



Ultimate line-up at SIAC

Angela Bilbow - 11 March, 2015

One of the world's biggest names in international arbitration, Gary Born, will lead a stellar line-up as the Singapore International Arbitration Centre announces its new Court of Arbitration members.

As of 1 April 2015, the **Singapore International Arbitration Centre's** Court of Arbitration (SIAC) will see a revised line-up of 17 internationally recognised arbitrators, including five new appointments, led by the chair of **WilmerHale's** international arbitration practice **Gary Born**.

With a career that has seen him participate in over 600 arbitrations, including several of the most significant in recent history, Born is widely regarded as a leading authority in international arbitration.

WilmerHale will likely to benefit from the synergies between Born's role and promoting Asian arbitration. Indeed, the firm says it welcomes Born's continued contributions to the international arbitration community, "in the best traditions of the firm's commitments to public service and pro bono enterprise".

And, for those thinking Born's appointment may be a sign of him winding down his fee-earning time at WilmerHale, a firm spokesperson confirms to *CDR* it is not the case: "Gary will continue to have 100 per cent of his professional time devoted to [the firm] – SIAC will involve his personal time."

BORN CONFIDENCE

Born's appointment has been an eagerly anticipated move by those waiting to see who would replace the court's founder president **Dr. Michael Pryles**, who steps down as president but remains a court member.

During his four-year tenure as chairman of the SIAC Board, before being succeeded by **Allen & Gledhill's Lucien Wong**, as well as his two years as founder president of the court, Pryles "oversaw a period of intense growth at SIAC and was instrumental in shaping a regional arbitral institution into one of the leading global arbitral institutions it is today", a spokesperson for SIAC told *CDR*.

This growth included SIAC progressively adopting new rules and modifying its organisation structure.

And Pryles believes Born will build upon what has been achieved, commenting in a statement: "I have every confidence that he will play a pivotal role in SIAC's continued growth and success."

The market appears to mirror Pryles sentiment, with **Hogan Lovells'** Singapore-based disputes head **Jonathan Leach** telling

CDR that for someone of Born's international standing to accept the position is "surely a sign" of how far SIAC has come. "[SIAC's] ambition used to be limited to Singapore and then the regions but now it is aiming to be the world's leading arbitration institution ... With him at the helm, they may just do it."

While the managing partner of Singaporean law firm **Rodyk & Davison LLP, Philip Jeyaretnam, SC**, says: "Born is remarkable not only for his learning, lightly worn, but also for his clarity, energy and efficiency. He will bring these personal qualities to SIAC, together with the valuable new perspective of North American as well as European and Asian experience."

REMAINING FOREFRONT

In a statement, Born said that SIAC is one of the world's pre-eminent international arbitration institutions and he looked forward to working with the court and secretariat to ensure that it is "firmly at the forefront" of international arbitration in Asia and worldwide.

His primary goal in achieving this, he tells *CDR*, is to enhance SIAC's standing globally as the world's leading provider of expert, efficient international dispute resolution services.

One of his immediate priorities, he says, is to preserve and continue to strengthen the case administration and arbitrator appointment functions of the court which are "rightly regarded as leaders in quality, efficiency and speed".

It is this meeting of users' continued desire for efficiency, while maintaining quality that Born says is the most challenging issue affecting international arbitration today.

OTHER APPOINTMENTS

But in achieving this at SIAC, Born is not alone, with five new members joining the total 17 members of the court's line-up which comprises multi-jurisdictional representation from Australia, Belgium, China, France, India, Japan, South Korea, Singapore, the UK and USA.

The quality of the talent to come was presaged by the appointment of **Dr Michael Moser**, from **20 Essex Street**, earlier in the year, adding his own extensive Asian experience to SIAC's board.

Among them is **Freshfields Bruckhaus Deringer's Lucy Reed**, whose move to Singapore from Hong Kong a year ago to replace **Jan Paulsson** as head of the firm's international arbitration practice when he left the firm in 2013 and then a year later set up arbitration boutique **Three Crowns**, appears to have paid dividends.

Commenting to *CDR*, Freshfields' newly appointed head of global litigation **David Scott** says that after being a partner at the firm for 15 years, Reed is an "integral part of the firm's market-leading global arbitration practice".

And, having launched Freshfields' US arbitration group, and served as leading counsel in many of the firm's most challenging cases, "[Reed's] unique experience will be invaluable in her role at SIAC", says Scott, who adds that she is active and well-known at all levels in Singapore's disputes community, and, like all members of the court, is at the top of global league tables.

Another significant appointment is that of **Toby Landau QC** of **Essex Court Chambers**. Landau's reputation cannot be overstated in Asia; he is the set's foremost advocate and arbitrator, notable for opening the **Hong Kong International Arbitration Centre's** anniversary celebrations in 2010, when he delivered the prestigious Kaplan lecture.

Sources familiar with his work describe him as "an international leader in this field, very impressive at every level", while another remarked that Landau "understands the difference in tone, procedure and approach in advocacy in international arbitration as opposed to litigation in London".

One London law firm partner said Landau was "highly respected for his knowledge of arbitration law as an arbitrator", especially on the intellectual and academic side of the discipline.



Continuing with the US theme is the Paris-based **Claudia Annacker**, of **Cleary Gottlieb Steen & Hamilton**. With strong arbitral and public international law skills, as well as links to Vienna's own burgeoning arbitration market, she is best known for representing Russia in the mammoth Yukos arbitrations, as well as **Gazprom** in a long-running Lithuanian energy dispute. Her appointment neatly ties in Parisian and CEE approaches to arbitration, as well as the imprimatur of one of WilmerHale's closest rivals.

The last two appointees are significant for Singapore's global ambitions, in **Lijun Cao** of **Zhong Lun Law Firm** in China and **Dr. Eun Young Park** of **Kim & Chan**, one of South Korea's largest law firms.

By aligning with one of China's best respected commercial law firms, familiar with **CIETAC** and associated Chinese arbitration – as well as the wishes of Chinese commercial clients, Cao will add Asian heft to the court. Park, by comparison, is one of South Korea's best known arbitration lawyers, at a time when that jurisdiction has made immense inroads to expand its work and its market share.

BOLD HORIZONS

There will be those in the market who may feel that Born's arrival at SIAC is a retrograde step in terms of WilmerHale's market leadership; a move by him towards the quiet assurance of Asian arbitral leadership rather than exclusively leading the law firm forward firmly.

To assume so is both to misunderstand Born, and misunderstand SIAC. Born's attraction to SIAC and vice versa lies precisely because he is actively engaged in arbitration as an advocate and as an arbitrator; his personal commitment to Asian arbitration has seen him lecture across the continent, including alongside **Justin D'Agostino** of **Herbert Smith Freehills** at Tsinghua University. He is a man committed to arbitration in all its forms, whose wide thinking about the subject equips him to take Pryles' work and bring it to a global level.

Quite simply, his appointment is a coup. He knows it. Lucien Wong, the chairman of SIAC knows it. And soon, other arbitral institutions will come to know it.