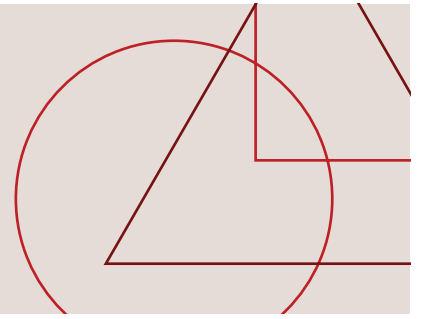


April 2024

**ciarb.**  
East Asia Branch

Newsletter



**Ciarb (East Asia Branch) Young Members' Group and HK45 held a joint event to celebrate International Women's Day 2024 1 March 2024**



The topic was to inspire inclusion in the arbitration community. The event commenced with a panel discussion from Kim Rooney (Arbitrator & Barrister, Rede Chambers), Mariel Dimsey (Local Managing Partner, CMS) and Jennifer Wu (Partner, Pinsent Masons and current Chairlady of Ciarb (EAB) YMG) to share the common gender barriers and unconscious bias that has been experienced in the legal field, and to open up the floor to small group discussions by the sponsored organization, Equal Representation for Expert Witnesses.

The event was well attended in person. Feedback from the small group discussions were insightful on what support can be given to female professionals (lawyers at law firms, female experts, arbitrators, business support) to overcome these challenges, what can be changed on a personal level (either from the person of power, or counterparts, or from the female professional herself). Male allies also shared their views on what they found helpful to support women at work and at home.

As a community, we can inspire inclusion in arbitration by encouraging female arbitrator appointments and female expert appointments, promoting female leadership, supporting female colleagues and be a role model to younger practitioners.

Happy International Women's Day!

*Jennifer Wu*

Welcome to the April edition of the newsletter.

In this edition, we have various write ups from Taiwan, Hong Kong and YMG with a strong focus on diversity and inclusion. Such events include YMG's International Women's Day event and the Arbitration Pledge event.

As members are well aware, the Branch is a strong promoter of diversity and inclusivity, and our Committee has placed a great emphasis to ensure that the same form part of the ethos of the Branch.

Finally, capping off the year, we had our Annual Dinner with the Honourable Mr Justice Russell Coleman as the guest of honour.

Also, our Annual General Meeting is to be held on the 23 April 2024 and members are encouraged to attend! Look out for our website or LinkedIn for details.

As always, a big thank you to the editorial team and we look forward to the next one.



*Ronald Pang*



## Celebrating the Equal Representation in Arbitration Pledge

17 January 2024, Hong Kong



On, 17 January 2024, the Branch and the ERA Pledge APAC Subcommittee (with support from HKIAC) jointly hosted and over 150 people signed up to an online and in person panel discussion at the Hong Kong Club entitled: "Celebrating the Equal Representation in Arbitration Pledge".

The panel comprised: Karah Howard of Pinsent Masons; Stella Hu of Karas So LLP and Thomas Walsh of Clifford Chance Asia Pacific who also chairs the HKIAC's Appointments Committee and was chaired by Caroline Thomas of Huggill and Ip who joined Ciarb

(East Asia Branch)'s Board to the Branch's Committee last year and was tasked with the diversity sub-committee.

In advance of the event, the panel conducted a short survey which over 100 members of the arbitration community responded to. We are pleased to share a summary of the survey responses (as at 20 January 2024) as well as the slides used by the panel discussion which can be found on our website.

By way of background, in 2015, in recognition of the under-representation of women on international arbitral tribunals, members of the arbitration community drew up a pledge committing to improving the profile and representation of women in arbitration with women to be appointed as arbitrators on an equal opportunity basis and setting out concrete suggested measures. As the panel has discussed, the ERA Pledge has already had a measurable positive impact. However, our survey responses surprisingly also indicated that many firms/companies have still not taken the ERA Pledge and that indeed some (admittedly few) individuals had not heard of it. We hope that our event was a timely reminder of the ERA Pledge and its very useful and easily accessible tools which make it easy to identify suitable female/ diverse arbitrators.

