

LEGAL PLUS CONFERENCE FOR GENERAL COUNSEL

# THAILAND: ANNUAL INTERNATIONAL ARBITRATION & REGULATORY SUMMIT

(This conference will be conducted in English)

Wednesday, 8 August 2018, 9:00am – 5:00pm

Bangkok Marriott Marquis Queen's Park

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## SPEAKERS



**Julian Cohen**  
Barrister, Gilt Chambers  
**Chairman**



**Prof. Wisit Wisitsora-at**  
Permanent Secretary, Ministry of  
Justice Office of the Permanent  
Secretary & Chairman, Thailand  
Arbitration Centre  
**Opening Address**



**Prof Bruce Collins Q.C.**  
FCIArb BA LLB [HONS] Sydney,  
LLM[Melbourne]  
Wentworth Chambers, Sydney,  
Arbitration Chambers, Temple,  
London, Arbitration Chambers,  
Hong Kong  
**Keynote Speaker**



**Victor P. Leginsky**  
Independent International  
Chartered Arbitrator  
B.Ed., J.D., FCIArb  
**Moderator — 1st Grand Panel**



**Doug Clark**  
Barrister, Gilt Chambers &  
Adjunct Professor, University of  
Hong Kong  
**Moderator — 2nd Grand Panel**



**Francis Xavier S.C.**  
Regional Head,  
Disputes Practices,  
Rajah & Tann Singapore LLP



**Litsan Chong**  
Counsel,  
Thailand Arbitration Centre



**Abhinav Bhushan**  
Regional Director for South  
Asia, ICC Arbitration & ADR,  
International Chamber of  
Commerce, International Court  
of Arbitration (ICC), Singapore



**Surasak Vajazit**  
Managing Partner,  
R&T Asia (Thailand) Limited



**Ravi Shankar**  
Senior Partner, Law Senate



**Mariel Dimsey**  
Counsel, CMS Hasche Sigle,  
Hong Kong LLP

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上海国际仲裁中心  
Shanghai International Arbitration Center

This conference will be conducted in English

Venue: Bangkok Marriott Marquis Queen's Park

The Sala Thai Ballroom, 5/F  
199 Sukhumvit Soi 22, Klong Ton, Klongtoey,  
Bangkok 10110, Thailand

Normal rate:	US\$279
Early Bird rate:	US\$199
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## SCHEDULE

9:00 – 9:05	Welcome Message by Chairman Julian Cohen, Barrister, Gilt Chambers	14:00 – 14:45	1st Grand Panel – Advising Counsels on Choosing Arbitrators and Other Forms of ADR Depending on Your Situation / Region Moderator • Victor P. Leginsky, Independent International Chartered Arbitrator B.Ed., J.D., FCI Arb Panellists: • Ravi Shankar, Senior Partner, Law Senate • Litsan Chong, Counsel, Thailand Arbitration Centre • Abhinav Bhushan, Regional Director for South Asia, ICC Arbitration & ADR, International Chamber of Commerce, International Court of Arbitration (ICC), Singapore
9:05 – 9:15	Opening Address by Thailand Arbitration Centre Prof. Wisit Witsitsara-at, Permanent Secretary, Ministry of Justice Office of the Permanent Secretary & Chairman, Thailand Arbitration Centre	14:45 – 15:10	Infrastructure Disputes in Thailand
9:15 – 9:45	Keynote Section – What's in the Average Arbitrator's Tool Box? What is the Legitimate Basis for the 'Rules' by Which International Commercial Arbitration is Conducted? Prof Bruce Collins Q.C. FCI Arb BA LLB [HONS] Sydney, LL[Melbourne], Wentworth Chambers, Sydney, Arbitration Chambers, Temple, London, Arbitration Chambers, Hong Kong	15:10 – 15:40	Advising on Internal Investigations
9:45 – 10:15	Cross Border Disputes - Role of Arbitration	15:40 – 16:05	Networking Break & Afternoon Refreshment
10:15 – 10:45	Treaty Arbitration Thailand and Asia – What is in Store Francis Xavier S.C., Regional Head, Disputes Practices, Rajah & Tann Singapore LLP	16:05 – 16:50	2nd Grand Panel – Interim Measures in Arbitration Proceedings Moderator • Doug Clark, Barrister, Gilt Chambers & Adjunct Professor, University of Hong Kong Panellists: • Representative from Lee & Ko • Surasak Vajasit, Managing Partner, R&T Asia (Thailand) Limited • Mariel Dimsey, Counsel, CMS Hasche Sigle, Hong Kong LLP
10:45 – 11:15	Networking Break & Morning Refreshment	16:50 – 17:00	Closing Remarks & Lucky Draw
11:15 – 11:45	Advising International Companies on Employment Disputes in Thailand	17:30 – 18:30	Networking Cocktail Party at Thailand Arbitration Centre
11:45 – 12:15	Advising on Shareholder Disputes for International Companies		
12:15 – 12:45	M&A Disputes for Thai and International Companies - Advice for Counsels		
12:45 – 14:00	Networking Lunch		

