

Chair's Message



As one year draws to a close, and we prepare to usher in the next, this time of year is often a period of reflection.

And there is much to reflect on in the past year. The Commonwealth has lost a Queen and gained a King. Russia has invaded Ukraine. It has been a year of great geopolitical turmoil.

At CIARB Singapore, we slowly emerged from the Covid-19 pandemic from late 2021 onwards, as Singapore eased its restrictions. We are fortunate to have had a busy and prosperous 2022, hosting a large number of in-person, hybrid and virtual events, collaborating with several of our key partners in international dispute resolution such as the ICC, SIAC and HKIAC, to name just a few.

Out of our glittering array of events and courses, each of which demonstrates the groundbreaking thought leadership for which we are so well known, I would like to invite you to reflect on the theme of one event, in particular, which rounded off the year on 1 December.

"The Journey to Greener Arbitrations – What Practical Steps can we Take to Get There?" focused on practical steps that can be taken to reduce our carbon footprint in arbitrations, and to meet the need of the hour, as the climate crisis becomes ever more urgent.

As I remarked at the event, the respondents to the market-leading *2021 International Arbitration Survey by Queen Mary and White & Case* indicated they are willing to adopt more sustainable practices, but would welcome more "green guidance" from tribunals and in the form of soft law.

However, a great deal of "green guidance" already exists – you just need to know where to find it.

I therefore take this opportunity to set out for you some very useful resources from two of our partners for the December event.

Firstly, the Campaign for Greener Arbitrations has produced "green protocols" for all aspects of arbitration practice, including the following:

- Green Protocol for Arbitral Proceedings and Model Green Procedural Order
- Green Protocol for Law Firms, Chambers and Legal Service Providers working in arbitration

- Green Protocol for Arbitrators
- Green Protocol for Arbitration Conferences
- Green Protocol for Arbitral Hearing Venues
- Green Protocol for Arbitral Institutions

All of these resources can be found at: <https://www.greenerarbitrations.com/green-protocols>

It bears mentioning that the work of the Campaign for Greener Arbitrations has inspired greener practices not just in arbitration, but in mediation as well.

Secondly, Sidley Austin LLP has helpfully curated a set of resources on carbon emissions, carbon off-sets and sustainable aviation fuel, which is set out below this message.

As we sit down to write our New Year's resolutions for next year, I invite all of us to please consider committing to greener ADR practices in 2023, and beyond.

Individually, our impact will be limited, but collectively, our impact may be both powerful and influential.

With that, all that remains is for me to wish you and your loved ones a peaceful end to 2022, and a very Happy New Year!

Sapna Jhangiani KC, FCIArb, C.Arb
Chair, CIArb Singapore

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Please click [here](#) to read our Chair's messages from previous months.



Upcoming Events

Hot-tubbing of Expert Witnesses: Can the baby be saved from the bathwater? 12 January 2023

Hogan Lovells Lee & Lee, Fountain Court and CI Arb Singapore Branch are delighted to invite you to our in-person seminar discussing the hot-tubbing of expert witnesses, on Thursday, 12 January 2023.

Since hot-tubbing was invented, practitioners and counsel alike appear to have embraced this technique as an effective and efficient method to examine experts. Is it time to revisit this accepted wisdom? Do we need to refine how hot-tubbing is employed or seek better alternatives altogether?

The session will open with a sharing on hot-tubbing by Stephen Moriarty KC, Barrister from Fountain Court, followed by an open panel discussion moderated by Kent Phillips, Partner from Hogan Lovells Lee & Lee. The panel will be joined by Amanda Lees, Partner at King & Wood Mallesons, as well as Delphine Ho from The Arbitration Chambers.

Join our panellists for an engaging evening as they explore these issues together.

The Mediation of Investor-State Disputes – What Does the Future Hold? 23 February 2023

CI Arb Singapore is pleased to announce its first collaboration with the International Law Association (Singapore).

Please join us to hear remarks from renowned Swiss arbitrator Professor Gabrielle Kaufmann-Kohler on this important topic, followed by an in-depth discussion with our former branch Chair and former CI Arb Global President Francis Xavier SC PBM FCi Arb C.Arb.

