This issue highlights some of the activities held by the East Asia Branch in the past few months.

The East Asia Branch has been busy in the 1st quarter, having had, amongst others, a full-house Annual Dinner featuring the CIArb President, Datuk Professor Sundra Rajoo as the speaker, and also an Accelerated Route for Membership course held in Shanghai, China.

The section on “Up Close & Personal” features a Q&A session with our Branch Chairperson, Mr Richard Leung. Alongside with our regular contributors, readers are encouraged to submit articles, book or journal reviews in relation to dispute resolution to Asian Dispute Review. Submission guidelines can be found at www.asiandr.com.

Updates on upcoming Branch events can be found on the back page, and also at www.ciarbasia.org.

Helen Au and Kanice Chan

East Asia Branch Annual Dinner

9 March 2016, Hong Kong

We had a full house of nearly 200 Branch Members and guests at this year’s branch Annual Dinner at the Hong Kong Club. This year, the dinner coincided with the Vis East international arbitration moot resulting in their taking 3 tables and many more guests from abroad including many Chairpersons from other CIArb Branches around the world.

“Strengthening Hong Kong’s Competitive Advantages as a Leading Global Resolution Centre” by Dr Christopher To, Mr Richard Leung, Ms Kim Rooney and Mr Wesley Wong SC

21 January 2016, Hong Kong

The seminar, chaired by Mr Edward Chow, our Branch Honorary Secretary, was very well attended. Our Branch Chairperson Mr Richard Leung began the talk by referring to the survey result of the 2015 International Arbitration Survey by Queen Mary University of London. In that survey, Hong Kong was ranked the 3rd preferred and widely used seat after London and Paris. Mr Leung highlighted the importance of forum shopping in the seat of arbitration and discussed the issues and factors involved in such process. That was followed by Dr Christopher To who raised various potential challenges for Hong Kong as other arbitration centres in the region are fast-growing. Ms Kim Rooney then drew the audience’s attention to the competitive advantages and disadvantages of Hong Kong as a leading global dispute resolution centre, and suggested innovative practices that Hong Kong should take. Mr Wesley Wong SC, Solicitor General, commended on the presentations of various speakers and took the opportunity to explain the Government initiatives in promoting Hong Kong continuously as the regional dispute resolution centre.

Richard Leung

Mr Paul Barrett was the Master of Ceremony. Branch Chairperson, Mr Richard Leung, gave his report summarising events and activities over the past year and thanking Committee Members for their contribution to the Branch. Our President, Datuk Professor Sundra Rajoo spoke on the theme “Old but not Obsolete – CIArb and Asia”.

Mary Thomson
Up Close and Personal with Mr Richard Leung

Mr Richard Leung is a practicing barrister with Des Voeux Chambers specialising in company law, commercial law, construction and arbitration litigations and other civil matters. He is also a qualified accountant and chartered secretary. He has over 20 years of experience first in the accounting field and then in the legal profession.

Currently he sits as a member in various statutory tribunals in Hong Kong, including the Board of Review, the Obscene Articles Tribunal and the Appeal Board for the Hotel and Guesthouse Accommodation.

He has been involved in many arbitration cases covering shareholders’ disputes, commercial disputes, shipping disputes and construction disputes in Hong Kong as well as in the PRC. He is the current Chairperson of the Chartered Institute of Arbitrators (East Asia Branch).

Personal
Q: Tell us about yourself in two sentences.
A: I am a Jack of all trades and know a bit of everything. I first qualified as an accountant, then moved into the legal profession and am now very much involved in arbitration/mediation.

CIARB
Q: How long have you been involved in CIARB (EAB)?
A: I joined the Branch committee in 2008. I first joined the regional subcommittee. Since then, I have organized many regional activities, e.g. visits of former Director General of the CIARB to Guangzhou/Shenzhen, visit of the former President to Beijing and joint conferences with the then CIETAC South China subcommission, training courses conducted overseas e.g. PRC, Taiwan and Korea. In 2011, a course was arranged for Japan but it was cancelled due to the earthquake. I was the Vice-Chair during the sessions of 2011/2012 - 2014/2015, and became the Chairperson in the session of 2015/2016.

