



ADR Special Session on ISDS Reform

MINISTRY OF JUSTICE, REPUBLIC OF KOREA
& UNCITRAL RCAP

BIOGRAPHIES



Koo, Sang-Yeop

Deputy Minister for Legal Affairs
Ministry of Justice, Republic of Korea

Mr. Koo Sang-yeop is Deputy Minister for Legal Affairs of the Ministry of Justice of the Republic of Korea, appointed in September 2023.

Mr. Koo holds a Bachelor's and a Master's degree in Law from Seoul National University. After passing the 39th National Bar Examination in 1997, he has served as a prosecutor since 2004.

Mr. Koo worked as Director of International Legal Affairs Division at the Ministry of Justice in 2016. He also held various leadership positions in the Prosecutors' Office, including Director of Fair Trade and Tax Audit Department (2017), Fair Trade Investigation Department (2018), and Special Investigation Department (2019) at the Seoul Central District Prosecutors' Office. Prior to his appointment as Deputy Minister, he served as the 1st Deputy Chief Prosecutor of Seoul Southern District Prosecutors' Office.

Mr. Koo has also devoted himself to studying law while pursuing his career. He earned an LL.M degree at Harvard Law School in 2008, a Ph.D. in Civil Law, and a S.J.D. degree in Fair Trade Criminal Law at Seoul National University School of Law in 2012 and 2019, respectively.



Anna Joubin-Bret

Secretary
United Nations Commission on International Trade Law
(UNCITRAL)

Ms. Anna Joubin-Bret is the Secretary of the United Nations Commission on International Trade Law (UNCITRAL) and the Director of the International Trade Law Division in the Office of Legal Affairs of the United Nations, which functions as the substantive secretariat for UNCITRAL. She is the ninth Secretary of the Commission since it was established by the General Assembly in 1966.

Prior to her appointment on 24 November 2017, Ms. Joubin-Bret practiced law in Paris, specializing in International Investment Law and Investment Dispute Resolution. She focused on serving as counsel, arbitrator, mediator and conciliator in international investment disputes. She served as arbitrator in several ICSID, UNCITRAL and ICC disputes. Prior to 2011 and for 15 years, Ms. Joubin-Bret was the Senior Legal Adviser for the United Nations Conference on Trade and Development (UNCTAD). She edited and authored seminal research and publications on international investment law, notably the Sequels to UNCTAD IIA Series and co-edited with Jean Kalicki a book on Reform of Investor-State Dispute Settlement in 2015.

Ms. Joubin-Bret holds a post-graduate degree (DEA) in Private International Law from the University of Paris I, Panthéon-Sorbonne, a Masters Degree in International Economic Law from University Paris I and in Political Science from Institut d'Etudes Politiques. She was Legal Counsel in the legal department of the Schneider Group, General Counsel of the KIS Group and Director-Export of Pomagalski S.A. She was appointed judge at the Commercial Court in Grenoble (France) and was elected Regional Counsellor of the Rhône-Alpes Region in 1998.



Prof. Hi-Taek Shin

Arbitrator
Twenty Essex

Professor Hi-Taek Shin is an arbitrator at Twenty Essex, London/Singapore. Until recently, he served as the Chairman of KCAB INTERNATIONAL, the international division of the Korean Commercial Arbitration Board.

He has unique experience combining a successful career as a counsel, academic, and arbitrator, as well as in the public service. Until 2007, he had long been a partner of Kim & Chang, the leading Korean law firm. Since 2007, he taught international investment law and investor-State arbitration at Seoul National University School of Law until his retirement in 2017.

He has been appointed as a sole, presiding, and co-arbitrator in international commercial and investment arbitrations under the rules of major international arbitral institutions, including the ICSID Convention. He is on the panel of arbitrators of HKIAC, AAA/ICDR, ICSID, JCAA, KCAB, and SIAC, to name a few.

Recently, he co-authored the Korean chapter in *Balancing the Protection of Foreign Investors and State Responses in the Post-Pandemic World* (Y. Levashova and P. Lorfing, eds., Wolters Kluwer 2022) and "ICSID Administrative and Financial Regulations" in *ICSID Rules and Regulations 2022: Article-by-Article Commentary* (R.Happ and S.Wilske, C.H.Beck, 2022).



Meg Kinnear

Secretary-General
International Centre for Settlement of Investment Disputes (ICSID)
and Vice President, World Bank Group
Washington, DC

Meg Kinnear is the Secretary-General of the International Centre for Settlement of Investment Disputes (ICSID) and a Vice President of the World Bank.

Prior to joining ICSID, she worked as Senior General Counsel (2006-2009) and Director General of the Trade Law Bureau of Canada (1999-2006). Prior to this, Ms. Kinnear was the Executive Assistant to the Deputy Minister of Justice of Canada (1996 -1999) and Counsel at the Civil Litigation Section of the Canadian Department of Justice (1984-1996).

