

17TH LAWASIA INTERNATIONAL MOOT COMPETITION

INTERNATIONAL ROUNDS, SYDNEY AUSTRALIA
18-21 NOVEMBER 2022
THE COLLEGE OF LAW

LAWASIA
International Moot



CONTENTS



LAWASIA Design Philosophy

The design for this year's programme cover symbolises readiness and excitement for the future, as we embrace and witness the world's return to a state prior to the COVID-19 pandemic, and the promises of a new dawn. The chosen patterns being numerical symbols on the programme cover are inspired by taxation – being the subject matter of the moot problem of this year's LAWASIA International Moot.

Raphael Tay

Chair

LAWASIA Moot Standing Committee

November 2022

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THE LAWASIA MOOT

About LAWASIA

LAWASIA is an international organization of lawyer's associations, individual lawyers, judges, legal academics, and others that focus on the interests and concerns of the legal profession in the Asia Pacific region. LAWASIA facilitates its member's participation in the most dynamics economic region in the world. Since its inception in 1966, LAWASIA has built an enviable reputation among lawyers, business people and governments, both within and outside the region, as a committed, productive and genuinely representative organization.

Find out more: <http://lawasia.asn.au/welcome>

About Mooting

The Moot Standing Committee acknowledges the importance of and observes that mooting has emerged as a critical component of legal education simply because it provides the skills training element for the fundamental skills necessary for a prospective lawyer. Indeed many leading law schools have either made mooting compulsory or forms an important part of the curriculum. Mooting offers a systematic training process of the essential skills of problem solving, legal analysis, drafting legal submissions and the development of public speaking. The ability to articulate one's thoughts and arguments condensing disparate, often conflicting legal authorities into succinct and persuasive arguments is arguably the single most important weaponry in the lawyer's arsenal.

Some Law Schools have yet to recognise the importance of mooting where it is considered an extracurricular activity confined to and organised by the student body. Such neglect cannot be allowed to continue if we are to raise the standards of our lawyers to meet the needs of a globalised world. We recognise that the constrains of individual Law Schools and for this reason the Committee would encourage all Law Schools not only to participate but hopes that its students would be encouraged to attend the Competition.

The competitiveness and the individualistic nature of mooting and lawyers are self evident. What is less obvious but equally important are the role of coaches and the coaching assistance rendered as the teams prepare for the written submissions and the oral competition. The coaching assistance represents further opportunities for the faculty in enhancing the educational value and overall experience to the students. Often the Moot Problem posed is in an area of the law that the students have little or no substantive knowledge in or may not have adequate background in comparative law. Obviously, students have not allowed such minor issues to dampen their interest and enthusiasm. Such handicaps have often been turned into educational forays into legal worlds hereto unknown to them thus enlarging and enriching their legal education.

The LAWASIA International Moot Competition provides this educational learning experience in an international environment. The networking of and the meeting of like-minded students across jurisdictions prepare them for a globalised world. Friendships are formed amongst students, relationships forged between participating law schools and useful contacts made by the stakeholders.

At its best, moot competitions are arenas where legal minds do battle under extreme conditions juggling between facts and the law where the best traditions of the Bar and Bench are simulated so as to impact young lives in preparation for their role in the cause of upholding the rule of law.

It is essential that law students are exposed to the concepts of the rule of law and an independent Judiciary. We quote The Hon Chief Justice Murray, AC who had this to say when addressing the National Judicial College of Australia on the 9th February, 2007, “An assurance that courts decide cases free from external influence in the form of pressure from governments or other powerful interests or favoritism of some litigants is basic. The ultimate test of such assurance is whether people believe that, in a legal contest between a citizen and a government, the judge will hold the scale of justice evenly. It is also important that people believe that judges are committed to deciding cases of all kinds, regardless of the identity of the parties, fairly and according to law.”

The late Tun Suffian in his Braddel Memorial Lecture in 1982, could not have summed it up any better when he professed, “In a multi-racial and multi religious society like yours and mine, while we judges cannot help being Malay or Chinese or Indian; or being Muslim or Buddhist or Hindu or whatever, we strive not to be too identified with any particular race or religion – so that nobody reading our judgment with our name deleted could with confidence identify our race or religion, and so that the various communities, especially minority communities, are assured that we will not allow their rights to be trampled underfoot.”

By involving sitting as well as retired Judges of eminence and integrity in the judging of the Competition the mooter is exposed to the names behind the personalities they only read of in law reports. In addition senior members of the Bar and general counsels from industry are also invited as judges of the Moot.

About the 17th LAWASIA International Moot 2022

It is with great pleasure that we, the LAWASIA International Moot Secretariat welcomes you all to the 17th anniversary of the LAWASIA International Moot Competition. A decade might not be very long time in the life of an organisation. However, during this short span, we have challenged the unchallenged and have travelled to various uncharted jurisdictions to deliver the LAWASIA International Moots along with the annual LAWASIA Conference. The LAWASIA International Moot Competition continues to bring mooting into the curriculum of law schools throughout the world and to serve as a platform for friendships to be forged. It has indeed been an enjoyable journey. Over 1,100 students have taken part in the LAWASIA International Moots and our alumni come from approximately 60 law schools from 30 different jurisdictions.

On our 16th Moot Competition last year, in light of the global pandemic, the LAWASIA Moot Secretariat made the decision to bring the Competition to a virtual platform. This year, we are delighted to share that the LAWASIA International Moots will be taking place physically in Sydney, Australia, where we can all further the ethos of the LAWASIA Moot – to Meet, Share and Learn!

Some Law Schools have yet to recognise the importance of mooting where it is considered an extracurricular activity confined to and organised by the student body. Such neglect cannot be allowed to continue if we are to raise the standards of our lawyers to meet the needs of a globalised world. We recognise that the constraints of individual Law Schools and for this reason the Committee would encourage all Law Schools not only to participate but hopes that its students would be encouraged to attend the Competition.

OUR PHILOSOPHY CHAIR LAWASIA MOOT STANDING COMMITTEE



MEET, SHARE + LEARN

We meet to uphold the time honoured values and principles of humanity and celebrate the sharing of knowledge and ideas, and of learning whilst embracing the diversities of the world we live in, believing that man's greatest moment is a moment in time of warm embrace and acceptance for his fellow human being.

Legal jurists have since the time of the second century formulated theories to explain, understand and sometimes to interpret and supplement the body of man's knowledge in relation to his view of the world. The Roman, Gaius articulated the "law of nations" as a law that is "common to all men". In 1625, Hugo Grotius further developed the "law common to all men" to include men of other faiths, the Muslims, Hindus, Jews and Chinese. Jeremy Bentham wrote the "Principles of International Law" in 1789 describing the foreigner oriented law. Immanuel Kant the great thinker and philosopher's concept of a republic linked to human rights, the right of nations and cosmopolitan law was instructive and even more so relevant today. The concept can be seen as a forerunner of the Universal Declaration of Human Rights, sharing with it the idea that some rights have a universal value no matter what one's political, social, cultural or religious leanings are.

The idea of an interdependent world re-emerged out of the ashes of destruction and devastation of the two World Wars in the Twentieth Century. With global interdependence gradually replacing the ideological and political struggles, Philip C Jessup in 1956 noted and recognized that the governance of human affairs could not be artificially confined and restrained by artificial boundaries of political states. He had conceptualized a new framework in the study of inter-state relationships which he termed "transnational law". It was to include all rules, norms or customs which regulates actions or events of all actors, relationships between states, relationships between state and non-state actors, public and private international law, of domestic and international law dichotomy that transcends national frontiers. It embraced a wider and more comprehensive world view of global human interaction, of business, and commercial; of constitutional, administrative, and political affairs; of litigation and negotiation; and of human rights, public interest and civil rights.

In the last fifty or so years saw the creation of various permanent and semi permanent international tribunals created by international treaties or by international agencies of world bodies to adjudicate and settle the increasing conflict between the various actors brought about by the ever increasing human interaction across national borders. Parallel to this development was the establishment of international and regional arbitral centers which catered to the private commercial disputes of business. This rapid interdependency expedited by technological advances gave birth to an era which we now termed as "Globalization" which had and continues to significantly change the nature of these challenges. Even as such advancement and optimization of global networks be they financial markets or global supply chains create opportunity it is equally susceptible to crises.

In 1960, Sirimavo Bandaranaike became the world's first woman Prime Minister in an unprecedented Sri Lankan election which was made all the more incredulous being a male dominated society. Not long thereafter, Neil Armstrong becomes the first man to walk on the moon in 1969 bearing testimony to the final frontier. The fall of Saigon in 1975 marked the end of the Vietnam War. Hong Kong reverted back to China in 1997 after 156 years under British control. 1989 saw one of the greatest pro-democracy rallies in Tianan Men Square which shocked the world at large. Following that, Nelson Mandela, after serving 27 long years behind bars was finally released in 1990 and became the first black President of South Africa. Apollo 13 was turned from the certainty of tragic human disaster by human values deeply rooted into the human mindset that tells us what is important. The mission was no longer about success. It was about something far more important: it was about caring for our fellow human beings. "Failure is not an option," Gene Kranz, lead flight director for Mission Control told his ground crew at Houston. The Berlin Wall falls in 1990 after separating Germany for more than a quarter of a century. In 1995 Microsoft released the Windows 95 operating system, Martina Hingis at 15 years 282 days became the youngest person in history to win at Wimbledon the following year. iMac is unveiled by Apple in 1998. In the same year the U.S. Embassies in Dar es Salaam, Tanzania and Nairobi, Kenya are bombed killing 224 people and Exxon acquires Mobil for US\$73.7 billion creating the largest company on planet Earth! The terrorist attack on the World Trade Centre takes place on September, 11th, 2001. The Asian Tsunami strikes on Boxing Day 2004 after a undersea earthquake measuring 9.3 on the Richter Scale. In 2009, a black man is elected to the highest office in arguably the world's only super power, unimaginable a generation ago. And we are now in the midst of the worst global financial and economic crisis since the Great Depression. Each and every event affects another human soul. In all its forms of human endeavors throughout history, achievements and challenges bring out the best and the worst of the human condition. The management of human interaction so crucial in a civilized world is made all the more important as the world becomes increasing closer.

The LAWASIA Moot Standing Committee recognizes the dependency of peoples and nations in an increasing complex and challenging global environment. Upholding the rule of law, equality and justice, equal opportunity and access for all, the environment, genocide, cultural and racial superiority, bigotry, dictatorships even benevolent ones and terrorism are some of challenges confronting us. We recognise that the law and civil institutions of democracy together with institutions of dispute resolution alone are not the answers to man's problems. A new generation of men and women sworn to uphold the cause of justice with character, faith, integrity and fortitude is the best hope we have. So we hope, without being naive that the world we live in will change as we choose to embrace change itself so that we might see change in the world. Gandhi so eloquently put it, "You must be the change you wish to see in the world."

The competition shall therefore not be limited to any particular area of the law or a specific international dispute resolution forum or mechanism but may be changed from year to year mirroring current global concerns. Similarly the forum shall accordingly reflect the selected area of law. The competition is not just about winning but of fulfilling one's potential. Of a voyage of self discovery, building bridges and forging relationships with every tongue and tribe remembering that we have been created equal.

We celebrate the global citizen whose common heritage, shared values and universal legacy that makes us human are intertwined like a cord of three strands that is not easily broken. We share in a common hope and of a common dream that man shall overcome every adversity and challenge against impossible odds with unyielding faith in our improbable quest to sow the seeds of a better tomorrow through legal education and the law. It is an opportunity for all of us who are bound together by a common and shared interest in the law to do the right thing for a future generation, for in them lies the seeds of our collective destiny.

Ours is the audacity to believe.

Raphael Tay

Chair

LAWASIA Moot Standing Committee

WELCOME MESSAGE FROM PRESIDENT OF LAWASIA



As the President of LAWASIA, it is my great pleasure to welcome all participants to the 2022 LAWASIA International Moot competition.

Providing legal education and training are one of our key priorities at LAWASIA. We are very proud to be involved in enhancing the knowledge and quality of practice of young lawyers in the Asia and Pacific region. LAWASIA recognises the importance of young lawyers and provides a number of opportunities to support their development including unique membership for young lawyers. As a key component of a legal education, mooting offers an invaluable training opportunity to develop the fundamental skills required of prospective lawyers.

We at LAWASIA are proud that the annual moot competition continues to support our key objective of advancing the standard of legal education within the region. It brings me great joy to join together for this wonderful initiative of learning, development, and collaboration.

I look forward to sharing the experience of this year's competition with you and I wish you all the best of luck.

Yours sincerely,

Melissa Pang
President, LAWASIA

WELCOME MESSAGE FROM HOST UNIVERSITY



A warm welcome from Mr Neville Carter AM – College of Law CEO

It is my pleasure to welcome you to the 17th LAWASIA International Moot Competition – held at the College of Law's new international HQ.

Your commitment to the Competition is another step towards fulfilling your future in the legal industry.

That future is promising and exciting – as is the future of the College.

Making the Competition possible since 2010

Supporting the legal community and empowering legal professionals. That's our mission – and we share it beyond our shores.

As Australasia's largest provider of practice-focussed legal education, our purpose in the legal profession is global.

Like us, LAWASIA is committed to nurturing future legal practitioners and enriching legal practice in Australasia. The Competition embodies this commitment in action.

That's why we're the Competition's main sponsor this year – and have been since 2010.

Linking the legal profession across Asia and the Pacific

Among our course advisory committees and teaching fellows are leading professionals from the global legal sector.

Raphael Tay	Partner, LAW Partnerships Chairman, LAWASIA Moot Executive Committee member, LAWASIA Chair, Legal Development & Training Committee, Inter-Pacific Bar Association (IPBA)
Karen Gough	Barrister, 39 Essex Chambers Past President, CI Arb (Chartered Institute of Arbitrators) Expert Advisory Board, Asian International Arbitration Centre Vice-Chair, International Construction Projects Committee, IPBA
Michael Chu	Partner, McDermott Will & Emery Vice-President, IPBA Past President, National Asian Pacific American Bar Association
Arvinder Sambei	Barrister, Brooke Chambers Former Head of Criminal Law at Commonwealth Secretariat Former Principal Crown Prosecutor at Crown Prosecution Service of England & Wales
Martin Polaine	Barrister, Brooke Chambers Former Senior Crown Prosecutor, IPCC
Matthew Baird	Director, Asian Research Institute for Environmental Law Consultant, Asian Development Bank Visiting Scholar, Vermont Law School
Professor Donald Lewis	Adjunct Professor, University of San Francisco Former Professor at Stanford Law School and University of Hong Kong
James Jung	Director, International Relations and Development, College of Law Consultant, Hesketh Henry Officer and Chair, Publications Committee, IPBA

Navigating the legal landscape in Asia

Civil law and common law systems adopt varying approaches. But some things remain certain.

Cross-border trade and international dealings continue. And the demand for expertise in legal tech, operations and client relationships grows.

Sharpening your professional edge

As the legal sector evolves, so do our offerings.

International Arbitration Practice	Graduate Certificate course leading to internationally recognised CIArb membership (MCIArb) – demonstrating the highest standard of proficiency in dispute resolution.
ASEAN+6 Legal Practice	LLM specialisation or Graduate Certificate demonstrating specialist knowledge to engage in cross-border work within the ASEAN+6 region.
Legal Business Management	Short courses or postgraduate qualifications in Legal Business Management, Legal Tech and Legal Ops.

Congratulations – and good luck

May your hunger to learn the law never cease. May you make friends. Make memories. And make a positive impact. Not only in the Competition – but in your entire career.

Congratulations on your journey so far. And good luck for the journey ahead.

Mr Neville Carter AM
CEO & Principal
The College of Law

MOOT PROBLEM 2022

THE BRASILENSIS SAGA

The Home State

1. The Democratic Union of Arkadia is a developing, newly industrialised nation located in Southeast Asia. A former British Colony and presently a member of the Commonwealth, Arkadia has one of the oldest and most complex tropical rainforest systems in the world which houses a plethora of flora and fauna and thence engendering a rich biodiversity. With its tropical climate which sees a regular rainfall of about 2000-2500mm per year and an average annual temperature of 26- 28 C, Arkadia is bestowed upon the optimal condition for planting rubber commercially on a wide scale. As Arkadia is situated on the volcanic belt, it is also home to the ancient Rolly Dolly Volcano, a spiralling volcano located approximately 350km south of Ažuolas, the capital city of Arkadia.
2. As thick smokes belched out of the Rolly Dolly Volcano every year between July and September, the Arkadians would scale the slopes of the volcano to perform rituals and immolate animals as offerings to their deities. The Arkadians believe that the Rolly Dolly Volcano was created by the Arkadian Gods as a reminder to their symbiotic relationship with their land and the environment. As such, the Arkadians have always seen themselves as stewards to the land and display deep reverence for mother nature. According to a 2019 report by the International Monetary Fund (IMF), Arkadia has a GDP valued at USD467 billion which is contributed mainly by its rubber, tourism, and electronics industries.

The Host State

3. The Republic of Reka, is a mountainous transcontinental state located in Europe with altitudes ranging from 300m to almost 5,500m. Reka is home to the legendary Two Brothers - a duo of snowy mountains comprising of Mount Nubon and Mount Nugo which are two of the oldest mountains in the region. The Two Brothers is a popular tourist destination which is located approximately 257km north of Póli, the capital city of Reka. Reka is widely regarded as an economic powerhouse as they are the biggest oil producer and exporter, and they house the largest fossil fuel reserve in the world. According to a 2019 report by the International Monetary Fund (IMF), Reka has a GDP valued at USD2.6 trillion which is contributed mainly by its oil and gas exports.

The Arkadian Independence

4. In 1980, Arkadia gained independence from Great Britain and held its first-ever general election whereby Mr Genezisi Provoni, or more commonly referred to as Popo, was elected as Arkadia's first Prime Minister. In no time, Prime Minister Popo and his handpicked cabinet began drawing out a 30-year plan to develop the economy of Arkadia with particular focus on the rubber industry. In order to ensure that the 30-year plan is feasible and would be able to transform the Arkadian economy, Prime Minister Popo sought the assistance of his close friend, Mr Navod

Harrapari to contribute his ideas, knowledge and expertise in the development plan. As a backdrop, Mr Harrapari is a national of Malaysia whom Prime Minister Popo met whilst studying economics at Cambridge University back in 1970. Mr Harrapari is the son of a successful rice tycoon in Malaysia and was the director of PariPari Global Paddy Enterprise. He is known for his aristocratic style of leadership, quick decision-making and steadfast pursuit of excellence.

5. On July of 1981, through a joint effort by Arkadia's Ministry of Finance and Ministry of Agriculture, the Ministry of Agriculture Incorporated (MOAI) was established. The purpose of MOAI is to help develop the agriculture industry in Arkadia by allocating government funds directly to companies owned by MOAI. In the same year, Brasilensis Resources Corporation (BRC), a wholly-owned subsidiary of MOAI was established for the purposes of growing, harvesting, and manufacturing natural rubber. Mr Harrapari was appointed as the Chairman of the BRC by Prime Minister Popo. Despite some dissidence from within the conservative nationalist community in Akardia, Prime Minister Popo defended his decision as he believes that Mr Harrapari would be able to drive the leadership in the BRC and spearhead the development of the Arkadian rubber industry. Prime Minister Popo also trusts that Mr Harrapari's worldwide business and economic influence would be instrumental and necessary in helping the BRC to streamline its operations and investments in rubber related industries around the world.