More details will be released closer to the date of the event, but for now, please save the date!

Arbitration Agony Aunty Column

Young arbitration lawyers, the solutions to your problems are now just an e-mail away! If you are having difficulties coping with the pressures of an arbitration practice, need career advice or would like some perspective on personal matters in the world of arbitration, the Arbitration Agony Aunty is here for you!

1. Dear AAA,

I became an international arbitration lawyer because I wanted to travel the world, stay at fancy hotels and brag about my jet setting lifestyle on Instagram. But I only get to sit in my tiny cubicle, make exhibits with a million pages, and stay muted on Zoom hearings. Is it time for me to look for a different job?

Hashtag,

Wannabe Insta Influencer

Dear Wannabe Insta Influencer,

I think so. You may be better suited to Paris Fashion Week than Paris Arbitration Week.

AAA

2. Dear AAA,

Everyone tells me that the next step as a senior associate is to start taking up arbitrator appointments. I feel like nobody will appoint me as an arbitrator because I have never been appointed as an arbitrator before. Do I really need to get in the race of seeking out arbitrator appointments? Is it a pre-requisite to be a successful arbitration practitioner?

Thank you,

Future Potential Arbitrator

Dear Future Potential Arbitrator,

Sitting as an arbitrator is not a pre-requisite to being a successful arbitration practitioner, but it will certainly help! Viewing a case through the eyes of the tribunal, rather than counsel, will provide valuable insights into how to persuade a tribunal in your client's favour.

Never having been appointed previously is not a bar to receiving an appointment, as arbitral institutions are always looking for new talent as arbitrators. Make yourself known to them and you will be pleasantly surprised when your first appointment comes along – do a fantastic job, and it will be the beginning of a successful career as arbitrator.

Good luck!

AAA

3. Dear AAA,

I have been looking for a job in international arbitration for 2 years. I have done 5 unpaid internships, have 2 master's degrees, speak 7 languages, published 4 papers and I am

qualified as a lawyer in 3 jurisdictions. Why am I not good enough to get a job that pays the bills?

Ciao,

Overachieving Job Seeker

Dear Overachieving Job Seeker,

You are far more qualified than I am! The reality is that international arbitration is now an extremely popular area of legal practice, and there are more potential recruits than jobs available. The fact that you are unable to find a job does not mean that you lack the ability to succeed in this field.

My advice is: if this is your dream, then stay the course. The course is challenging, and many will give up. Those who stand their ground will find success through sheer determination, alongside their talent and hard work. As one of my favourite proverbs goes: "the greatest oak was once a little nut who held its ground".

Hang in there!

AAA

The views expressed in "Arbitration Agony Aunty" column are the personal views and opinions of the author(s) in their individual capacity. They do not reflect the views and opinions of the Chartered Institute of Arbitrators or any other organisations that the columnist are associated with. This column is a light-hearted take on the perils and passions associated with practising in alternative dispute resolution.

Call for Contributions for articles from our Student Members

The Chartered Institute of Arbitrators Singapore branch invites its Student Members to submit written submissions for its e-newsletter.

If you are a Student Member^[1] of the Chartered Institute of Arbitrators, the Singapore branch cordially invites you to contribute to our quarterly e-newsletter. The details for the submission are:

What can you submit?

Case analysis/summary of an ADR related case (up to 750 words)

Article on an ADR related topic (up to 1,000 words)

News update on ADR related trends in Singapore (up to 750 words)

Where can you submit?

You can write to secretariat@ciarb.org.sg to submit.

Is there a deadline?

Your submission should reach us by **Tuesday, 31 January 2023**.

Your submission must be previously unpublished (not yet submitted for publication) as of **31 January 2023** and should include an author's statement of originality. It should use OSCOLA

or some other well-established legal citation guide (e.g., Bluebook) and must be in MS word format.

For more information or questions, kindly email secretariat@ciarb.org.sg.

[1] Student membership is free of cost and valid for a maximum of 3 years per application. The application link is accessible at: <https://www.ciarb.org/membership/student-membership/>

For more information, please visit our [website](#).

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