Ms. Kinnear has frequently spoken on and published with respect to international investment law and procedure, including as a co-author of *Investment Disputes under NAFTA* (Kluwer Law Publications, June 2006; updated editions released January 2008 and June 2009).

Ms. Kinnear holds degrees from the University of Virginia (LL.M.) and McGill University (LL.B.). She is admitted to the Bar of the Law Society of Upper Canada (Ontario) and the District of Columbia Bar.



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& UNCITRAL RCAP

Session 1: Investment Mediation



MODERATOR

Prof. Jaemin Lee

Seoul National University School of Law

Jaemin Lee is currently Professor of Law at School of Law, Seoul National University in Seoul, Korea. His major areas of teaching and research are public international law, international economic law and international dispute settlement. He has published articles and books (including book chapters) on various topics of public international law, international economic law and dispute settlement. He served as President of the KOREAN SOCIETY OF INTERNATIONAL ECONOMIC LAW (2020-2021), and Vice President of the KOREAN SOCIETY OF INTERNATIONAL LAW (2021). He also served as Director of the ASIA PACIFIC LAW INSTITUTE of Seoul National University (2021-2023). He currently serves on the Executive Council of the SOCIETY OF INTERNATIONAL ECONOMIC LAW (2021~), and the Steering Committee of the ACADEMIC FORUM ON INVESTOR-STATE DISPUTE SETTLEMENT (2021~). He can be reached at 82-2-880-7572 (office) or via e-mail at jaemin@snu.ac.kr.



SPEAKER

Jae Sung Lee

Senior Legal Officer
United Nations Commission on International Trade Law
(UNCITRAL)

Mr. Jae Sung Lee is a legal officer at the International Trade Law Division (ITLD) of the United Nations Office of Legal Affairs, which functions as the substantive secretariat for UNCITRAL. He functions as the Secretary of Working Group II on Dispute Settlement and further services the Working Group III on Investor-State Dispute Settlement Reform. Before joining the United Nations in 2007, he served in the Korean Ministry of Foreign Affairs. A Korean national, Mr. Lee is a graduate of Seoul National University College of Law, holds LL.M. degrees from Seoul National University Graduate School of International Studies and NYU School of Law as well as a Ph.D in Law from Seoul National University.



SPEAKER

George Lim SC

Singapore International Mediation Centre
(SIMC)

George Lim was called to the Bar in Singapore in 1981, and has practised law for more than 40 years. He was appointed Senior Counsel by the Chief Justice in 2010, and was President of the Law Society of Singapore between 1998-1999. In January 2017, George was appointed Chairman of the Singapore International Mediation Centre (SIMC).

George has mediated more than 800 disputes, and has extensive experience in mediating cross-cultural, cross-border disputes in Singapore, Thailand, Taiwan, Maldives, South Korea, Australia and Fiji. George has also conducted mediation training for judges and lawyers in Singapore, Thailand, Philippines, Malaysia, Dubai, Bahrain, Maldives, Hong Kong, South Korea, Japan, India and Fiji.

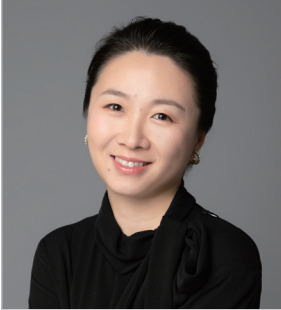
George is on the panel of arbitrators of the Singapore International Arbitration Centre (SIAC). He is the Dispute Resolution Counsellor of the National Electricity Market of Singapore, and manages the dispute management process of the energy market.

Between 2009 – 2010, George served as the first chairman of the Asian Mediation Association. In 2013, he co-chaired a working group, appointed by Chief Justice Sundaresh Menon and the Ministry of Law, to make recommendations on developing Singapore into a centre for international commercial mediation.

George was Singapore's mediation consultant to UNCITRAL Working Group II, which led to the adoption of the Singapore Convention on Mediation in 2019. In October 2019, he was appointed to the Roster of Panel Chairs of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) on Dispute Settlement. In 2020, George was awarded the Public Service Star by the President of Singapore for his contributions to mediation.

George has mediated many cross-border disputes, including investor state disputes and claims against governments. In 2021, he successfully mediated a US\$1b dispute between Posco Energy and FuelCell Energy (reported in Global Arbitration Review, 6 Jan 22).

George has been named by The International Who's Who of Commercial Mediation as a global thought leader in mediation. He is the co-editor of *Mediation in Singapore: A Practical Guide*.



SPEAKER

Dr. Zhijin (Donna) Huang

Director
Arbitration and ADR, North Asia,
ICC Dispute Resolution Services

Dr. Donna Huang serves as the Director of Arbitration and ADR for North Asia at ICC Dispute Resolution Services. In her role, she leads the strategic development, business development, marketing, promotion, and training initiatives for ICC's dispute resolution services across 17 countries and regions in North Asia, including China, Hong Kong, Japan, South Korea, Taiwan, Pakistan, Bangladesh, Mongolia, Laos, and others.

