

An event jointly organised by



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

Thursday, 23 February 2023

6.00pm – 7:00pm

(followed by networking drinks)



Speaker:
GABRIELLE KAUFMANN-KOHLER
Partner, Lévy Kaufmann-Kohler



Moderator:
FRANCIS XAVIER S.C.
Regional Head, Dispute Resolution,
Rajah & Tann Singapore LLP

With the exponential rise in global trade, cross-border commercial relationships, and cyber-transactions, the need for clear and organised structures of dispute resolution has never been

greater. This is particularly in the field of investor-state dispute settlement (“ISDS”), which has remained a popular mode of dispute resolution, especially for aggrieved investors seeking recourse against governments for perceived regulatory wrongs or unfair treatment. The interaction of ISDS with mediation is one that is insufficiently explored, but yet is crucial given that mediation has the potential to save much time and cost compared to a long-drawn investment arbitration, which commonly takes close to a decade to fully resolve.

As such, this event will be a timely discussion between two leaders in the field of investment and commercial arbitration, and international dispute resolution generally. Gabrielle and Francis will share their thoughts and views on the current state of ISDS, trends in international dispute resolution, and how mediation can become a more popular avenue for resolving disputes between investors and states.

VENUE

Rajah & Tann Singapore LLP
9 Straits View, #06-07 Marina One West Tower,
Singapore 018937

SCHEDULE

6:00 – 6:10 PM	Introductions
6:10 – 6:30 PM	Opening address by Gabrielle Kaufmann-Kohler
6:30 – 6:50 PM	Discussion between Gabrielle Kaufmann-Kohler and Francis Xavier SC
6:50– 7:00 PM	Q&A
7:00 – 8:00 PM	Networking drinks <i>(Sponsored by Rajah & Tann Singapore LLP)</i>

Please register at: <https://events.rajahtann.com/23feb2023>

SPEAKER’S PROFILE

Gabrielle Kaufmann-Kohler is a partner of Lévy Kaufmann-Kohler, Geneva, and practices international commercial and investment arbitration, having acted in around 250 international arbitrations, mainly as president. She regularly ranks among the top arbitrators worldwide; a study on investment arbitration released in 2016 concluded that she was the “most influential arbitrator in the world”. She appears on numerous institutional panels (including ICC, ICSID, SIAC, CIETAC).

Professor Emerita at Geneva University, where she taught private international law and international arbitration, Gabrielle is the founder of the Geneva LLM in International Dispute Settlement (MIDS) and co-founder of the Foundation for International Arbitration Advocacy (FIAA). She is or was a visiting professor at National University of Singapore, Georgetown Law, Sciences Po Paris, the MIDS, and Tsinghua University Beijing.

Honorary President of ICCA (since 2020) and of the Swiss Arbitration Association (ASA), Gabrielle is also among other leadership positions a former member of the ICC Court, LCIA Court, and AAA Board, and a member of the Swiss delegation to UNCITRAL.

She is the author of many publications, the list of which is available at https://lk-k.com/?year=&lawyer=gabrielle-kaufmann-kohler&expertise=&s=&post_type=publication

MODERATOR'S PROFILE

Francis Xavier SC is Rajah & Tann Singapore LLP's Regional Head of Disputes Group; he practises international and treaty arbitration and cross-border commercial litigation.

A veteran in the field, Francis has 33 years of legal practice and is actively involved in cross-border commercial disputes in the areas of corporate, banking, property, financial and investment related claims. With his substantial experience in dispute resolution, Francis has a track record of being involved in novel and unprecedented cases.

Francis is a Chartered Arbitrator and has acted for a number of parties in treaty disputes (including several Asian governments). He has appeared as counsel and has acted as arbitrator (both party appointed and presiding) in a large number of arbitrations (both ad hoc and administered including by ICSID, ICC, SIAC, AIAC, ICA, HKIAC, BANI and the Permanent Court of Arbitration). He is presently assisting several governments in setting up their international arbitration framework. He is the immediate past global President of the Chartered Institute of Arbitrators and also the immediate Past President of the Inter-Pacific Bar Association.

Spotlighted as one of Asia's Top 15 Litigators by Asian Legal Business (2021), Francis is also recognised as a leading disputes lawyer by renowned legal publications. Francis was also the winner of a Business Excellence Award (2019) issued by Corporate Insider, the Gateway to the World of Business.

He is the Chairman of the Listings Appeals Committee, Singapore Stock Exchange and the Chairman of the Inquiry Panel of the Law Society of Singapore.

He is the General Editor of two major publications - "Civil Litigation in Singapore" (Sweet & Maxwell, 2017) and "Arbitration in Singapore: A Practical Guide" (2nd Edition, Sweet & Maxwell, 2018).