

***STRENGTHENING TIES, EMBRACING GROWTH & NEW HORIZONS***

# 2024

---



# YEARBOOK

HO CHI MINH | KUALA LUMPUR | KUCHING | KOTA KINABALU | YANGON





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## President's Message

2024 has been a remarkable year for Legal Plus and L2 i-CON International, as we continue to set new benchmarks for innovation and leadership in the field of ADR. Our partnership, which began in 2021, has grown into a formidable force, bringing impactful initiatives to life and shaping the ADR landscape across Malaysia and beyond.

This year, we expanded our reach with pivotal events in Vietnam and Myanmar, fostering regional collaboration and demonstrating our leadership in addressing complex disputes with sustainable solutions. Our ongoing engagement with ASEAN ADR institutions highlights our commitment to building a cohesive and forward-thinking ecosystem.

The launch of the ESG ADR Forum on 12 December 2024 is a milestone that integrates Environmental, Social, and Governance (ESG) principles into dispute resolution. By addressing ESG challenges with innovative solutions, the Forum sets a new standard for responsible and sustainable ADR.

As Malaysia prepares to assume the ASEAN chairmanship in 2025, we are uniquely positioned to leverage this opportunity and establish our nation as a champion of ADR and ESG innovation in the region. Together, Legal Plus and L2 i-CON will lead the charge in elevating Malaysia's profile, driving excellence across the region.

Thank you to our partners, stakeholders, and team members for your unwavering support. Let us build on this momentum to foster sustainable growth and position ASEAN as a global leader in ADR.

**TUN ZAKI AZMI**

*President of ESG ADR Forum  
Chairman of Legal Plus*





## Director's Message

Dear Friends and Colleagues,

Year 2024 is an amazing year filled with remarkable encounters and wonderful friendships with the construction and ADR community, both in Malaysia and beyond.

This year has been a time of making new friends, strengthening friendship with the old ones, and exploring fresh horizons together. We've embraced growth as a community, and for that, I extend my deepest gratitude to our partners, sponsors, supporting organisations, moderators, speakers, emcees, and everyone who joined us for our arbitration week, conferences, webinars, and events, whether in person or virtually. Your involvement has made this journey truly special, and we couldn't have done it without your support in our mission to connect and bridge our diverse community.

A heartfelt thank you to the dedicated L2 team, especially to Shalenny, Fiza, Nia, Daniel, and Chay. Your unwavering commitment and hard work have been instrumental in making this year one of our most successful yet. The strength of your dedication has ensured that our journey has sailed more smoothly than ever.

As we reflect on the year, I must also take a moment to remember our dear friend and teammate, Mohsein, whom we lost in the middle of the year. He was not only a trusted comrade but a true friend. His memory will always remain with us.

On behalf of Wai Loon and Hong Kit, I would like to express our deepest appreciation to the trio from Legal Plus — Tun Zaki Azmi, Tan Sri James Foong, and Catherine Eu — for believing in our vision and for being such integral parts of this journey. Your support has meant the world to us.

A special note of gratitude goes to the pillars of L2 — Hong Kit and Wai Loon. Thank you for entrusting me to lead L2 in the past three years, for always be there for me, for believing in me even more than I believe in myself. Your unconditional supports have made the impossible possible. I am deeply grateful for your encouragement, especially as I embark on my LLM in International Arbitration at Tsinghua University in Beijing now.

Year 2025 promises to be another exciting chapter ahead. I wish you all a very Happy New Year. Together, we will continue to treasure our friendship and achieve even greater heights.

*"The only way to do great work is to love what you do and never settle for less. Keep pushing your boundaries." – Steve Jobs*

**CINDY WONG**  
*Director*  
L2 i-CON International





## Editor's Message

As I sit down to reflect on this incredible year, I'm overwhelmed by the whirlwind of memories, milestones, and moments that have defined 2024. It's been a year of countless calls, endless online and in-person meetings, lugging around loads of stuff (that's how I broke more than a few nails, LOL), making cold calls, and along the way, forming new friendships and connections that have enriched this journey. Of course, somewhere along the way, there were moments when the process felt a little too overwhelming, but those challenges only made the achievements even more meaningful.

The theme of this yearbook, Strengthening Ties, Embracing Growth, and New Horizons, beautifully captures the journey we've had together. This year has been about more than just accomplishments; it has been about collaboration, resilience, and innovation. It's a year where we've deepened relationships, broken new ground, and redefined what's possible. Each milestone is a testament to the shared vision we hold and the unwavering commitment of the people behind every effort.

I've had the privilege of working closely with Cindy for over two years now, and she has been like a big sister to me throughout this journey. Whether it's tackling challenges, learning from mistakes, or celebrating wins, she's been my constant partner through every high and low. Now, as she takes on the incredible challenge of furthering her education in Beijing, I'm continually inspired by her drive, resilience, and unwavering support. Life's imperfections and lessons have only strengthened the bond we share, and for that, I'm deeply grateful.

I also want to thank Hong Kit, Daniel, Madam Chay, Fiza, Nia, Nizam, Lynn and my other friends for their unwavering support and contributions this year. Each of you has made such an impact, and I'm grateful for everything you've done to make this journey a memorable one.

Lastly, I want to honour the memory of our dear colleague Mohsein, who sadly left us in June. Though my time with him was just two short years, his kindness, humour, and spirit left an indelible impact on me and the entire team. We miss him deeply, and his presence is felt in everything we do.

Putting this yearbook together has truly been a fun and rewarding experience, and I hope it brings as much joy to everyone flipping through these pages as it did for me while creating it. I hope it takes you on a journey, one filled with laughter, hard-earned lessons, unforgettable connections, and the incredible progress we've made together. This is the story of 2024 - a year of resilience, growth, and heartfelt memories. Here's to everything we've achieved and to the bright horizons that lie ahead.

**SHALENNY CARINO**

*Chief Editor, Content Lead & Design  
L2 i-CON International*





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## 2024: Strengthening Ties, Embracing Growth & New Horizons

A decorative flourish consisting of a horizontal line with ornate, symmetrical scrollwork extending from the center.

The year 2024 has been a remarkable journey, marked by progress, collaboration, and shared accomplishments. This yearbook captures the essence of those moments, chronicling the achievements, milestones, and the dedication of all who have contributed to making this year truly memorable.

None of this would have been possible without the collective effort of the individuals and teams who worked tirelessly throughout the year. Their commitment, resilience, and drive have been the foundation of every success, and this publication stands as a testament to their hard work.

This yearbook is more than a collection of memories. It is a reflection of the growth, innovation, and connections that have defined the year.

And now, as we open these pages, let us walk back down memory lane together. Let us revisit the laughter, the challenges, the triumphs, and the moments that shaped this remarkable year.

Welcome to the story of 2024 - one we wrote together.



## About Us



Legal Plus was set up in 2014 by YA Bhg Tun Zaki Azmi, Chief Justice of the Dubai International Financial Court in United Arab Emirates (UAE) and retired Chief Justice of Malaysia as Chairman, YBhg Tan Sri James Foong, Chairman of Ombudsman for Financial Services and retired Federal Court Judge, Malaysia and Ms Catherine Eu, retired Executive Director of the Bar Council, Malaysia as Directors. The main objective of Legal Plus is to provide continuing professional training, public seminars and events pertaining to legal issues and legal compliances for various professions, trade, industries and enterprises. For more information on Legal Plus, please visit [www.legalplus.com.my](http://www.legalplus.com.my).



L2 i-CON International is a dynamic and strategic platform dedicated to organising global professional events aimed at fostering growth and facilitating networking opportunities. Founded by Lam Wai Loon of Harold & Lam Partnership and Leong Hong Kit of MAC Consultant, our company brings together a wealth of experience and expertise. Spearheaded by our director, Cindy Wong, we are proud to be a powerhouse in the industry, successfully organising numerous groundbreaking events since 2020. With an impressive track record, we have not only facilitated the growth and expansion of our community internationally but also emerged as a driving force in connecting professionals worldwide. With a commitment to excellence, L2 i-CON International serves as a catalyst for meaningful connections, business development, and impactful global engagement.