*Caroline Thomas*

## Taiwan Chapter co-hosted Conference on "Recent Trends and Development in International Arbitration" as part of the 2023 Taiwan Arbitration Week Conference Series

27 October 2023, Taiwan

On the afternoon of 27 October 2023, Taiwan Chapter of Ciarb (East Asia Branch) had the pleasure of co-hosting the conference on "Recent Trends and Development in International Arbitration" as part of the 2023 Taiwan Arbitration Week conference series, with Chinese Arbitration Association, Taipei ("CAA"), ARIAS Asia, Chen & Chang, Attorneys-at-Law (Chen & Chang), the ADR Committee and the Commercial and Insurance Law Committee of Taiwan Bar Association. Special thanks were given to Dr. Tien-Rein Lee, Secretary-General of CAA, for his warm and sincere opening remarks.

Dr. Helena Chen C.Arb FCIArb, Managing Partner at Chen & Chang, smoothly guided the four distinguished speakers of the conference, including Glenn Haley C.Arb FCIArb, Kingsley Ong FCIArb, Mary B.L. Thomson C.Arb FCIArb, and De-Jen Peng MCIArb. They delved into the most current and popular topics in the field of international arbitration, such as "Litigation Funding in Arbitrations," "Arbitrating Financial Contract Disputes," "Arbitrating Cross Border Insurance and Reinsurance Disputes," and "Arbitration Practice of Reinsurance Contracts in Taiwan." The agenda featured insightful and valuable content, and the proceedings went smoothly. Dr. Helena Chen also encouraged participants to ask intriguing questions, promoting frequent interaction with the speakers and sparking thoughtful discussions.



From left to right: Dr. Tien-Rein Lee (Secretary-General of CAA), Glenn Haley C.Arb FCIArb, Dr. Helena Chen C.Arb FCIArb, Kingsley Ong FCIArb, Mary Thomson C.Arb FCIArb and De-Jen Peng MCIArb



From left to right: Alison Chang FCIArb (former Head of Ciarb Taiwan Chapter YMG), Ms. Senny Po (Executive Director of Taiwan Bar Association), Dr. Helena Chen C.Arb FCIArb, Mary Thomson C.Arb FCIArb, Glenn Haley C.Arb FCIArb, Kingsley Ong FCIArb, and Dr. Tien-Rein Lee (Secretary-General of CAA)

Special thanks were also given to Ms. Senny Po, Executive Director of Taiwan Bar Association, for attending the conference in person and congratulating us on the successful completion of the 2023 Taiwan Arbitration Week. She also expressed her hope for CAA and Taiwan Bar Association's continuous cooperation in the future, working together to promote arbitration as well as international communication and cooperation.

*Claire Liu*

## Taiwan Chapter YMG co-host a webinar on Studying and Working Experiences in the USA

23 November 2023, Taiwan

On 23 November 2023, the Ciarb (EAB) Taiwan Chapter Young Members Group was honored to co-host a webinar on "Studying and Working Experiences in the USA" with Chen & Chang, Attorneys-at-Law. Special thanks to Ms. Felice Lu MCI Arb and Ms. Alison Chang FCI Arb for their remarkable opening speeches, and to Dr. Pei-Jung Li MCI Arb, Chair of Ciarb (EAB) Taiwan Chapter Young Members Group, for her excellent hosting skills.

Leslie Lin, who is admitted to practice law in both Texas and New York State, shared her experience in studying and working in the USA. Regardless of her qualification to practice medicine in Taiwan, Leslie is determined to overcome the obstacles of switching from one discipline to another. She shared how she has impressed her colleagues at White & Case LLP, a top law firm in the USA, with her excellent skills and diligence and made others look beyond the stereotype of an "Asian Woman." Thereafter, Molly Tsang, a J.D. student from the University of Pennsylvania Carey Law School, reflected on her journey of transferring from an LL.M. program to a J.D. program. She emphasized the importance of setting a goal and coming



Counterclockwise from top left to top right: Dr. Pei-Jung Li MCI Arb, Head of the Taiwan Chapter YMG; Alison Chang FCI Arb, Partner of Chen & Chang; Leslie Lin, Associate of White & Case; Felice Lu MCI Arb; Molly Tsang MCI Arb.

up with a plan as early as possible. With their sincere and informative sharing, they successfully sparked interactive discussions with the audience and inspired people who plan to study or work in the USA.

*Lisa Tsai*

## Branch Annual Dinner 11 March 2024, Hong Kong



The Ciarb East Asia Branch held its Annual Dinner on 11 March 2024 at the Hong Kong Club.