The Genesis of the Arkadian-Rekan Ties

6. Later in the same year, Prime Minister Popo began forging diplomatic and economic relations with other States including Reka. The move to form an allegiance with Reka was a kick in the teeth for Arkadia's Commonwealth counterparts as Reka is notorious for its authoritarian rules, poor human rights record and involvement in several conflicts with its neighbouring countries. However, Prime Minister Popo had a different view. In a live interview with The Leugen, Arkadia's local news agency, Prime Minister Popo considers it to be strategic and beneficial to have friendly relations with Reka. *'To each their own. I do not wish to dictate how another State should run its operations and hope my decisions would be mutually respected,'* said Prime Minister Popo. His statement received plenty of support from the newly elected President of Reka, Ms Feodora Romanoff who is also the youngest to be elected to the presidential office.
7. On 8.8.1982, Prime Minister Popo and the representatives from Arkadia's Ministry of Foreign Affairs made an official visit to Reka. This was Arkadia's first official visit to a foreign state. Prime Minister Popo's visit to Reka was welcomed with open arms as they were the first Commonwealth nation to have made international relations with Reka during the cold war. During the official visit, the discussion between Prime Minister Popo and President Romanoff touched on building stronger diplomatic relations, cross border investments, tax protection and discount, environmental and human rights commitments, and military support. Subsequently, Prime Minister Popo and President Romanoff signed a Memorandum of Understanding (MOU) that sets out in detail a 5-point commitment agreed between both countries.

8. Arkadia and Reka acceded to the General Agreement on Tariffs and Trade (GATT) in 1984 and 1986 respectively. In 1995, both countries became original members of the World Trade Organization (WTO) and were automatically bound by the General Agreement on Trade in Services (GATS).

The 21st Century: Arkadian Economic Prosperity

9. By the start of the 21st century, Arkadia had already become the leading producer and exporter of natural rubber. In 2009, Arkadia exported over USD4.2 billion worth of natural rubber to the global market, representing nearly 31% of the world's total rubber exports in that year. According to an article published in the European Rubber Journal (ERJ), Arkadia's remarkable growth and capitalisation of the global rubber market are contributed by an interplay of several important factors such as its tropical climate and the success of the BRC which had grown into an international conglomerate, landing itself on Forbes Fortune 500 in 2010. The ERJ article also credited Arkadia's rapid advancement to its highly innovative R&D program conducted at the Arkadian National Rubber Institute (ANRI), a state-of-the-art research facility located in Ažuolas which utilises Artificial Intelligence (AI) technology.
10. Reka on the hand, continues to benefit from its friendly relations with Arkadia as they are able to import high-quality natural rubber from Arkadia at a lower price compared to other nations.
11. In 2011, President Romanoff and Prime Minister Popo attended the 17th United Nations Climate Change Conference (UNFCCC) parties meeting (COP 17) in Durban, South Africa. They were there from the 28th of November to the 9th of December to participate in a discussion concerning climate change. After one of the meetings, President Romanoff invited Prime Minister Popo for an impromptu lunch. During their lunch table conversation, President Romanoff brought up the idea of a joint partnership between Arkadia and Reka to develop a rubber manufacturing industry in Reka. President Romanoff believed that the industrial expertise and skills of Arkadia will be of assistance to Reka in its efforts to develop its own rubber industry which would ultimately benefit the Rekan military as it relies on natural rubber supplies to manufacture tyres for, among others, its trucks, tanks, and aircrafts. Given that Reka had provided military support to Arkadia during its early developments and financial support towards Arkadia's goal of expanding its rubber monopoly, Prime Minister Popo happily agreed to the partnership but cautioned that, *'the welfare of any Arkadian people and its companies in Reka should never be compromised'*. President Romanoff responded with a smile.

The Arkadia-Reka BIT

12. In early 2012, while Arkadia and Reka were in the midst of finalising the Arkadia-Reka Bilateral Investment Treaty (BIT), news reports of a border conflict occurring at the Golden Line began surfacing. The Golden Line is the border between Reka

and its neighbouring country, Aprósia. It was reported that the border conflict could have risen due to Reka's unwavering ambition of wanting to rebuild the remnants of the Kingdom of Namek, which was formerly made up of Reka, Aprósia and the other Namekian States. The United Nations Secretary-General had warned that the border conflict would most likely escalate into an armed conflict if Reka refuses to de-escalate its military presence along the Golden Line. Many Arkadian people took to Facebook to voice their dissatisfaction against Arkadia entering into an investment partnership with Reka. In view of that and also the fact that the general elections will take place in the same year, Prime Minister Popo decided to postpone the signing of the BIT to a later date until coverage of the situation at the Golden Line softens.

13. Prime Minister Popo did not comment directly on the Golden Line conflict but did make statements ensuring the people of Arkadia that his government's human rights obligations are respected and complied with at all times. Despite that, the establishment of a rubber company in Reka could not be deferred due to several regulatory requirements. Hence, on 17.3.2012, Ambicios Brasiliensis Elastica Pty Ltd (ABE) was incorporated in Reka for the purpose of manufacturing rubber products namely gloves and tyres. The BRC owns 62% of the shares in ABE whereas Ms Nwantiti Harrapari, the daughter and the sole heir of Mr Navod Harrapari owns the remaining 38%. ABE immediately began its operations.
14. On 1.8.2012, the Arkadia-Reka BIT was finally signed at Ažuolas. Immediately after the signing of the Arkadia-Reka BIT, a joint statement was issued by both countries explaining the underlying purpose of the BIT – to create economic incentives for Arkadian entities to invest their money, skill, and expertise in order to assist in the development of Reka's rubber industry. It was also explained that the BIT will provide protection and tax incentives for foreign investments.
15. An independent international investment report was quoted as saying that the Arkadia-Reka BIT is one of the most sophisticated BIT as it covers the parties' WTO-related obligations, tax and investment protection, environmental obligations as well as the commitment between both countries in developing the rubber industry. Mr Harrapari played a huge role in the formalisation of the Arkadia-Reka BIT, as he managed to convince both parties to select the Kuala Lumpur Regional Centre for Arbitration (KLRC) as the place of arbitration and London as the seat of arbitration.

A Breath of Fresh Air

16. On 14.9.2012, Prime Minister Popo announced his retirement as Prime Minister of Arkadia thereby ending his political career of over 40 years. Three months later, in December 2012, after a closely fought general elections, Mr Stoppica Oorlog was sworn in as the second Prime Minister of Arkadia. Prime Minister Oorlog is a self-proclaimed human rights activist and had on numerous occasions voiced out publicly against Reka's involvement in border conflicts with its neighbouring countries on his Instagram Story and Twitter. After his appointment, a local Rekan

newspaper outlet reported that Prime Minister Oorlog's rise to power was not well received by certain members of President Romanoff's administration and that it may threaten the diplomatic relations between the two countries.

17. In July 2013, President Feodora Romanoff stepped down due to health reasons and made way for a presidential election. By a landslide, Mr R Rogers was elected as the new President of Reka. President R Rogers was Reka's former Minister of Defence. He is known to be a staunch nationalist and would not hesitate to take any steps necessary to protect Reka and preserve its interests. At the Rekan Presidential Inaugural Address, President R Rogers gave his speech and said *'I do solemnly swear that I will faithfully execute the Office of President of the Republic of Reka and I will, to the best of my ability preserve, protect, defend and regain our past glory. Make Reka Great Again!'*
18. Ever since ABE was established, the company has seen meteoric financial growth. By the spring of 2015, ABE has about 100 active employees and it was reported that ABE has a turnover of USD1.74 billion for the financial year ending 2014.

The Discovery of the Purple Synthose

19. On 1.3.2016, the Reka Institute of Innovation and Technology (RIIT), which is a state-funded entity, announced a ground-breaking discovery which is the invention of a synthetic rubber known as Purple Synthose. According to the RIIT, the Purple Synthose was produced through the polymerisation of the monomer 1, 7-synthione. The RIIT also announced that with proper research and development in place, Purple Synthose has the potential to replace Reka's reliance on natural rubber in less than a decade especially since Purple Synthose's primary component is derived from petroleum extract which is available in abundance in Reka.
20. Three months later, Dr Vooni who is the Director of the RIIT published an article entitled *"Purple Synthose: The Future of Rubber Worldwide"*, where she suggested that natural rubber be replaced by Purple Synthose as it is more durable, has better temperature and abrasion resistance, and is inexpensive to produce. Dr Vooni also stated that Purple Synthose would be suitable for making surgical gloves and tyres. President Rogers celebrated the idea but was advised against pursuing the idea in haste having regards to the friendly relations with Arkadia.

Facanha

21. Towards the end of 2017, Arkadia, together with the assistance of Ms Nwantiti expanded its rubber industry and the BRC's influence to the People's Republic of Facanha. The BRC and Ms Nwantiti then set up a company in Facanha known as the Facanha Rubber Company (FRC). This time, Ms Nwantiti was made the majority shareholder allowing her to have absolute control over its subsidiary in Facanha. The natural rubber harvested in Facanha would be exported to other countries including Reka.

22. Sometime in mid-2018, reports of Reka engaging in armed conflicts and funding insurgencies in neighbouring nations surfaced particularly at the Golden Line. Prime Minister Oorlog when asked during a live interview with a local news agency refused to comment on the Golden Line conflict directly. He however made several statements on his Facebook and LinkedIn ensuring the people of Arkadia that the country's international human rights obligations are respected and that *'Arkadia would not tolerate any form of war'*.
23. A few days later, whilst President Rogers was walking into the presidential office for a security meeting, a small group of protestors heckled him with *"Stop War!"* chants. In that moment, President Rogers was caught on camera telling his deputy *'there is nothing to shout about'*.

Difficult Times

24. Towards the end of 2019, a deadly virus originating from the Island of Choroba, terrorised the entire world. The virus, known as Beebop-19, is a direct disease transmission which spreads through direct contact with an infected person. The microbes are passed from one to the other through the palms and can also be transmitted by indirect contact with an infected person's personal items. The noticeable symptoms include lesions and rashes appearing on the palms of the infected person. The Beebop-19 disease is highly infectious and deadly. It has pushed countries around the world to go into complete lockdown. Businesses around the world were therefore disrupted as everyone had to remain indoors.
25. Large scale research around the world began taking place with many attempts to establish barriers to decrease or eliminate the microbe in the environment. A month later, researchers found that the best way to interrupt and slow down the transmission of Beebop-19 was through the wearing of protective gloves. After countless clinical trials, gloving was proved to be effective at preventing the transmission of Beebop-19. Following this discovery, the demand for protective rubber gloves surged at a phenomenal rate.
26. By March 2020, the phenomenal surge in rubber demand has caused a global shortage of natural rubber supply. Following that, the Governor of Arkadia's Central Bank warned the Oorlog's administration not to be *'too happy since we might just run out of latex. Don't forget, Arkadia's economy is mostly reliant on its rubber industry, hence any disruption to it could bring dire effect on its economy as a whole'*. Recognising the high global demand for its rubber gloves, Prime Minister Oorlog imposed a restriction on the overall production of its rubber gloves and increased their prices.
27. Around the same time, an independent global campaigning network, GreenIsGood noticed a sharp increase in natural rubber production in Arkadia. In a statement issued by GreenIsGood, it was stated that *'the intensive tapping by Arkadia to extract higher latex yields may be unsustainable and could shorten the lifespan of*

rubber trees. Intensified tapping may be destructive to its environment. We hope that Arkadia maintains an environmental friendly conduct to prevent a lasting impact on the environment'.

Make or Break

28. The shortage of natural rubber supply proves to be a big problem for Reka as thousands of people are dying due to the virus. Alarmed with the catastrophe that may befall Reka, President Rogers immediately instructed RIIT to pursue the production of synthetic rubber gloves. Despite RIIT's warnings that there will be production, research and financial constraints to manufacture the synthetic rubber gloves in a short amount of time, President Rogers pledged that Reka will do whatever it takes to ensure its people are equipped with the proper medical tool to fight the disease. RIIT proceeded to produce the synthetic rubber gloves despite being only at its early stages of research. Following this, Arkadia's Minister of Agriculture requested President Rogers to reconsider such a "*hasty move*" as it will hurt the relationship between the two nations.
29. President Rogers' decision quickly proved to be successful as they were able to mass produce the synthetic rubber gloves for its people. Reka took that opportunity to export its manufactured gloves to other countries at an affordable price.
30. Within months, the sudden switch had caused the ABE and Arkadia to suffer huge financial losses resulting in shortage of funds to combat the deadly Beebop-19 virus. This is especially since all other sectors were down or if at all, operating at the bare minimum.

Breaking Point

31. On 9.11.2020, the conflict between Aprósia and Reka came to a breaking point. Following that, President Rogers declared a special military operation in Aprósia and invaded Aprósia. The world leaders including the UN Human Rights Committee strongly condemned Reka's invasion of Aprósia. After being pressed by opposition parties in the Arkadian Parliament, Prime Minister Oorlog issued a statement and criticised Reka's full-scale military intervention in Arkadia.
32. The participation of Prime Minister Oorlog in the string of criticisms against Reka's invasion was supported by other states and has resulted in several countries around the world imposing sanctions against Rekan imports. Angered at the purported betrayal of friendship, thousands of Rekans demonstrated outside of the Arkadian embassy in Reka. With sanctions coming from all corners, Reka had started to feel the impact of its decision.
33. Despite the initial high demand for its synthetic rubber gloves, sometime in January 2021, Reka began to suffer massive financial loss due to the worldwide boycott. President Rogers accused the Arkadian government of retaliating in pure jealousy

due to the exigencies of its synthetic rubber gloves that has caused financial constraints on Arkadia.

34. The financial difficulties faced by Reka have resulted in the shutting down of businesses, unsustainable bank moratoriums and high unemployment rate. Following this, the Rekan government established a Task Force comprising of highly qualified Ministers from President Rogers' administration to come up with solutions to resolve the financial crisis plundering Reka.
35. After thorough investigation, the Rekan Task Force found that there are some irregularities in relation to Rekan's taxation system. A paper was tabled in the Rekan Parliament showing how foreign companies took advantage of the tax loophole and paid lesser taxes compared to the local Rekan companies. The report was later leaked by an unknown government official to the press. The leaked report stated that between 2012 and 2021, the earnings made by foreign companies like ABE were astronomical and unlawful. This discovery has sparked an unnecessary outcry among the Rekans.
36. Three months later, in a sudden turn of events, Reka announced that it will impose a retrospective windfall tax, going back as far as 2017, against all foreign companies in Reka. Hours later, President Rogers tweeted a cryptic message on Twitter *'life is tough, people are dying and yet they are reaping our soil. "Dobby" has disrespected the hand that fed him before...simply ugly'*. After assessments were made by the Rekan revenue authorities, a tax assessment of USD5.7 billion was imposed on ABE.
37. As Arkadia only began to gradually return to a semblance of normalcy at that time, neither ABE nor BRC was able to finance or provide bailouts on the tax imposed. The Chairman of the BRC also turned to Ms Nwantiti for financial assistance but to no avail. Ms Nwantiti simply said the fine was just too much for them to bear. This resulted in the Rekan revenue authorities initiating winding-up proceedings against ABE in July 2021. On the same day, the Chairman of BRC wrote to Prime Minister Oorlong requesting that the Government of Arkadia intervene to protect Arkadian's pride and interest.

Initiation of WTO Proceedings

38. In August 2021, whilst the winding-up proceedings were ongoing, Arkadia had formally requested consultations with Reka pursuant to Articles 1 and 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) of the WTO. Government officials from both countries met but were unable to resolve the dispute amicably. Arkadia then requested the establishment of a panel pursuant to Article 6.2 of the DSU on the basis that the tax assessments were a protectionist form of trade restriction.

39. During the same period, ABE's litigation team applied for a stay of the winding-up proceedings on the basis that the WTO proceedings were ongoing but were rejected by the High Court of Reka. ABE's litigation team then appealed to the Court of Appeal and subsequently to the Reka's Supreme Court of Justice but to no avail. Not long after, ABE was wound-up and its assets were put on auctioned by the Rekan Government.
40. In a surprise move, the auctioned ABE was later acquired by Synthose Corporation, an entity wholly owned by the RIIT. Synthose Corporation was established back in May 2020 as a result of the then high demand for protective gloves.
41. Dissatisfied, BRC Chairman immediately posted on his personal Facebook page stating that the BRC, being a majority shareholder, was duly affected by the acquisition of the ABE by Synthose corporation. He said *'This is an abomination and a day light robbery of Arkadian assets and investments'*. A follower of his Facebook account then commented on his post asking if the BRC is going to take any actions. BRC Chairman responded to the comment by saying *'still thinking about it'* but later deleted the comment.
42. In September 2021, The Pacific Times, an international and independent group of journalists had reported that the high demand for rubber gloves had pushed Arkadia to impose aggressive measures to mass produce raw materials necessary for the production of protective gloves. It was reported by at least 2 other news portals that such mass production in Arkadia have left a massive wound on its natural tropical rainforest. Following that, the European Union (EU) announced that they are investigating such discouraging treatment and will contemplate banning natural rubber imports from Arkadia. The announcement by EU caused panic within Arkadia as a ban would certainly plunge the BRC and Arkadia into further financial crisis.
43. Following the publications of the reports and announcement by the EU, an estimate of 500 Arkadian rubber tappers gathered at the Rolly Dolly Volcano to protest against the harm done on its environment. The spokesperson, Mr Deyh said that the injury caused to the tropical rainforest would anger the Arkadian Gods and could lead to an eruption of the Rolly Dolly Volcano. As such, Mr Deyh made a public call that *'the Arkadians should never forget its roots and the symbiosis between the Arkadians and the environment. May God help us all...'*

Initiation of AIAC Proceedings

44. Subsequently, in December 2021, the BRC invoked Article 9 of the Arkadia-Reka BIT to initiate arbitration proceedings against the Government of Reka at the Asian International Arbitration Centre (AIAC) which replaced the KLRCA in 2018. The BRC had paid the security deposits and the necessary fees under the AIAC Rules 2021 to the AIAC. The BRC claimed, *inter alia*, for the following:

- a) That the imposition of retrospective tax assessment against ABE is an unlawful expropriation of BRC's asset;
 - b) In any event, the imposition of retrospective tax assessment against ABE is a discriminatory practice, not in conformity with Reka's national treatment obligations and in breach of the fair and equitable treatment principle under the Arkadia-Reka BIT;
 - c) A total of USD45 billion in damages and loss of future profits be paid due to the imposition of such retrospective tax.
- 45. President Rogers publicly objected to the institution of arbitration by the BRC stating that there is a parallel proceeding wherein the matter is being heard before the WTO and BRC's act of initiating the arbitration is a form of forum shopping and an attempt to reap Reka's finances in a bid to counter a potential financial crisis.
- 46. In response to Arkadia's claim, Reka stated as follows:
 - a) That the Arbitral Tribunal has no jurisdiction to adjudicate over the matter as a similar claim of similar nature is pending before the WTO where jurisdiction is compulsory;
 - b) That the imposition of retrospective tax assessment does not constitute an unlawful expropriation of BRC's assets. If at all, such imposition is justified.
- 47. In a brief response, the BRC stated that the Arkadia-Reka BIT was designed to protect the interest of Arkadian companies such as the ABE. For that reason, the Arbitral Tribunal should have jurisdiction to hear the matter.
- 48. In February 2022, in light of EU's potential ban, Reka was preparing a joinder application to join Ms Nwantiti as a party to the proceeding. However, a poison letter was released by a former employee at the FRC alleging Ms Nwantiti had been involved in a series of corrupt practices and abuse of powers. Ms Nwantiti was also alleged to have used her position as Chairman of the company to sexually harass her subordinates at the company. Not long after, Ms Nwantiti was arrested by the authorities in Facanha. She was later implicated in a tax evasion case and a worldwide Mareva Injunction was granted by the Facanha King's Court pending full and final determination of her case.
- 49. In view of the circumstances, on 12.2.2022, Reka instead applied to join Arkadia as a party to the arbitration proceedings on the basis that BRC would not be able to finance itself due to the losses it had already suffered and the imminent loss due to a potential ban by the EU. There were rumours going around on TikTok that the joinder application was just a delay tactic deployed by Reka in hopes that the proceeding before the WTO will be concluded and the ban by the EU will quickly materialise thereby leaving the BRC with no choice but to withdraw from the arbitration. President Rogers then issued a statement denying that rumour and also said that Reka cannot be liable as the retrospective windfall tax was necessary to safeguard its security and national interest.