# 2024 Events Timeline

# 2024

March

**IWD2024 Self-Defense Workshop:  
Include, Defend, and Level-Up!**

April

**1st ASEAN Construction and  
ADR Roundtable**

May



**Construction Claims and ADR  
Conference Marathon 2024**

July



**Borneo ADR Week 2024**

July



**Construction Claims and ADR  
Conference Sabah & Sarawak 2024**

Sept



**BICAM ADR Summit**

Oct



**Yangon ADR Training**

Oct



**Navigating the Complexity of  
Data Privacy Risks and Liabilities**

Dec



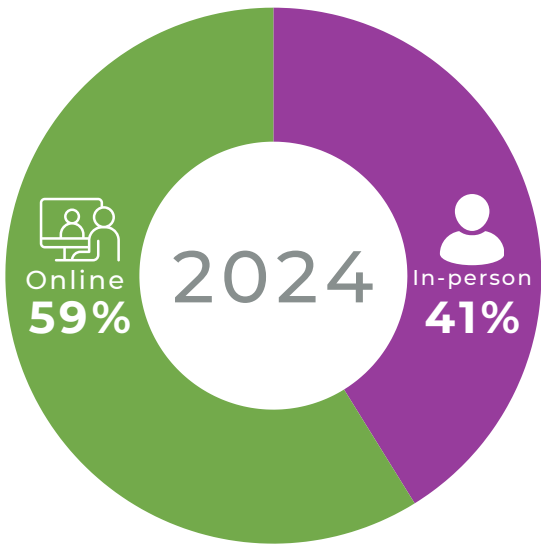
**ESG ADR Forum Official Launch**

# 2025

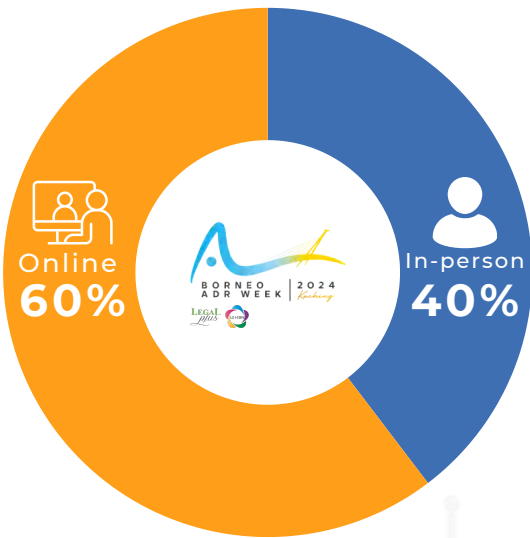


# Statistical Bulletin

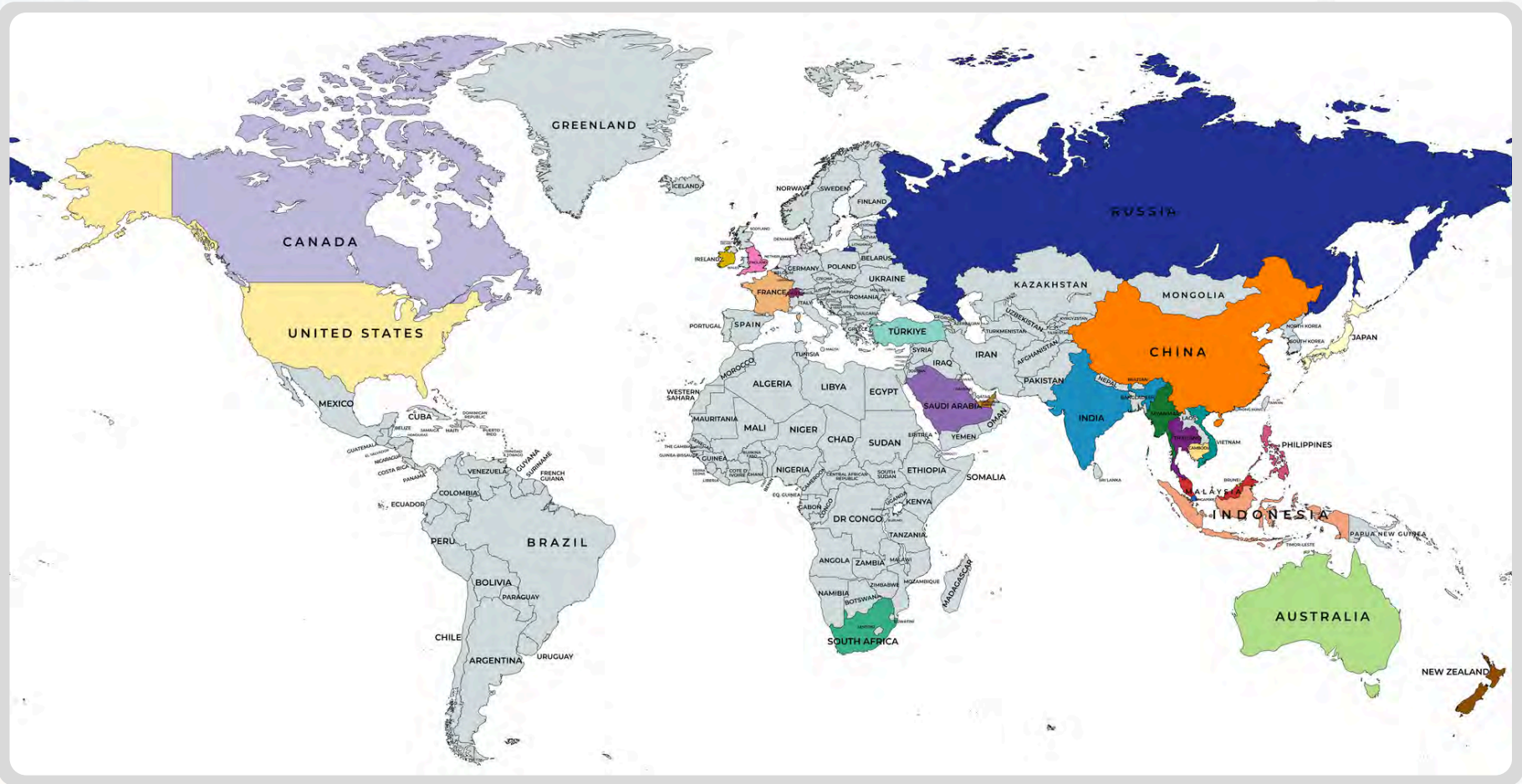
Total cumulated number  
of registered attendees  
in 2024 | **4570**



Total cumulated number  
of registered attendees  
in Borneo ADR Week | **3120**



## > 25 Participating Jurisdictions





# A Heartfelt Thanks to Our Sponsors, Supporting Organisations and Participating Organisations

As we look back on this incredible year, we are reminded that none of it would have been possible without the steadfast support of our remarkable partners. To all the sponsors, supporting organisations and participating organisations who stood with us every step of the way, we offer our heartfelt gratitude. We eagerly look ahead to continuing this journey together, building on the foundations we've laid, and striving for even greater success in the future. Thank you for being an essential part of our story.

## Sponsors



## Supporting Organisations



## Participating Organisations & Corporate Attendees





# WALL OF FAME 2024

This year, we had the privilege of working alongside 165 exceptional professionals from the international ADR and construction communities. Every discussion, every conversation, and every insight shared by these guests of honour, moderators, speakers, and industry experts contributed significantly to the success of our conferences, events, and webinars. We are profoundly grateful for their invaluable support and look forward to continuing this journey of collaboration and advancement together.

Abang Iwawan  
Abhi Subramaniam  
Adrian Dobbie-Holman  
Adrian See  
Albertus Aldio Primadi  
Alix Povey  
Anamaria Popescu  
Anand Anthony  
Andrew Goddard KC  
Andrew Heng  
Andrew Sutedja  
Anil Changaroth  
Aniz Ahmad Amirudin  
Arthur Ma  
Arun Visweswaran  
Atty. Sixto Jose C. Antonio  
Azimeer Manaf  
Balan Nair Thamodaran  
Chelsea Pollard  
Christopher Chuah  
Cindy Wong  
Crystal Wong  
Danna Er  
Dato' Mary Lim Thiam Suan  
Dato' Sunil Abraham  
Dato' Mah Weng Kwai  
Dato' Seri Dr. Ahmad Jailani Muhamed Yunus  
Datuk Almalena Sharmila Johan  
Datuk Brenndon Keith Soh  
Datuk Joy Wilson Appukuttan  
Datuk Roger Chin  
Datuk Yew Jen Kie  
Dawn Wong  
Deepak Mahadevan  
Diana Rahman  
Djamel El Akra  
Dr Colin Ong KC  
Dr Ehsan Munaaim  
Dr Melissa Chia Pui Fung  
Dr Minli Tang  
Dr Zul Zakiyuddin Ahmad Rashid  
Dr Fan MingChao  
Dr Firdausi Suffian  
Dr William Wong, SC  
Dutsadee Dutsadeepanich  
Eri Hertawan  
Ernest Yang  
Fanita Math  
George Chapman  
Guo Wei  
Gurvur Singh Sandhu  
Hajah Zuraidah Binti Pokpi Dp Haji Sidek  
Idil Kurt Bozoglu  
Ir Harbans Singh KS  
Ir Tiong Vui Yen  
James Kwan