The Hon. Mr. Justice Russell Coleman was the Guest-of-Honour for this year Annual Dinner. He gave a very interesting and entertaining sharing on the topics of 'virtual hearing' and 'case management'.

Our Branch Chairman, Donovan Ferguson, delivered a speech on the background of the Branch and also, the event programme and upcoming events organised by the Branch. The Chairman has also proposed the toast with the guests to the Ciarb and the Branch.

The evening schedule was facilitated by Mr Paul Barrett, the regional Trustee, the MC of the evening.

As usual, the dinner was well attended and almost at capacity. This year we had 140 guests and finished around 10:15 pm.

*David Luk*

## "2023: A Bumper year for Setting aside, Enforcing and Staying Arbitration Decisions and Proceedings" Seminar by Mr Vincent Moran KC 21 March 2024, Hong Kong

The Branch organised the first construction disputes related event in this session with the Society of Construction Law Hong Kong (SCL). This joint evening talk was delivered by Mr. Vincent Moran KC, who has given an overview of some of the most interesting arbitration cases from last year.



Our Branch Chair, Mr Donovan Ferguson and the Chairman of Society of Construction Law Hong Kong, Mr Ben Burley kicked off the event with some introductory remarks.

Mr Moran KC discussed a number of interesting Hong Kong cases including, CNG v G [2024], HKCFI 575 AI and others vs LGI and LGII [2023] and HKCFI 1183 R v F [2012]. Mr Moran KC also shared his insights on the court's decision in relation to the parties' challenges to the award and the basis of the court's enforcement.

The seminar was a rousing success with approximately 80 Ciarb and SCL members in attendance at the HKIAC. Many attendees remained at HKIAC following the talk for networking and catch-ups.

*Gina Leung*

## YMG Event Recap: International Experiences in Dispute Resolution 16 November 2023

On 16 November 2023, the YMG of the Ciarb East Asia Branch in conjunction with the Australia Branch hosted a Webinar on the topic of International Experiences in Dispute Resolution.

The panel featured Kristian Maley (Counsel, Clifford Chance – Perth), Niharika Dhall (Counsel, Toyo Engineering Corporation – Tokyo) and Lucinda McPhee (Counsel, King & Wood Mallesons – Hong Kong). The panel was moderated by Mathew Briggs (Senior Legal Counsel, Leighton Asia – Hong Kong).

The panel explored the different ways in which their roles were international, their experiences working internationally and the challenges associated with their roles. The panel went on to consider practical tips and recommendations for those interested in pursuing international opportunities. Of particular note was the discussion around opportunities afforded by the use of technology in arbitrations.

The East Asia Branch YMG looks forward to continuing to collaborate with YMG's from other branches and encourages all members to look out for details of the upcoming events.

*Mathew Briggs*



## Current East Asia Branch Membership

The Branch currently has under 3,000 members in the region. Find out the composition of the Branch membership in the diagrams below.

### Distribution by Membership Grade

(excluding the Retired Members and Students)



### Distribution by Gender of Members



### Distribution by Region



The above statistics are current as of February 2024.

## Ciarb East Asia Branch

The East Asia Branch provides a regional organisation for members of the Chartered Institute of Arbitrators who are residents 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 2022/23

Chairperson – **Donovan Ferguson**, Vice-Chairpersons – **Lawrence Lee & Gina Leung**, Honorary Secretary – **Micky Yip**, Honorary Treasurer & Finances – **John Cock**, Immediate Past Chair – **David Fong**, Professional Development & Training – **Stephen Chu**, Regional (PRC) – **Mingchao Fan & Tim Liu** assisted by **Jerry Zhang**, Regional (Taiwan, Korean, Japan, Indonesia & Others) – **Glenn Haley**, Adjudication – **Nicholas Turner**, Membership – **Richard Leung**, Mediation – **Lawrence Lee & Albert Yeu**, Programme – **David Luk**, Vis East Moot – **Karen Mills**, IT – **Lawrence Tam**, Communications within Ciarb and Communications with outside bodies/Public Relations Officer – **Donovan Ferguson**, Diversity – **Caroline Thomas** (co-optee), YMG – **Jennifer Wu** (co-optee), Newsletter/Website/Social Media – **Ronald Pang** (co-optee)

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