Prior to joining the ICC, Dr. Huang was an Associate Professor at a Chinese university. She received prestigious nominations for the U.S. Fulbright Program on two occasions and was a recipient of the Erasmus Program from the European Union. Before assuming her position as the Director for North Asia, she had served as a legal expert at the ICC.

Dr. Huang has published numerous papers, commentaries, and articles in Mainland China, Hong Kong, and Europe. Additionally, she has delivered over a hundred speeches in both Chinese and English across various countries, including China, South Korea, Japan, Laos, Bangladesh, and Singapore.



SPEAKER

Jinyoung Seok

Legal Counsel
Permanent Court of Arbitration

Jinyoung Seok serves as Legal Counsel at the Permanent Court of Arbitration (PCA) in The Hague, an intergovernmental organization which administers arbitrations and other dispute resolution proceedings involving various combinations of States, State entities, intergovernmental organizations, and private parties.

At the PCA, Jinyoung works closely with arbitral tribunals constituted under the auspices of the PCA to resolve investment treaty disputes, contract claims involving State entities and international organizations, and inter-State disputes arising under various international conventions and treaties. In addition, she assists the PCA Secretary-General in carrying out his roles under the Arbitration Rules of the United Nations Commission for International Trade Law (UNCITRAL), and regularly assists in the diplomatic work of the PCA with its Member States and other intergovernmental organizations.

Jinyoung holds an LL.M. from King's College London, J.D. from University of Minnesota Law School, MSc International Public Policy from University College London, as well as a B.A. from New York University. She is qualified to practice law in Minnesota and New York.



SPEAKER

Sae Youn KIM

Partner, Kim & Chang, Seoul

Sae Youn Kim is a partner of the International Arbitration & Cross-Border Litigation Practice of Kim & Chang. Ms. Kim practices primarily in the areas of international litigation and arbitration with an emphasis on commercial and international law.

Before joining Kim & Chang, she served as a judge at various Korean district courts, and practiced as a key member in major Korean law firms. Ms. Kim also sits as an arbitrator. Her expertise in international dispute resolution has been recognized by the variety of roles she holds and held in various institutions, including but not limited to a Commissioner of the Korea Trade Commission, a Vice-Chair of the Arbitration Committee of the International Bar Association, a Co-Chair of the Dispute Resolution and Arbitration Committee of the Inter-Pacific Bar Association, and a Court member of the ICC International Court of Arbitration.





SPEAKER

Mike McClure KC

Partner, Herbert Smith Freehills

Mike is a King's Counsel solicitor advocate with expertise in arbitration, court and expert determination proceedings, and particular experience in the energy, construction, infrastructure and financial services sectors.

Mike advises clients on arbitrations under the auspices of several arbitral institutions, including the LCIA, ICC, HKIAC, SIAC, ICSID, LMAA, DIFC-LCIA, DIAC and BCDR.

He has also represented clients in ad hoc arbitrations under the English Arbitration Act and advised clients on English and DIFC First Instance and Court of Appeal proceedings.

Mike regularly contributes to the broader arbitration community in Korea, including sitting as an arbitrator at the Korean Commercial Arbitration Board (KCAB) and coaching Yonsei University students participating in the annual Vis Moot. In 2019, he received the Korea Arbitration Award from the Korean Ministry of Justice in recognition of his contributions.

He is consistently recognised as a leading individual for international arbitration by Chambers & Partners, Legal 500 and Who's Who Legal. According to Chambers Asia Pacific, Mike is "one of the best dispute resolution attorneys in this region," and that "he knows how to get the job done - a go-to person for high-stakes issues."



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Session 2: The Codes of Conduct



MODERATOR

Prof. Hi-Taek Shin

Arbitrator
Twenty Essex

Professor Hi-Taek Shin is an arbitrator at Twenty Essex, London/Singapore. Until recently, he served as the Chairman of KCAB INTERNATIONAL, the international division of the Korean Commercial Arbitration Board.

He has unique experience combining a successful career as a counsel, academic, and arbitrator, as well as in the public service. Until 2007, he had long been a partner of Kim & Chang, the leading Korean law firm. Since 2007, he taught international investment law and investor-State arbitration at Seoul National University School of Law until his retirement in 2017.

He has been appointed as a sole, presiding, and co-arbitrator in international commercial and investment arbitrations under the rules of major international arbitral institutions, including the ICSID Convention. He is on the panel of arbitrators of HKIAC, AAA/ICDR, ICSID, JCAA, KCAB, and SIAC, to name a few.