The End Game

50. Pursuant to Article 9 of the Arkadia-Reka BIT and the AIAC Rules 2021, a panel was constituted at the Asian International Arbitration Centre (AIAC). For the Hearing, Parties are requested to present arguments on the following issues:
- I. Whether the Arbitral Tribunal has jurisdiction to adjudicate over the BRC's claims following the proceeding before the WTO;
 - II. Whether Arbitral Tribunal should grant Reka's request to join Arkadia as a party to the proceeding;
 - III. Whether Reka's imposition of retrospective tax assessment constitute an unlawful expropriation of BRC's assets and inconsistent with Reka's obligations under the Arkadia-Reka BIT; and
 - IV. Whether Reka's imposition of retrospective tax assessment is justified to safeguard its national and security interest.

BILATERAL INVESTMENT TREATY

BETWEEN

THE DEMOCRATIC UNION OF ARKADIA

AND

THE REPUBLIC OF REKA

dated this

1st August 2012

PREAMBLE

The Government of Arkadia and the Government of Reka (hereinafter referred to as "the Parties"),

REINFORCING the longstanding traditional ties of friendship and cooperation between them;

BUILDING on their respective rights and obligations under the Marrakesh Agreement Establishing the World Trade Organization and its Covered Agreements, and other multilateral, regional and bilateral agreements to which they are both parties;

RECOGNISING the important role and contribution of business and the need to further promote and facilitate cooperation and utilisation of the greater business opportunities provided by this Agreement;

UPHOLDING the need to protect against climate change and to safeguard the environment in line with the UN Framework Convention on Climate Change (UNFCCC) and its Paris Agreement, and the Convention on Biological Diversity (CBD);

SEEKING to establish clear and mutually advantageous rules governing their trade of goods and services and further liberalise and expand bilateral trade and investment;

PROMOTING a transparent business environment that will assist enterprises in planning effectively and using resources efficiently;

Have agreed as follows:

Article 1

Objectives and Scope of Application

1. The objectives of this BIT are to promote closer integration between the economies of the Parties through:
 - (a) the reduction and/or elimination of customs duties on trade in goods between the Parties;
 - (b) the establishment of multilateral framework of principles and rules for trade in goods and services with a view to the expansion of such trade under conditions of transparency;
 - (c) facilitating trade in goods and services between the Parties;
 - (d) promoting economic corporation, partnership and growth of all Parties.
2. To protect the interests of both Parties and their respective investor(s).

3. For the avoidance of doubt, the obligations stated therein shall be enforceable by the investor(s) of the Contracting Parties or the Contracting Parties themselves as against one another.

Article 2

Fairness and Transparency

1. Each Contracting Party shall ensure that its laws, regulations, judicial decisions, policies, procedures, and administrative rulings of general application with respect to any matter covered by this BIT are promptly published or made available in such a manner as to enable interested persons and the other Contracting Party to become acquainted with them. Whenever possible, such instruments will be made available through the internet in English.
2. Each Contracting Party undertakes to implement its laws, regulations, judicial decisions, policies, procedures, and administrative rulings of general application in a fair, reasonable, just and transparent manner.

Article 3

Rule of law

1. The Contracting Parties shall guarantee the principles of good administrative behaviour, such as consistency, impartiality, independence, openness and transparency, in all issues that relate to the scope and aim of this BIT.
2. Each Contracting Party shall ensure that investor(s) have access to effective mechanisms of dispute resolution and enforcement, such as judicial, quasi-judicial or administrative tribunals or procedures for the purpose of prompt review, which mechanisms should be fair, impartial, independent, transparent and based on the rule of law.
3. As part of their duty to protect against business-related human rights abuse, the Contracting Parties must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when such abuses occur within their territory and/or jurisdiction, those affected have access to effective remedy. These mechanisms should be fair, impartial, independent, transparent and based on the rule of law.

Article 4

Expropriation

1. Neither Contracting Party shall nationalize or take any other measures depriving, directly or indirectly, the investor(s) of the other Contracting Party of their investments, unless the following conditions are complied with:

- (a) the measure is taken in the public interest;
 - (b) the measure is taken under due process of law;
 - (c) the measure is taken in a non-discriminatory manner; and
 - (d) the measure is taken against prompt, adequate and effective compensation.
2. Direct expropriation occurs when an investment is nationalised or otherwise directly taken through formal transfer of title or outright seizure.
 3. Indirect expropriation occurs if a measure or a series of measures of a Contracting Party has an effect equivalent to direct expropriation, in that it substantially deprives the investor of the fundamental attributes of property in its investment, including the right to use, enjoy and dispose of its investment, without formal transfer of title or outright seizure.
 4. The determination of whether a measure or a series of measures by a Contracting Party, in a specific factual situation, constitutes an indirect expropriation requires a case-by-case, fact-based inquiry that considers, amongst other factors:
 - (a) the economic impact of the measure or series of measures, although the sole fact that a measure or a series of measures of a Contracting Party has an adverse effect on the economic value of an investment does not establish that an indirect expropriation has occurred;
 - (b) the duration of the measure or series of measures by a Contracting Party; and
 - (c) the character of the measure or series of measures, notably their object and context.
 5. The affected investor(s) or its Home State shall have the right, under the law of the expropriating Contracting Party, to a prompt review of its claim and of the valuation of its investment, by a judicial or other independent authority of that Contracting Party, in accordance with the principles set out in this Article.
 6. Except in the rare circumstance when the impact of a measure or series of measures is so severe in light of its purpose that it appears manifestly excessive, non-discriminatory measures of a Contracting Party that are designed and applied in good faith to protect legitimate public interests, such as the protection of public health, safety, environment or public morals, social or consumer protection or promotion and protection of cultural diversity, do not constitute indirect expropriations.

7. This Article does not apply to the issuance of compulsory licences granted in relation to intellectual property rights, to the extent that such issuance is consistent with the Agreement on Trade-Related Aspects of Intellectual Property Rights in Annex 1C to the WTO Agreements.

Article 5 **National Treatment**

Each Party shall accord to investor(s) of the other Party, and covered investments, in relation to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments in its territory, treatment that is no less favourable than that it accords, in like circumstances, to its own investors and investments.

Article 6 **Most-Favoured-Nation Treatment**

Each Party shall accord to investors of the other Party, and covered investments, in relation to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments in its territory, treatment no less favourable than that it accords, in like circumstances, to investors and investments in its territory of investors of any non-Party.

Article 7 **Minimum Standard of Treatment**

1. Each Party shall accord:
 - (a) "fair and equitable treatment" requires each Party not to deny justice in any legal or administrative proceedings;
 - (b) "full protection and security" requires each Party to take such measures as may be reasonably necessary to ensure the physical protection and security of the investment; and
 - (c) the concepts of "fair and equitable treatment" and "full protection and security" do not require treatment in addition to or beyond that which is required under customary international law, and do not create additional substantive rights.
2. A determination that there has been a breach of a separate international agreement, does not establish that there has been a breach of this BIT.

Article 8

Security Exceptions

Nothing in this BIT shall be construed:

- (a) to require a Party to furnish any information, the disclosure of which it considers contrary to its essential security interest;
- (b) to prevent a Party from taking any action which it considers necessary for the protection of its essential security interest;
- (c) to prevent a Party from taking any action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security.

Article 9

Request for Establishment of Arbitral Tribunals

- 1. The Complaining Party may request the establishment of an arbitral tribunal to consider a dispute arising under this BIT.
- 2. Where a request is made pursuant to paragraph 1, an arbitral tribunal shall be established in accordance with Article 10 (Establishment and Reconvening of Arbitral Tribunals).
- 3. Any dispute arising out of or in connection with this BIT, including any question regarding its existence, validity or termination shall be referred to and finally resolved by arbitration administered by the Kuala Lumpur Regional Centre for Arbitration (KLRC) in accordance with the rules of the institution as when the request is made.
- 4. The seat of the arbitration shall be Sydney, Australia.
- 5. The language of the arbitration shall be English.

Article 10

Establishment of Arbitral Tribunals

- 1. An arbitral tribunal requested pursuant to Article 9 (Request for Establishment of Arbitral Tribunals) shall be established in accordance with this Article.
- 2. Unless the Parties otherwise agree, the arbitral tribunal shall consist of three arbitrators.

3. All arbitrators shall:
 - (a) have expertise or experience in law, international trade, other matters covered by this BIT, or the resolution of disputes arising under international trade agreements;
 - (b) be chosen strictly on the basis of objectivity, reliability, and sound judgement;
 - (c) be independent of, and not be affiliated with or take instructions from, either Party;
 - (d) not have dealt with the matter in any capacity; and
 - (e) disclose to the Parties, information which may give rise to justifiable doubts as to their independence or impartiality.
4. Unless the Parties otherwise agree, arbitrators shall not be nationals of a Party. In addition, the chair of the arbitral tribunal shall not have his or her usual place of residence in the territory of a Party.

Article 11 Confidentiality

Unless otherwise provided in this Agreement, each Party shall undertake, in accordance with its laws and regulations, to observe the confidentiality of information provided by the other Party.

Article 12 Amendments

The Parties may agree, in writing, to amend this Agreement. An amendment shall enter into force after the Parties exchange written notifications certifying that they have completed their respective applicable legal requirements and procedures and on such date as the Parties may agree.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this BIT.



For the Government of Arkadia



For the Government of Reka

CORRECTIONS AND CLARIFICATIONS TO THE MOOT PROBLEM

CORRECTIONS

1. In paragraph 15, at the last sentence, it should be read as: '...as the place of arbitration and **Sydney** as the seat of arbitration.'
2. In paragraph 21, at the fifth line, it should be read as: '...have absolute control over **BRC's** subsidiary in Facanha.'
3. In paragraph 31, at the last line of the last sentence, it should be read as: '...issued a statement and criticised Reka's full-scale military intervention in **Aprósia**.'
4. In paragraph 46, it should be read as: 'In response to **BRC's** claim, Reka stated as follows:...''

CLARIFICATIONS

1. **Is it possible to provide a list of relevant treaties in which both parties are signatories?**

At all material times, Arkadia and Reka have been parties to the Charter of the United Nations and the Vienna Convention on the Law of Treaties. They are not parties to any other treaty or convention of potential relevance in The Brasilensis Saga besides those specified in the Moot Problem.

2. **At paragraph 7, does the MOU has any relation to the BIT?**

The MOU was signed to signify and establish the relationship between Arkadia and Reka. It was also a form of acknowledgement of the sovereignty of each state.

3. **At paragraph 14, what were the foreign investors' tax obligations under the BIT?**

Please refer to the Arkadia-Reka BIT.

4. **At paragraph 35, what caused the 'irregularities' in Reka's taxation system?**

Reka could not disclose the reason which caused the irregularities in its taxation system as all investigation papers, and related reports and documents were classified as "Official Secrets" under Reka's Official Secrets Act 1998. Nonetheless, one chapter of the report was leaked to the press. According to the leaked report, the irregularities were due to a loophole in Reka's taxation system.

It was leaked that a number of foreign companies took advantage of the loophole. However, the amount of tax that was supposedly payable by ABE was the largest. It was also stated in the leaked report that there was a complaint by one ABE employee who overheard its senior executive thanking an officer from the Rekan Revenue Board in his office. The ABE employee suspected that there was foul play involved since the senior executive was always praised by other executives for his good relationship with the Rekan Revenue Board.

After the report was leaked, Arkadia's Minister of Finance questioned the legitimacy of the Task Force and the truthfulness of the report, framing the entire tax operation as a form of *'tax terrorism'*.

5. At paragraph 36, how were the tax assessments calculated?

The tax assessments included the amount of unpaid taxes, penalties and fines imposable under the Rekan Revenue Law.

6. At paragraph 39, why was ABE's application for a stay of the winding-up proceedings rejected by Reka's High Court and Supreme Court?

According to the judgment of the Supreme Court of Reka, ABE had not shown that there exist any special circumstances warranting a stay.

7. At paragraph 38, WTO proceedings were initiated. Are there any updates concerning the WTO proceeding? Mainly whether the arbitration proceedings are concurrent or subsequent to the WTO proceedings?

The WTO proceedings were suspended on 2 occasions where the panel members were infected by the Beebop-19 virus. Due to the severity of the Beebop-19 virus, both the panel members had to undergo intensive care to recover. It was conveyed to Arkadia and Reka that the incidents that took place were unforeseeable and unavoidable.

8. At paragraphs 39 and 40, was BRC involved in the winding-up proceedings and subsequent liquidation of ABE?

BRC was not directly involved in the winding-up proceedings and subsequent liquidation of ABE. Nonetheless, starting mid-2021, there were constant communication between Navod and Nwantiti unlike before. Nwantiti kept asking her father for advice on the situation.

9. At paragraph 42, the European Union was mentioned. Is Reka part of the EU?

Reka is not part of the EU.

10. **At paragraph 48, are Ms Nwantiti's 'series of corrupt practices and abuse of powers' related to ABE taking advantage of the tax loophole in Reka?**

Based on the court papers filed at the Facanha King's Court, the charges were limited to Ms Nwantiti's misconduct in FRC. There were no investigations as to such conduct in ABE.

11. **At paragraph 49, what 'security and national interest' is President Rogers referring to?**

For parties to argue.

ADDITIONAL CLARIFICATIONS

1. **Pertaining to Clarification No. 1, are both countries party to the UN Framework Convention on Climate Change, the Paris Agreement, and the Convention on Biological Diversity?**

Yes. Both Arkadia and Reka are parties to the abovementioned treaties.

2. **Pertaining to Clarification No. 1, are Reka and Arkadia signatories to the New York Convention?**

Yes. Both Arkadia and Reka are parties to the New York Convention.

3. **Pertaining to Clarification No. 3, which provision of the BIT is being referred to?**

For parties to argue.

4. **Pertaining to Clarification No. 4, did the investigations on the tax irregularities in the Rekan taxation system, conducted by the Rekan Task Force, focus equally on tax loopholes abused by both domestic and foreign companies?**

Investigations were also conducted against local companies in Reka.

5. **Pertaining to Clarification No. 4, did the investigators find any local Rekan company that took advantage of the tax loophole? If there were local companies that took advantage of the tax loophole, was the retrospective tax assessment imposed on those local companies?**

No local Rekan company was found guilty.

6. **Pertaining to Clarification No. 8, was BRC's indirect involvement include any discussions (formal or informal) about the valuation of the company (this is valuation as to auction price)? How much was ABE being auctioned off at and does it satisfy ABE's outstanding USD 5.7 billion tax liability to Reka?**

The terms of the auction were not disclosed. Based on a comment made by Rekan's public law expert, Prof Dr Raseem Lieyer, the non-disclosure could be due to Synthose Corporation's link to a state-funded entity.

7. **Pertaining to Clarification No. 8, what was the advice Ms Nwantiti sought from Mr Navod?**

Both Ms Nwantiti and Mr Navod refused to disclose the details of the communication.

8. **Pertaining to Clarification No. 10, based on court papers filed, was BRC, or its chairman, Mr Navod Harrapari, aware of Ms Nwantiti's misconduct in FRC?**

Mr Navod only came to know about the misconduct after being contacted by Ms Nwantiti's lawyer in Facanha.

9. **Pertaining to Clarification No. 10, did ABE benefit from Ms Nwantiti's misconduct in FRC?**

All investigation papers relating to the misconduct by Ms Nwantiti were marked confidential and formed part of the prosecution's records.

OFFICIAL RULES

1. Organisation

The LAWASIA International Moot Competition (“Competition”) is held in conjunction with the annual LAWASIA Conference. It will be organised by the LAWASIA Moot Standing Committee (“Moot Committee”).

2. Language

The language of the Competition is English and interpreters will not be available. However, judges will be mindful of the difficulties faced by mooters arguing in a language other than their own.

3. Membership and Eligibility of Teams

3.1 Each team shall consist of a minimum of two members and a maximum of three members, each of whom:

- (a) is pursuing an undergraduate law degree or a bar qualifying course or its equivalent, or
- (b) is undertaking a first graduate degree in a legal field (not including Ph.D., S.JD and its equivalent unless express prior approval from the Competition Administrator has been obtained); and
- (c) is enrolled at a law school in the country that he or she represents as a full time or part-time student as at the date of the deadline of registration of the team for the international rounds; and
- (d) has not been admitted as an advocate and solicitor, barrister, attorney, legal practitioner or equivalent in their respective jurisdiction.

3.2 Members of each team must be students from the same law school.

3.3 The names of the members of each team shall be given to the Moot Committee on the date of registration.

3.4 Each team will be given a team number upon payment of registration fees.

4. Number of Participating Teams

The Moot Committee will decide on the maximum number of participating teams each year as well as the maximum number of teams that represents one particular country.

5. Assistance

- 5.1 Teams may not have any outside assistance in the preparation or presentation of their cases other than general guidance on the issues involved and research sources.
- 5.2 Coaches accompanying the teams to the competition shall be a member of the staff of the law school.

6. The Moot Problem

- 6.1 The moot problem shall involve issues of international or LAWASIA interest. It must be concerned solely with a point or points of law to be decided by the Moot Committee.
- 6.2 The moot problem will be announced at an appointed date and the same problem will be used throughout the Competition.
- 6.3 Any ambiguities will be sent to the Moot Committee. The Moot Committee may then resolve the ambiguities at its absolute discretion. Clarifications will be communicated to the participating teams.
- 6.4 Teams are expected to prepare arguments for both the Claimant and the Respondent.

7. The Competition

- 7.1 The number of teams competing, and the structure of the competition shall be decided by the Moot Committee.
- 7.2 The Moot Committee has the absolute discretion to decide whether to award the prizes available in the competition.
- 7.3 The marks awarded in each round shall be published at the end of each round.
- 7.4 The Best Mooter shall be decided by the Moot Committee taking into consideration the total individual points in the general rounds as well as comments from the judges on the performance of the mooters.
- 7.5 The team in the opinion of the Moot Committee that best exhibits the LAWASIA spirit and values of fellowship, scholarship, and amity in the international rounds will be awarded The Spirit of LAWASIA Trophy.
- 7.6 The team in the opinion of the Moot Committee that best demonstrates the most effort under difficult and challenging circumstances in the international rounds will be awarded The Best Endeavour Award.