Q: What changes have you observed throughout the years?
A: The East Asia Branch is growing bigger and bigger even after we spun off the Singaporean Branch. At the same time, there have been more activities being undertaken by the Branch. Generally there is a growing awareness in arbitration and ADRs. More people are interested in knowing about arbitration/mediation/ADR. At the same time, there are also many organizations/institutions (including universities) emerging to provide courses to meet those needs.

Q: What do you hope to achieve in and during your role as the CIARB (EAB) Chairperson?
A: The Branch has applied for space in the West Wing Government legal hub. I very much hope that the Branch can be allocated with the space. We will soon know the result. With our existing members in the region, it is worthwhile to have an office with staff so that services to members/potential members can be further enhanced. I wish to be able to establish such an office for the Branch.

Q: Tell us about a memorable moment you had last year as CIARB (EAB) Chairperson.
A: CIARB was invited by Department of Justice to take part in the APEC 2016 conference in Peru in February 2016. On behalf of the Branch, I spoke in one of the sessions at the conference. I also made use of this visit to promote CIARB to various professional and arbitration bodies in Lima, Peru. I made lots of friends during this visit and enjoyed the discussions with all these people who are lawyers/arbitrators in Latin America. I want to learn from them and they also want to know more about CIARB.

Q: What is on your mind at the moment?
A: I have been with the Branch for 7 years. Time flies. But there are still many things I want to do, e.g. setting up more chapters, spinning off more branches and exploring opportunities in regions where the Branch has not been very active in the past e.g. Vietnam, Cambodia, Mongolia and some other countries in East Asia. I have started an initiative to hold Biennial Conference within the East Asia Branch. The first one will be held in Beijing this year. The next one is yet to be decided but will be another region within the East Asia Branch. I hope to enhance the network of all members and foster more exchanges within the East Asia Branch.

ADR
Q: What aspect(s) of your ADR work do you enjoy most?
A: I enjoy advocacy. I enjoy working as an arbitrator listening to arguments from both sides. I also enjoy my work as a mediator. I have absolutely no complaint as I am quite busy all the time. I am lucky to be involved more and more in international arbitration. It provides excellent opportunities for me to learn about the laws and practices from other jurisdictions.

Other
Q: What challenges and opportunities do you see for the ADR industry in 5 years’ time?
A: Challenges and opportunities go hand in hand. There are growing demands for good arbitrators / ADR practitioners. At the same time, it is important to maintain the quality of those people practising in such areas, especially those who are CIARB members. For the East Asia Branch, we will continue to nurture the next generation by providing excellent training courses and holding conferences and seminars for the exchange of views/experience, so that our members can better develop their practices as time goes by.

Q: What is a memorable moment you had this year?
A: I had the opportunity to visit the APEC 2016 conference in Lima, Peru. I made lots of friends during this visit and enjoyed the discussions with all these people who are lawyers/arbitrators in Latin America. I want to learn from them and they also want to know more about CIARB.

Q: What are your immediate next steps?
A: I am planning to set up more chapters/branches in various countries in East Asia. I have also started an initiative to hold Biennial Conference within the East Asia Branch. The first one will be held in Beijing this year. The next one is yet to be decided but will be another region within the East Asia Branch. I hope to enhance the network of all members and foster more exchanges within the East Asia Branch.
UNCITRAL Model Law Workshop and Accelerated Route for Membership Course
1 and 2 March 2016, Shanghai


It was well attended by more than 30 experienced Mainland legal practitioners and arbitrators. The East Asia Branch is extremely grateful for the detailed explanation of the Model Law by Dr Michael Hwang SC and the UNCITRAL Rules by Ms Brenda Horrigan, FCIArb, for the morning workshop on 1 March.