Recently, he co-authored the Korean chapter in *Balancing the Protection of Foreign Investors and State Responses in the Post-Pandemic World* (Y. Levashova and P. Lorfing, eds., Wolters Kluwer 2022) and "ICSID Administrative and Financial Regulations" in *ICSID Rules and Regulations 2022: Article-by-Article Commentary* (R.Happ and S.Wilske, C.H.Beck, 2022).

**SPEAKER****Anna Joubin-Bret**

Secretary
United Nations Commission on International Trade Law
(UNCITRAL)

Ms. Anna Joubin-Bret is the Secretary of the United Nations Commission on International Trade Law (UNCITRAL) and the Director of the International Trade Law Division in the Office of Legal Affairs of the United Nations, which functions as the substantive secretariat for UNCITRAL. She is the ninth Secretary of the Commission since it was established by the General Assembly in 1966.

Prior to her appointment on 24 November 2017, Ms. Joubin-Bret practiced law in Paris, specializing in International Investment Law and Investment Dispute Resolution. She focused on serving as counsel, arbitrator, mediator and conciliator in international investment disputes. She served as arbitrator in several ICSID, UNCITRAL and ICC disputes. Prior to 2011 and for 15 years, Ms. Joubin-Bret was the Senior Legal Adviser for the United Nations Conference on Trade and Development (UNCTAD). She edited and authored seminal research and publications on international investment law, notably the Sequels to UNCTAD IIA Series and co-edited with Jean Kalicki a book on Reform of Investor-State Dispute Settlement in 2015.

Ms. Joubin-Bret holds a post-graduate degree (DEA) in Private International Law from the University of Paris I, Panthéon-Sorbonne, a Masters Degree in International Economic Law from University Paris I and in Political Science from Institut d'Etudes Politiques. She was Legal Counsel in the legal department of the Schneider Group, General Counsel of the KIS Group and Director-Export of Pomagalski S.A. She was appointed judge at the Commercial Court in Grenoble (France) and was elected Regional Counsellor of the Rhône-Alpes Region in 1998.



SPEAKER

Meg Kinnear

Secretary-General
International Centre for Settlement of Investment Disputes (ICSID)
and Vice President, World Bank Group
Washington, DC

Meg Kinnear is the Secretary-General of the International Centre for Settlement of Investment Disputes (ICSID) and a Vice President of the World Bank.

Prior to joining ICSID, she worked as Senior General Counsel (2006-2009) and Director General of the Trade Law Bureau of Canada (1999-2006). Prior to this, Ms. Kinnear was the Executive Assistant to the Deputy Minister of Justice of Canada (1996 -1999) and Counsel at the Civil Litigation Section of the Canadian Department of Justice (1984-1996).

Ms. Kinnear has frequently spoken on and published with respect to international investment law and procedure, including as a co-author of *Investment Disputes under NAFTA* (Kluwer Law Publications, June 2006; updated editions released January 2008 and June 2009).

Ms. Kinnear holds degrees from the University of Virginia (LL.M.) and McGill University (LL.B.). She is admitted to the Bar of the Law Society of Upper Canada (Ontario) and the District of Columbia Bar.

**SPEAKER****Christopher Lau SC**

3 Verulam Buildings
Singapore, London

A Senior Counsel, Chartered Arbitrator and former Judicial Commissioner of the Singapore Supreme Court, Christopher Lau is recognised as “obviously one of the most experienced arbitrators in Singapore” (Chambers Global Guide 2019) and is ranked by Chambers & Partners as one of the Most In Demand Arbitrators in the Asia-Pacific Region. His arbitration practice encompasses investment as well as all aspects of commercial disputes including construction, corporate, energy, pharmaceuticals, maritime, aerospace, communications, insurance, military & defence procurements involving the laws of various common and civil law jurisdictions. Amounts in dispute in several arbitrations were in excess of USD 1 billion.

Christopher is a Vice President of the LCIA Court and a member of, among others, the ICC Commission on Arbitration and ADR, KCAB’s International Arbitration Committee, the Council of the Mumbai Centre for International Arbitration and the Global Advisory Board of the New York International Arbitration Centre.



SPEAKER

Eric Ng

Deputy Secretary General
HongKong International Arbitration Centre(HKIAC)

Prior to joining the HKIAC, Eric worked for several years as a barrister-at-law in Hong Kong focusing primarily on international commercial and construction arbitrations, as well as general commercial litigation in Hong Kong, and has worked as counsel as well as tribunal secretary for several major international commercial, construction, and financial arbitrations around the world.

In addition to his work as a barrister, Eric was previously Adjunct Professor at the University of International Business and Economics in Beijing, lecturing in advocacy and investor-state arbitration. He has also lectured at Tsinghua University and Peking University. Eric has also published on issues of international dispute resolution and investor-state arbitration.

Eric holds a BCL from Oxford University, PCLL and JD from City University from Hong Kong, MSc E-commerce from the University of Hong Kong, as well as a BS in Business Administration and Information Systems from Babson College in the USA. He is admitted to practice law in Hong Kong.