James Monteiro  
Jamie Duncan  
Janet Chai Pei Ying  
Janice Wong  
Jay Santiago  
Jeff Leong  
Jeremy Glover  
Jeremy M. Joseph  
Jesusito Morillos  
Jocelyn Lim  
Joe-Han Ho  
John Lumbantobing  
Joseph Chung  
Josephine Hadikusumo  
Julien Bergerat  
Justice Dato' Dr. Hj. Alwi Bin Hj. Abdul Wahab  
Justice Dato' Hajah Aliza Binti Sulaiman  
Justice Dato' Lee Swee Seng  
Justice Dato' Lim Chong Fong  
Justice Datuk Celestina Stuel Galid  
Justice Datuk Wong Kian Kheong  
Justice Tuan Nadzarin Bin Wok Nordin  
Karen Ng Gek Suan  
Kasia Halliday  
Kee Meng Fai  
Kevin Richard Nathan  
Khushboo Shahdadpuri  
Kiran Sanghera  
Kiu Jia Yaw  
Kuhendran Thanapalasingam  
Laina Chan  
Lam Ko Luen  
Lam Wai Loon  
Lee Kai Jun  
Lee Kok Eng  
Leong Hong Kit  
Lim Tse Wei  
Lynnda Lim  
Malai Chomphuka  
Matthew Finn  
May Tai  
Mohd Yazid Abdul Majid  
Monisha Cheong  
Naveen Sri Kantha  
Naz Rahim  
Ng Kim Beng  
Nguyen Trung Nam (Tony)  
Nicholas Sunderland  
Nurul Sabri  
Nyi Nyi Thein  
Oliver Wee Hiang Chyn  
Ooi Huey Miin  
Ooi Wei Qian  
Oon Thian Seng  
Patrick Gearon  
Peter Hiebler

Pham Anh Tuan (Tony)  
Phan Trong Dat  
Prof. Abe Shin-Ichiro  
Prof. Dato' Dr. Rahmat Bin Mohamad  
Prof. Dr. Harald Sippel  
Prof. Dr. Hikmahanto Juwana  
Prof. Sarwono Hardjomuljadi  
Rajendra Navaratnam  
Rinat Gareev  
Robert Price  
Rodney Gerard D'cruz  
Rodney Martin  
Ryan Soo  
Samuel Leong  
Satinder Singh Sandhu  
Serene Hiew  
Shamala Devi Balasundaram  
Shamila Neelakandan  
Shannon Rajan  
Shanti Abraham  
Sharifah Shazuwin  
Shaun Kumar  
Sheela Vinakaya Das  
Siden Din  
Sitpah Selvaratnam  
Soh Lieh Sieng  
Spring Tan  
Sr Mohamed Humdhan  
Sr Yow Kah Lun  
Stephan Degenhart  
Syariah Razman  
Sylvia Siu  
Tan Sri David Wong  
Tan Sri James Foong  
Tan Kee Heng  
Tan Swee Im  
Tatiana Polevshchikova  
Teoh Shu Ling  
Tham Lai Lai  
The Right Honourable Tan Sri Dato' Abdul Rahman Bin Sebli  
Trinh Nguyen  
Trung Nguyen  
Tun Zaki Azmi  
Tung Tran (Tony)  
Vasanti Selvaratnam KC  
Vishnu Menon  
Vu Thi Thinh  
Wilson Ho  
Wong Hin Loong  
Yb Datuk Ir. Shahelmey bin Yahya  
Yb. Ir. Ts. Gs. Br. Dr. Cassidy Anak Morris  
YM Tengku Mohamed Fauzi Hamid  
Zureen Elina Hj. Mohd Dom

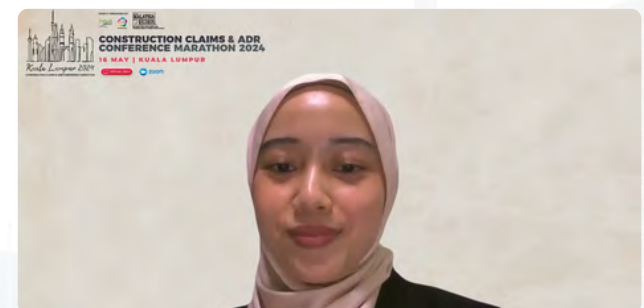


## Grateful Gathering

Throughout 2024, our remarkable emcees, both seasoned professionals and emerging talents, played a vital role in the success of our events. With their energy, poise, and adaptability, they kept everything on track, managed time seamlessly, and handled unexpected changes with grace.

Their ability to connect with audiences, guide discussions, and create engaging atmospheres ensured every occasion was memorable. We are deeply grateful for their dedication and the unique flair they brought to the stage. Thank you for being invaluable!

**Akif Affan**  
**Alvin Acho**  
**Ariah Wani**  
**Atiqah Yasmin Sedek**  
**Bernice Cheng**  
**Chan Kai Sheng**  
**Crystal Choong**  
**Dania Danisa Khairul Anuar**  
**Engku Fakhruddin**  
**Faeza Roslan**  
**Goh Siang Joo**  
**Khairil Anwar Mohammad**  
**Lindsay Michael**  
**Shalenny Carino**  
**Sharifah Shazuwin**





# 1st ASEAN Construction and ADR Roundtable

📅 24 April 2024    📍 Ho Chi Minh City, Vietnam

The inaugural ASEAN Construction and ADR Roundtable marked a significant milestone in advancing regional collaboration within construction law and Alternative Dispute Resolution (ADR). Held alongside the prestigious Ho Chi Minh City International Construction Arbitration Conference (HICAC 2024), this event laid a foundation for impactful, sustainable partnerships across Southeast Asia.

With esteemed moderators Justice Mary Lim Thiam Suan and Prof. Sarwono Hardjomuljadi leading the discussions, the roundtable offered a platform for in-depth dialogue, practical insights, and shared vision among seasoned professionals and new voices in the field. Their expertise enriched our understanding of ADR's role in shaping a more resilient and collaborative construction sector.

We were thrilled to host participants from 15 jurisdictions across ASEAN and beyond, fostering meaningful exchanges and forming lasting connections. Our sincere gratitude goes to all our colleagues and friends—both familiar faces and new connections—who joined us for this meaningful afternoon in Vietnam as well as the warm welcome and care shown by the local community made us feel right at home throughout the event.

As we look back on these enriching conversations and cherished friendships, we're filled with gratitude and excitement to carry this momentum forward across the ASEAN region.





# Construction Claims and ADR Conference Marathon 2024

16 May 2024 Virtual via Zoom

Building on the success of our record-breaking 2021 marathon, the Construction Claims and ADR Conference Marathon 2024 returned with a 13-hour line-up of expert panels, special addresses, and regional insights. Featuring eight dynamic discussions and speakers from three ASEAN nations, the conference provided a platform for meaningful engagement on critical industry topics.

