



## Herbert Smith Freehills-SMU Asian Arbitration Lecture

Home

### **INVESTOR-STATE ARBITRATION: IS THERE A FUTURE?**

**Date**

Thursday, 18 October 2018

**Time**

5.00pm – 6.45pm

Registration starts at 4.30pm

Cocktail reception starts at 6.50pm

**Guest of Honour**

Chief Justice Sundaresh Menon

**Speaker**

Sir Christopher Greenwood GBE CMG QC

**Venue**

Singapore Management University

School of Law

55 Armenian Street

Singapore 179943

SMU Hall 1.3, Level B1

(Click here for the location map)

**Dress Code**

Business Attire

**Admission is free**

Please register online

\*This event is opened to our donors, law firms, Supreme/State Courts, Law Academics and students as well as invited guests.

**Public CPD Points:** 1.5 points

**Practice Area:** Alternative Dispute Resolution

**Training Category:** General

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## Herbert Smith Freehills-SMU Asian Arbitration Lecture

### About the Herbert Smith Freehills - SMU Asian Arbitration Lecture Series

The Herbert Smith Freehills - SMU Asian Arbitration Lecture Series was established in 2010 and was made possible by a term fund contribution by Herbert Smith Freehills.

The objective of the Lecture Series is to promote collaborative forms of dispute resolution and access to justice and in so doing promote Singapore as the centre for dispute resolution in Asia, particularly in arbitration and mediation.

Each year, a distinguished international arbitrator will be invited to present this lecture, which in turn will be published in a leading regional arbitration journal.

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## Herbert Smith Freehills-SMU Asian Arbitration Lecture

### About the Organisers

#### **Centre for Cross-Border Commercial Law in Asia**

The Centre for Cross-Border Commercial Law in Asia (CEBCLA) facilitates research in all areas of commercial law especially in the Asian context. CEBCLA aims to be the leading Asian centre of research in commercial law which is informed by a variety of research methods including doctrinal, theoretical, empirical, historical and comparative perspectives. The goal is that CEBCLA will act as the meeting point and first port of call for scholars, leading practitioners, governments and policy makers pursuing rigorous, informed and significant research in commercial law in Asia.

<http://cebcla.smu.edu.sg/>

#### **Singapore Management University**

A premier university in Asia, the Singapore Management University (SMU) is internationally recognised for its world class research and distinguished teaching. Established in 2000, SMU's mission is to generate leading edge research with global impact and produce broad-based, creative and entrepreneurial leaders for the knowledge-based economy. It is known for its interactive and technologically-enabled pedagogy of seminar-style teaching in small class sizes.

Home to about 8,800 students, SMU comprises six schools: School of Accountancy, Lee Kong Chian School of Business, School of Economics, School of Information Systems, School of Law and School of Social Sciences, offering a wide range of bachelor's, master's and PhD degree programmes in various disciplines.

With an emphasis on generating rigorous, high impact cross-disciplinary research that addresses Asian issues of global relevance, SMU faculty collaborates with leading foreign researchers as well as partners in the business community and public sector through its research institutes and centres.

<http://www.smu.edu.sg>

## **Herbert Smith Freehills**

In March 2017 Herbert Smith Freehills was described by Chambers Global as a 'Dispute resolution powerhouse that consistently tops the rankings across the world'. We were recognised as a global specialist that is 'internationally renowned for its market-leading practice ... Their extensive network and excellent, user-friendly disputes lawyers in each of their offices are attributes that few other firms are able to match. Extensive praise is levelled at the firm for the consistency of its advice across all of its offices!'

Ranked in Band 1 by Chambers and Partners for International Arbitration in Asia-Pacific, and winner of the Asia Legal Business award for Southeast Asia International Arbitration Law Firm of the Year consecutively in 2016 and 2017, we are widely recognised as the pre-eminent dispute resolution practice in Southeast Asia. With a specialist team of more than 30 disputes lawyers operating throughout the region from bases in Singapore, Jakarta, Bangkok and Kuala Lumpur, we are widely recognised as the pre-eminent disputes specialist in this region.

Our lawyers represent global and regional investors, international and local corporations, and governments and state-owned entities in major domestic and cross-border disputes, as well as conducting arbitrations in all major industry sectors including energy, construction, manufacturing, finance, international trade, telecoms and investment disputes. Our team of arbitration specialists acts as counsel and advocates before tribunals across the region and under all main rules including ICC, SIAC, AAA/ICDR, BANI, TAI, KLRCA, LCIA, UNCITRAL and ICSID. Members of the team serve as arbitrators in regional and international cases.