**SPEAKER****Yun Jae Baek**

Partner, Yulchon LLC

Yun Jae Baek is working as the co-head of the International Dispute Resolution Team at Yulchon. Mr. Baek, who is qualified to practice law in both Korea and New York, is widely recognized as one of Korea's leading attorneys, particularly in the fields of international arbitration, M&A, and international trade. With over 30 years of dedicated experience, he has amassed a wealth of expertise in these areas. Currently, Mr. Baek holds the role of arbitrator with several prominent arbitral institutions, including the ICC, KCAB, AIAC, and others. His reputation has allowed him to be selected as a leading lawyer by renowned publications such as Chambers Global, Who's Who Legal, and Benchmark Litigation. He got his LLB from Seoul National University Law School and his LLM from Harvard Law School.



SPEAKER

Prof. Joongi Kim

Yonsei University School of Law

Joongi Kim is a Professor of Law at Yonsei Law School and the President of the Korean Council for International Arbitration (KOCIA). Joongi has acted as a presiding arbitrator, sole arbitrator, and co-arbitrator in institutional and ad hoc proceedings under the rules of the GGGI, HKIAC, ICC, ICSID, JCAA, KCAB, LMAA, QICCA, SIAC, UNCITRAL, and VIAC. In 2019, he was selected as International Arbitrator of the Year by KCAB International and the Korea Economic Daily and received the Top 10 Arbitrators in Asia Pacific Award by the Bali International Arbitration and Mediation Center. A Member of the ICC Court, he also serves on the panel of arbitrators for the ICSID, Korea-EU Free Trade Agreement, Korea-US Free Trade Agreement and GGGI, in addition to AIAC, CAA, CAfA, CIETAC, CRCICA, DIAC, eBRAM, HIAC, HZAC, HKIAC, JCAA, KCAB, PIAC, RIMA, SCCA, SCIA, SHIAC, SIAC, and VIAC, and the panel of mediators of HIAC International Mediation Center, SIMC, and VMC. He serves as a Council Member for the ICC Institute of World Business and an Academic Council Member of the Institute of Transnational Arbitration. He also sits on the editorial board of International Investment Law and Arbitration (Brill), Asian Journal of Comparative Law (Cambridge University Press), Dispute Resolution International (IBA) and Korean Arbitration Review. His research focuses on international arbitration, international trade and investment, corporate governance and good governance. His treatise INTERNATIONAL ARBITRATION IN KOREA (OUP) received the 11th Simdang International Trade and Business Research Award. He has been a visiting professor at ESADE, Georgetown, Keio, the National University of Singapore, National Law School of India University (Bangalore), University of Florida and University of Hong Kong.



ADR Special Session on ISDS Reform

MINISTRY OF JUSTICE, REPUBLIC OF KOREA
& UNCITRAL RCAP

Session 3:
Advisory Centre on
International Investment Law



MODERATOR

Prof. Seung Wha CHANG

Seoul National University School of Law

Seung Wha CHANG is Professor of Law and the former Dean of Seoul National University (SNU) School of Law where he teaches international trade and investment law as well as international arbitration. Recently, Professor Chang completed his tenure as the Chairman of the Korea Trade Commission.

In 2016, Prof. Chang completed his four-year term for the World Trade Organization (WTO) as a Member(Judge) of the Appellate Body. Prior to this, he was one of the most frequently appointed panelists for the WTO dispute settlement panels. Prof. Chang also has served as an international arbitrator (chairman or co-arbitrator) in numerous occasions for various arbitral institutions, including the ICC, LCIA, SIAC, HKIAC and KCAB, and he previously served as a Member of the ICC International Court of Arbitration. In earlier days of his legal career, Prof. Chang served as a Seoul District Court judge, and also practiced as a foreign attorney at Covington & Burling in Washington D.C.

Prof. Chang graduated from SNU School of Law and holds master (LL.M.) and doctorate (S.J.D.) degrees from Harvard Law School. He has taught international economic law and international arbitration courses as a Visiting Professor at various renowned law schools, including Harvard, Yale, Stanford, NYU, Duke, Georgetown, UCLA, National University of Singapore, Hong Kong University, and Geneva University. In 2007, Harvard Law School granted him an endowed visiting professorial chair title, Nomura Visiting Professor of International Financial Systems.

Prof. Chang is the first Korean author who published a book on bilateral investment treaties and Editor-in-Chief of Korean Arbitration Review. In addition, he presently serves as an Advisory Board Member for leading international law journals, including the Journal of International Economic Law (Oxford) and the Journal of International Dispute Settlement (Oxford).

Prof. Chang is a South Korean national, and is married with twin children.