**Julian Cohen, Barrister, Gilt Chambers**

Julian has nearly 25 years of specialist experience of heavyweight international commercial arbitration in Asia Pacific, the Middle East and Europe. In addition to acting as counsel, he also acts sits regularly as an arbitrator. His areas of practice include a wide range of company and commercial disputes as well as construction and engineering arbitrations. He was called to the Bar in England in 1990, became a solicitor in 1993, and moved to Hong Kong in 1998. He was a Partner in the Construction and Engineering Disputes practice of Pinsent Masons before moving to the Hong Kong Bar in 2010. Julian has been recognised as one of the world's leading construction disputes lawyers (Expert Guides 2013 and 2015) and lectures and writes regularly on arbitration related topics.

**Prof. Wisit Wisitsora-at, Permanent Secretary, Ministry of Justice Office of the Permanent Secretary & Chairman, Thailand Arbitration Centre**

Prof. Wisit Wisitsora-at hold a Bachelor of Law (Hons), from Thammasart University, then he qualified as a Thai Barrister at Law. Additionally, he earned second bachelor degree of Law (Hons), from University of Wales at Aberystwyth, and also qualified as a Barrister at Law of Gray's Inn, United Kingdom.

Prof. Wisit Wisitsora-at started his career at the Legal officer of Legal Execution Department, then became the judge. He has extensive experience of Legal so his position is in the area of legal, such as Executive Director-General Legal Execution Department, Director-General office of Justice Affairs, Chairman of UNCITRAL Working Group V Insolvency Law United Nations, Chairman of Intergovernmental group of experts on lessons learnt from United Nations Congresses on Crime Prevention and Criminal Justice and Many others.

He is a member Council of state, Thai Arbitration institute Committee, State Attorney Commission, Electronic Transaction Commission, Thai ASEAN Law Association, General Insurance Fund Board and Debt Collection Law Reform Committee.

Prof. Wisit Wisitsora-at currently holds the position of Permanent Secretary, Ministry of Justice and Chairman of UNCTRAL intergovernmental committee on Insolvency Law, Head of Thai Senior Legal Officials for ASEAN (ASLOM), his experiences in the area of legal would be most assistance to the Thailand institute of Justice.

**Prof Bruce Collins Q.C. FCIArb BA LLB [HONS] Sydney, LL[Melbourne], Wentworth Chambers, Sydney, Arbitration Chambers, Temple, London, Arbitration Chambers, Hong Kong**

Bruce Collins has practised extensively in arbitration for over 36 years. He is a member of the I.C.C. Court of International arbitration in Paris, a member of the I.O.C. Court of arbitration for Sport, an adjunct professor of Law and honorary lecturer in International Commercial Arbitration. He is a former assistant Commissioner against Corruption in N.S.W., a Supreme Court referee, and Supreme Court Neutral evaluator. He lectures widely in arbitration subjects, is presently chairing the N.S.W. Government enquiry into Insolvency in the Construction Industry and representing Australia in the World Trade Organisation proceedings in Geneva commenced by Ukraine, Honduras and the Dominican republic. He has Chambers in eleven Wentworth, Sydney and in arbitration Chambers Hong Kong.