7.7 The winning team in the final of the Oral Rounds of the Competition will be awarded the LAWASIA Best Oralist Team.

7.8 The winning team will not necessarily be the team for which judgment may be given on the law.

8. Judging the Competition

8.1 Each general round moot shall be held before a panel of judges appointed by the Moot Committee. The Moot Committee has the absolute discretion to make the selection and allocation of judges for the competition.

8.2 Each panel of judges shall consist of three judges. The Moot Committee reserves the right to have two member panels if for whatever reasons a three-member panel cannot be constituted. The Moot Committee also reserves the right to have more than three judges sitting in a panel during the finals of the Moot Competition.

8.3 The presiding judge shall be the most senior judge, or as decided by the Moot Committee.

8.4 Each judge shall complete an individual marking sheet for each participant in a moot.

9. Persons Eligible to Judge

9.1 The Moot Committee shall determine the persons who are eligible to serve as judges in the Competition.

9.2 Undergraduate students may not act as judges. Postgraduate students may be eligible to serve as judges, but they must not be directly affiliated with any participating Team in the Moot Competition at which they are to judge.

9.3 Judges who are affiliated with a participating law school in the Competition either personally or professionally, may not act as a judge on a panel of any match involving teams from that law school.

9.4 The Competition Administrator has discretion to approve such a judge affiliated with a participating law school if, in his or her opinion it would not risk impartiality nor jeopardise propriety.

10. Moot Oral Rounds

10.1. General Rules in the Moot Oral Rounds

10.1.1 Team members

In any given oral round, each team (comprising two members) is allowed 45 minutes for the oral submission. This is apportioned accordingly to:

- (a) first mooter – 20 minutes
- (b) second mooter – 20 minutes
- (c) rebuttal or surrebuttal – 5 minutes.

Judges have discretion to permit time extensions (on their own volition or upon request).

10.1.2 Additional Counsel

At each oral round, one additional team member may sit at the counsel table with the two mooters as counsel so long as he or she is a registered team member. The team member acting as counsel need not necessarily be the same team member in each round.

10.1.3 Attire during the Oral Rounds

Unless otherwise instructed by the Moot Committee, team members must attend the oral rounds in business attire, i.e. dark suits with tie for men and dark suits with skirt or trousers for ladies.

10.2 Oral Submission

10.2.1 Order of Oral Submission

- (a) The order of the oral submission in each moot round of the Competition is:

Claimant Mooter 1
 Claimant Mooter 2
 Respondent Mooter 1
 Respondent Mooter 2
 Rebuttal (Claimant Mooter 1 or 2)
 Surrebuttal (Respondent Mooter 1 or 2).

- (b) The judges have full discretion to permit variation to the order of pleadings.

10.2.2 Scope of Pleadings

- (a) The claimant's rebuttal is limited to the scope of the respondent's pleadings.
- (b) The respondent's surrebuttal is limited to the scope of the claimant's rebuttal, unless the claimant has waived rebuttal, in which case there shall be no surrebuttal.

10.3 Failure to attend an Oral Round

- (a) If a team does not appear for a scheduled oral round, the moot shall proceed ex parte. The team that failed to appear forfeits all the round's total points. In such instances, the Moot Committee shall in its absolute discretion decide on the scoring system as appropriate taking into consideration the moot competition structure and to ensure that all teams are judged fairly on their performance.
- (b) The team which presents its pleadings shall be given scores by the judges to the degree possible as if the opposing team had been in attendance and presenting its arguments. The Competition Administrator may, at his or her absolute discretion, schedule an ex parte proceeding for the absent team if time permits.

10.4 Communications During Competition

- (a) Only oral communications are permitted during the oral rounds.
- (b) Other than the oral submissions, there shall be no other forms of communication to any judge, and this includes but are not limited to any form of documents whether in writing or otherwise, pictures, charts, diagrams as well any video or audio recordings.

10.4.1 Communication between Counsel and Judges During Moot Rounds

A mooter may communicate with the judges, and the judges may communicate with that mooter, during the mooter's allotted speaking time.

10.4.2 Communication and Activity at Counsel Table During Moot Rounds

- (a) Moot communication at the counsel table during oral rounds must be minimised so as to avoid distractions i.e. noise, outbursts, or other improper conduct. All communication at the counsel table shall be in writing only.
- (b) However, a mooter may orally consult with his teammates only with the permission of the judges during his allotted speaking time.

10.4.3 Inappropriate Communication During Oral Rounds

Team members at the counsel table shall not communicate either orally or in writing with spectators or other team members not present at the counsel table.

10.5 Spectators

All oral rounds are open to the public. Teams may be requested to limit the number of spectators in a courtroom during the oral rounds. Priority will be given to coaches, advisors, or other spectators affiliated with the teams taking part in that oral round.

10.6 Audio and Videotaping

No audio or videotaping of a moot round is permitted without the advance permission of the Competition Administrator. The Moot Committee reserves all rights to the audio and videotaping, or any other form of audio or visual reproduction, of any moot round or part thereof. All participating teams are deemed to have consented to the taping and broadcasting of that round.

10.7 Use of Mobile Devices, Computers and Laptops

During any oral round, mooters who are submitting and team members seated at counsel table may not use laptops, computers, tablets, mobile phones or any other computing device. Teams are responsible to ensure strict compliance with this rule. If there is a violation the Competition Administrator must be informed immediately during or after the moot round has ended. The Competition Administrator has discretion to impose a penalty on teams that violate this rule.

11. Scoring for the Oral Rounds.

11.1 Basis for Scores

- (a) Teams shall be judged on the quality of their overall performances, which includes the merits of the case.
- (b) Notwithstanding the scoring system hereinafter set out, the Moot Committee shall in its absolute discretion vary the scoring system as appropriate taking into consideration the moot competition structure. Such variation in the scoring system shall be announced to the participating teams on or before the commencement of the competition.

11.2 Judging the Oral Rounds

The Moot Committee shall decide on the judges for the oral rounds. A panel of three judges shall score each mooter in a match at each oral round on a scale of 50 to 100 points.

11.3 Raw Scores for the Oral Rounds

- (a) Raw Scores are the points awarded to the mooters by the judges.
- (b) In each match, a Team's Raw Score is the sum of the points of the three (3) judges for each of its two (2) mooters.
- (c) A Team's Total Raw Score in a particular round is the sum of the Team's Raw Scores in that round.
- (d) The calculation of Raw Scores shall be subject to the deduction of Penalty points under the provisions of Rule 12 below.

11.4 Round Points for the Oral Rounds

- (a) In each match, a total of up to six (6) Round Points may be awarded based on a comparison of combined moot argument scores.
- (b) The Total Round Points for a team in a particular round will be the sum of the Rounds Points obtained by that team in that round.
- (c) The Rounds Points are awarded to a team in the following manner:-
 - The sum of each judge's Raw Score for the Claimant Mooter 1 and Claimant Mooter 2 is compared to the sum of the judge's Raw Scores for Respondent Mooter 1 and Respondent Mooter 2.
 - For each judge, the Team with the higher combined mooter Raw Scores is awarded two (2) Round Points. If in any such comparison, the two Teams' scores are equal, each Team is awarded one (1) Round Point.

11.5 Two Judge Panels

If only two judges score a given Moot match, the Competition Administrator shall create a third score by averaging the scores of the two judges.

11.6 Determination of Winners and Rankings

11.6.1 Determining the Winner of a Match

In any given match, the Team receiving the greater number of six (6) available Round Points wins the match. If the two Teams have equal number of Rounds Points, the Team with the higher Team Raw Scores wins the match. If the two Teams have an equal number of Round Points and an equal Team Raw Score, the match is a draw.

11.6.2 Round Rankings

- (a) Teams shall be ranked in their respective groups (where applicable) by the number of wins in a particular round, from highest to lowest.
- (b) If two or more Teams have the same number of wins, the Team having the higher Total Rounds Points from that round shall be ranked higher.
- (c) If two or more Teams have the same number of wins and the same Total Round Points, the Team with the higher Total Raw Scores from that round shall be ranked higher.
- (d) The scoring and round ranking system prescribed herein applies to both the Preliminary Rounds and the Final Rounds (and where applicable, the Quarter-Final and Semi-Final Rounds).

11.6.3 Tie-Breaking Procedure

If two or more Teams are tied after application of Rule 11.6.2, and the outcome of the determination does not affect (a) any Team's entry into the subsequent round, or (b) the pairing of any Teams in the subsequent round of the Moot Competition, the Teams shall be ranked equally. If, however, further determination is necessary (under either (a) or (b) above), the rankings shall be accomplished as follows:

- (a) If only two Teams are tied and if the tied Teams have faced each other in the Preliminary Rounds, the winner of that match shall be ranked higher.
- (b) If only two Teams are tied and the Teams have not faced each other in earlier Rounds, and time permits, the Administrator may schedule a match between the two Teams, with the Team with the lower Team number acting for the Claimant. The match shall be conducted according to the scoring Rules for Preliminary Rounds. The winner of the match shall be ranked higher.

If neither of these methods breaks the tie, the Competition Administrator shall determine the method for breaking the tie.

11.7 Reporting of Results

After the conclusion of the Competition, the following shall be made available in soft copies for each Team participating in the Competition:

- (a) a copy of individual moot judge's scoresheets and Penalties, if any, with attendant comments, if any, from Preliminary Rounds of the Competition;

- (b) a copy of the Overall Rankings of the Preliminary Rounds of the Competition, with the Total accumulated Win-Loss records, Overall Raw Scores, and Overall Round Points;
- (c) a copy of the Mooter Rankings from the Preliminary Rounds of the Competition; and
- (d) a summary of the Advance Rounds of the Competition.

12. Penalties

12.1 Oral Round Penalties

The Competition Administrator shall impose an oral round penalty at his or her discretion, if necessary after consultation with the judges, registrars, teams and spectators.

12.2 Complaint Procedure

- (a) If a team believes that an infraction of the Rules has occurred during an oral round, the team may notify the Registrar in writing within five (5) minutes of the conclusion of that oral round. If there is no Registrar, teams must approach the Competition Administrator with complaints.
- (b) Written notification shall clearly describe the violation and the parties involved in the violation.
- (c) The team shall not directly approach the judges regarding a violation of these Rules. When possible, the matter should be raised with the Registrar outside the attention of the judges.
- (d) Failure by any team to follow the procedures described in this paragraph shall result in a waiver of the team's complaint.
- (e) If one or more judges believe an infraction has occurred during an oral round, he or she shall notify the Registrar orally or in writing within five (5) minutes of the completion of the moot round. When possible, the matter should be raised with the Registrar outside the attention of the other judges.

12.3 Penalty Deduction

Penalty deduction may be made only by the Competition Administrator. Judges are prohibited from deducting penalty points from the scores and must score the oral round as if no violation occurred.

12.4 Activity Subject to Oral Round Penalties

Penalties may be assessed for violations during an oral round by reference to rule 10 above. The Administrator shall deduct the Penalty amount from each judge's combined score (the sum of the judge's score for Mooter 1 and Mooter 2) prior to determining the Moot Round Points. Alternatively, the Administrator may in his discretion deduct the Penalty amount only from a particular Mooter.

12.5 Discretionary Penalties

In addition to the Penalties that may be deducted under Rule 12.4 above, the Competition Administrator may assess up to fifteen point Penalties for other violations of the letter or spirit of these Rules. The size of the Penalty shall correspond to the degree of the violation in the judgment of the Competition Administrator. Discretionary Penalties shall be imposed only by the Competition Administrator. Such violations may include:

- (a) poor sportsmanship;
- (b) submitting numerous frivolous complaints against other teams;
- (c) engaging in inappropriate behaviour at the counsel table during the moot rounds;
- (d) displaying obvious disregard for the procedures or requirements outlined in the Rules.

12.6 Notice and Appeals

- (a) The Competition Administrator shall notify teams of his or her decision regarding imposition of any penalty as soon as possible.
- (b) The Competition Administrator shall, where it is practicable to do so, set a reasonable time limit by which either team may appeal the decision.
- (c) Upon submission of an appeal, the Competition Administrator shall consult with the Moot Committee in determining the appeal. The Moot Committee's decision on all appeals is final.

12.7 *De Minimis* Rule

The Competition Administrator may waive or lessen the penalty for a *de minimis* rule violation.

13. Progression into subsequent Rounds

13.1 Rounds

- (a) In every competition, there shall be the Preliminary Rounds, the Semi-finals Rounds and the Final Rounds.
- (b) The Moot Committee may in its discretion hold a Quarter-final Round if it is deemed necessary.

13.2 Progression from the Preliminary Rounds

Progression from the Preliminary Rounds will be determined based on the ranking of the teams in their respective groups. The number of teams progressing will be determined based on the number of participating teams and it shall be announced to the participating teams before the commencement of the competition.

13.3 Progression into the Final Round

The top two ranking teams from the Semi-final Rounds will progress into the Final Round.

14. Power to Enact Measures

The Competition Administrator may in consultation with the Moot Committee, establish such other measures to maintain the orderly manner of the Competition or to remedy shortfalls in the Competition. Such alterations shall not violate the spirit of these Rules in the best interests of the Competition.

15. Interpretation of Rules

The Competition Administrator in consultation with the Moot Committee shall be the final arbiter in the interpretation of these rules.

PROCEDURAL GUIDELINES FOR ARBITRATION

As the moot competition is an Arbitration moot competition, the LAWASIA Moot Competition Committee would like to replicate as much as is possible, the real-life atmosphere of arbitration so as to ensure that participating teams gain the most from this experience. However, as this is also a competition, a compromise has to be reached between the procedures normally observed in an arbitration proceeding and the rules of a moot competition. The LAWASIA Moot Competition Committee has therefore issued the Procedural Rules in addition to the Official Rules of the LAWASIA International Moot Competition ('Official Rules'). Competing teams are therefore expected to read and observe both the Official Rules as well as the following Procedural Rules:

1. Order of proceedings

The order of proceedings shall be as set out in the Official Rules, i.e. Claimant Mooter 1 (20 minutes), Claimant Mooter 2 (20 minutes), Respondent Mooter 1 (20 minutes), Respondent Mooter 2 (20 minutes), Rebuttal (5 minutes), followed by the Surrebuttal (5 minutes).

2. Proper address

The Arbitrators shall be addressed as Mr or Madam Arbitrator and the Chair of the panel shall be addressed as Mr or Madam Chairman. Collectively, the panel should be addressed as the Arbitral Panel. Alternatively, arbitrators may be addressed by their family names such as "Mr Young, Ms Doi, Dr Lee, Professor Jones or Sir/Madam".

It is inappropriate to use honorific titles for the panel e.g. "This Honourable Tribunal" or for individual arbitrators e.g. "Judge, Your Honour, Your Excellency".

3. Bundles of authorities

In accordance with the Official Rules, Teams shall not submit any other documents or bundles of authorities to the Arbitrators during the proceedings.

4. Start/End of Proceedings

The Registrar will announce the start of proceedings and the Registrar will aid the Arbitrators to keep to the time allowed. At the close of submissions, the room will be cleared to enable the Arbitrators to deliberate (alternatively, the Arbitrators may leave the room and proceed to the deliberation room). Mooters may return to the room when the Arbitrators have completed their deliberations. The Arbitrators will deliver their comments on the performance of the teams but will not disclose the marks awarded.

COMPETITION STRUCTURE AND SCHEDULE

17TH LAWASIA INTERNATIONAL MOOT COMPETITION – INTERNATIONAL ROUNDS NOVEMBER 2022 SYDNEY, AUSTRALIA

Opening Ceremony : Friday, 18 November 2022

Moot Competition/Award Ceremony : Saturday, 19 November to Monday, 21 November 2022

Team No. & Institution

A2201	Advance Tertiary College (Malaysia)
A2202	CTBC Business School (Taiwan)
A2203	Chulalongkorn University (Thailand)
A2204	Government Sindh Law College (Pakistan)
A2205	Ho Chi Minh City University of Law (Vietnam)
A2206	University Malaya (Malaysia)
A2207	Singapore Management University (Singapore)
A2208	National University of Management (Phnom Penh, Cambodia)

FRIDAY, 18 NOVEMBER 2022
[The College of Law Headquarters]

OPENING CEREMONY

Time	Events
10:00am	Registration
10:30am	Opening Remarks by Raphael Tay, Chair Special Remarks by College of Law, Host Presentation of Rules by Lai Mun Onn, Moot Administrator Introduction by respective teams and gift exchange
12:00nn	End of Opening Ceremony

SATURDAY, 19 NOVEMBER 2022
[The College of Law Headquarters]

**COMPETITION
ROUND I**

Moot Room and Events

C –Claimant; R – Respondent

Time	A	B	C	D
08:00am – 10:00am	A2203 (C) v. A2205 (R)	A2207 (C) v. A2202 (R)	A2206 (C) v. A2208 (R)	A2201 (C) v. A2204 (R)
10:00am – 10:30am	Break			
10:30am – 12:30pm	A2204 (C) v. A2203 (R)	A2205 (C) v. A2207 (R)	A2202 (C) v. A2206 (R)	A2208 (C) v. A2201 (R)
12:30pm – 02:00pm	Lunch Break			
02:00pm – 04:00pm	A2203 (C) v. A2206 (R)	A2205 (C) v. A2208 (R)	A2207 (C) v. A2201 (R)	A2202 (C) v. A2204 (R)
04:00pm – 04:30pm	Break			
04:30pm – 06:30pm	A2206 (C) v. A2207 (R)	A2208 (C) v. A2202 (R)	A2201 (C) v. A2203 (R)	A2204 (C) v. A2205 (R)

SUNDAY, 20 NOVEMBER 2022
[The College of Law Headquarters]

**COMPETITION
ROUND II**

Moot Room and Events		C –Claimant; R - Respondent	
Time	A	B	B
08:00am – 10:00am	Team ranked 01 (C) v. Team ranked 06 (R)	Team ranked 02 (C) v. Team ranked 05 (R)	Team ranked 03 (C) v. Team ranked 04 (R)
10:00am – 10:30am	Break		
10:30am – 12:30pm	Team ranked 04 (C) v. Team ranked 01 (R)	Team ranked 05 (C) v. Team ranked 03 (R)	Team ranked 06 (C) v. Team ranked 02 (R)
12:30pm – 02:00pm	Lunch Break		

SUNDAY, 20 NOVEMBER 2022
[The College of Law Headquarters]

**COMPETITION
ROUND III**

Moot Room and Events		C –Claimant; R - Respondent	
Time	A	B	B
02:00pm–04:00pm	Team ranked 01 (C) v. Team ranked 04 (R)	Team ranked 02 (C) v. Team ranked 03 (R)	
04:00pm–04:30pm	Break		
04:30pm–06:30pm	Team ranked 03 (C) v. Team ranked 01 (R)	Team ranked 04 (C) v. Team ranked 02 (R)	

MONDAY, 21 NOVEMBER 2022**[Hilton Sydney****488 George Street, Sydney, NSW 2000]****COMPETITION
ROUND IV
FINAL****Time****09:30am–11:30am****Moot Room and Events***C –Claimant; R - Respondent***Team mooting as Claimant (C)****v.****Team mooting as Respondent (R)****MOOT ROUND MATCH GUIDELINES****Determining the winner of a match**

In any given match, the Team receiving the greater number of Round Points wins the match. If the two Teams have equal number of Rounds Points, the Team with the higher Team Raw Scores wins the match. If the two Teams have an equal number of Round Points and an equal Team Raw Score, the match is a draw.