SPEAKER

Young Shin Um

Senior Deputy Director
Ministry of Justice, Republic of Korea

Ms. Young Shin Um is a Senior Deputy Director at the International Dispute Settlement Division, Ministry of Justice, Republic of Korea, where she manages investor – state disputes and participates in multilateral ISDS reform projects including the UNCITRAL Working Group III. Ms. Um was educated in both the civil and common law traditions, having studied first at Seoul National University (LL.B., 2007 and J.D., 2012) and at New York University School of Law (LL.M. in International Legal Studies, 2008 and LL.M. in International Business Regulation, Litigation and Arbitration, 2019). As a dual qualified attorney (Korean and New York State Bars), Ms. Um practiced international arbitration in major Korean law firms prior to joining the Korean government.



SPEAKER

Yudai Ueno

Director
Ministry of Foreign Affairs, Japan

EXPERIENCE

- 2002 Official, Treaties Division, Ministry of Foreign Affairs (MOFA)
- 2004 Official, Economic Treaties Division, MOFA
- 2005 Second Secretary, Embassy of Japan in Washington DC, USA
- 2008 First Secretary, Mission of Japan to the European Union
- 2011 Deputy Director, Status of U.S. Forces Agreement Division, MOFA
- 2013 First Secretary, Embassy of Japan in the Philippines
- 2016 Counsellor, Embassy of Japan in the Republic of Korea
- 2020 Senior Coordinator, Economic Partnership Division, MOFA
- 2021 Director, Investment Policy Division, MOFA
- 2023 Director, Southeast Asia/Economic Partnership Agreements Division, MOFA



SPEAKER

Ernesto Simanungkalit

Deputy Director
Ministry of Foreign Affairs, Indonesia

Ernesto started his career in the Ministry of Foreign Affairs of Indonesia in 2007. He was Head of Section for ASEAN Human Rights Affairs in 2009. He played an active role in the establishment of the ASEAN Human Rights Body (AICHR), the conclusion of ASEAN Charter's implementing treaties, and the Indonesia-ASEAN Host Country Agreement. He experienced Indonesia's ASEAN chairmanship in 2011 and helped achieve monumental progress towards the creation of a rules-based ASEAN.

Later in his career, Ernesto was closely exposed to the world of economic diplomacy. His position in the economic function in both of his previous assignments abroad has built him a reputation. In his first post in Brussels (2012-2015), Ernesto's achievement includes delisting Indonesia from the EU IUU List, and the EU Air Safety List, the scoping of Indonesia-EU CEPA, and particularly the fight against the EU attacks towards Indonesia's palm oil. While he was posted in Berlin (2018-2022), he continues campaigning on Indonesia's sustainable economy, pursuing Indonesia's economic interests in the EU CEPA negotiation, and promoting Indonesia-Germany cooperation in the health sector.

Currently, Ernesto is a Diplomat Madya with the rank of Counsellor. He is the Coordinator for Trade and Investment Law and Treaties in the Directorate General of Legal and Treaty Affairs. He negotiated the Indonesia-Australia CEPA, Indonesia-United Arab Emirates CEPA, the Regional Comprehensive Economic Partnership Agreement, ASEAN Hong Kong FTA, Indonesia-UAE BIT. He is currently negotiating the Indonesia-EU CEPA, Indonesia-Canada CEPA, ASEAN-Canada CEPA, Review of ASEAN-China FTA, Review of AANZFTA, and the ISDS Reform in the UNCITRAL.

Ernesto's academic background is law. Recently, he paid close attention to the study of economics. He pursued this ambition by graduating from Freie Universität Berlin, focusing on competition policy and international trade law. He has published several articles in various domestic newspapers, and academic journals. He recently continues expanding his academic passion by, teaching various aspects of international law in Universitas Bina Nusantara, Indonesia.



SPEAKER

Adeel Mumtaz Khokhar

Director
Ministry of Foreign Affairs, Pakistan

Adeel Mumtaz Khokhar is a Pakistani diplomat currently holding the position of Director (UN) at the Ministry of Foreign Affairs in Islamabad. He has a Bachelor's degree in Civil Engineering from NED University of Engineering and Technology in Karachi, an LLB from the University of London, and an LLM in Public International Law from the University of Law in London. Adeel is proficient in English, French, and Urdu.

In his current role as Director (United Nations-I), he oversees various aspects of international affairs, including matters related to peace and security, political issues in the United Nations General Assembly and the Security Council. He also manages the 4th and 6th committees of the UN, UNCITRAL, and handles numerous UN bodies and agencies. Previously, he served as the Head of the Consular Section at the Embassy of Pakistan in Paris, where he handled visa endorsements, passport processing, and collaborated with local authorities to represent the interests of Pakistani nationals in France. Notably, Adeel represented Pakistan at the Financial Action Task Force (FATF) – OECD.