In the afternoon on 1 March and morning on 2 March, Dr Michael Hwang SC, Mr Jeremy Nichason QC, Dr Yang Fan and Mr Edward Chow jointly conducted an Accelerated Route for Membership Course (ARM) for the Mainland lawyers and arbitrators. The course was partly delivered in English and partly in Putonghua. The candidates are conversant with both English and Chinese.

It was a very good learning experience, not only for the Mainland candidates, but also for the tutors, in this interactive dialogue to know more about the different perspectives from Mainland legal system on essential civil procedural issues such as discovery and cost transfer rule, and likewise, for the Mainland lawyers and arbitrators to be aware of the importance of due process under the Model Law. It will be helpful when they take up arbitration cases or enforce Mainland arbitral awards internationally.

In the afternoon of the second day, with the assistance of Mr David Fong, the Mainland candidates proceeded to an examination as required by the ARM course.

The pre-course assessment and final written examination will be marked by Mr David Fong and Dr Fan Yang in consultation with Mr Paul Barrett and Mr Richard Leung.

We are thankful for the tutors, assessors, examiners, moderators and Branch Committee members who took time out of their very busy schedule and travelled to Shanghai to support the Branch in this workshop and ARM in China.

Last but not the least, we must express our sincere gratitude to our host, Mr Zhao Ping and his colleagues at Jincheng Tongda & Neal Shanghai Office, whose generosity and support has made this workshop and ARM course possible and a remarkable success.

Edward Chow

YMG Branch Annual Party
15 January 2016, Hong Kong

The YMG annual party this year was held on 15 January 2016 at Club Boujis in Central, Hong Kong.

As with previous years, the annual party proved to be a great success. The party received enthusiastic and jovial participation of prominent guests from the arbitration profession, representatives from a wide spectrum of young professional organisations, and members of all grades of the CIArb.

The annual party was well-received with zest. The YMG thanks all guests and sponsors. The YMG also wishes to thank the Main Committee for its continuous and unfailing support, without which the annual party would not have been a success as it is.

The YMG looks forward to organising its next annual party.

Helen Au

YMG Joint-Institute Event – Joint Professional Balloon Twisting Party
16 January 2016, Hong Kong

Over 30 young members of the organising institutes shared the fun of balloon twisting and enjoyed buckets of popcorns in the afternoon of a weekend at San Po Kong in Hong Kong. Having promised this to be a non-technical event, the members still passed the know-how of balloon-twisting professionally – the trick is to complete twisting before it bursts.

Patrick Ng
2016 East Asia Branch Events Programme

Unless stated otherwise, events are free to CIArb members, 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.

26 April 2016
Branch Annual General Meeting. Details to be circulated.

May / June 2016
11th Annual Winnie Whittaker Memorial Lecture by John Battersby. Details to be circulated.

June 2016
‘Expert Evidence in Arbitration’ by John Cock (talk arranged by YMG). Details to be circulated.

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
Richard Leung – Chairperson, Christopher To – Immediate Past Chairperson / Mediation & Adjudication, David Fong – Vice Chairperson / Regional (China) / Faculty List, Mary Thomson – Vice Chairperson / Regional (Other than China), Edward Chow – Honorary Secretary, Nicholas Turner – Deputy Honorary Secretary, Lawrence Lee – Honorary Treasurer / Mediation & Adjudication, Helen Au – Newsletter / YMG, Paul Barrett – ADR Editorial / Professional Development & Training, Louise Barrington – ADR Editorial, Kim Barton – Programme, Kanice Chan – Newsletter, Martin Doris – Universities Outreach, Justin Wong – Mediation & Adjudication, Fan Yang – Public Relation Officer, Cordia Yu – Membership, Gina Leung (co-op) – Newsletter, Joseph Leung (co-op) – Website

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: www.ciarbasia.org
E-mail: ciarb@hkiac.org

Current Branch Membership – Distribution by Region

Current Branch Membership – Distribution by Membership Grade

>>>

Advertisement
opportunities available.

For further information, please contact the Branch at ciarb@hkiac.org

Fan Yang