Determining the team progressing into the next roundCompetition Round I to II:

The top 6 teams, which is determined by the number of wins, from Competition Round I will proceed to Competition Round II. Teams will be ranked from 1 to 6 based on number of wins (in descending order).

In the case of a tie, the team with the higher accumulated Total Round Points in Competition Round I will be ranked higher. In the case that the tie is not broken, the Team with the higher Total Raw Score from the rounds shall be ranked higher. *

Competition Round II to III:

The top 4 teams, which is determined by the number of wins, from Competition Round II will proceed to Competition Round III. Teams will be ranked from 1 to 4 based on number of wins (in descending order).

In the case of a tie, the team with the higher accumulated Total Round Points in Competition Round II will be ranked higher. In the case that the tie is not broken, the Team with the higher Total Raw Score from the rounds shall be ranked higher. *

Competition Round III to IV:

The top 2 teams, which is determined by the number of wins, from Competition Round III will proceed to Competition Round IV. Teams will be ranked from 1 to 2 based on number of wins (in descending order).

In the case of a tie, the team with the higher accumulated Total Round Points in Competition Round III will be ranked higher. In the case that the tie is not broken, the Team with the higher Total Raw Score from the rounds shall be ranked higher. *

The team ranked higher will be given a choice to moot either as Claimant or Respondent in the Final Round.

** In the event, at any round, the method of breaking the tie is unsuccessful, the Competition Administrator shall determine the next best method to breaking the tie.*

PARTICIPATING TEAMS

No	University/College	Team Members
1	Advance Tertiary College (Malaysia)	Team A2201 Raddhasri Kumarasamy – LLB Year 1 Tharshini Balasubramaniam – LLB Year 1 Tan Mien Shuen – LLB Year 1 Danial Arif Bin Heron Khalid Goh (Coach)
2	CTBC Business School (Taiwan)	Team A2202 Yu Chun Fang – LLB Year 3 Shih Yuan Hung – LLB Year 3 Hsiu Jung Lin – LLB Year 4 Prof Berry Hsu (Coach)
3	Chulalongkorn University (Thailand)	Team A2203 Kanchanit Horuengwetkij – LLB Year 3 Pasin Supawan – LLB Year 3 Poomrapee Yadee – LLB Year 2 Papawadee Tanodomdej Schuldt (Coach)
4	Government Sindh Law College (Pakistan)	Team A2204 Muzammil Mughal – LLB Year 4 Mirza Mohibullah Baig – LLB Year 4 Saima Agha (Coach)
5	Ho Chi Minh City University of Law (Vietnam)	Team A2205 La Phuong Uyen – LLB Year 4 Hoang Thi Khanh Hien – LLB Year 4 Ha Tien Vinh – LLB Year 4 Nguyen Dao Phuong Thuy (Coach)

No	University/College	Team Members
1	University Malaya (Malaysia)	Team A2206 Abby Si Xinyi – LLB Year 2 Lee Shi Yi – LLB Year 2 Rosemary Ting – LLB Year 2 Nevyn Vinosh Venudran (Coach)
2	Singapore Management University (Singapore)	Team A2207 Zheng Junxi – LLB Year 3 Lee Rui Xin – LLB Year 3 Alexis Loy – LLB Year 4 Martin Liao Qiu Xu (Coach)
3	National University of Management (Phnom Penh)	Team A2208 SOUN SokunKesor – LLB Year 3 VANNA Sreynich – LLB Year 3 CHHUM Chheanling – LLB Year 3 NORN Panha (Coach)

AUTHOR(S) OF THE MOOT PROBLEM

Amiratu Al Amirat Garbaa

Al is a practising lawyer in Messrs. Rosli Dahlan Saravana Partnership specialising in land disputes, public, administrative and constitutional law matters. Throughout Al's study at the University of Malaya, she was immersed in the mooting scene where she represented her alma matter in both local and international mooting competitions. Her earlier enthusiasm in mooting was the catalyst to jumpstart her later career as a litigator. She is adorned with a number of accolades from the mooting community, showing her profound adeptness as an advocate in the Court of law. As the stars aligned, her first moot competition was the 2018 LAWASIA Moot Competition where her team won First Runner Up and she bagged the Mah Weng Kwai Challenge Trophy for Best Mooter award. The LAWASIA Moot Competition became the stepping stone for her to embark on her mooting journey.

Her team later championed the 2019 National Philip C. Jessup Moot Court Competition and represented Malaysia in the International Rounds. Besides actively competing, Al's passion for mooting is illustrated through the several mooting competitions she has judged and also during her tenure as a moot coach at the Cyber Law Moot Court Competition in 2019 where her team emerged victorious. *"Amiratu will make not only a formidable litigator, but also a brilliant lawyer as a whole. Her ability to read judges is a testament to her human touch"* as said by Raphael Kok accurately summarises Al's talent, determination and passion in law.

Thenesh Anbalagan BIO

Thenesh Anbalagan graduated top of his class from the National University of Malaysia (UKM) with a Bachelor of Laws with Honours (Distinction) and is the recipient of the coveted Tun Abdul Razak award conferred by UKM in recognition of his outstanding academic and cocurricular achievements. Thenesh is also a Tunku Scholar, having been granted the prestigious Tunku Abdul Rahman Scholarship by Tunku Abdul Rahman Foundation (YTAR) to pursue his undergraduate studies.

Throughout his time in UKM, Thenesh has established himself as an accomplished mooter. He had represented his university in various domestic and international moot competitions such as the LAWASIA Moot Competition 2018 and the Nuremberg Moot Court Competition 2019. In 2021, Thenesh captained UKM's Jessup Team in their debut season at the international rounds of the prestigious Philip C. Jessup International Law Moot Court Competition where his team was awarded the Hardy C. Dillard Best Combined Memorial Award by ranking 25 out of 570 teams and the Best Overall Responded Side Award by ranking 14 out of 570 teams globally. In addition to that, Thenesh emerged as the top 100 best individual oralists of the preliminary rounds.

Thenesh is also the founder of UKM Moot Club which aims to help fellow mooters in UKM excel in the mooting scene. With his background and prominence in mooting, Thenesh has always been dedicated to nurture and inspire budding mooters to achieve excellence in their moot journey.

MOOT JUDGES

Arthur Moses SC

Arthur Moses SC has been practicing at the NSW Bar in excess of 25 years. He was appointed Senior Counsel in 2008. He served as President of the NSW Bar Association during the period 2017 to 2018. He also served as President of the Law Council of Australia in 2019. Mr Moses SC is currently a member of the Executive of LAWASIA and Co-Chair's its Human Rights Committee. His practice includes administrative law, coronial inquests, corruption inquiries, proceeds of crime litigation, native title litigation, work health and safety prosecutions, employment and industrial law, discrimination, restraints of trade, commercial, equity, sports law and military law cases. He regularly appears before the Federal Court, NSW Court of Appeal, Supreme Court of NSW as well as appellate Courts in other States. Mr Moses SC has appeared in numerous corruption inquiries before ICAC and law enforcement integrity commissions. He also regularly appears for the Commissioner of the Australian Federal Police in proceeds of crime matters in various intermediate appellate courts throughout Australia. He has also appeared for the NSW Crime Commission. Mr Moses SC is also a Squadron Leader in the Royal Australian Air Force Specialist Reserve and is currently an Assistant Inspector General of the Australian Defence Force. Mr Moses SC has presented numerous seminars on topics including legal ethics, apprehension of bias, restraints of trade, employment law, and work health and safety prosecutions for institutions such as the University of NSW, the Australian Defence Force, the Law Council of Australia, the NSW Bar Association and the Judicial Commission of NSW.

Antoni (Toni) Lasala Grimalt

Antoni has diverse knowledge in the areas of Business Law (Commercial Law, Corporate Law, M&A and Industrial and Intellectual Property and Competition Law) as well as Real Estate Law. He has developed his career in law firms with a relevant international practice and vocation and in the legal department of a Spanish multinational. He has extensive experience advising both foreign investors in Spain and Spanish corporations investing abroad. He is secretary of the board of directors of diverse companies. He set up his own firm, BARCELAW ABOGADOS, S.L.P. in 2004, located in Barcelona, where he occupies the position of managing-partner. Antoni graduated in Law at the Autonomous University of Barcelona and is a member of the Barcelona Bar Association since 1986. He was a Vice President of the EU and International Law Commission of the Barcelona Bar Association (2002-2006), member of the council of the Industrial Property Commission of the Barcelona Bar Association (2012-2016). He is also a member of AIPPI (International Association for the Defense of Intellectual Property), member of the Board of the International Association of Practicing Lawyers, (IAPL), member of the Circle of Dutch Entrepreneurs in Barcelona, Member of the Belgian-Luxembourg Chamber of Commerce in Barcelona, and Member of Lawasia. In terms of Pro-bono work, he renders legal advice to a Foundation whose goal consists on granting assistance to children and their mothers in poverty and/or disarray situation.

Arvinder Sambei

Arvinder Sambei is a practising barrister of more than 35 years' experience. She has advised states, corporates and individuals and acts as an expert for many international and regional organisations (including Council of Europe, EU, IMF and UN agencies). Her

practice is wide-ranging, with a particular focus on anti-corruption & governance, AML/CFT/sanctions, commercial contracts & international trade, international dispute resolution and public international law. She has also been instructed in treaty and legislative drafting, as well as major institutional and project evaluation programmes. Arvinder has previously held the posts of Head of Criminal Law at the Commonwealth Secretariat and Legal Adviser to the Permanent Joint Headquarters (PJHQ) at the UK's Ministry of Defence. Arvinder is a published author of legal texts (with Oxford University Press and others), a regular conference speaker, an experienced trainer and has written articles, practitioner manuals and technical papers for a range of international organisations. She is also a Teaching Fellow at the College of Law (Sydney), where she lectures and tutors LLM students in cross-border contracts and commercial contract negotiation.

Brendan Lacy

Brendan Lacy is from Sydney, Australia. He holds a Bachelor of Commerce (Accounting, Finance and Systems) degree and a Bachelor of Laws degree, both from the University of New South Wales. For nearly 30 years he practised corporate law mainly in mining and manufacturing industries and specialising particularly in mergers and acquisitions, project/business development, international law and cross-border transactions. He held positions as senior in-house legal counsel/senior executive for a few major Australia based international corporations including Mitsubishi Australia Group, Pancontinental Mining, BHP Billiton and BlueScope Steel. His experience included extensive International work and assignments mainly in various parts of Asia but also including the United States, Canada and Europe. In recent years he has pursued private interests including volunteer work but he maintains a keen interest in international law and related matters and trade and other issues within and between many of the Asia-Pacific countries.

Bimsara Jagodage

Bimsara is employed in the judicial Department of the Republic of Fiji from 10.02.2019 as the Resident Magistrate in the Magistrate's Court, Labasa, Fiji Islands. He has completed his Bachelor's degree, specializing International Relations at the University of Colombo, Sri Lanka with a Second-Class Honors (Upper Division) pass back in 2005 (2001-2005). He was admitted and enrolled as an Attorney-at-Law of the Supreme Court of Sri Lanka in 2006 after having successfully completed the Attorneys-at-Law examinations with a First-Class Honors pass at Sri Lanka Law College (2003 – 2005). After completion of legal studies and apprenticeship period, Bimsara started his legal career with senior Advocate/counsel Mr. Upali A. Gooneratne, President's Counsel and former President of Bar Association of Sri Lanka as a practitioner at the Private Bar. In 2007, he was enlisted to the Sri Lanka Army as a Legal Officer under the direct scheme and was commissioned in the rank of Captain. Subsequently, he was promoted to the rank of Major in 2011. Prior to joining Fiji Judiciary, he served as a Senior Legal Officer at Legal Division at the Ministry of Defence, Sri Lanka. Bimsara obtained a Post Graduate Diploma in International Business Management at Auckland Institute of Studies (St Helens) Auckland, New Zealand with a Distinction (2012- 2013). He holds a Master of Laws (LL.M) degree in Public and Humanitarian Law, at Faculty of Law of the University of Colombo, (US Aid Scholarship), (2016- 2017), a Master's degree in Human Rights and Democratization (Asia Pacific) from the University of Colombo (2015- 2016) and a Master's degree in Law (LL.M) from

General Sir John Kothalawala Defence University, Sri Lanka (2015- 2017). Bimsara was appointed to the Fiji Judiciary as a Resident Magistrate in 2019. He was a cricketer played in the school level, and represented University and Sri Lanka Law College Cricket Teams.

Carlos T. Ocampo

Mr. Ocampo is the Founding Partner of Ocampo and Manalo Law Firm. He currently handles the firm's corporate law and commercial litigation practice, particularly projects involving mergers and acquisitions, infrastructure development, corporate finance, restructuring and insolvency, and transportation law. He has close to 30 years of experience in these areas and has been involved in a broad range of complex cross-border commercial transactions and contentious matters. In 2014, AsiaLaw named him a market-leading lawyer in the Philippines primarily for his commercial and aviation law contributions. Since 2018, the Asia Business Law Journal has acknowledged him as among the top 100 lawyers in the Philippines. He has been recommended as a leading lawyer for Corporate Law and M&A by leading legal publications such as Legal 500. He is a published author and has spoken at several international law conferences. Mr. Ocampo obtained his Bachelor of Arts in Economics, cum laude, and his Bachelor of Laws from the University of the Philippines. He was admitted as member of the international honor societies of Phi Kappa Phi and Pi Gamma Mu after graduation from college. He earned Executive Certificates in Economic Development and International Finance from the Harvard Kennedy School and the Harvard Law School, respectively. Mr. Ocampo is a Director in various private corporations and an Independent Director in a publicly listed company in the Philippines.

CHREA Dalya

Ms. Dalya is a Managing attorney-at-law at JURISTOWER LAW GROUP, a Cambodian law firm based in Phnom Penh, where she practices on Business's sector including Employment matters, Mediation, Conciliation and Labour Disputes Resolution. Ms. Dalya also leads the team to provide legal consultation's services and legal compliance services on taxation, business and other relevant legal compliance to various our respective clients including local company, international company and individual both expatriates and local peoples. Ms. Dalya also represents/defends clients before the Cambodian court. Ms. Dalya also be the free land trainer on Labour Law and Labour Dispute Resolutions. Ms. Dalya provide legal service to clients both local and international to set up the company, to run the company and to close down the company as well as preparing company's H.R policies, Internal Rules, Grievance Procedure/guideline etc. Ms. Dalya also works on real estate law including drafting Sale and Purchase Agreement, do due diligence, proceeding title transferring, collateral registration. Last be not least, Ms. Dalya also prepare various contracts for clients such as Shareholders Agreement, Sale and Purchase of Share, Employment Contract, Franchise Agreement, etc. She also proceeds other related Licenses to clients. Prior to joining JURISTOWER LAW GROUP, Ms. Dalya worked for non-governmental organization, International Organization and Cambodian Federation of Employers and Business Associations (CAMFEBA). Ms. Dalya is a member of the Board of Directors of CAMFEBA). She is good in English and fair in French.

Chua Yee Hoong

Yee Hoong is a Singapore-qualified lawyer since year 2005. She advises companies, businesses and individuals on Singapore income tax, stamp duties, goods and services tax, the application of tax treaties and tax residency requirements. She also advises families and individuals on tax, trusts, wills and succession, gifts, philanthropy, migration and family office planning. Yee Hoong also acts for clients in applying for grant of representation, the administration of estates and posthumous estate restructuring. She often works with clients with international perspectives and her practice often involves consideration of cross-border legal, conflict of laws and tax issues. Her unique background experience allows her to bring a multi-disciplinary approach to tailor a solution and integrated advice to fit the clients' needs. Yee Hoong is a graduate of National University of Singapore and she is a Partner at Withers Khattarwong LLP Singapore.

Dr Corinne Chew

Dr Corinne Chew is the Deputy Head of Drew & Napier LLC Competition Law & Regulatory practice. Corinne's competition law experience extends to all areas of competition law practice, including assisting clients in the filing of merger notifications to the Competition and Consumer Commission of Singapore (CCCS) and other competition authorities; leniency applications; and assisting clients with investigations by competition and consumer authorities. Corinne has also assisted multi-national and local companies in setting up competition law compliance and audit structures, dawn raid and whistle-blowing programmes and conducting audit checks for companies in a wide range of industries in Singapore and other jurisdictions in the ASEAN region. Corinne has also assisted in the drafting of sectoral competition codes and guidelines and has advised regulators and industry on sectoral competition codes in the telecommunications, media, energy, aviation, transport and financial services sectors in Singapore. Corinne has been recognised by the Asia Pacific Legal 500 as a Leading Individual for Antitrust and Competition, Best Lawyers (Competition/Antitrust Law) and Who's Who Legal as one of Singapore's foremost competition practitioners under the age of 45.

Debbie Gaile J. Bolos

Ms. Bolos is a newly-minted lawyer from the Philippines and is practicing litigation of criminal, civil, and administrative cases. Ms. Bolos is currently aiming and training to gain expertise in commercial arbitration, mediation, and alternative dispute resolution. Prior to her legal career, Ms. Bolos worked for the telecommunications industry with diverse experience handling corporate marketing and sales, product development, relationship management, and trade and consumer marketing. Ms. Bolos shares her advocacy in the pursuance of the rights of women and children which include gender equality, access to education and healthcare, and protection from abuse.

Donald (Don) Dawson

Mr Dawson is a director and part owner of New Daw Mediation Pty Ltd. He is a NMAS accredited mediator, a member of The Resolution Institute and a member of the Chartered Institute of Arbitrators. Mr Dawson's background is varied, he served in the Royal Australian Navy and for a significant period in his working life he was a high school teacher. He is still a registered teacher in Queensland. Since leaving the teaching profession, Mr Dawson

has obtained his academic qualifications in law and has been admitted as lawyer to the Supreme Court of Queensland. Lately Mr Dawson has completed a Graduate Certificate in International Arbitration practice with The College of Law and is in the final stages of completing a Master Of Laws (Applied Law) majoring in Family Dispute Resolution with the College of Law. He is a firm believer and practices the educational philosophy that he is a lifelong learner. Mr Dawson has an active interest in Alternative Dispute Resolution.

Eviana Leung

Ms. Eviana Leung is a partner in the Hong Kong Dispute Resolution practice of Nixon Peabody CWL, specializing in commercial litigation and marine disputes. Ms. Leung has vast experience in contentious and non-contentious practices, covering a wide spectrum over international trade, commercial disputes, maritime, regulatory and enforcement. She is a commercial litigator with a strong practice in insolvency, re-structuring, receivership, shareholders' disputes, breach of directors' duties, and high value debt recoveries often involving Mainland China clients, including state-owned entity and high net worth individuals. She also handles maritime arbitrations in both Hong Kong and London, commercial disputes, enforcement of arbitral awards and foreign judgments, injunction and other procedural matters. Ms. Leung is a Hong Kong qualified solicitor and is fluent in English, Mandarin and Cantonese.