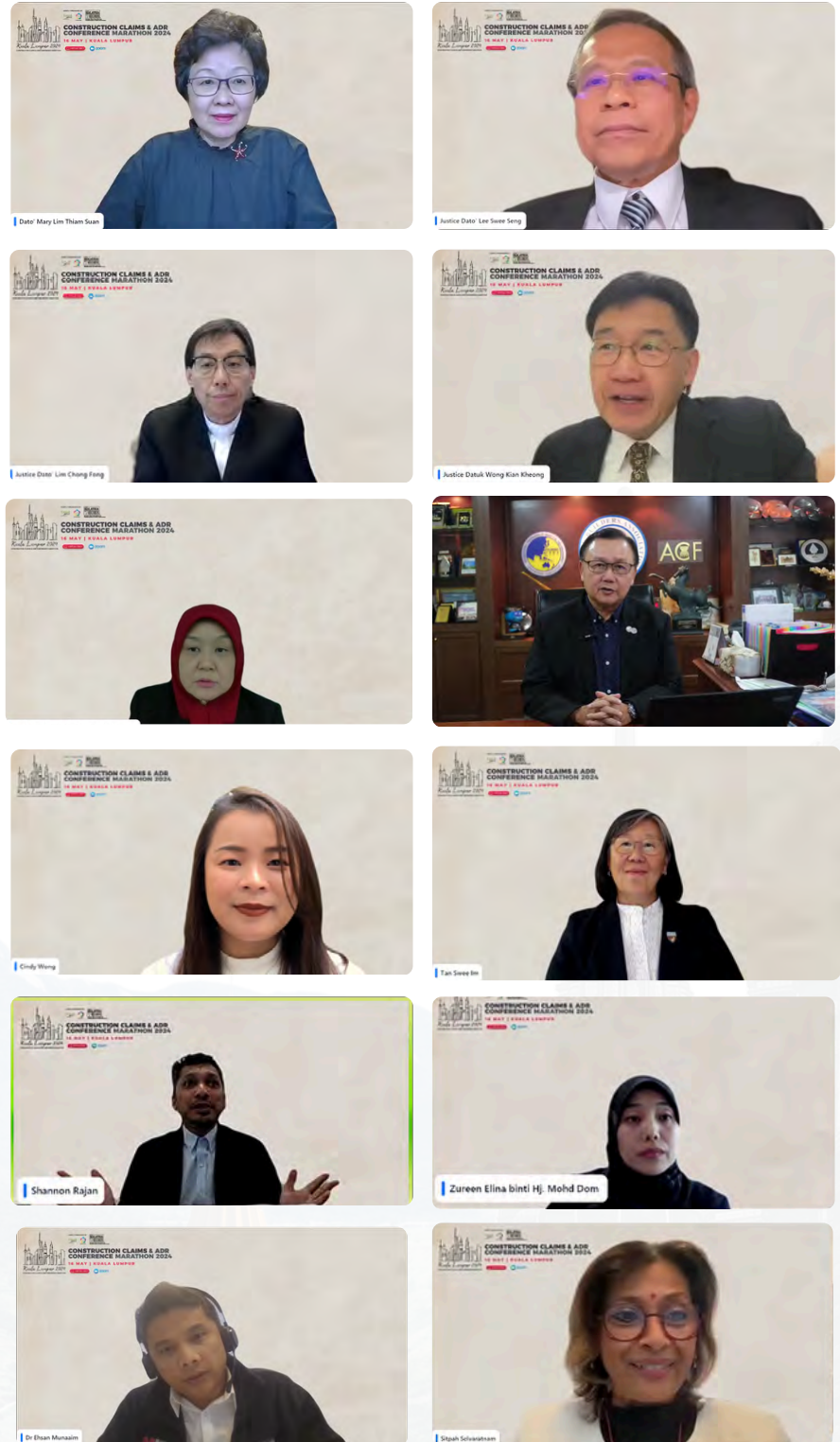
The day began with Welcoming Remarks by Cindy Wong, Director of L2 i-CON International, setting the tone for a day of shared learning and collaboration. This was followed by a compelling Keynote Address delivered by Justice Dato' Lee Swee Seng, Court of Appeal Judge of Malaysia, and a Special Address by Oliver Wee Hiang Chyn, President of the Master Builders Association Malaysia (MBAM). Together, these opening remarks underscored the importance of fostering robust dialogue to advance construction law and ADR practices.

The first session, The Concept of Practical Completion and Impact of Non-Completion Based on Various Standard Forms of Construction Contracts, explored the intricacies of practical completion under various standard forms of construction contracts, including PAM, JKR, AIAC SFC, and FIDIC. Moderated by Tan Swee Im of 39 Essex Chambers, the session featured insights from Lam Ko Luen, Shaun Kumar, Karen Ng Gek Suan, and Kee Meng Fai, who delved into how practical completion is determined and the impact of non-completion.

This session was followed by a regional presentation, Construction and ADR Landscape in Vietnam, delivered by Tung Tran (Tony), Senior Associate at CNC Counsel. His presentation offered valuable insights into Vietnam's evolving practices in construction law and dispute resolution.

In the second session, Navigating the Complex Waters in Loss and Expense Claims, the complexities of preparing loss and expense claims were addressed in detail. Moderated by Zureen Elina Hj. Mohd Dom from the Attorney General's Chambers, the session brought valuable perspectives on whether contractors should base claims on actual losses or recognised formulae, as well as the conditions under which global claims are viable. Speakers Ooi Huey Miin, Naveen Sri Kantha, Peter Hiebler, and Anand Anthony shared strategies for effectively navigating this challenging process.

The afternoon resumed with a Special Address by Justice Dato' Lim Chong Fong, Court of Appeal Judge of Malaysia, who emphasised the importance of clear contractual frameworks to minimise disputes.





Session three, Termination of Construction Contracts – The Do's and Don'ts, examined the termination of construction contracts, offering a deep dive into the do's and don'ts of lawful termination and the consequences of breaches. Moderated by Justice Dato' Hajah Aliza binti Sulaiman, the panellists, including Lynnda Lim, Wilson Ho, Dawn Wong, and Diana Rahman, provided actionable insights on managing terminations effectively.

This was followed by two insightful regional presentations: Construction and ADR Landscape in Cambodia, by Siden Din, Deputy Secretary-General of the Bar Association of the Kingdom of Cambodia, and Construction and ADR Landscape in Thailand, by Malai Chomphuka, Executive Director of Quality Advantage Co., Ltd. Both presentations offered a deep dive into ADR practices in their respective countries.

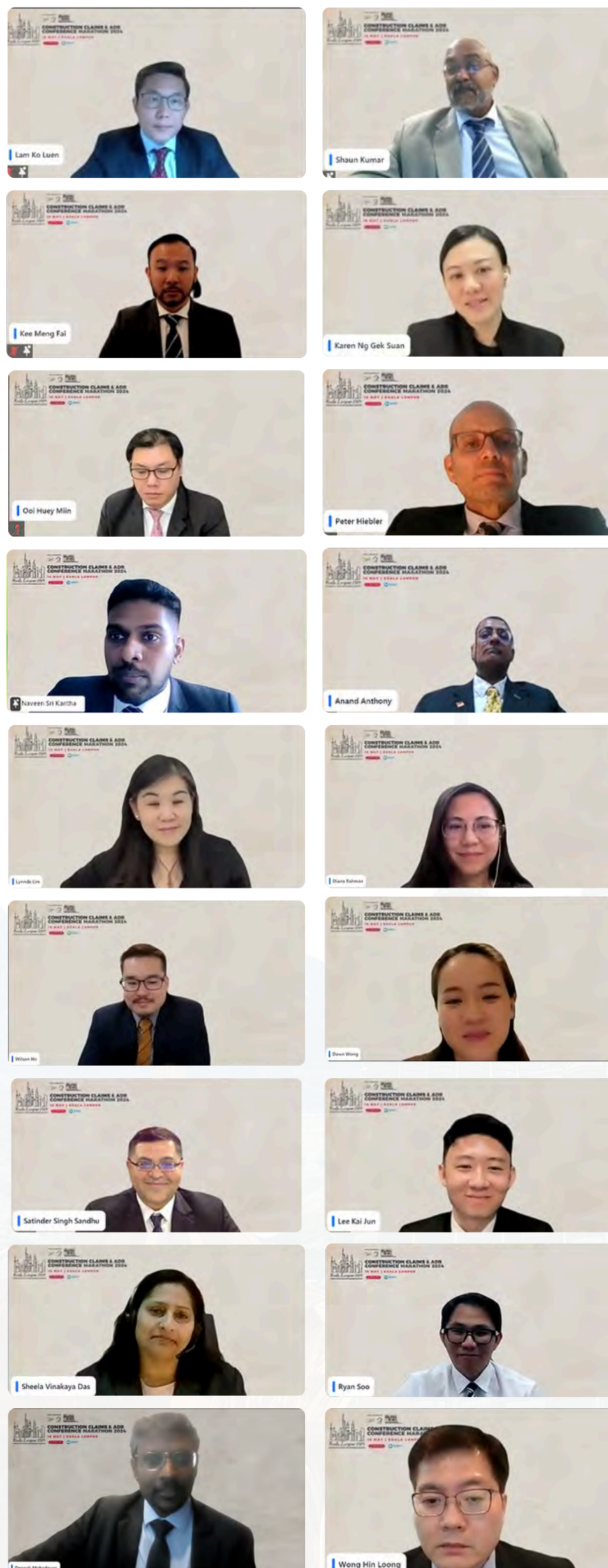
The first half of the marathon concluded with session four Latest Developments in CIPAA, which provided an in-depth discussion on the latest updates and case law developments under the Construction Industry Payment and Adjudication Act (CIPAA). Moderated by Shannon Rajan, the panel featured Satinder Singh Sandhu, Lee Kai Jun, Ryan Soo, and Sheela Vinakaya Das, who highlighted key case reviews and practical updates.

The Construction Claims and ADR Conference Marathon 2024 continued into the second half of the day with session five, The Context of Time-Barred in Construction Contracts, that delved into the critical concept of limitation periods in Malaysian law, which generally allow six years from the "cause of action" for claims to be made. The panellists explored what "cause of action" means in practical terms, particularly regarding defect claims, retention sums, and final accounts. Moderated by Justice Datuk Wong Kian Kheong, the session offered valuable insights from Jocelyn Lim, Balan Nair Thamodaran, Deepak Mahadevan, and Wong Hin Loong, who examined how time-barred claims can affect construction disputes and the strategies to navigate them.