Adeel's professional experience also includes serving as Assistant Chief of Protocol at the Ministry of Foreign Affairs, Camp Office Karachi, where he managed diplomatic missions and protocol for foreign dignitaries. Moreover, he has contributed to academia by teaching International law and international relations to students pursuing their Masters at the University of Karachi.

**SPEAKER****Sun Thathong**

Counsellor
Ministry of Foreign Affairs, Thailand

Sun Thathong is a Thai international lawyer-diplomat, currently serving as a Counsellor at the International Law Development Division, Department of Treaties and Legal Affairs, Ministry of Foreign Affairs of Thailand. He holds an LL.M and a Ph.D in International Law from the University of Cambridge. He is the winner of the University of Cambridge's 2009 Clive Parry Prize for International Law and the joint runner-up winner of the Asian Society of International Law's 2017 Asian-JIL Young Scholar Prize. He is also a research assistant to Dr. Vilawan Mangklatanakul, member of the International Law Commission (2023-present).

At the Ministry of Foreign Affairs, Sun previously served at the Treaty Division (2009-2011), the International Law Development Division (2015-2018), the Royal Thai Embassy and Permanent Mission of Thailand in Vienna (2018-2022), and the International Law Research and Information Unit (2022). During 2015-2018, he was a lead negotiator for Thailand in several rounds of negotiations of the Regional Comprehensive Economic Partnership Agreement's legal and institutional provisions. He was also a Thai delegate to the Sixth Committee of the UN General Assembly's 72nd session (2017) and has attended several sessions of UNCITRAL Working Group III (ISDS Reform) since 2018.

Sun's current responsibilities at the Department of Treaties and Legal Affairs include matters relating to general public international law, law of treaties, law of the WTO, intellectual property law, negotiations of free trade agreements, settlement of international disputes, and international investment law.

MEMO



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MINISTRY OF JUSTICE, REPUBLIC OF KOREA
& UNCITRAL RCAP

Session 4: Dispute Prevention and Mitigation



MODERATOR

Shane Spelliscy

Chairperson
UNCITRAL Working Group III

Shane Spelliscy is currently the Director General of the Trade Law Bureau of the Government of Canada and the Deputy Legal Adviser at Global Affairs Canada. As the Director General, he is the Government of Canada's most senior international trade lawyer, responsible for all trade related legal advice, including trade remedies, market access, trade barriers, trade in goods and services and international investment law. He joined the Trade Law Bureau in 2008, and since then he has provided advice on Canada's obligations under its trade and investment treaties and served as counsel in trade and investment treaty negotiations and in disputes under its investment treaties. He has acted as Canada's delegate at UNCITRAL since 2008, including with respect to the revision of the UNCITRAL Arbitration Rules, the development of the UNCITRAL Rules on Transparency, and the negotiation of the Mauritius Convention on Transparency in Treaty-Based Investor-State Dispute Settlement. In November 2017, he was elected by the Member States of UNCITRAL as the Chair of Working Group III, which has been tasked with considering possible reforms in the field Investor-State dispute settlement.



SPEAKER

Donghwan Shin

Director/Senior Prosecutor
Ministry of Justice, Republic of Korea

Director Donghwan Shin is a senior prosecutor and currently serves as the Director of International Legal Advisory Division at the Ministry of Justice, Republic of Korea. He has led numerous ISDS cases on behalf of the Korean government and has provided legal advice on related investment treaties, remedies, disputes as well as litigations. He has acted as Korea's delegate at UNCITRAL ISDS reform discussions since 2017 and also participated in the ICSID rules reform work. Mr. Shin holds master's degree from Columbia Law School and is a dual qualified government attorney admitted to practice in Korea and New York.



SPEAKER

Zhang Shuang

Official
Ministry of Commerce, China

Ms. Zhang Shuang is an official working for the Investment Law Division, Department of Treaty and Law, Ministry of Commerce, China. Areas of her working interest include IIA negotiations and ISDS proceedings. Before that she was a diplomat working for the Mission of China to WTO and the Embassy of China in India, focusing on TRIPS (Agreement on Trade-Related Aspects of Intellectual Property Rights) issues and China-India bilateral investment, respectively. Ms. Zhang holds a master's degree of law from Peking University, China.



SPEAKER

Siddharth Malik

Director
Ministry of External Affairs, India

I am a career Diplomat with about twelve years experience in the government sector. My career in public service started at Ministry of External Affairs, Government of India in 2010.

EXPERIENCE

December, 2022-Present Director, Economic Diplomacy Division

- The Division is the Economic Arm of MEA, the work entails coordination with Indian Missions and various Ministries of Government of India, to enable foreign investment flows and promote bilateral trade, tourism.
- I also handle work related to healthcare, energy security and food security.
- The Division is the nodal point for work related to International Solar Alliance, Coalition for Disaster Resilient Infrastructure and I2U2 Summit.