Florence Thum

Florence Thum is a Lecturer at The College of Law, Australia teaching postgraduate practical legal training, and the master of laws program in dispute resolution. Florence holds postgraduate qualifications in law, psychotherapy and education. Florence was a litigation and dispute resolution lawyer in insurance law in mid-tier Sydney firms for over two decades. Florence is also a Psychotherapist and Executive Coach in private practice, where she consults on empowering professionals and organisations to maximise their capabilities and agency through her values- and strengths-based practice. Florence also presents on law and mental health issues at international conferences.

Georgina ROOD

Ms. Rood is a Senior Crown Counsel in the Cook Islands Crown Law Office, where she specialises in civil litigation, legislative development, and general public law matters. Prior to relocating to the Cook Islands, Ms. Rood spent six years at the Government Legal Department in the United Kingdom, where she worked in both litigation and advisory roles for the Ministry of Justice. Ms. Rood is a barrister and solicitor of the High Court of the Cook Islands, and an enrolled barrister and solicitor of the High Court of New Zealand.

Gloria James-Civetta

In the course of her 26 years of legal career, Gloria has gained considerable experience and knowledge in diverse areas of the law pertaining to Family Law, Criminal Law, Civil, Corporate & Commercial Law and Estate Law. She has acquired skill sets in Mediation, Collaborative Practice, Negotiations and Litigation. Gloria is actively practicing in Singapore as a family lawyer for both local and cross-border matters; with a mix of crime practice. She occasionally sits as a Court Mediator in both the Family Justice Courts, State Courts and Small Claims Tribunal. Over the years, she was invited as a judge for the ICC

Moot Court, Mediation Competition and NUS AG Cup Moot. She has been invited as a speaker in several overseas namely in Laos, London, Shenzhen, Beijing, Shanghai, Tokyo, Osaka, and Singapore; and online webinars in Singapore, Melbourne and Argentina. Gloria is often quoted in the local newspapers; The Straits Times, The New Paper, Today, My Paper; and local magazines, Her World and Singapore's Women's Weekly. She has also appeared in television news in Singapore (CNA, Channel 5), Australia (7news and 9news) and BBC. She also appeared in radio talk shows.

Judge Gus Gomez

Judge Gus Gomez has served on the Superior Court of California for the County of Los Angeles since 2005, handling a number of assignments in both criminal and civil courts. He has presided over felony, misdemeanor, and civil cases, both jury and nonjury. Judge Gomez previously served as a California deputy attorney general, representing the state in criminal matters in state and federal courts. He also represented state agencies in administrative and superior court civil proceedings relating to the discipline of licensed professionals. Judge Gomez was Mayor of Glendale, California and a member of the city council, as well as chairman of the city redevelopment agency and housing authority. Judge Gomez began his career as an associate with the law firms of Brown & Wood, specializing in municipal finance, and Pircher, Nichols & Meeks, where he handled real estate transactions. Judge Gomez is a graduate of Stanford University and Stanford Law School.

Hing Vandanet

Hing Vandanet is the Deputy Director of the English Language Based Bachelor of Law Program (ELBBL) at the Royal University of Law and Economics (RULE). Vandanet teaches professional legal skills, legal methods, human rights law, and humanitarian law at RULE-ELBBL. In addition to teaching, she has conducted research in various fields of interest concerning human rights and humanitarian law, constitutional law, civil and political rights, and peacekeeping. Vandanet also coaches the Cambodian student teams to participate in several moot court competitions such as the Red Cross International Humanitarian Law (IHL) Moot, Nuremberg Moot Court, and International Criminal Moot Court Competition. Further, she provided training on human rights law and IHL to legal professionals at the Royal Academy for Judicial Professions and to peacekeepers at National Center for Peacekeeping Force Mine and ERW Clearance. Prior to joining the academic institution, she practiced law in a prominent law firm in Cambodia. She is also a member of the Bar Association of Cambodia. Vandanet holds a Master of Laws in Human Rights from Hong Kong University and a bachelor's degree in law from RULE-ELBBL.

Judge Maricel M. Magpantay-Ng

Judge Maricel M. Magpantay-Ng is the Presiding Judge of Regional Trial Court (RTC) Branch 58, Lucena City (Special Court for Election & Expropriation Cases/Regular Court/ Pairing Court for Commercial Cases) and currently an Acting Presiding Judge of Regional Trial Court (RTC) Branch 1, Batangas City (Family Court). Prior to her appointment/promotion as RTC Judge, she was a First Level Court Judge being the Presiding Judge of Municipal Trial Court (MTC) Mataasnakahoy, Batangas, Assisting Judge of Municipal Trial Court in Cities (MTCC) Sta.Rosa City Laguna and Acting Presiding Judge of MTC

Cuenca, Batangas. In her journey to become a member of the Bench, she took the 29th Pre-judicature Program conducted by the Philippine Judicial Academy of the Supreme Court in 2013 where she landed as topnotcher. Before entering Judiciary in 2014, she served as Public Prosecutor (Associate Prosecution Attorney) at the Office of the City Prosecutor in Batangas City under Department of Justice (DOJ) for 6 years. A graduate of Juris Doctor from University of Batangas in 2007 and became a member of the Bar in the same year. Earned her Master of Laws degree (LLM) at San Beda University in 2014. She already completed her academic requirements for the degree of Doctor of Juridical Science (JSD) and now working on her dissertation writing at the same university. Before her promotion as RTC Judge, she was the elected President of the Philippine Trial Judges League Inc. (PTJLI) where she also served numerous positions such as EVP, VP Luzon, Treasurer and Regional Director for Region IV during her stint as First Level Court Judge. Aside from being active in various judges organizations, she had also participated in different International Law Conferences and was given an opportunity to become one of the Presenters/Speakers in the 17th Annual Colloquium of the International Union for Conservation of Nature (IUCN), Academy of Environmental Law, held in Malaysia in August 9, 2019 with the topic, An outcry for Environmental Justice: A Struggle between Economic Development and Environmental Protection. In 2018, she was invited as Chairman of the Standing Committee/moot judges in the Law Asia International Moot Competition held in Cambodia in 2018. Recently, her proposal was selected and she was blessed to be one of the speakers/panellists in the upcoming 35th Lawasia Conference 2022 to be held in Sydney, Australia on the subject "Appointment of Judges" under the Human Rights and Rule of Law stream. She is also a member of the academe at University of Batangas, College of Law since 2015, handling Constitutional Law II, Statutory Construction, Public International Law, Partnership & Agency, Legal Writing and Legal Logic among others and recently, at Don Honorio Ventura State University, School of Law at Bacolor, Pampanga, teaching Criminal Procedure

Mayank Francis Dias

Mayank Francis completed his Bachelor of Commerce (Hons.) and pursued his Bachelor of Law (LLB) from Faculty of Law (CLC), Delhi University. During his LLB studies, he was an avid mooter. He received a Diploma in Corporate Law from the Indian Law Institute and worked as a Legal Assistant to Hon'ble Justice Reva Khetrpal at the High Court of Delhi. Subsequently, after his graduation in 2015 he did his Clerkship with Hon'ble Justice Vikramjit Sen at the Supreme Court of India. During this period, he worked closely with the Hon'ble Judge on various Commercial & Constitutional matters. He is a Partner at the firm Michael Dias & Associates, where he specialises in Employment Laws and services Clients from MNCs, NGOs, Airlines, Schools, Fashion Houses and StartUps. He represents Managements before various Courts & Tribunals and provides legal advisory services to Employers on various facets of Employment laws. He has conducted several Domestic Enquiries. He presented his published research paper at the National Law University, Delhi on the 'Future of Work, Labour Policy and Employer-Employee Relationship' (ISBN: 9789384272302) and at the LAWASIA conference on Employment laws in Fiji. He participated in the BRICS program on 'Promoting Better Labour Outcomes for Youth'. His contribution to Labour Laws was acknowledged by the World Bank in their Ease of Doing Business Reports of 2019 & 2020. He is qualified as an ILO Health

& Hygiene Ambassador. He peer reviewed and contributed to the ILO's Report on 'Good Employee Relation practices in responding to the Covid-19 pandemic and lessons learnt: India' in 2022 (ISBN 9789220366042).

Md. Imam Hossain

Md. Imam Hossain is Head of Chamber of the Investment & Development Consultancy/ Litigation/Arbitration (IDCLA) and Director & Assigned Arbitrator of Dhaka International Arbitration Centre (DIAC). Mr. Hossain is supervising on research works titled "Third Party Funding in Commercial Arbitration in Asia, "Controlling Cost in Commercial Arbitration" and "Breach of Ethical Duties of Arbitrators".Mr. Hossain has worked on cases representing both government and private clients in litigation and arbitration matters. He also advises clients on Investment structuring for treaty protection and Development issues. Mr. Hossain also served as an Assistant Attorney General of Bangladesh Attorney General's Office from June 2007 - April 2009. Mr. Hossain chaired in certain arbitration tribunals in Dhaka, Bangladesh. In the year 2017 Mr. Hossain participated in UNCITRAL Congress, hosted by the United Nations Commission on International Trade Law to celebrate its 50th anniversary, on "Modernizing International Trade Law to Support Innovation and Sustainable Development" held in Vienna, Austria from 4-6 July. Further, on 11-12 December, 2017 Mr. Hossain made a presentation titled "The Impact of OBOR Initiative on Asia Pacific Region" in UNCITRAL-UM Joint Conference held in Macau SAR, China regarding the impact of One Belt One Road (OBOR) initiative on paperless arbitration.

James Crittenden

James Crittenden was admitted as a lawyer of the Supreme Court of NSW in 2013 after graduating with First Class Honours in law and a Bachelor of Commerce with distinction. James completed an associateship in the Family Law Division of the Federal Circuit Court as it was then known in 2014-2015 and otherwise practised mainly in family law, property and strata title law, along with some general commercial matters. James was manager of the Centre for Continuing Legal Education at UNSW in 2016-2017. James is currently commercial lead and head of short courses and continuing professional development at the College of Law (AU). James is passionate about assisting lawyers of all stages to have rewarding and fulfilling careers.

James Jung

James is the Programme Director (Asia) at The College of Law Australia where he is responsible for the academic oversight of the programmes provided by the College in the Asia region. Prior to his role at the College, James practised law specialising in financial markets (securities) law and financial services law providing legal advice to businesses, both in private practice and as an in-house lawyer. James graduated from the University of Auckland with BA/LLB, MA (Hons), LLM (Hons) and he is admitted to practice in New Zealand and Australia (New South Wales).

Jason Wu

Jason graduated with an LLM from Duke University School of Law, Durham, NC, USA, and a Bachelor of Laws (J.D. equivalent) and Master of Laws from National Taiwan University College of Law, Taipei, Taiwan. Jason is the Principal at Justus Law Offices, Taichung, Taiwan, and his principal areas of practice include Intellectual Property Rights, Government Procurement, Cross-Border transaction, and Corporate.

Jeremy Moller

Jeremy Moller is a risk advisory lawyer based in Sydney. He has over 12 years' experience working in Australia, the United Kingdom and New Zealand as a lawyer specialising in anti-money laundering, international sanctions and export controls as well as foreign transparency and influence. Working with a team of multi-disciplinary experts within the firm's risk advisory team, Jeremy acts as a trusted advisor to a number of large financial institutions and corporate clients in relation to financial crime compliance with a particular focus on anti-money laundering (AML) and counter-terrorism financing (CTF). He is experienced in dealing with a range of regulators both in Australia and overseas, including the Australian Transaction and Reports and Analysis Centre (AUSTRAC). His work includes leading, implementing and reviewing financial crime programs, such as conducting business wide risk assessments, as well as advising on litigation arising out of regulatory investigations and acting on Royal Commissions. Jeremy sits on the Ethics Committee of the New South Wales Law Society and is an Advisory Board Member for the Australasian Chapter of the Association of Certified Anti-Money Laundering Specialists (ACAMS).

Jonathan Hidayat

Jonathan is a Partner in Piper Alderman's Sydney Office. He specialises in restructuring, corporate and personal insolvency and commercial disputes. Jonathan advises and represents liquidators, administrators, receivers, bankruptcy trustees and directors in relation to business restructuring and insolvency issues. He has extensive expertise in voidable transaction claims, winding up proceedings, recovery of debts, examinations and remuneration issues. He regularly advises company directors in financial distress and is able to guide them through difficult financial issues, mitigate risks and helps to achieve the best potential outcomes. Jonathan also provides advice and representation in connection with a variety of general commercial disputes including shareholder, lease and contractual disputes, debt recovery and matters involving misleading and deceptive conduct. In addition, he provides advice in relation to agreements and complex contracts across a wide range of industries. He is a co-author of Lexis Nexis' Practical Guidance on Insolvency & Restructuring.

John Kunzler

John specialises in risk reduction in the FINPRO PI law firm area at Marsh, and delivers risk management advice and consultancy for UK and global clients and leads Marsh offering in this space. By analysing claim data and legal processes, John develops bespoke risk management content for specific departments (e.g. conveyancing, litigation), as well as tackling general areas (retainer discipline, conflict of interest) across firms. John joined Marsh in 2012 from Travelers where he was UK and Europe Senior Product Manager for PI. Prior to that role John managed in-house claims teams at Travelers, and at the England & Wales Solicitors Indemnity Fund, and worked in private practice for 7 years. John has experience of Professional Indemnity for Solicitors, Surveyors, Architects, Technology companies, Local Government, and Financial Advisers. John is a Solicitor and has a postgraduate degree in Management from Guildhall University.

Julian Male

Julian Male is a Australian corporate and legal advisor specializing in international commercial practice & legal risk management in the ASEAN region. Based in Thailand, he consults with, and provides assistance to Asian & Australian companies including private equity, family businesses and law firms on a broad range of cross border transactional matters. He has admitted to the Supreme Court of South Australia as a solicitor & barrister, a member of the Inter Pacific Bar Association, holds a Bachelor of Law and Legal practice from the Flinders University of South Australia and a "Masters in Applied Law (Commercial Transactions) from the College of Law, Sydney. Julian is also currently finalizing a second Master of Laws (Applied Law) majoring in ASEAN+6 Legal Practice also at the College of Law, Sydney and writing a dissertation for his major topic on the legal issues and enforcement of smart contracts and distributor ledger technology with a keen interest in Non Fungible Tokens (NFTs) and the Metaverse. Having worked in Thailand for over 15 years, he also developed an extensive regional practice in several areas, in particular general corporate/commercial matters, international real estate and has advised on various projects, including acquisitions, joint ventures and corporate structure arrangements. Julian has also been public speaker, a writer and contributor to various journals including The Property Report South East Asia and the Asia Pacific Housing Journal financed by the Thai Ministry of Finance on a range of housing and finance issues. He has also been a guest speaker at the SMART Property Expo, Singapore.

Justin Dowd

Justin has been a member of LAWASIA since the 1980s. In 2011 Justin was appointed as Australia's representative to Lawasia and elected to the Executive Committee in 2014, then Vice President in 2015, a post which he held until retiring in 2019. Justin was President of the Law Society of New South Wales for 2012. He specialises in international family law matters and is a member of the International Academy of Family Lawyers and the International Academy of Collaborative Lawyers. Justin is an accredited specialist in Family Law and is also an accredited arbitrator. He is a member of the Board of the World Congress on Children's Rights and Family Law, an international congress convened to highlight and progress children's rights internationally. He has also been a Director of North West Disability Services, a non-profit organisation providing services to people with intellectual and physical disabilities. Justin has written many articles and presentations on

family law and associated subjects, nationally and internationally. Justin is now a senior lawyer with the Australian Family Law Group, the largest national specialist family law firm in Australia.

Jong Yop LEE

Jong Yop LEE received his LL.B. degree from Seoul National University in 1987 and completed the 18th class of Judicial Research and Training Institute in Korea. He obtained a Master's Degree of Intellectual property at Hongik University in 2014. Mr. LEE accumulated his practice experience working as a Prosecutor at the Incheon, Daegu and Changwon District Prosecutors' Office. Mr. LEE was a President of the Incheon Bar Association, Co-representative of the Incheon Citizens' Coalition for Economic Justice. Jong Yop LEE is the current President of the Korean Bar Association, an arbitrator of Korean Commercial Arbitration Board, a member of the Committee for Recommendation of Supreme Court Justice Candidates and a member of the Committee for Recommendation of Prosecutor General Candidates.

Lia Alizia

Lia is a talented lawyer, litigator, a leading advisor to many top businesses worldwide, and also one of the country's foremost legal practitioners, having been involved in some of the most high-profile matters over the years. She is the Managing Partner and leads the Corporate, Commercial and Litigation and Dispute Resolutions departments of M&T. She provides expert advice and oversight in large, complex corporate negotiations, and brings over 20 years of experience in managing legal aspects of commercial, transactional, and corporate governance matters. Lia adheres to strict ethical principles when representing clients before Indonesian courts and arbitration panels. Her practice does not only focus on litigation but also aims to provide advice to clients on how to minimize potential risks related to employment (including employment litigation and occupational health and safety), anti-bribery, anti-corruption, and litigation issues. She is a sworn translator, author of a number of significant publications, and often speaks at local and overseas seminars and training programs on employment, litigation and corporate matters. She is also an Instructor Faculty at TRACE Anti-Bribery Specialist Accreditation, an Intellectual Property Rights Consultant, and a Chairman of the Board of Inter-Agency Cooperation of Indonesian Labour Law Consultants Association.

Maithri Panagoda

Maithri Panagoda is one of Australia's leading compensation lawyers. Educated in both Sydney and Sri Lanka, Maithri has over 40 years experience in litigation and dispute resolution. The Law Society of NSW accredits him as a personal injury specialist. Maithri practised as a lawyer in Dubbo for nearly 10 years before joining Carroll & O'Dea Lawyers in 1991. He worked with the Western Aboriginal Legal Service and since joining Carroll & O'Dea Lawyers he has continued his commitment to representing Aboriginal people. He has been involved in a large number of successful claims being brought by members of the Stolen Generation. Fluent in Sinhalese, Maithri is involved in various activities with the Sri Lankan community in New South Wales. Maithri has also been a member of Law Society's Medico Legal Liaison Committee, Senior Solicitors' Committee and the Litigation Law and Practice Committee. Maithri has published numerous articles and

publications and is a regular speaker at legal seminars. He is the author of the chapter on workers' compensation in the Lawyers Practice Manual published by the Thompson Lawbook Co. By virtue of his professional standing, Maithri is regularly invited to present seminars to fellow lawyers and university students studying law.