**Victor P. Leginsky, Independent International Chartered Arbitrator B.Ed., J.D., FCIArb**

Victor P. Leginsky, Canadian citizen, is an experienced international arbitrator and Barrister & Solicitor, resident in Dubai, UAE since April 2007. Victor has prior high-level mediation experience having been appointed by the Attorney General of British Columbia, Canada, to be the Chair of the Manufactured Home Park Dispute Resolution Committee. He brings over 25 years of arbitration experience in Canada. Victor has earned the internationally-recognized designations of Chartered Arbitrator and Fellow from the Chartered Institute of Arbitrators. He is a committee member of the International Court of Arbitration (ICC) – UAE and member of ICC-Canada. He is alternate regional chapter co-ordinator of the Association of International Petroleum Negotiators (AIPN) and launched its seminar on oil & gas dispute resolution in the Middle East. He co-instructs, with Prof. Dr. Klaus Peter Berger a practical course in International Commercial Arbitration in Dubai. He is registered as a Barrister with the Dubai International Financial Centre (DIFC) Courts and is a member in good standing of the Law Society of British Columbia, Canada.

**Doug Clark, Barrister, Gilt Chambers, Hong Kong and Adjunct Professor, University of Hong Kong**

Doug Clark is a barrister and arbitrator practising in Hong Kong. He has handled competition law related cases for over 15 years. Doug was formerly the managing partner of international law firm Hogan Lovells' Shanghai office. He has acted in a number of major SEP licensing disputes and has recently acted for a number of clients in relation to NDRC investigations and Anti-Monopoly Law lawsuits relating to licensing practices. Doug is an Adjunct Professor at the University of Hong Kong and the author of a number of legal texts as well as a history of British and American extraterritoriality in China and Japan between 1842 and 1943. He speaks Mandarin Chinese and Japanese.

**Francis Xavier S.C., Regional Head, Disputes Practices, Rajah & Tann Singapore LLP**

Francis was appointed Senior Counsel in January 2009 and is Regional Head, Disputes Practices of the firm. He practices in the areas of international and treaty arbitration and cross-border commercial litigation. He is actively involved in corporate and commercial disputes especially in the areas of corporate, banking, property and financial, investment related claims. He also specialises in aviation law and advised in the class-action suit resulting from the crash of the SilkAir flight in Indonesia (1997) and the Taiwan SIA crash (2000).

He is currently sitting as party-nominated arbitrator of a Mauritius entity in a bilateral investment treaty (ICSID) dispute with the Government of India. He is also counsel for an Asean government in an ICSID arbitration involving a European state investor.

Francis was recognised in the National Day Awards 2014 by the Singapore Academy of Law for his role as Chairman of the Academy's Junior College Law Program and Vice-Chairman of the Committee of Legal Education and Studies.

Francis has been recognised as a leading lawyer in the following publications: The Legal 500 Asia Pacific (2001 to 2018); Asialaw Profiles (2007 to 2018); Chambers Asia Pacific (2011 to 2018) and Chambers Global (2010 to 2018)

**Litsan Chong, Counsel, Thailand Arbitration Centre**

Litsan holds the position of Counsel for the foremost international arbitral institution in Thailand - the Thailand Arbitration Center (THAC). Prior to joining THAC, Litsan worked at Asian International Arbitration Centre. Her current role includes the administration and management of domestic/international arbitration proceedings. She is well-versed in the Thailand Arbitration Act 2002, THAC Arbitration Rules and a variety of arbitration rules in the region. She is also tasked with developing the philosophy and strategy of the Center and policy work of promoting alternative dispute resolution in Thailand.

Litsan read law at the University of Surrey and holds a LL.M. in International and European Law from the University of Jean Moulin Lyon III. Later, she completed the Bar Professional Training Course in London. Litsan is admitted to both the England & Wales Bar and the Malaysian Bar. She speaks English, French, Mandarin, Cantonese and Malay.

**Abhinav Bhushan, Regional Director for South Asia, ICC Arbitration & ADR, International Chamber of Commerce, International Court of Arbitration (ICC), Singapore**

As Director, Abhinav focuses on helping companies, investors, and attorneys in the Region understand how they can efficiently resolve international commercial disputes by raising their awareness on the ICC's Dispute Resolution Services and its commitment to international arbitration, the procedure, and thought leadership.