In session six, International Arbitration – Selecting Your Arbitral Institution, the discussion centred on the importance of choosing the right arbitral institution and the factors influencing that decision. With no universal approach, the session unpacked key considerations such as seat selection, applicable rules, and institutional frameworks. Moderated by Dato' Mary Lim Thiam Suan, the discussion featured perspectives from Tan Sri David Wong, May Tai, Samuel Leong, and George Chapman, who shared their expertise on tailoring arbitration strategies to meet unique case requirements.

The event took a creative turn in session seven, Debate: Use of ChatGPT or AI in Preparing Expert Reports – Yay or Nay? This engaging debate examined whether the integration of artificial intelligence heralds a new era of efficiency in preparing expert reports or raises concerns about reliability and nuances. Dr Ehsan Munaaaim moderated the lively exchange between speakers Soh Lieh Sieng, Nurul Sabri, Adrian Dobbie-Holman, and Jamie Duncan, who passionately argued their stances. Attendees were left to reflect on the future role of AI in professional practice.

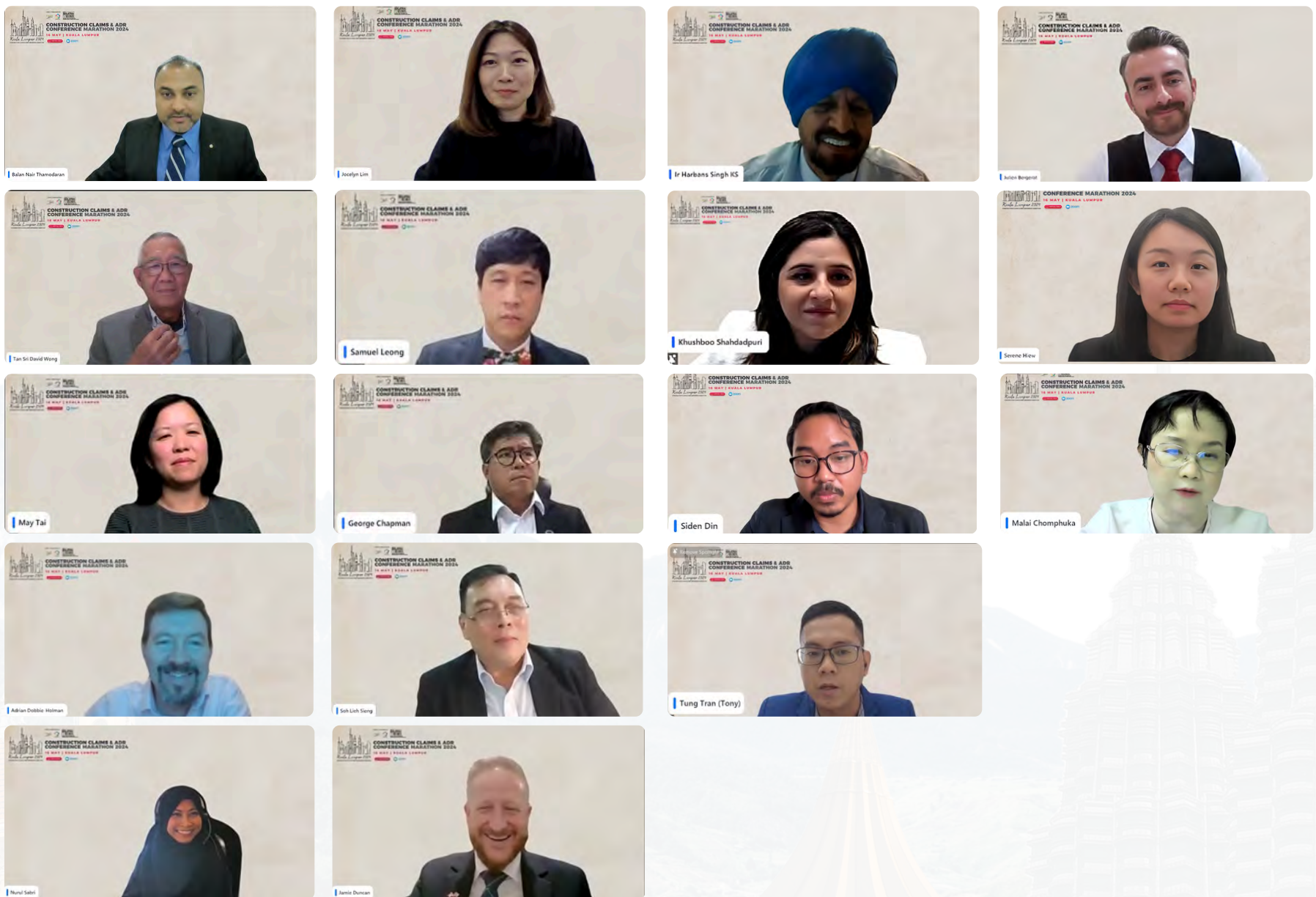
The day concluded with session eight, After Winning an Arbitration, How to Get Paid? While securing a favourable arbitration award is a significant milestone, the process of enforcement and debt recovery can be complex. This session provided practical insights on turning a successful decision into actual financial recovery, including strategies for enforcement and addressing challenges such as setting aside awards. Sitpah Selvaratnam moderated the discussion, with contributions from Ir Harbans Singh KS, Khushboo Shahdarpuri, Julien Bergerat, and Serene Hiew, who shared their expertise in navigating the post-arbitration journey.





The marathon ended on a high note with Closing Remarks from Tan Sri James Foong, who reflected on the day's engaging discussions and thanked the esteemed speakers, moderators, and participants for their contributions to the event's success.

With its wealth of knowledge-sharing and regional insights, the Construction Claims and ADR Conference Marathon 2024 reaffirmed its place as a vital platform for connecting professionals across jurisdictions. As a fully virtual event, the marathon united almost eight hundred participants from diverse regions, who stayed passionately engaged throughout the 13-hour programme. This extraordinary display of dedication and collaboration underscored the event's role in shaping the future of the construction and ADR industries, fostering connections, and driving collective growth on a global scale.





# BICAM ADR Summit: Eastern Horizon, Tomorrow's Frontier; and APRAG's 20th Anniversary Symposium

📅 26-27 September 2024

📍 Le Meridien Kota Kinabalu, Sabah



The inaugural BICAM ADR Summit, held on 26–27 September 2024 at Le Meridien Kota Kinabalu, Sabah, opened with welcoming remarks from BICAM Chairman, Tan Sri Datuk Seri Panglima Wong David, who reflected on the challenges and achievements that brought the institution to their one year old milestone. The Keynote Address was delivered by YB Datuk Ir. Shahelmey bin Yahya, Deputy Chief Minister III and Public Works Minister of Sabah, who highlighted the rapid growth of the arbitration industry, particularly in the construction sector, and emphasized Sabah's role in this expansion.

Day 1 featured a series of thought-provoking sessions. Session 1: Judicial Intervention in Arbitration, moderated by Justice Datuk Celestina Stuel Galid, discussed the threshold for setting aside arbitral awards, with contributions from panelists Janet Chai, Joseph Chung, and Crystal Wong Wai Chin. Session 2: International Mediation: Professionalising Cross-Border Mediation, moderated by Council Member Jeff Leong, included an in-depth discussion on the state of international mediation, with input from Josephine Hadikusumo, Datuk Joy Wilson Appukuttan, Alix Povey, and Sylvia Siu. Session 3: Arbitrating ESG-related Claims: A New Era in Commercial Disputes? was moderated by Prof. Dr. Harald Sippel, focusing on the challenges of implementing ESG standards locally and internationally, featuring panellists Datuk Brendon Keith Soh, Anil Changaroth, Prof. Dato' Dr. Rahmat Mohamad, and Dr. Firdausi Suffian.



Session 4: Unearthing Profitable Niches: Mastering Legal Counsel and Arbitrator Roles, moderated by Tan Sri David Wong, aimed to guide both young and seasoned advocates on career development in arbitration, with insights from Rajendra Navaratnam, Syariah Razman, Ir Tiong Vui Yen, and Dato' Mah Weng Kwai. The final session of Day 1, CIPAA Adjudication – A Guide for Construction Stakeholders, moderated by Justice Dato' Hajah Aliza Binti Sulaiman, kept the audience engaged with discussions on the evolving CIPAA framework, with contributions from Ir Harbans Singh Ks, Matthew Finn, Janice Wong, Kuhendran Thanapalasingam, and Vishnu Menon.

Later that evening, speakers and moderators had the chance to unwind on a yacht ride, enjoying the stunning Eastern Horizons—the breathtaking sunset of Sabah.