Mark Hanna

Mark Hanna is Principal of Mark Hanna Lawyers, a firm based in Sydney Australia. Mr Hanna's practice specialises in family, estate and commercial law with clients locally and overseas. Mr Hanna is perhaps best known for his work in litigation as an instructing solicitor in two successful appeals to the High Court of Australia, both of which are now authorities in their own right. He acted for the appellant in the 2010 case of *Kirk v Industrial Relations Commission* [2010] HCA 1, described by a former Australian High Court judge as "one of the most important cases of the last two decades". In this matter the High Court extended the reach of Chapter III of the Australian constitution, holding that the supervisory jurisdiction of the state supreme courts is a defining characteristic and cannot be removed by legislation. Mr Hanna also acted for the appellant in *The Church of the New Faith v Pay Roll Tax Commissioner of Victoria*. This case is authority for the legal framework by which religious institutions are defined in Australia and has been widely quoted in judgements throughout Europe, the US and the Commonwealth. Mr Hanna is a regular presenter at legal conferences around the world, and was recently invited to address the World Conference on Family Law and Children's Rights in Dublin Ireland in 2017 on surrogacy issues.

Marko Novakov

Marko Novakov is a senior litigation lawyer and currently employed with The College of Law Ltd. Before moving to Australia to study law, Mr. Novakov completed his Bachelor of Science (Hons.) at the University of Toronto in Canada. After obtaining his Juris Doctor (Hons.) from Bond University, Mr. Novakov had the honour of working as a Judge's Associate for a Judge of the Supreme Court of Queensland. He thereafter worked for multiple large national law firms, practising in the areas of insolvency and restructuring, commercial disputes and insurance. Mr. Novakov subsequently moved into a Legal Counsel and Manager role with a statutory authority in Queensland, practising in the areas of administrative law, and risk and governance. At The College of Law Ltd., Mr. Novakov is primarily focused on business development and relationship management with strategic stakeholders that include universities, law firms, and professional legal associations in Australasia. As part of his relationship management activities with universities, Mr. Novakov regularly volunteers as a judge for various university law student competitions, including for International Commercial Arbitration Mooting competitions.

Martin Polaine

Martin Polaine is a practising barrister (England & Wales) of over 35 years' experience and an arbitrator. He has advised states, corporates and individuals in Africa, Asia and Europe on international dispute resolution and public international law. He has extensive experience in both civil law and common law states and his practice includes international arbitration (commercial and state-investor), international trade and sale of goods, anti-corruption/governance (including sports governance), AML/financial regulatory and

treaty drafting. He is also called upon to advise in corporate internal investigations. He has had conduct of numerous complex and sensitive cases and serves as an expert for international organisations (including Commonwealth Secretariat, Council of Europe, EU, UN agencies, the OECD and the World Bank). For 7 years, Martin served as the UK's legal representative on the OECD Bribery Working Group (and was a lead examiner for the Group). He has also performed a variety of other representational roles including treaty negotiation, both bilaterally and multilaterally. Martin is a published author of legal texts (with Oxford University Press and others) and is a Teaching Fellow at the College of Law (Sydney), where he focuses on ASEAN +6 jurisdictions and tutors LLM students. He is also a Vice-Chair of the IPBA's Legal training & Development Committee.

Matthew Baird

Matthew Baird is an environmental, social and governance lawyer with over 35 years of experience. He is also the Director of the Asian Research Institute for Environmental Law and a teaching fellow of the College of Law (Australia).

Michael GRAHAM

Mr Graham is a Legal Costs expert and is the founding Partner of global billing, an Australian based legal costs consultancy which, since 1996, has specialised in the provision of legal costing services to law firms and government departments in Australia and (in recent years) globally. Mr Graham is a lawyer (non-practising), and former Queensland Law Society Solicitor's Complaints Tribunal Costs Assessor and Court Appointed Costs Assessor appointed to the Supreme Court of Queensland (Australia). Prior to 1996 Mr Graham practised as a lawyer in the areas of commercial litigation, estate litigation and law, family law, and general practice (including commercial and contract matters). Mr Graham's practice covers all aspects of commercial and civil litigation, dispute resolution, and exposure to commercial transactions, as well as experience in Class Action litigation. Mr Graham has provided expert evidence in the Queensland State Courts and Federal Courts involving security for costs applications and costs disputes, as well as being appointed as a Special (Costs) Referee in Federal Court proceedings. Mr Graham has a special interest in alternative dispute resolution for commercial disputes (international and domestic) and legal costs related disputes, and works with clients to assist with resolving disputes through processes involving negotiation, expert determination, mediation and arbitration.

Naeha Lal

Naeha Lal holds a Bachelor of Commerce (Finance) and a Bachelor of Laws from Macquarie University, and is currently completing her Master of Laws from Sydney University. Naeha was admitted to practice before the Supreme Court of NSW in October 2015. She is currently a Senior Associate in Arnold Bloch Leibler's renowned tax practice. With clients including public companies, private businesses and high-net-worth individuals, Naeha's work encompasses taxation issues associated with mergers and acquisitions, cross-border arrangements, corporate structuring and reorganisations, and employee incentive programs. She also assists clients with tax disputes and litigation, lodging private rulings and making voluntary disclosures to the Australian Taxation Office. No two days are the same in Naeha's practice - she might be negotiating on the tax

aspects of a multi-million-dollar transaction one day, advising an offshore client on how to structure their business in Australia the next, and the day after that, advising a client on their ability to register as a charity and seek endorsement as a deductible gift recipient. Naeha was seconded to work in the London office of a large international law firm in 2019 where she developed experience in UK real estate and corporate taxes. In 2021, she won the Lawyers Weekly 30 under 30 award for Tax and was also awarded a place on the Lawyers of Distinction List.

Nicholas Mavrakis

Nicholas has over 25 years' experience in managing large and complex litigation in commercial disputes, regulatory investigations, class actions, securities law, cartel disputes, fraud and tax disputes. Nicholas advises domestic and international corporate and banking clients with their local and global disputes, regulatory and internal investigations and follow on regulatory enforcement action and court proceedings. He is regularly called upon by financial services clients to assist in complicated regulatory investigations and disputes, covering a broad spectrum of areas across wealth/financial planning, responsible and consumer lending, markets, culture and governance. Nicholas has acted on major complex commercial litigation in a range of areas. He has extensive experience in complex investigations undertaken by Australian regulatory bodies, including ASIC investigations, ATO investigations, ACCC cartel investigations, Royal Commissions and bribery and corruption investigations. He is regularly called upon by clients to assist with those investigations and with related civil penalty and related class actions disputes. Nicholas has considerable experience working with overseas counsel on global disputes, and on investigations across a range of regulators in the US, Europe and Asia.

Niten Chauhan

Niten is a Partner at Harold Benjamin and Head of the Restructuring and Insolvency Department where he specialises in both contentious and non-contentious matters in this jurisdiction and for overseas clients. Prior to qualifying as a solicitor, he began his career within the financial heart of London by working with a multinational firm of accountants as well as a global investment bank. This corporate experience coupled with a natural legal acumen led him to pursue a path into Restructuring and Insolvency as well as high-value Litigation and later into more complex matters such as Civil Fraud. His work can, therefore, vary considerably and he could be informally negotiating a settlement agreement between two parties one day to pursuing a Director for misfeasance in Court the next. However, given how fraught insolvency matters can be, his aim is always to understand his client's requirements, manage their expectations and act for them in the most expedient manner in order to achieve the best result. In 2015, he was the Lead Partner in the case of P&P Property Limited v Owen White & Catlin and another, which concerned a property fraud committed against an innocent purchaser. In 2018, he took the case before the Court of Appeal and achieved a successful outcome for the client which resulted in the Law Society's Code for Completion being amended and this continues to have significant implications for the profession today. At present, he undertakes various insolvency and litigation instructions both for corporate clients and individuals both in this jurisdiction and overseas. In turn, he is also a member of various international networks

and regularly speaks at conferences and events worldwide as well as, in turn, acting for clients from Europe, the Middle East and Asia.

Norman Nip SC

Norman Nip SC has a broad civil practice with an emphasis on commercial and securities litigation. He has been described as “very good on his feet” and “beyond meticulous” (Chambers & Partners 2022) and a “very well-rounded lawyer” with “strong composure and responses in court” (Who’s Who Legal 2021). He has acted for the Hong Kong Securities and Futures Commission and parties under investigation in a number of cases before the courts and the specialist tribunals (Market Misconduct Tribunal and Securities and Futures Appeals Tribunal) and is “regularly singled out for his expertise in securities-related cases” (Chambers & Partners 2022). He has also served as an expert witness on securities laws in offshore proceedings. His expertise also spans other practice areas, including banking, company and shareholder disputes, insurance, professional liability, land, trusts, employment, matrimonial, bankruptcy, competition, PRC and international cross-border disputes as well as white-collar crime. In the arbitration sphere, Norman has acted as counsel in a number of domestic and cross-border commercial disputes. He has also acted in court proceedings in aid of arbitration proceedings as well as applications to set aside the enforcement of arbitral awards. He is currently serving as the Vice Chairman of the Committee on Arbitration of the Hong Kong Bar Association. He is also a Fellow of the Chartered Institute of Arbitrators and accepts appointment to sit as arbitrator. Prior to joining the Bar in 2006, Norman had served as the tipstaff to the Honourable Justice Sperling of the New South Wales Supreme Court and practised as a solicitor with Clayton Utz in Sydney and Linklaters in Hong Kong.

Peter Yeldham

Peter is a Partner in the Dispute Resolution group of King & Wood Mallesons, with expertise in insurance advice and disputes, commercial real estate disputes, and general commercial litigation. Peter has a broad practice, and is presently one of the Solicitors Assisting the Royal Commission into Defence and Veteran Suicide. Peter is the founder and co-editor of KWM’s annual insurance publication (the KWMInsurance Pocketbook) and is a contributor to LexisNexis publications (namely, the Insurance Law Bulletin and the Australian Civil Liability newsletter).

Pinky Anand

Pinky Anand is a Senior Advocate with a diverse practice in constitutional, civil arbitration and criminal law. She is the former Additional Solicitor General for the Republic of India and is the second woman in India to have held this office. She holds a Masters’ degree in law from the Harvard Law School. She is registered as an arbitrator with the Dubai International Arbitration Centre (DIAC) as well as a registered legal practitioner in DIFC Courts. She is also a member of No. 5 Barristers Chambers, U.K as a door tenant. She has represented the country in various national and international forums including BRICS and SCO. She is the Exco member, Alternate Country Councilor (India) LAWASIA and Chair of the ADR committee (Business Law Section) of LAWASIA, Governing Body Member of Indian Council of Arbitration and Associate Member’s Constituency of Indian Council of Arbitration. She is a founding member of BRICS Legal Forum. She is the Vice-President

of Bar Association of India and has been actively associated with Bar Association of India for several years in several capacities. Board of Directors of Research Foundation for Science, Technology & Ecology (RFSTE). A graduate of Harvard Law School and Inlaks scholar, she is an Honorary Professor of Amity Law School. She has been awarded the French National Order of Merit by President of the French Republic. She was presented with the Plaque of Honor by the Bar Council of India in 2015. She has been recognized as “Living Legend of Law” by the Bar Association of India. She has several landmark judgements in constitutional law and other areas to her credit and he has led the way for gender justice. She has several awards acknowledging her contribution to the legal world and society. She has authored several books including. “Trials of Truth” by Penguin, Practical Law, “International relocation of children in India” by Thomson Reuters & “Family Law, Jurisdictional Comparisons” by Thomas Reuters.

Justice Rangajeeva Wimalasena

Justice Rangajeeva Wimalasena has been a judicial officer for the last twenty years in three commonwealth jurisdictions in the Asia Pacific region. He started his career in 1999 as a prosecutor and later joined the bench in 2003 as a magistrate in Sri Lanka. Having served in various parts of Sri Lanka as a magistrate as well as a district court judge he joined the Fiji Judiciary in 2009. He was appointed a judge of the High Court of Fiji in 2018 and currently serving as a Justice of Appeal in the Court of Appeal in Nauru. Apart from his judicial career, he is serving as a director and board member in a number of not-for-profit organizations in Australia on pro bono basis. He is also the Chair of Queensland Child Protection Advocates Group. He is admitted as a counsel in the International Criminal Court and accredited as a mediator by the Singapore and Fiji mediation centers as well. His educational background includes a Master of Laws in International human rights, Children’s and women’s rights and a Bachelor of Laws. He also has a Graduate Certificate in Policy and Governance from Queensland University of Technology. Justice Wimalasena is a member of the Commonwealth Judges and Magistrates Association, International Bar Association, UNODC Judicial Integrity Network, Queensland Medico Legal Society, The Australian Institute of Judicial Administration and many other organizations. The last time he attended the Law Asia conference was in Tokyo in 2017. Originally from Sri Lanka, he is now based in Brisbane.

Rajeev Amarasuriya

Rajeev Amarasuriya is the Immediate Past Secretary of the Bar Association of Sri Lanka. Amarasuriya is a regular Practitioner before the Appellate Courts specializing in all aspects of Appellate Law, as well as Constitutional and Public Law and has a varied practice in diverse fields and subjects, including civil, contractual, commercial, property, taxation, banking, labour and other disciplines of the law. He also provides Corporate and Legal Consultancy in a wide range of commercial areas as the Senior Legal Consultant of Amarasuriya Associates and also as the Legal Consultant for several State and Private Sector Institutions. He holds a Bachelor of Laws LL.B (Hons.) Degree, from the University of Colombo, is an Attorney-at-Law, a Fellow Member of the Chartered Institute of Management Accountants (CIMA) (UK), a Fellow Member of the Chartered institute of Management Accountants Sri Lanka and a Chartered Global Management Accountant (CGMA). He is also an Alumnus of the Harvard Kennedy School, Executive Education and

a AFGG - RAISINA Fellow. In 2013, Amarasuriya was awarded the prestigious CIMA Star Gold Award by the Chartered Institute of Management Accountants (CIMA) as the most outstanding CIMA Member below the age of 40 years. Amarasuriya was also last year named as one of the LMD - CIMA Trailblazers for 2021. He was a Commission Member of the Securities and Exchange Commission of Sri Lanka for close to five years and also a Member of the Council of Legal Education in Sri Lanka and is presently a Board Member of the Sri Lanka Accounting Standards and Monitoring Board, a Member of the Standing Committee on Legal Studies of the University Grants Commission, a Member of the Financial Advisory Committee of Sri Lanka Cricket, a Member of the Board of Governors of the Sri Lanka National Arbitration Centre and a Member of the Advisory Board of the Faculty of Law of the Sri Lanka Institute of Information Technology. Amarasuriya was the Convenor of the LAWASIA – Sri Lanka 2016 Golden Jubilee Conference held in 2016 in Sri Lanka. He was elected to the LAWASIA Executive Committee in 2021.

Robert Brown

Robert has worked closely with companies as an investment banker and attorney in Louisville Kentucky, London, New York City, Tokyo, San Francisco and San Diego. He is admitted as an attorney in New York, Washington, D.C., California and Kentucky, and is qualified as a solicitor in Hong Kong, and in England and Wales. From 1991-1993 he was admitted as a foreign lawyer in Japan. In addition to his law degree, he has two PhD degrees: Cambridge University, and London School of Economics and Political Science. He recently completed two Postgraduate Degrees from Oxford University School of Business – Global Business, and Financial Strategy. He is the author of many books, including *Going Global*, Thomson. 2006-2020. He is past chair of American Bar Association (ABA), International Section, and is now chair of ABA Senior Lawyers Division, International Committee. He is also an executive committee member of LawAsia.

Roger Chin

Roger Chin is a Partner in Chin Lau Wong & Partner, Sabah, Malaysia. He is a Barrister and Solicitor of the Supreme Court of Victoria, Australia and graduated with an LLB and Bcom from The University of Melbourne, Victoria, Australia. He is also a registered patent, trade mark and industrial design agent. He practices mainly in the fields of civil litigation and intellectual property.

Samuel Son-Tung Vu

Samuel Son-Tung Vu is a senior foreign attorney who currently works at Hanoi Office of Bae, Kim & Lee LLC. He graduated Handong International Law School in 2010 (South Korea) with a J.D. equivalent degree and subsequently obtained LL.M from Regent University School of Law (U.S.A.) in 2014. Samuel was admitted to both the bar of Washington, D.C. (USA) and Hanoi Bar Association (Vietnam). With 12 years working in leading law firms in South Korea and Vietnam, Samuel has a wide range experience on cross border transactions including M&A, banking and finances and real estate development. He has also been appointed a member of Legal Advisory Group for Overseas Expansion of Small and Medium Enterprises by the Korean Ministry of Justice since 2017. His career focuses on advising large corporate clients on their cross border transactions and foreign direct investment in Vietnam.

Saroj K Ghimire

Saroj K Ghimire is an Attorney at Law at Supreme Court of Nepal and Prof. of Law at Tribhuvan University of Nepal. He is an immediate Treasurer of Supreme Court Bar Association and Member Secretary for the Committee on International Relation of Supreme Court Bar Association Nepal. Mr Ghimire holds dual LL.M from the United Kingdom and has expertise in corporate and contract law, development law, foreign investment and technology transfer law, arbitration, human rights and constitutional law. Mr Ghimire appeared in high profile PIL cases and has filed various PIL Cases on which Supreme Court of Nepal has propounded landmark decisions which includes framing of pandemic law, right to privacy, prisoners' rights, environmental protection, restoration of parliament against unconstitutional dissolution etc. He has also appeared before the Nineteen justices' largest bench ever formed at the Supreme Court of Nepal in the matters of interpretation and extension of law of limitation due to Covid-19 pandemic and lock down. Mr Ghimire has attended various training and professional legal courses at Sweden, Thailand, Myanmar, China, USA, South Korea and India and has delivered guest lectures at the various Universities in other jurisdictions including India, China and UK. He has been the speaker at various international conferences of International Bar Association (IBA), LAWASIA, Asia Pro Bono Conference (APBC), SAARC LAW, Law Society of China and various national law conferences. Mr Ghimire has been the judge at the all India round Philip Jessup Moot Court Competition at Delhi on the invitation of Amity University in the year 2019 and also sits as judge at the various national level moot competition.

S. Saravana Kumar

Saravana has appeared in benchmark litigations with a sizeable volume of wins in tax disputes. Praised for his ability to "think outside the box" and "innovative approach" in interpreting the law, Chambers Asia Pacific acknowledged Saravana for being "dynamic, efficient and helpful" in addition to commenting that clients have remarked, "His tax knowledge is very in-depth, and he is fast at responding." He has been named one of the 40 leading lawyers under 40 in Asia by Asian Legal Business in 2018. He was recently named as one of the top 100 lawyers in Malaysia by Asia Business Law Journal. Saravana was formerly an Adjunct Professor with Universiti Tenaga Nasional (UNITEN) and chairs the Taxation & Customs Committee of LAWASIA. He is also a member of the Kuala Lumpur Bar Committee, where he chairs the Professional Development Committee.

Saurabh Prakash

Saurabh is a fourth-generation lawyer with 35 years of practice. He specializes in employment (labour and service) laws, and practices mainly before the Supreme Court and High Courts. He has a B. Tech. in Chemical Engineering and has worked as a software engineer (with what is now Tata Consultancy Services) when he worked on projects with the World Bank in Washington D.C. and Yale Corporation, NJ. He has acted both as a lawyer, and as an arbitrator, in disputes involving engineering contracts.

