



Public CPD Points: 1.5



Supporting Organisations:



## Enforcement of Investor-State Awards in Pro-Arbitration Jurisdictions: Serving Investors and Promoting the Secondary Market in International Awards

1 Marina Boulevard, NTUC Centre, Level 9 Room 903, Singapore 018989

Thursday, 4 May 2023, 5.00 pm – 8.15 pm

### SEMINAR SYNOPSIS


Since 2019, a series of investors have filed applications in the Australian Federal courts to enforce over US \$7 billion worth of investor-State awards, despite the parties having little or no connection to Australia. On 12 April 2023, the High Court of Australia ruled on the Kingdom of Spain's loss of State immunity in a suit by EU energy investors, while India's claim to immunity from award enforcement action by Mauritian investors will be heard this September. Justin Hogan-Doran SC, counsel for investors in all these cases, will discuss how a fast, pro-arbitration Court system can be leveraged to attract investors away from traditional enforcement jurisdictions, accelerating investors' award recovery strategies and enhancing their access to the developing secondary market in international awards.

Justin's presentation will be followed by a discussion of the issues it raises with a panel featuring leading practitioners Koh Swee Yen SC and Mark Mangan, moderated by Kate Apostolova.



### SEMINAR PROGRAMME

5.00 – 5.30pm	<b>Registrations and Standing Buffet Reception</b>
5.30 – 5.45pm	<b>Opening Remarks by Chairperson/Moderator</b>
5.45 – 6.30pm	<b>Presentation by Justin Hogan-Doran SC</b>
6.30 – 7.15pm	<b>Panel Discussion/Q&amp;A Session</b>
7.15 – 8.15pm	<b>Networking Drinks</b>

### ABOUT THE SPEAKER

	<p><b>Justin Hogan-Doran SC – Barrister, 7 Wentworth Selborne Chambers</b></p> <p>Justin Hogan-Doran is a Senior Counsel (apptd. 2020) at the Australian Bar and an arbitrator, based in Sydney. He is peer-recognised as a leading arbitration and transport barrister, regularly appearing in cross-border litigation and arbitration. A former UN Legal Officer and management consultant, Justin appears for investors, governments, P&amp;I Clubs and shipping lines in international commercial &amp; maritime arbitrations, public international law claims, and admiralty, maritime and infrastructure disputes, class actions, and complex asset-tracing and enforcement actions. He also sits as an arbitrator in international commercial arbitrations.</p> <p>Justin is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and of the Australian Centre for International Commercial Arbitration (FACICA).</p>
---	---

### ABOUT THE PANELLISTS

	<p><b>Mark Mangan – Partner, Dechert LLP, Singapore</b></p> <p>Mark Mangan has appeared as counsel or arbitrator in over 75 cases, arising all around the world. This includes several cutting-edge multi-billion dollar commercial cases, investment treaty arbitrations (for both investors and states), and sports disputes. Mark was lead counsel in one of the very first third party funded cases in Singapore, earning recognition in the FT Innovative Lawyer awards. Mark's thought leadership includes A Guide to the SIAC Arbitration Rules (Oxford University Press); The Guide to Investment Treaty Protection and Enforcement (Global Arbitration Review); and over 20 published articles, one of which was recently short-listed in the GAR Awards 2023 (proposing the use of carbon emissions scorecards in arbitration to help achieve net zero arbitration within a reasonable timeframe). Mark is ranked in Band 2 by <i>Chambers</i> and his team was recognized by <i>Legal 500</i> as International Arbitration Team of the Year (South East Asia) for 2020 and 2021.</p>
	<p><b>Koh Swee Yen SC – Partner, WongPartnership LLP</b></p> <p>Koh Swee Yen, Senior Counsel, is the Head of the International Arbitration Practice and a Partner in the Commercial &amp; Corporate Disputes Practice of WongPartnership LLP.</p> <p>Her practice focuses on complex, high-value and cross-border disputes across a wide spectrum of matters from commercial, energy, international sales, trade, transport, technology to investment. She regularly appears before the Singapore Courts, including the Singapore International Commercial Court and in international commercial and investment arbitrations under the major institutional rules, including ICSID, ICC, ICDR, LCIA, SIAC and UNCITRAL.</p> <p>Swee Yen is highly recommended for her expertise in resolving complex international disputes, and is named in various legal publications including The Legal 500, Chambers Asia-Pacific, Chambers Global, Benchmark Litigation Asia-Pacific and Who's Who Legal: Arbitration 2022, Commercial Litigation 2022, Asset Recovery 2022 and Energy 2022. Described as being "in a league of her own", with a "very deep understanding of the law" and "razor-sharp" in her advocacy, she is regarded as the "go-to disputes lawyer in Singapore".</p>



Public CPD Points: 1.5



Supporting Organisations:



## Enforcement of Investor-State Awards in Pro-Arbitration Jurisdictions: Serving Investors and Promoting the Secondary Market in International Awards

1 Marina Boulevard, NTUC Centre, Level 9 Room 903, Singapore 018989

Thursday, 4 May 2023, 5.00 pm – 8.15 pm

### ABOUT THE MODERATOR



#### **Kate Apostolova – Counsel, Mayer Brown PK Wong & Nair Pte Ltd**

Kate Apostolova is counsel at Mayer Brown-Singapore. She has extensive experience in investor-state arbitration and frequently counsels on public international law issues and complex, politically-sensitive disputes around Asia. Her arbitration experience is broad and also includes high-value commercial arbitrations, LNG arbitrations and construction arbitrations. She has appeared as oral advocate and been involved in cases before all major arbitral institutions, the US courts and courts in Asia, the European Court of Human Rights, the International Criminal Tribunal for the Former Yugoslavia, and the International Tribunal for the Law of the Sea. Kate has also been nominated as arbitrator in ad hoc, SIAC, ICC and HKIAC arbitrations.

In addition to her extensive experience, Kate is a regular speaker on international arbitration topics and is a prolific writer, most recently having authored a book chapter on "Judicial Deference to Arbitral Tribunals under Section 1782". Kate is recognised by Chambers Asia Pacific and Chambers Global; by Who's Who Legal – International Arbitration as Global Elite/Thought Leader in international arbitration (the most coveted ranking in Who's Who Legal); and is listed in Legal 500's Arbitration Powerlist.

### REGISTRATION FEES, TERMS & CONDITIONS

REGISTRATION CLOSING DATE: <b>28 April 2023</b> To register online, please click <a href="#">HERE</a> .	
Membership	FEES
SI Arb Members	Regular Rate
Members of:	
<ul style="list-style-type: none"> <li>Asia Pacific Institute of Experts (APIEx);</li> <li>Regional Arbitral Institute Forum (RAIF);</li> <li>Singapore Corporate Counsel Association (SCCA);</li> <li>Singapore Chamber of Maritime Arbitration (SCMA);</li> <li>Society of Construction Law Singapore (SCL (S));</li> <li>Singapore Institute of Architects (SIA)</li> </ul>	S\$ 70.00
Others	S\$ 90.00
	S\$ 120.00

- ❖ **Credit Card:** Please visit [http://siarb.org.sg/index.php?option=com\\_content&view=article&id=193](http://siarb.org.sg/index.php?option=com_content&view=article&id=193). Select Payment Category accordingly and enter payment details.
- ❖ **PAYNOW:** UEN - S81SS0016CUOB | Entity Name - Singapore Institute of Arbitrators
- ❖ **Bank Transfer / Internet Banking:** Account name – Singapore Institute of Arbitrators | Account number – 208-308-736-8 Name of Bank – United Overseas Bank Limited | SWIFT Code – UOVB SGSG | Bank Address – 148 Upper Bukit Timah Road, UOB Centre Singapore 588178.
- ❖ **Cheque:** Made payable to "Singapore Institute of Arbitrators" and mail to "c/o Intellitrain Pte Ltd, 12 Eu Tong Sen Street, #08-169, SOHO 2 Clarke Quay Central, Singapore 059819" or Fax to (65) 6225 9426.

For further enquiries, please contact: Singapore Institute of Arbitrators

Tel: (65) 6551 2785

Fax: (65) 6225 9426

E-mail: [secretariat@siarb.org.sg](mailto:secretariat@siarb.org.sg)



Practice Area: Alternative  
Dispute Resolution  
Training Level: General  
Public CPD Points: 1.5

#### **SILE Attendance Policy**

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.sileCPDcentre.sg> for more information.

### REGISTRATION, REFUND & CANCELLATION POLICY

By completing the online registration form, Event registrants confirm their acceptance of the following Terms and Conditions:

- Places at the Event are limited and will be allocated by the Organiser at its discretion based on various criteria and in order of priority upon receipt of registration and all payments due.
- The Organiser reserves the right to update or amend the details of the programme and/or the speakers without prior notice.
- The Organiser reserves the right to refuse to register or admit any participant, and to cancel or postpone the Event.
- No refunds will be made for cancellations or no-shows by registrants. However, a confirmed registrant who has paid the registration fees but does not turn up for the Event will be entitled to a set of the materials provided, if any.
- If any registrant is unable to attend the Event, an equivalent substitute may attend instead at no extra charge, provided that at least 3 days prior written notice is given to the Organiser. All such requests will be considered at the Organiser's discretion and subject to any applicable top-up in fees.
- Event registrants confirm that all details submitted in the Event registration form are true and accurate.
- By completing this form, Event registrants fully consent to the collection, use and disclosure of their personal data as appears in any form, document or electronic template, by the Organiser. [CLICK [HERE](#) TO READ OUR PRIVACY POLICY]