Prior to serving as Regional Director, he was the first Indian Deputy Counsel of the ICC Court in Paris, France, where he gained first-hand experience working on arbitrations arising out of common law jurisdictions, in particular working with parties from the United Kingdom, India, Singapore and other regions of Asia. Mr. Bhushan is a regular contributor to various publications on developments in international arbitration and Indian arbitration law.

He is also an avid promoter of arbitration-related training opportunities for young attorneys and law students. Additionally, Mr Bhushan is the co-chair of ICC Young Arbitrators Forum (YAF), Asia Chapter.

Before joining the ICC, Mr. Bhushan completed his LL.M at the Columbia Law School and earned a certificate in foreign and comparative law. He was also a member of the Columbia International Arbitration Association and a research assistant.

He earned his first law degree from the Government Law College, Mumbai, India. Upon graduation, he worked as an associate with Mulla & Mulla & Craigie Blunt & Caroe, in Mumbai, India.

**Surasak Vajasis, Managing Partner, R&T Asia (Thailand) Limited**

Surasak is recognised by The Legal 500 Asia Pacific as a Leading Individual for Corporate and M&A and a Band 1 lawyer for Dispute Resolution by Chambers Asia Pacific, naming him as one who “wins plaudits from the market” and with clients describing him as “one of the best” based on his “reputation on complex matters.” A large part of Surasak's practice focuses on representation in litigation and dispute resolution proceeding, including arbitrations, mediations and other alternative dispute resolution proceedings. Surasak is also consistently recognised as one of the leading lawyers in Thailand for Restructuring & Insolvency.

With more than 31 years of work in the private and public sectors, Surasak has extensive experience in corporate and financing transactions, including privatisations, securities transactions (public issues of debt and equity), loan facilities, project finance, restructuring and bankruptcy-related work. He represents some of Thailand's state enterprise banks and other financial institutions and a number of publicly-traded companies. Additionally, he has been involved in some of Thailand's most important infrastructure projects including, expressways, railways, tollways, waterworks and telecommunications projects. He also represents several multinational clients in complex Thai regulatory matters, particularly those involving customs and anti-corruption proceedings.

Surasak served for eight years as a judge of the Courts of Thailand.

**Ravi Shankar, Senior Partner, Law Senate**

S. Ravi Shankar is an International arbitration lawyer practising in the field of arbitration and corporate dispute resolution. He is a Senior partner in the New Delhi based Lawsenate law firm. He is a qualified Advocate on Record in the Supreme Court of India. He is also the president of “Arbitration Association of India” which is a national body of practitioners, arbitrators and users. He is holding a Post graduate degree in Business Administration and a degree in the field of law. He is having about 20 years of experience in the field of dispute resolution and has travelled across the globe on various assignments. He has published various publications in the field of law particularly in the field of Arbitration. He also has addressed various international and domestic conferences in the field of Dispute resolution. He has handled various high value arbitrations and litigations in India and outside India. He is an active member of various international professional organisations including IBA, ICCA, IAA, IAL, AAL etc..

**Marcel Dimsey, Counsel, CMS Hasche Sigle, Hong Kong LLP**

Marcel is an international commercial and investment arbitration specialist at CMS Hong Kong. She has over 10 years’ experience acting as advisor and advocate in numerous international arbitrations covering a wide range of legal systems and industries, and has particular expertise in the field of Investment disputes. She also sits as arbitrator. Marcel is an Australian Lawyer and Hong Kong Solicitor and received an LL.M. degree from the University of Cologne and a doctorate in law (Dr. iur.), summa cum laude, from the University of Basel, both in investment arbitration. She started her career in Frankfurt, then worked with a leading U.S. law firm in Germany and the ICC International Court of Arbitration in Paris, before moving to Hong Kong where she worked with a major international law firm before joining CMS Hong Kong. Marcel speaks and publishes regularly on international arbitration, investment arbitration, and international commercial law topics. She has led talks alongside the HKIAC and has taught international arbitration at the Universities of Bonn and Frankfurt.



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