Shane Anderton

Shane has over 20 years' experience in dispute resolution and corporate/commercial litigation, with particular expertise in disputes with sector regulators. Shane's key strength is his ability to devise a litigation and/or settlement strategy that focuses on his client's key commercial objectives, and financial circumstances. Shane also has access to a diverse network of barristers, experts, and industry representatives. Prior to joining the Deutsch Miller partnership in 2014, Shane worked for top-tier litigation firms, including Bell Gully (NZ), Herbert Smith LLP (London), Atanaskovic Hartnell (Sydney). Shane also worked for the Treasury Solicitor for England & Wales in a specialised public law practice. Shane regularly advises on complex claims in contract, equity, financial services regulation, and public and administrative law (including judicial review and statutory appeals). He acts for a diverse range of clients, including domestic and offshore banks, public and private companies, SMEs, and private individuals. Shane is also frequently entrusted with quality referrals from law firms in circumstances where they are conflicted and unable to act. While helping run a thriving law practice can be hard work, Shane has a passion for sports administration. He is the Chairman of Aqua Rugby Australia, and has an uncanny ability to find time to attend various sporting events around Australia and the world. He has also come to terms with the fact that his two children have Australian accents (and who they might eventually support in the Bledisloe Cup...).

Dr. Sebastian Skradde

Sebastian is the partner of Skradde Legal Services, a law firm based in Cologne, Germany. The law firm employs eight lawyers and serves both corporate clients and consumers. Sebastian focuses on corporate law, consulting corporate clients in Germany and foreign companies looking for legal advice in Germany. Before founding his law firm in Cologne Sebastian was a corporate lawyer for DHL for more than ten years. He was living a decade abroad, spending time in Prague, Vietnam, USA and England. During his stay in Hanoi Sebastian got in touch with LAWASIA in 2015. Since then, Sebastian has attended several conferences and served as a judge at LAWASIA Moot Court. He is fluent in German and English.

Justice Sunil Sharma

Justice Sunil Sharma graduated with Bachelor of Laws Degree (LLB) from the University of South Pacific in 1999. Justice Sharma completed the Professional Diploma in legal Practice (PDLPr) in 2000 and subsequently completed a Litigation Skills Programme Diploma in 2004. He was admitted to the High Court of Fiji on 15th September 2000. Justice Sharma has served in various positions including as Director of Legal Aid Commission, Suva before he was appointed as Puisne Judge of the High Court of Fiji in 2016. He has also presented a paper entitled "Human Rights in the context of Rights of Children in Fiji" in the 17th International Conference of Chief Justices of the World on 14th November, 2016 at Lucknow, India.

Sureiander Subramaniam

Sureiander Subramaniam has practiced as an Advocate and Solicitor of the High Court of Malaya and as a Barrister and Solicitor of the Supreme Court of South Australia. He has vast criminal and civil litigation experience and amongst others, advised on cross-border procurement and joint-venture contracts with specific emphasis on arbitration clauses and agreements. He is currently a Regulatory Compliance Content Developer (UK) for a renowned, global legal, compliance and business information provider. Sureiander has been awarded Masters of Laws (Applied Law) majoring in ASEAN +6 Cross-border Legal Practice.

Suzanne Audrey Howarth

Government and public administration; Competition and Consumer Law; Corporate Law; Public and Private International Law; Taxation; Trade and Investment; Not for profits; Legal training and Access to justice. Suzanne is a highly experienced Australian government lawyer who has enjoyed working in the private, public, and more recently the Australian tertiary sectors. Throughout her life, Suzanne has been actively involved with a wide range of volunteer organisations including Rotary. From 2015 to 2020, Suzanne was an active member of the International Lawyers Committee of the ACT Law Society and in 2021 was elected as an executive member of the International Law Section of the Law Council of Australia. Suzanne is a member of the Advisory Board of the International Law Clinic at the Australian National University. Since 2015, Suzanne has been actively involved with the Philip C Jessup International Law Moot Court Competition and a member of the Philip C Jessup Global Rules Committee. In June 2022, Suzanne was appointed by UNIDROIT as one of the Pacific Correspondents for the next three years. Suzanne holds degrees from Sydney and Melbourne, is an accredited mediator, and a graduate of the Australian Institute of Company Director. Her professional experience includes over two decades as a senior lawyer working across several the Australian Government agencies including the Australian Competition and Consumer Commission as well as four years working in London with two major UK law firms.

Travis Toemoe

Travis Toemoe is a dispute resolution expert with more than 20 years' experience practising in Australia and the UK. He specialises in large-scale insurance disputes, professional negligence claims, and infrastructure disputes. His expertise is often called upon to advise on risk allocation regimes for transactional matters across the financial services and energy & resources industries. When Travis is not working, he can generally be found riding a bike or watching/listening to cricket.

Dr. Ulrich Wessels

Attorney at Law and Notary Dr. Ulrich Wessels completed his law studies in Freiburg and Münster. After spending some time in London he completed his doctoral thesis on the topic "Execution of wills on a limited partner's share". He was admitted to the bar in 1988 and is up until now partner in the law firm Dr. Koenig & Partner GbR in Münster/Westphalia. He specializes in family law and administrative law. Since 1994 he has been a member of the board of the Regional Bar Hamm and served as its treasurer for several years. From 2012 till 2019 he was elected as President of the Regional Bar Hamm. Since 2003, he is also serving as board member and treasurer of the German Lawyers' Institute. In 2015, Dr. Ulrich Wessels was elected as 2nd Vice President to the board of The German Federal Bar. Since 2018, Dr. Wessels is President of The German Federal Bar.

Vicky Kim

Vicky Kim is a Principal Solicitor at Australian Prudential Regulation Authority. She is in the banking practice group and provides legal advice on a range of matters including policy matters, prudential supervision and administrative law. Prior to joining APRA, Vicky was a corporate counsel at Bank of New Zealand where she advised various business units including Institutional Banking, Debt Capital Markets and Wealth Management. Before that, she was a senior associate at Buddle Findlay, one of New Zealand's major law firms, and acted for a wide range of clients in corporate financing, debt capital markets and M&A transactions. Vicky is admitted as a solicitor of the Supreme Court of New South Wales and as a barrister and solicitor of the High Court of New Zealand. She is also a Chartered Governance Professional.

William Wylie Clarke

Wylie, as he prefers to be called, is a graduate in law of the Australian National University. He also has an honours degree in Government from the University of Sydney. He was admitted to the High Court of the Australian Capital Territory in 1995 and subsequently to the Fiji bar in 1996. He was a Prosecutor with the Director of Public Prosecutions Office from 1996 until 1998. Wylie is a commercial lawyer in Fiji and has been Westpac Bank's main legal advisor in Fiji for over 17 years. He is a former president of the Fiji-Australia Business Council and is a member of the Australian Institute of Company Directors' Fiji advisory board. Wylie's areas of practice include finance, property and resort development, mergers and acquisitions, transaction negotiations and documentation as well as commercial litigation. Wylie is a former President of the Fiji Red Cross National Society and is a current member of the Governing Board of the International Federation of the Red Cross and Red Crescent Movement, based in Geneva. He is also a founding and former member of the Compliance and Mediation Committee, a part of the International Federation established to assist it with governance matters and in taking any steps necessary to resolve potential breaches of integrity by National Societies and to resolve disputes; he served on that committee for 8 years. An important and enduring focus of Wylie's work has been in the area of governance and compliance. A key role he has fulfilled for more than 10 years has been to advise the International Federation of the Red Cross on matters pertaining to actual and potential breaches of integrity. He has also worked with domestic national societies to assist them with building and ensuring the continuity of governance structures and he has also helped assist in ensuring their elections.

are conducted in accordance with their rules. Wylie was elected President of the Fiji Law Society in September 2020 and appointed to the LAWASIA Exco in 2021. In 2022 Wylie was co-opted as Council Member of the Commonwealth Lawyers Association.

Zdravko (Zoki) Cupac

Zdravko (Zoki) Cupac (LLM) is a cross-border legal and business management consultant. For over two decades Zoki has worked with sovereign and private sector clients from Asia, the EU, and north America on due-diligence and compliance assignments. His transactional involvement spans over \$US6bn of cross-border deals including: privatisations of SOEs, direct investments, special situations financing, structuring Public-Private Partnerships, intellectual property management, and advocating for property restitution rights in transitioning Balkan economies. Currently, Zoki assists Australian clients manage negligence-based litigation against state defendants and consults with early-stage companies seeking to commercialise their intellectual property rights internationally. His diverse cross-border experience has honed a robust comparative understanding of civil and common law systems.

Charles Hartley

In a legal career spanning more than 25-years, Charles has practised as a solicitor in London and Brisbane specialising in insurance litigation, professional disciplinary matters and healthcare law. He is also a nationally accredited mediator and a member of the Chartered Institute of Arbitrators. Charles is a Consulting Principal with national law firm, Keypoint Law and recently completed a Masters Degree in Law. Outside of the office, Charles is a keen rower and a qualified firefighter.

McKenzie Moore

McKenzie is a Partner at Piper Alderman and specialises in complex commercial litigation, and has acted in numerous multi-million dollar disputes including funded actions under Australian Corporations and Securities legislation. McKenzie has extensive international commercial experience having previously worked in both China and South-East Asia in providing commercial and corporate advice.

Judge Ireneo M. Lustre

Judge Ireneo M. Lustre is the Presiding Judge of the Municipal Trial Court in Cities (MTCC), Sta. Rosa Laguna and concurrently, the acting Presiding Judge of MTC MataasnaKahoy, Batangas. He earned his Master of Laws from San Beda University and presently working on Dissertation to complete and obtain his Doctoral Degree (JSD) from the same university. After participating in a multitude of judicial trainings and seminars, he joined the academe as a Professor of Law at the University of Batangas, Philippine Christian University, and Manila Law College (Escuela de Derecho) and the most recent is in Don Honorio Ventura State University (DHAUSU) College of Law. He started his professional career with Metropolitan Bank and Trust Company as Assistant Manager until he co-founded the Law Firm of Lustre Santos and Associates based in Makati in 2010 and eventually appointed in the Judiciary in 2015.

Dr Leonie Kelleher OAM

Dr Leonie Kelleher OAM is a Law Institute of Victoria environmental planning law specialist. She is the Treasurer of the Law Council of Australia's Legal Practice Section, Deputy Chair of its Australian Environment Planning and Local Government Group and a member of its Climate Change Working Group. She chairs LAMP (Lawyers' for the Marree Arabunna People) a pro bono organisation supporting the voice of Aboriginal people. In 1990, she was awarded a Medal of the Order of Australia. She has been a member of the Supreme Court of Victoria Board of Examiners, Victorian Heritage Council, Council of the Law Institute of Victoria and Land & Valuation Board of Review. She was a Winner of a Bicentennial Medallion, Women 88 and 2016 Heritage Innovation Award. Her PhD examined the impact of legislative change on entrepreneurial opportunity with a case study of Native Title Act 1993 (Cwth). She is the author of many publications.

Una Doyle

As Chief Executive, Una Doyle is responsible for all the Commission's operations. She has input into all aspects of the Commission's work, from financial management to research, complaints, information systems management and education activities. Ms Doyle was appointed in July 2022. She was previously the Director, Education at the Commission since December 2015. Ms Doyle has worked for over 25 years in law, legal education and executive management. Prior to joining the Judicial Commission, Ms Doyle was the Head of Professional Development, Membership and Communications, at the Law Society of NSW and the Director of Continuing Professional Education at the College of Law. She was a member of the leadership team both at the College of Law and Law Society of NSW, with responsibilities including governance, financial oversight and high-level strategic planning. She is a past President of ACLEA, the International Association for Continuing Legal Education (2016–2017) and co-chaired ACLEA's International Committee from 2007–2009. She was President of the Continuing Legal Education Association of Australasia from 2005–2007, and has served as a member of its Executive for five terms, including as Treasurer from 2019 to 2021.

Nguyen Thi Quynh Anh

Nguyen Thi Quynh Anh has served in various positions including as Vice President of Vietnam Bar Federation (term II & term III); Member of the National Lawyer Council of Vietnam Bar Federation (term I, term II & term III); Member of the Standing Committee of Vietnam Bar Federation (term II & term III); Head of Economic and Financial Committee, Vietnam Bar Federation (term I & II); Member of the Executive Board of Hanoi Bar Association (term VIII & term IX); Member of the People's Council of Hanoi (term XIV); Member of American Chamber of Commerce, European Chamber of Commerce; and Member of Board of Directors, Sun Symphony Orchestra (from 2018 - now). She is also the President of InvestPro, one of Vietnamese leading firms, since 1998 and was a Vice President & Deputy General Director of InvestConsult Group from 1990 – 1998.

Simon Henderson

Simon Henderson is an international human rights lawyer and foreign policy analyst, with extensive experience in policy and advocacy in Australia and in the Indo-Pacific. He is Head of Policy at Save the Children Australia, where he is responsible for providing leadership on domestic and international child rights issues. Simon's previous experience includes roles at Justice Centre Hong Kong, Law Council of Australia and the Department of Foreign Affairs and Trade. He is currently a Visiting Lecturer at The Education University of Hong Kong. Simon is a member of the Human Rights Committee of the Law Society of New South Wales and the LAWASIA Human Rights Committee. He holds a Bachelor of Commerce, Bachelor of Laws and Graduate Diploma in Legal Practice from The Australian National University, and a Masters in International Law from the Fletcher School of Law and Diplomacy. Simon is admitted as a lawyer to the ACT Supreme Court and the High Court of Australia.

Stephen Hughes

Stephen is a Queensland Law Society (QLS) Accredited Specialist who has been working for 30 years across workplace relations, employment and compensation law. Stephen deeply understands the impacts that injury can have on a worker's life and livelihood, both through his extensive legal experience and serving as an Honorary Board Member and Legal Counsel for the Australian Society of Rehabilitation Counsellors Ltd (ASORC) since 1993. In 2021 Stephen was proud to be awarded an ASORC Honorary Fellowship in recognition of his many decades of service. Described in the internationally recognised Legal 500 Guide (2016) as a "brilliant" and "recommended" employment/workplace relations lawyer who "thinks outside the box", Stephen has acted for diverse clients across Australia and internationally. He is Membership Officer of LAWASIA's Employment and Labour Law Sub-Committee and has shared his expertise as a speaker at multiple LAWASIA conferences throughout the Asia Pacific.

Daniel Slater

Daniel Slater is one of Australia's emerging leaders in tax risk management, controversy and litigation. He draws on experience acting for both large corporates and the Commissioner of Taxation to provide strategic and commercial advice. Daniel has recently advised multinationals in the pharmaceuticals, resources and infrastructure industries in respect of major related party cross border financing arrangements. He regularly acts for the Commissioner of Taxation in Part IVC taxation appeals and declaratory proceedings in the Administrative Appeals Tribunal and Federal Court. Daniel regularly represents taxpayers to successfully obtain private binding rulings on complex areas of the tax law including debt classification and conduit foreign income from the Commissioner of Taxation including managing early engagement processes; He advises large inbound multinationals in major transfer pricing and anti-avoidance audits including advising on the provisions relating to the ATO's information gathering powers, and instructs leading lawyers across the Asia-Pacific region including town agent firms in Singapore, Malaysia, Philippines, Papua New Guinea and Samoa in respect of public international law, cross border debt recovery, sequestration and declaratory proceedings.

Confirmation of Moot Judges received as of Friday, 14 October 2022

PARTICIPATING LAW SCHOOLS



TROPHIES OF LAWASIA INTERNATIONAL ROUNDS

THE LAWASIA BEST ORALIST TEAM TROPHY

The LAWASIA BEST ORALIST TEAM TROPHY symbolizes the support of the LAWASIA in his efforts to promote mootng among law students in the region. LAWASIA observes that mootng has emerged as a critical component of legal education as it provides the skills training element for the fundamental skills such as public speaking and the ability to articulate one's thoughts and arguments which is a skill not often taught in the academic classroom. The LAWASIA Best Oralist Team is the team which emerges as the winner in the Finals of the Oral Rounds of the LAWASIA Moot Competition.

MAH WENG KWAI TROPHY FOR BEST MOOTER

The Best Mooter Trophy is named after Mr Mah Weng Kwai, a past President of LAWASIA in recognition of his commitment to mootng and raising the standards of the LAWASIA International Moot competition to what you have witnessed at this Conference.

The ability to articulate one's thoughts and arguments condensing disparate, conflicting legal authorities into succinct and persuasive arguments in a professional, gracious, persuasive, and congenial demeanor is a very important quality of lawyer.

The Best Mooter Trophy is awarded to the mooter who best demonstrates the above qualities. In arriving at its decision, the Committee not only took the scores of the individual mooters into account but also the views and comments made by the Moot Judges.

LAWASIA BEST ENDEAVOUR PRIZE

This competition is not about winning but about winners because as Sir Winston Churchill said "Success is never final, failure is never fatal. It is the courage that counts".

In the last five days, we saw courage in the face of adversity, honour in defeat and faith in despair. Despite their inexperience and limited usage of the language, they demonstrated courage, determination and dignity against the odds.

The LAWASIA Best Endeavour Prize is awarded to the team that overcame challenges, difficulties and obstacles to compete in this competition.

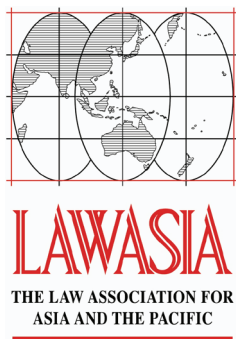
SPIRIT OF LAWASIA TEAM AWARD

We meet to uphold the time honored values and principles of humanity and celebrate the sharing of knowledge and ideas, and of learning whilst embracing the diversities of the world we live in, believing that man's greatest moment is a moment and time of warm embrace and acceptance for his fellow human being.

A new generation of men and women sworn to uphold the cause of justice with character, faith, integrity and fortitude is the best hope we have. So we hope without being naïve that the world we live in will change as we choose to embrace change itself.

The Spirit of LAWASIA is awarded to the team that best reflects the ideals, values, virtues of fair play, camaraderie, magnanimity and generosity in a competition environment.

ORGANISER



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The College of Law has been at the forefront of practical legal education since 1974, and over 100,000 of our graduates now work across all facets of our industry. Across Australia, New Zealand and Asia, we have 400+ educators and support staff, with the majority comprising practising lawyers and legal professional from all levels. We have a full suite of offerings to further your career at every stage, from completing your studies through to running your own law firm. These are:

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ACKNOWLEDGEMENTS

The Chair of the LAWASIA Moot Standing Committee wishes to acknowledge the help and support as a Member of the LAWASIA Moot Standing Committee and the invaluable assistances of the following:-

the following institutions and individuals :-

- (1) Melissa Pang, President of LAWASIA
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- (3) Angie Zandstra, Chief Commercial Officer of The College of Law
- (4) James Jung, Director, International Relations and Development of The College of Law
- (5) Staff members of LAWASIA
- (6) Staff members of The College of Law

the following Author of the Moot Problem from Rosli Dahlan Saravana Partnership:-

- (1) Amiratu Al Amirat Carbaa, Associate
- (2) Thenesh Anabalagan, Associate

the following members of the Moot Secretariat:-

- (1) Lai Mun Onn
- (2) Carol Lau Siew Fei
- (3) Chye Yoke Wah
- (4) Nicole Chee Meng Wai
- (5) Leong Peng Yew
- (6) Thoo Suet Mei
- (7) Yogeswari Arunasalam
- (8) Charmayne Fung Wei En

And the generous support of our sponsors and the Moot Judges for sharing with us and the participants their knowledge, experience and most of all their time.

Thank you.

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