The second day of the summit highlighted the celebration of the Asia Pacific Regional Arbitration Group (APRAG) 20th Anniversary Symposium. The session was inaugurated with a special address by Mr. Guo Wei, Chairperson of the Beijing Arbitration Commission and President of APRAG, who emphasized the importance of strengthening regional cooperation within the ADR community. This anniversary celebration was a testament to two decades of collaboration and shared knowledge among Asia Pacific's arbitration community.

Day 2 also featured compelling sessions, beginning with The Art of Advocacy in International Arbitration, moderated by Justice Dato' Lee Swee Seng. This session explored case strategy, cross-examination, oral arguments, and expert examination, with panelists Dr. Colin Ong KC, Andrew Goddard KC, Vasanti Selvaratnam KC, and Dr. William Wong, S.C. Session 2: Arbitration of Foreign Direct Investment (FDI) Disputes within ASEAN Countries, moderated by Dr. Mingchao Fan, discussed investment disputes across various countries, including Singapore, Vietnam, Greater China, and Indonesia, featuring panellists Tony Nguyen, Christopher Chuah, Prof. Dr. Juwana Hikmahanto, and James Kwan.

Session 3: Latest Trends in International Trade and Shipping Arbitrations, moderated by Dutsadee Dutsadeepanich, addressed the impact of global events such as war and pandemics on commercial contracts, ship-to-ship transfers, and arbitration trends, with insights from Oon Thian Seng, Ernest Yang, Arthur Ma, and Jeremy Mark Joseph. Session 4: Hot Topics in Construction Arbitration and Expert Evidence, moderated by Prof. Shin-Ichiro Abe, discussed the rising complexity of construction disputes in Asia, including the role of expert witnesses and challenges in enforcing arbitration awards amid insolvency and political changes, with panelists Jesusito Morillos, Matthew Finn, Kim Beng Ng, and Andrew Sutedja.

A special presentation on ESG & Sustainability by Stephan Degenhart highlighted the competitive advantages of sustainability in arbitration, featuring case studies from Singapore and Germany.

In a significant development for BICAM, the summit also saw the announcement of new MOU partnerships with the Beijing Arbitration Commission/Beijing International Arbitration Court, the Indonesia Dispute Board (IDB), and the Shanghai North Bund ADR Center. These partnerships are set to strengthen global ADR cooperation and support BICAM's continued growth.

The summit concluded with Dr. Colin Ong KC, Vice President of APRAG, offering closing remarks, reflecting on the origins of APRAG and envisioning a bright future for BICAM as it continues to expand its influence in the ADR community.





# Yangon ADR Training: Building Bridges – Advancing ADR through Regional Insights and Best Practices

📅 5–6 October 2024

📍 Inya Lake Hotel, Yangon, Myanmar

The Yangon ADR Training 2024, held on 5–6 October at the stunning Inya Lake Hotel in Myanmar, was a landmark event showcasing the spirit of regional collaboration. Organised in partnership with the Myanmar International Arbitration Centre (MIAC), the event welcomed a full house of enthusiastic participants eager to deepen their understanding of ADR practices and principles.

Under the theme "Building Bridges: Advancing ADR through Regional Insights and Best Practices," the training was led by Course Director Andrew Heng Yeng Hoe (Zain Megat & Murad), supported by an exceptional team of trainers, including Adrian See Jooi Hong (Belden), Kee Meng Fai (Belden), Lynnda Lim (REX C Expert & Dispute Services), Wai Loon Lam (Harold & Lam Partnership), and our HongKit Leong. Their sessions provided invaluable knowledge, fostering a greater understanding of ADR across borders. The programme was further enriched by insightful contributions from Dato' Mary Lim, Director of AIAC, and Raagini Sama Sundaram, also from AIAC.

We are deeply grateful for the support of organisations such as AIAC, the Borneo International Centre for Arbitration and Mediation (BICAM), Sarawak Institute of Arbitration and Dispute Resolution (SIADR), Asian Institute of Alternative Dispute Resolution (AIADR), and the ESG ADR Forum. Their endorsements and contributions were instrumental in the training's success.



The journey in Myanmar continued on 7 October with a visit to the Embassy of Malaysia in Yangon, where our delegation engaged in meaningful discussions on strengthening ties between Malaysia and Myanmar in the ADR and ESG landscapes. Our co-founders Wai Loon Lam and HongKit Leong presented tokens of appreciation to the Embassy team, thanking them for their warm hospitality and support. This visit underscored the importance of diplomatic collaboration in driving sustainable and progressive initiatives.

The trip to Myanmar culminated on 8 October with a visit to the MIAC office, led by Dato' Mary Lim. The MIAC team extended exceptional hospitality, making the visit truly memorable. The discussions focused on advancing ADR practices and exploring opportunities to deepen regional cooperation, highlighting a shared commitment to progress and innovation in dispute resolution.

The Yangon ADR Training and its accompanying visits were a celebration of knowledge-sharing, cross-border dialogue, and enduring partnerships. These moments reaffirmed the significance of collaboration in shaping a sustainable and connected future for the ADR community.





# Navigating the Complexity of Data Privacy Risks and Liabilities

 21-22 October 2024

 St. Giles Boulevard Hotel, Kuala Lumpur



Organised by LexisNexis Southeast Asia in collaboration with L2 i-CON International and Legal Plus, with Scribe Synergy as the Distributing Partner, the two-day event, Navigating the Complexity of Data Privacy Risks and Liabilities, brought together industry leaders and professionals to address one of the most pressing challenges of the digital age: safeguarding data in an era defined by rapid technological advancement and heightened regulatory scrutiny.

The event commenced with a compelling Keynote Address by Justice Puan Adlin Abdul Majid, High Court Judge of Malaya, who set the tone for a rich and insightful programme. This was followed by a session titled Demystifying the Personal Data Protection Act (PDPA) and Emerging Trends in Data Privacy Legislation, led by Dr. Muhammad Sufyan Basri, Assistant Commissioner from the Personal Data Protection Commissioner's Office. Participants gained critical updates on Malaysia's PDPA and explored emerging trends in data privacy legislation.

The theme of digital transformation was addressed in the session The Role of Digital Transformation in Data Protection. Presented by Avinderjit Singh Rakhra, Technology Counsel at Digital Nasional Berhad, the session explored how technological evolution impacts data protection strategies and the need for organisations to adapt to this rapidly changing landscape.

The first panel discussion, Challenges I – Evolving Privacy Laws and Their Impact on Business Strategy, was moderated by Melbourne Lim, Manager for Cyber, Digital Privacy & Trust at Deloitte Southeast Asia. The panel included Deepak Pillai, Head of TMT & Data Protection Practice Group at Christopher & Lee Ong; Vijayakumari Ponnusamy, General Counsel for Data Protection Risk at Tenaga Nasional Berhad; and Sharifah Anisah Syed Omar, Custodian and General Counsel at PETRONAS. Together, they examined how shifting privacy laws influence business strategies and operational decision-making across industries.

The conversation then shifted to the future in Data Privacy in the Age of AI and IoT. Presented by Melvin Toh, Senior Manager for Cyber, Digital



Privacy & Trust at Deloitte Singapore, this session delved into the challenges and opportunities presented by emerging technologies, focusing on their implications for privacy and data governance.

The second panel discussion, Challenges II – Threat and Cybersecurity, was moderated by Thina Mariappan, Senior Legal Counsel at LexisNexis Southeast Asia. The panel featured insights from Mohamad Izwan Zakaria, Managing Partner at Izwan & Partners; Avinderjit Singh Rakhra, Technology Counsel at Digital Nasional Berhad; and G. Vijay Kumar, Partner at LHAG's TMT Practice Group. Discussions centred on strategies for counteracting increasingly sophisticated cyber threats and ensuring resilience.

The final panel discussion, Data Privacy Governance and Accountability, moderated by Joyce Segajanantham, Deputy Global Compliance Counsel at LexisNexis Southeast Asia, highlighted best practices for establishing robust governance frameworks and fostering accountability in organisations. Panellists included Nur Yasmin Mortaza, Senior Privacy Specialist at CelcomDigi Berhad; Wan Abdul Rahim bin Wan Jamaludin, Head of Data Privacy at PETRONAS Dagangan Berhad; and Alifah Mansor, Data Ethics and Privacy Lead at Group Data & Analytics, Maybank.

The event concluded with a highly interactive two-part masterclass on day 2. Part I focused on Conducting Data Privacy Impact Assessments (DPIAs), while Part II provided practical guidance on Effective Data Breach Management and Response Strategies. Facilitators included Eleena Abd Wahab, Legal Counsel for Data Privacy at PETRONAS; Arissa Ahrom, Senior Associate at LHAG; and Serene Kan, Partner at Wong & Partners, a member firm of Baker McKenzie International. This comprehensive programme equipped participants with practical tools to address data privacy challenges effectively while fostering resilience against evolving threats. The event's success was made possible by the invaluable contributions of its speakers, moderators, panellists, and facilitators, whose expertise and dedication enriched every discussion.