August 2021 – November, 2022 Chief of Staff of the Minister of State for External Affairs, Mrs Meenakshi Lekhi

- Attending meetings on behalf of Minister and reporting back with relevant information.
- Drafting correspondence, speeches and official statements.
- Provide insight and feedback to Minister to assist with the decision making process.
- Scheduling and prioritizing appointments for Minister.
- Overseeing staff and handling their problems.

July 2019-August 2021 First Secretary, Permanent Mission of India to United Nations at New York

- Contributed to promoting and protecting India's core interests at the UN.
- Gave special focus to protect India's long term developmental interest in implementation of Sustainable Development Goals and the 2030 Agenda.
- Ensuring a policy space which is necessary for India's continued and sustained economic growth.
- Promoted India's interest with respect to climate change and related discussions at the UN.
- Facilitated effective engagement of various Government of India Ministries in various UN meetings/conferences.
- Negotiated resolutions and statements on behalf of India at UN General Assembly and UN Security Council.

July 2017 – August 2019 East Asia Division, Ministry of External Affairs

- Worked at East Asia Division of Ministry of External Affairs

September 2012- July 2017 Second Secretary, Embassy of India, Beijing

- Promoting India culture in China by organizing yoga events, classical dance classes and promotion of Indian movies.
- Handling India-China bilateral political relations.
- Focusing on China's external foreign policy.
- Maintaining contacts with think tanks and other important government institutes in China.
- Travelling within China to carry out diplomatic work.

December 2010- August 2012 Officer Trainee, Foreign Service Institute, Delhi



SPEAKER

Natalie Morris Sharma

Director
Attorney-General's Chambers, Singapore

Ms Morris-Sharma is a Director and Deputy Senior State Counsel in the international law department of Singapore's Attorney-General's Chambers. In that capacity, she advises and represents the Government on international law issues, including leading the teams on international environment law, health law, human rights law, diplomatic law and the law on privileges and immunities, as well as the law of international organisations. She also works on issues of international economic law and oceans and the law of the sea.

Prior to her current role, she had undertaken other capacities, including as Director of the International Legal Division of Singapore's Ministry of Law, and as Legal Advisor to Singapore's Permanent Mission to the United Nations.

Ms Morris-Sharma has participated in and led several bilateral and multilateral negotiations, including for bilateral and regional trade and investment agreements, as well as for the United Nations Commission on International Trade Law (UNCITRAL) Rules on Transparency in Treaty-based Investor-State Arbitration. She has also served as head of delegation to meetings of the Hague Conference and the Association of Southeast Asian Nations (ASEAN). Ms Morris-Sharma is currently Rapporteur to UNCITRAL Working Group III on Investor-State Dispute Settlement (ISDS) Reform. She has previously performed other roles at UNCITRAL, including as Chairperson of Working Group II (Dispute Settlement) for its work on the enforcement of mediated settlement agreements, including the development of the United Nations Convention on International Settlement Agreements Resulting from Mediation, also known as the Singapore Convention on Mediation; and as Vice-Chairperson of the 50th UNCITRAL Commission session, where she led the meeting on the adoption of the mandate for ISDS Reform.

Ms Morris-Sharma has published on topics relating to international trade and investment law, law of the sea, the work of the International Law Commission, and treaty law. She has taught at the ASEAN Law Academy, organised by the National University of Singapore's Centre for International Law; and the International Tribunal for the Law of the Sea (ITLOS)-Nippon Foundation Programme. She serves as a counsellor of the American Society of International Law.

Ms Morris-Sharma is admitted to the bar in Singapore and in New York, and is a recipient of the Singapore Public Administration Medal (Bronze).



SPEAKER

LAI Thi Van Anh

Deputy Director General
Ministry of Justice, Viet Nam

For more than 20 years working at the Ministry of Justice of Viet Nam, Lai Thi Van Anh has been directly involved in drafting and scrutinizing legislations governing investment, trade and commerce, and participated in the negotiation of numerous international treaties particularly the CPTPP, Viet Nam - EU Free Trade Agreement, and Viet Nam - EU Investment Protection Agreement.

Mrs. Lai currently leads a specialized team in the Ministry of Justice to represent the Government and Government Agencies in Investor - State disputes and represents Viet Nam in Working Group II on Dispute Settlement and Working Group III on ISDS Reforms of the United Nations Commission on International Trade Law.



SPEAKER

Priyanka Kher

Senior Private Sector Specialist, The World Bank

Priyanka is a Senior Private Sector Specialist in the Investment Climate Unit of the World Bank Group. She leads policy advisory and research projects in developing countries in Asia and Africa on investment climate reforms. She is a member of the investment policy and promotion team and leads the team's work on investment retention and expansion. Prior to joining the World Bank Group, she practiced law at law firms in India and Singapore and worked with UNCTAD and the Commonwealth Secretariat on investment policy, international trade and investment law. She holds a master's degree from Harvard Law School and is a dual qualified attorney admitted to practice in New York and India.