

WilmerHale Assists South Pacific International Arbitration Conference Organized by the ADB, UNCITRAL and the Fiji Government

FEBRUARY 15, 2018

Gary Born, Chair of the [International Arbitration](#) practice group at Wilmer Cutler Pickering Hale and Dorr LLP, Senior Associate [Jonathan Lim](#) and Visiting Foreign Lawyer Ana Tuiketeti contributed to a regional international arbitration conference jointly organized by the Asian Development Bank (ADB), the United Nations Commission for International Trade Law (UNCITRAL) Regional Centre for Asia and the Pacific, and the Fiji Government. The conference was titled “The Dawn of International Arbitration in the South Pacific,” and it took place on 12-13 February 2018 in Denarau, Fiji.

The conference was attended by government representatives, senior judicial officers, and private sector participants from 11 South Pacific Island States, including Fiji, Kiribati, Papua New Guinea, Samoa, Timor Leste, the Solomon Islands and Tonga. The purpose of the conference was to assist South Pacific Island states in developing their international dispute resolution capabilities.

Gary Born gave the conference's keynote address following an opening address by the Solicitor-General of Fiji and the General Counsel of the Asian Development Bank, Christopher Stephens. Mr. Born also moderated a session for the judiciaries of Fiji, Papua New Guinea, China, Cook Islands, Solomon Islands and China on the implementation of the New York Convention in Asia. Jonathan Lim facilitated a mock arbitration and mock setting aside application under the new Fiji International Arbitration Act before the Fiji High Court. This was based on a hypothetical Singapore International Arbitration Centre (SIAC) dispute involving the delayed construction of a biomass power plant. Visiting Foreign Lawyer Ana Tuiketeti acted as counsel for the claimant. The mock setting aside proceedings were conducted before Justice Suresh Chandra, a judge of the Fiji Supreme Court and a former judge of the Supreme Court of Sri Lanka.

Mr. Born and Mr. Lim had previously provided advice and support to the Fiji government, as part of an international team from the ADB and UNCITRAL, in the drafting of the Fiji International Arbitration Act 2017. This is part of a broader technical assistance project that aims to promote accession to the New York Convention and international arbitration law reform in the South Pacific region. Additional Pacific Island states are in the process of examining the reform of international arbitration

legislation in the region.