[www.herbertsmithfreehills.com](http://www.herbertsmithfreehills.com)

Arbitration Notes Blog

Asia Disputes Blog

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## Herbert Smith Freehills-SMU Asian Arbitration Lecture

### Synopsis of Lecture & Download Paper

#### Investor-State Arbitration: Is there a Future?

Investor-State Arbitration has been one of the most remarkable features of international law and international justice in the last thirty years. The period has seen a vast increase on the number of arbitrations, to the point where a State is far more likely to be involved in such a case than in proceedings before the International Court of Justice. The number of bilateral investment treaties under which most such arbitrations are brought now exceeds 2,500. The ICSID Convention - largely moribund for its first twenty years - now plays a major role in the international legal system.

Yet recent years have seen a backlash against investor-State arbitration with some calling for its replacement by a standing court, while others have gone further and argued that disputes between an investor and the host State should be resolved by the courts of the State and that any form of international challenge is unacceptable. The evolution of the draft EU Singapore Free Trade Agreement and the recent Achmea Judgment of the Court of Justice of the European Union both bear witness to these controversies.

This lecture will look at the future for Investor-State dispute settlement in the light of these and other developments.

[Download Delivery Speech - 2016 Lecture](#)

[Download paper - 2015 Lecture](#)

[Click here to watch the recorded video of the 2014 lecture](#)

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## Herbert Smith Freehills-SMU Asian Arbitration Lecture

### About the Speaker



**Sir Christopher Greenwood GBE CMG QC**  
**(Guest Speaker)**

Since March 2018, Christopher Greenwood has been a Judge of the Iran-United States Claims Tribunal and an international arbitrator. Prior to his appointment to the Tribunal, he was a Judge of the International Court of Justice from 2009 to February 2018. Before his election to the Court, he was Professor of International Law at the London School of Economics and a practising barrister who regularly argued cases about international law before international and English courts.

Born in 1955, he was educated at Raeburn Park School, Singapore, Wellingborough School and Magdalene College, Cambridge, he obtained degrees in Law and International Law with first class honours and was elected a Fellow of



Magdalene College, Cambridge, in 1978. He taught at Cambridge for nearly twenty years before being appointed to a Chair of International Law at the London School of Economics in 1996.

His publications include over 100 volumes of the International Law Reports (including some 80 volumes as Joint Editor with the late Sir Elihu Lauterpacht QC), *The Kuwait Crisis: Basic Documents* (1991) and a collection of essays – *Essays on War in International Law* (2006) He is currently working on a tenth edition of Oppenheim's International Law. He has sat as an arbitrator in numerous investment cases and in the arbitration between Mauritius and the United Kingdom regarding the Chagos Islands. He was appointed Queen's Counsel in 1999, made a Companion of the Order of St Michael and St George (CMG) for services to public international law in 2002 and was knighted in 2009. In June 2018 he was appointed Knight Grand Cross (GBE) for services to international justice in Her Majesty the Queen's Birthday Honours List.

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## Herbert Smith Freehills-SMU Asian Arbitration Lecture

### Guest of Honour



**Chief Justice Sundaresh Menon**  
**(Guest of Honour)**

Chief Justice Sundaresh Menon graduated in law from the National University of Singapore in 1986 and later obtained a Masters degree from Harvard Law School. He is an advocate and solicitor of the Supreme Court of Singapore and an Attorney and Counsellor-at-law of the Bar of the State of New York. He was appointed Senior Counsel in January 2008.

As a private practitioner, Mr Menon was recognised as one of the leading lawyers in the fields of commercial litigation and arbitration, insolvency and construction law, in Singapore and abroad. He advised and represented numerous local and overseas clients in complex and technical disputes and appeared before as well as in arbitration tribunals in various jurisdictions. He also served as the Deputy Chairman of the Singapore International Arbitration Centre and has

represented Singapore at the UNCITRAL Working Group on Arbitration.

From April 2006 to March 2007, Mr Menon served as a Judicial Commissioner of the Supreme Court and returned to Rajah & Tann becoming its Managing Partner in August 2009. He was appointed as the Attorney-General of Singapore on 1 October 2010. On 24 June 2012, he was appointed as a Judge of Appeal of the Supreme Court on 1 August 2012 and as the Chief Justice on 6 November 2012.