# ESG ADR Forum Official Launch Event

📅 12 December 2024    📍 AIAC, KL

On 12 December 2024, the ESG ADR Forum, a sustainable initiative co-founded by Legal Plus and L2 i-CON International was officially launched at the Asian International Arbitration Centre (AIAC) in Kuala Lumpur. This landmark event celebrated a new chapter in advancing Environmental, Social, and Governance (ESG) principles within Alternative Dispute Resolution (ADR).

The day began with Welcoming Remarks by the Forum's Co-Founders, HongKit Leong and Wai Loon Lam, followed by an Opening Address by Datuk Almalena Sharmila Johan, CEO of AIAC. Tun Zaki Azmi, President of the ESG ADR Forum, delivered the Keynote Speech and officially inaugurated the Forum, setting the stage for a future of responsible and sustainable ADR practices.

A symbolic Bamboo Palm planting ceremony marked the Forum's values of resilience, sustainability, and growth through collaboration. This act underscored the Forum's mission to foster harmony and progress in resolving ESG-related disputes.

Andrew Heng Yeng Hoe, Director of the PACE Initiative, delivered a compelling presentation on the initiative's mission to promote responsible ADR practices aligned with ESG principles. Following his presentation, Andrew joined Tun Zaki Azmi to present the Responsible ADR Awards 2024–2026 to six distinguished recipients. This exclusive award, developed under the PACE Initiative, recognises organisations that have embedded ESG principles into their dispute resolution strategies.

1. Eco World Development Group Berhad
2. Cataferry Sdn Bhd
3. Trans Resources Corporation Sdn Bhd
4. G Cove Technology Malaysia Sdn Bhd
5. Zecon Berhad
6. Sarawak Energy Berhad





Following a short break, the event featured a dynamic Roundtable Discussion on Malaysia's ESG Roadmaps and Ethical Social & Governance practices. Moderated by Dato' Mary Lim Thiam Suan, the session included distinguished speakers from prominent Government bodies such as Dato Seri Dr Ahmad Jailani Muhamed Yunus (Public Service Commission of Malaysia), YM Tengku Mohamed Fauzi Hamid (Human Rights Commission of Malaysia (SUHAKAM)), Mohd Yazid Abdul Majid (Malaysia Productivity Corporation of the Ministry of Investment, Trade and Industry) and Azimeer Manaf (National SDG Centre, Ministry of Economy). Together, they explored Malaysia's pathways to integrating ESG principles into governance and industry frameworks.

Two panel discussions provided further insights into ESG and ADR. The first, Resolving ESG-Related Disputes through ADR, moderated by Anil Changanroth, featured speakers Djamel El Akra, Jia Yaw Kiu, Lai Lai Tham, Rodney Gerard D'Cruz, Abhilaash Subramaniam, and George Chapman. They shared perspectives on addressing complex ESG disputes through innovative ADR mechanisms. The second panel, Driving the Future of Responsible ADR, was moderated by Andrew Heng Yeng Hoe and Kee Meng Fai, with speakers Shanti Abraham, Trong Dat Phan, Atty. Sixto Jose C. Antonio, Fanita Math, and Sharifah Shazuwin discussing strategies for shaping ADR practices to align with global ESG objectives. The event concluded with the Closing Remarks by Tan Sri James Foong, Chair of the Board of Advisory.

Heartfelt gratitude was extended to all speakers, moderators, and attendees who made this milestone possible. The ESG ADR Forum is poised to drive meaningful change in ADR, fostering sustainable, equitable, and impactful practices on a global scale.





## MoU: A Regional Partnership for ESG and Responsible ADR



On 5th October 2024, during the Yangon ADR Training 2024 held at the Inya Lake Hotel, Yangon, the ESG ADR Forum (L2 i-CON International and Legal Plus) and the Myanmar International Arbitration Centre (MIAC) formalized their collaboration through the signing of a Memorandum of Understanding (MoU).

This partnership signifies a shared commitment to advancing Environmental, Social, and Governance (ESG) principles and promoting Responsible Alternative Dispute Resolution (ADR) practices across the region. The MoU was signed by Leong Hong Kit and Andrew Heng on behalf of the ESG ADR Forum, and President Albert Zaw Min and Chairman Nyi Nyi Thein representing MIAC, with Lynnda Lim and Thein Thein Nyunt witnessing the event.

### Key Objectives of the Collaboration:

1. Development of the ESG ADR Model Guidelines to equip ADR practitioners in handling ESG-related disputes.
2. Joint organization of training programs, seminars, and workshops for capacity building.
3. Creation of a regional panel of ESG ADR experts, including arbitrators and mediators specializing in ESG disputes.

This partnership also highlights the shared vision of both organizations to foster ethical governance, sustainability, and global best practices in dispute resolution.

The collaboration reflects the ESG ADR Forum's continued efforts to expand its influence and expertise across Asia, positioning the Forum and MIAC as regional leaders in ESG-focused dispute resolution.



On 13th December 2024, at the prestigious St. Giles Wembley Hotel in Penang, Universiti Sains Malaysia (USM), CIC Capital Consultancy, and L2-iCON Sdn Bhd joined hands in a transformative collaboration. The signing of a Memorandum of Understanding (MoU) marked the beginning of a partnership focused on advancing Environmental, Social, and Governance (ESG) principles through research, education, and training.

The MoU was signed by Prof. Dato' Seri Ir. Dr. Abdul Rahman Mohamed, Vice Chancellor of USM; Mr. Leong Hong Kit; and Mr. Andrew Heng Yeng Hoe, Director of the PACE Initiative under the ESG ADR Forum.

They were joined by witnesses Assoc. Prof. Dr. Mohd Wira Mohd Shafiei and Ms. Hamizah Hamzah, and the event was officiated by YB Dato' Haji Zulkifli bin Long, Penang State Secretary, and Dato' Seri Dr. Ahmad Jailani Muhamed Yunus, Chairman of the Public Service Commission.

This partnership symbolizes a shared vision to foster sustainability and innovation, ensuring impactful contributions to the region's growth and development.





# IWD2024 Self-Defense Workshop: Include, Defend, and Level-Up!

📅 1 March 2024    📍 Etika Twin Towers, KL

In celebration of International Women's Day 2024, our team gathered for a powerful experience focused on empowerment, resilience, and self-defense. Jointly organized by Turner International Malaysia and L2 i-CON International, the workshop, led by the skilled Jeet Academy KL instructor, Ben Abbes Jihad, underscored the importance of inclusion, safety, and self-confidence for all.

The Self-Defense Workshop offered practical techniques and invaluable insights on handling confrontational situations with composure and control. Participants gained essential skills, from reacting to threats and managing confrontation to defending against chokeholds, responding safely after a fall, and even striking effectively from the ground.

These hands-on, accessible lessons strengthened our sense of capability and self-awareness, allowing us to face challenges with newfound confidence and poise. As we move forward, we carry with us the inspiration to Include, Defend, and Level-Up together, creating a safer and more inclusive environment for all.





