

# **INTERNATIONAL COMMERCIAL ARBITRATION WITH ENGLISH LAW IN ASEAN**

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# INTERNATIONAL COMMERCIAL ARBITRATION

- Party autonomy
- Tribunal
  - Neutrality
  - Sector skill and knowledge
- Proceedings
  - Privacy/confidentiality
  - Speed
- Award
  - Finality
  - Enforceability

## ENGLISH LAW

- Respected system of commercial law
- Applicable law of choice in many Asian contracts
- Politically neutral and independent
- Consistent and predictable
- Protection of confidentiality
- Lawyer or corporate counsel may instruct ASEAN solicitor and English Counsel

# INSTITUTIONAL MANAGEMENT

- Case management
- Integrity
- Quality
- Competitive cost
- KLRCA

## **CASE MANAGEMENT AND COST CONTROL**

- Flexible case management procedure
- Limited document production
- Limited cross-examination
- Costs capping orders

# **INTERNATIONAL COMMERCIAL ARBITRATION WITH ENGLISH LAW IN ASEAN SUMMARY**

- Process
  - Party control
  - Confidentiality (e.g. competitors, third parties)
- Result
  - Fair and predictable
  - Enforceable (New York Convention)