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# Herbert Smith Freehills-SMU

## Asian Arbitration Lecture

### Registration

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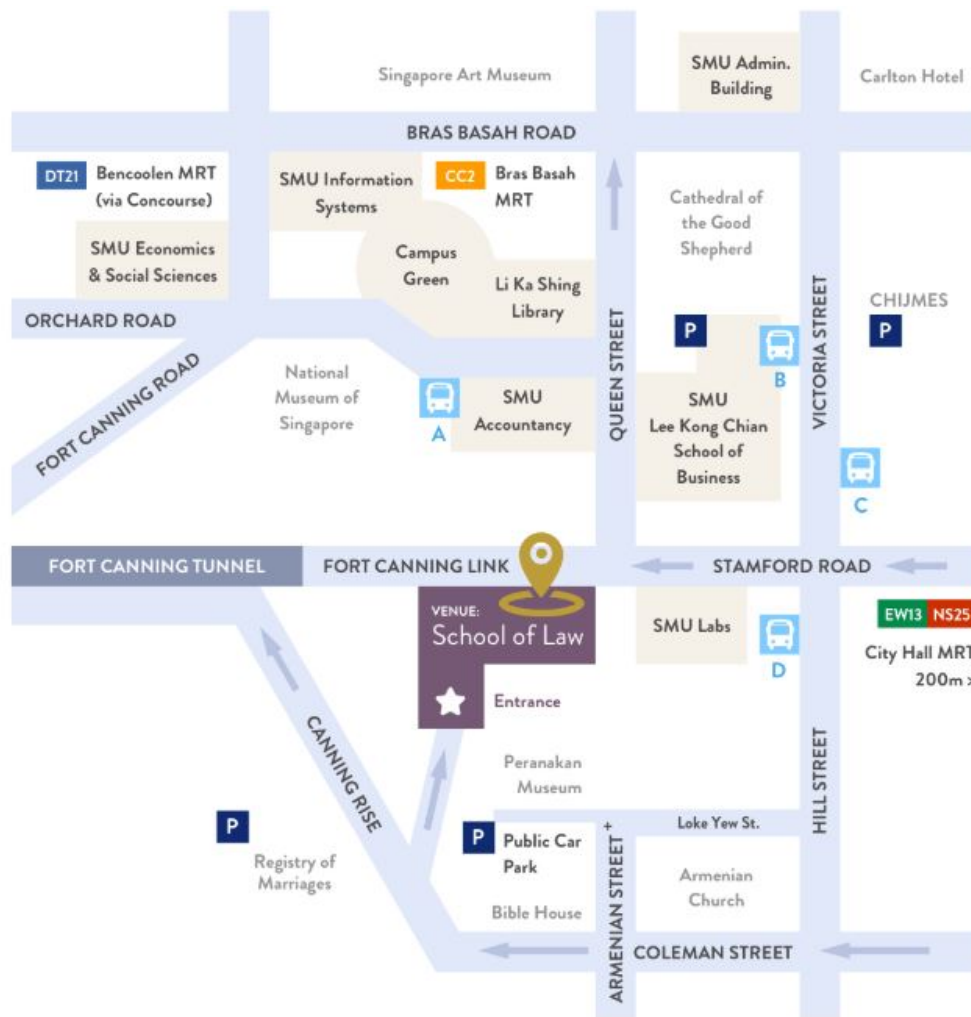


# Herbert Smith Freehills-SMU

## Asian Arbitration Lecture

### Location Map

Singapore Management University  
School of Law  
55 Armenian Street  
Singapore 179943  
Function Hall 1.3, Level B1



**NEAREST MRT**

- CC2 Bras Basah MRT, Exit B
- EW13 NS25 City Hall MRT, Exit A
- DT21 Bencoolen MRT, Exit C

**NEAREST BUS STOP**

- A SMU School of Accountancy (04121)
- B Cathedral of the Good Shepherd (04151)
- C After CHIJMES (04159)
- D Stamford Court (04143)

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## Herbert Smith Freehills-SMU

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## Contact Us

For enquiries, please contact:

**Adeline Teo at [cebcla@smu.edu.sg](mailto:cebcla@smu.edu.sg)**

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### Lecture Summary

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