evening talk on “Key Principles of Private International Law Applicable to International Arbitration Practice” by Mr Paul Mitchard QC

Hong Kong 11 March 2014

Mr Paul Mitchard QC and Mr Lawrence Lee at the HKIAC

Attendees of the One Day Seminar at the Hong Kong Polytechnic University

Organisers of the One Day Seminar from various young professional groups
CIArb YMG Evening Talk on “The Nightmare of Mediating Complex International Disputes – A Practitioner’s Experience” by Mr Christopher To

Hong Kong 21 February 2014

CIArb YMG was honoured to have had Mr Christopher To presenting to its members at the HKIAC on the topic of “The Nightmare of Mediating Complex International Disputes – A Practitioner’s Experience”. In the insightful sharing by Mr To, he explained the “nightmares” that one may expect to encounter, and also suggested practical means to address them. It was a very informative session and the audience learned a lot of practical tips which could not be picked up from an ordinary textbook.

Helen Au

Ms Helen Au presenting a token of appreciation to Christopher To

CIArb promotion talk to Gammon Young Professionals Group

Hong Kong 22 February 2014

CIArb YMG was honoured to be invited by the Young Professionals Group of Gammon Construction (Gammon YPG) to speak on arbitration at their AGM. Mr Lawrence Lee, chairperson of CIArb YMG, gave a talk on “Introduction to CIArb YMG”, and Ms Helen Au, vice-chairperson of CIArb YMG, gave a talk on “Introduction to Arbitration”. Over 40 participants attended from Gammon YPG. The speakers were warmly welcomed and the talk was well-received. CIArb YMG would like to take this opportunity to thank the Gammon YPG for its continued interest and effort in promoting arbitration and ADR amongst young professionals.

Helen Au
2014-2015 East Asia Branch Events Programme

Unless stated otherwise, events are free to members, are held at the HKIAC and start at 6.00 pm, with drinks and snacks being served prior to the commencement of the presentation at 6.30 pm.

**Tuesday 17 June 2014**
Conference on ‘Practical Approach to New Engineering Contract & Mediation’ jointly organised by HKMC, HKIE-ADR Committee & CIArb (EAB). Speakers include Mr Ivan Cheung, Mr Wai-Hung Luk, Mr Ken Ko and Mr Hayman Choi. Details circulated.

**Saturday 21 June 2014**
Site visit to MTR KTE 1001 jointly organised by the Lighthouse Club Hong Kong YMG and CIArb (EAB) YMG. Details circulated.

**Thursday 26 June 2014**
YMG AGM and evening talk on ‘Likes and Dislikes of Arbitrators’ by Ms Teresa Cheng SC. Details circulated.

**Tuesday 22 July 2014**
CIArb Fellows’ Cocktail Party. Details to be circulated.

**Friday 5 September 2014**
Visit by East Asia Trustee to Taiwan – Mr Colin Wall. Details to be circulated.

**Thursday 19 March 2015**
CIArb Centennial Conference Opening Reception. Details to be circulated.

**Friday & Saturday 20 – 21 March 2015**
CIArb Centennial Conference. Details to be circulated.

**More Upcoming Events:**
- Nuts & Bolts of Construction Arbitration Series by various speakers. Details to be circulated.
- YMG evening talk by Mr Julian Cohen. Details to be circulated.
- Visit by Mr Colin Wall, East Asia Trustee to Chapters in Japan, Philippines and South Korea. Details to be circulated.
- Evening talk on ‘Container Terminals – Development and Disputes’ by Mr Horace Lo. Details to be circulated.
- Evening talk by Madam Justice Mimmie Chan. Details to be circulated.

**CIArb East Asia Branch**

The East Asia Branch provides a regional organisation for members of the Chartered Institute of Arbitrators who are resident in the geographical area of Hong Kong, mainland China, Indonesia, Japan, Korea, Macau, Mongolia, the Philippines, Taiwan and Vietnam. Thailand and Singapore, formerly part of the Branch, were constituted as separate branches in 2003 and February 2010 respectively. The objectives of the Branch are to promote, encourage and facilitate the practice of settlement of disputes by arbitration, mediation and other means of dispute resolution, and generally to support and promote the status and interests of the Institute.

**CIArb East Asia Branch Committee**

- **Christopher To** – Chairman/ Professional Development & Training, **Richard Leung** – Vice Chairman / Regional (China), **Justin Wong** – Honorary Secretary/ Public Relation Officer, **Cordia Yu** – Honorary Treasurer/ Membership, **Paul Barrett** – Professional Development & Training/ ADR Editorial Board/ Vis East Moot, **Louise Barrington** – Professional Development & Training, **Kim Barton** – Programme/ Charitable Status, **Jessica Chan** – Newsletter/ Website/ Vis East Moot, **Kanice Chan** – ADR Editorial Board/ Newsletter/ Vis East Moot, **Martin Doris** – Professional Development & Training/ Universities Outreach, **David Fong** – Universities Liaison/ Faculty List, **James Lau** – Mediation & Adjudication, **Lawrence Lee** – YMG, **Mary Thomson** – Regional (Other than China), **Fan Yang** – Professional Development & Training, **Man Sing Yeung** – Immediate Past Chairman/ Sponsorship/ Centennial Events

**Contact Details**
c/o the Hong Kong International Arbitration Centre, 38/F Two Exchange Square, Central, Hong Kong

Telephone: (852) 2525 2381  Fax: (852) 2524 2171
Website: http://www.ciarbasia.org  E-mail: ciarb@hkiac.org