# Borneo

## ADR WEEK

### 2024



DAY 1 15 July, Mon	DAY 2 16 July, Tue	DAY 3 17 July, Wed	DAY 4 18 July, Thu	DAY 5 19 July, Fri
<p>9.30 am - 12.45 pm <b>P</b></p> <p> Navigating ADR Through The Lens of Borneo</p>	<p>9 am - 12 pm <b>P</b></p> <p> Time Management in Construction Projects: Strategies, Risks, and Legal Insights</p>	<p>9 am - 12 pm <b>H</b> <small>Takes place in Brunei</small></p> <p> ADR In The Abode Of Peace</p>	<p>9 am - 12 pm <b>P</b></p> <p> Construction Claims Unveiled: Navigating Loss &amp; Expense Justification</p>	<p>9 am - 5 pm</p> <p> Construction Claims &amp; ADR Conference Sabah and Sarawak</p> <p></p>
<p>11 am - 1 pm <b>V</b></p> <p> Dispute Resolution Mechanism and Landscape in the ASEAN Region</p>	<p>9 am - 12 pm <b>V</b></p> <p> CIPAA 101 - What You Should Know When Pursuing / Defending A CIPAA Claim</p>	<p>10 am - 1 pm <b>P</b></p> <p> Bridging the Gap: Empowering Arbitration through Interim Measures and Judicial Support</p>	<p>11 am - 12 pm <b>V</b></p> <p> A Fireside Chat with the Women in International Arbitration</p>	
<p>2 pm - 3 pm <b>V</b></p> <p> The Dichotomy and Future of Sports Arbitration</p>	<p>2 pm - 5 pm <b>P</b></p> <p> Bridging Cultures: Navigating Disputes through ADR Practices in Malaysia</p>	<p>2 pm - 5 pm <b>P</b></p> <p> The Claims Consultant's Surgery</p>	<p>2 pm - 5 pm <b>P</b></p> <p> Reshaping Dispute Resolution in Borneo</p>	
<p>2 pm - 5 pm <b>P</b></p> <p> Coordinating Delay, Quantum &amp; Technical Experts in ADR</p>	<p>2 pm - 5 pm <b>P</b></p> <p> CIPAA Adjudication and Arbitration Process Step By Step</p>	<p>3 pm - 4 pm <b>V</b></p> <p> Mediation in the Asia Pacific Region</p>	<p>5.30 pm - 7 pm <b>P</b></p> <p>Welcoming Reception for Borneo ADR Week <small>Sponsored By</small> <b>DREES &amp; SOMMER</b></p>	
<p>4 pm - 5 pm <b>V</b></p> <p> Sourcing and Appointment of Expert Witness</p>	<p>3 pm - 4 pm <b>V</b></p> <p> ESG Issues – Appropriate Dispute Resolution</p>	<p>5 pm - 6 pm <b>V</b></p> <p> Case Studies on Successful Dispute Board Interventions</p>		
<p>5 pm - 7 pm <b>P</b></p> <p> Avoiding Pathological Pitfalls in Proceedings – Arbitration and Adjudication</p>	<p>5 pm - 6 pm <b>V</b></p> <p> Young Practitioners: Building a Career in International Arbitration</p>	<p><b>P</b> - In Person <b>V</b> - Virtual <b>H</b> - Hybrid</p> <p></p>		



# Construction Claims and ADR Conference Sabah and Sarawak 2024

19 July 2024 Sheraton Hotel Kuching



As the flagship event of Borneo ADR Week (BAW), the Construction Claims and ADR Conference Sabah and Sarawak 2024 brought together leading experts and professionals to discuss critical issues in the construction and dispute resolution landscapes. Held on the fifth day of BAW, the conference celebrated collaboration, knowledge-sharing, and the launch of new initiatives aimed at advancing ADR practices in the region.

The event began with Welcoming and Opening Remarks. The Right Honourable Chief Justice Tun Zaki Azmi, then Chief Justice of the Dubai International Financial Centre (DIFC) Courts and Retired Chief Justice of Malaysia, delivered his address via a pre-recorded video. Joining him in welcoming attendees was YBhg Tan Sri James Foong, Retired Federal Court Judge and Director of Legal Plus. Justice Dato' Dr. Hj. Alwi Bin Hj. Abdul Wahab, High Court Judge in Kuching, delivered the Keynote Address on behalf of The Right Honourable Tan Sri Dato' Abdul Rahman Bin Sebli, Chief Judge of Sabah and Sarawak. A Special Address followed, delivered by YBrs Ir. Ts. Gs. Br. Dr. Cassidy Anak Morris, Director of Public Works Sarawak, who shared insights into the evolving infrastructure landscape.

The conference opened with Session 1: Claiming for Liquidated Damages "AND/OR" General Damages in Construction Contract. Moderated by Justice Tuan Nadzarin bin Wok Nordin, High Court Judge of Kuala Lumpur (Construction), the session examined whether injured parties can claim both liquidated and general damages concurrently. Panellists Adrian See, Rodney Martin, Dr Minli Tang, Ir Tiong Vui Yen, and Vu Thi Thinh provided a detailed exploration of fundamental principles and practical considerations.

In Session 2: Can Contractors Use ChatGPT or AI in Preparing Construction Claims or Writing Correspondences and Notices Required Under the Construction Contract?, the panel explored the growing role of AI in construction contract management. Moderated by Datuk Yew Jen Kie, Chairperson of the Sarawak Institute of Arbitration and Dispute Resolution and Retired Court of Appeal Judge of Malaysia, speakers Naz Rahim, Sr Yow Kah Lun, Satinder Singh Sandhu, and Danna Er shared insights into the potential and pitfalls of AI in meeting notice requirements and managing documentation.





The event also marked the official launch of the Sarawak Institute of Arbitration and Dispute Resolution. Jeremy Glover, Partner at Fenwick Elliott LLP, delivered an online presentation titled Dispute Boards, offering a comprehensive understanding of this alternative dispute resolution mechanism and its relevance to the Borneo region.

Session 3: The Conundrum in Choosing the Seat and Venue of Arbitration for Construction Projects in the Borneo Region focused on critical factors influencing arbitration decisions. Moderated by Dato' Mary Lim Thiam Suan, Chairperson of the Protem Committee of the AIAC Court of Arbitration and Retired Federal Court Judge of Malaysia, the panel featured Datuk Roger Chin, Hajah Zuraidah binti Pokpi DP Haji Sidek, George Chapman, and Eri Hertianwan. This session explored the nuances of arbitration in Borneo, offering valuable guidance to practitioners.

The conference featured a special presentation titled Building for the Future: Infrastructure of Tomorrow, delivered by Stephan Degenhart, Associate Partner at Drees & Sommer and Managing Director for Asia Pacific & Middle East. Stephan highlighted the future of infrastructure development with an emphasis on sustainability and innovation.

The day also included the launch of Miai Law, introduced by Laina Chan, Barrister and Founder & CEO of Miai Law Pty Ltd. Laina presented the firm's vision of offering innovative and tailored legal solutions to meet the unique challenges of the construction and ADR sectors.





The final session, Should We "CIPAA" or Not?, examined the effectiveness of the Construction Industry Payment and Adjudication Act (CIPAA) as a mechanism for resolving payment disputes. Moderated by Gurvir Singh Sandhu, President of the Advocates Association of Sarawak, the panel featured Ooi Wei Qian, Deepak Mahadevan, Lynnda Lim, Ir Harbans Singh KS, and Lam Wai Loon. The panellists debated whether CIPAA remains a reliable dispute resolution mechanism or if alternatives such as mediation, arbitration, or litigation should be considered.

The day concluded with Closing Remarks from Cindy Wong, Director of L2 i-CON International, who expressed heartfelt gratitude for the overwhelming support from speakers, participants, and partners. Cindy highlighted how this collective effort had made the conference an extraordinary success, reinforcing the significance of ADR in fostering innovation, collaboration, and sustainable development in the construction industry.

This flagship conference of Borneo ADR Week 2024 garnered widespread media coverage, with prominent Borneo-based news outlets from Sarawak highlighting its significance in promoting alternative dispute resolution across the region. Articles in The Borneo Post, Utusan Borneo, and TV Sarawak showcased key moments, including The Right Honourable Chief Judge Tan Sri Dato' Abdul Rahman Bin Sebli's call to enhance ADR awareness and adoption in Sabah and Sarawak, and YBr's Ir. Ts. Gs. Br. Dr. Cassidy Anak Morris' announcement on the formation of a Contract Services and Legal Arm Unit within JKR Sarawak to streamline construction dispute management. Coverage also underscored the week's broader impact, with over 20 events fostering collaboration and dialogue among ADR practitioners, policymakers, and industry leaders.

What an incredible journey Borneo ADR Week has been! The Construction Claims and ADR Conference Sabah and Sarawak 2024 was a resounding success thanks to the unwavering support of our community. We extend our heartfelt gratitude to every moderator, speaker, sponsor, supporting organisation, participant, and friend who contributed to the success of this milestone event. Your dedication, insights, and collaboration have truly shaped an unforgettable experience, reinforcing the importance of ADR in fostering innovation, resolving disputes, and driving progress across the region.







# Welcoming Reception for Borneo ADR Week

18 July 2024 Sheraton Hotel Kuching

Held on Day 4 of Borneo ADR Week, the evening before the flagship event, Construction Claims and ADR Conference Sabah and Sarawak 2024, the Welcoming Reception brought together industry leaders and participants for an evening of camaraderie and celebration. The event highlighted the connections and shared purpose built throughout the week.



# Avoiding Pathological Pitfalls in Proceedings – Arbitration and Adjudication

15 July 2024 Pullman Hotel Kuching

Closing Day 1 of the Borneo ADR Week 2024 physical sessions, the panel discussion on "Avoiding Pathological Pitfalls in Proceedings – Arbitration and Adjudication" focused on the critical conduct of tribunals and parties in arbitration and adjudication. The session examined actions and behaviours that could lead to the setting aside of arbitral awards and adjudication decisions, and how tribunals and parties can take steps to avoid unsafe decisions that might be legally challenged.

Moderated by Kamesam Shankar, Vice President of the Malaysian Society of Adjudicators and Director at Shankar Chandran Advisory, the session featured an esteemed panel of experts: YA Dato' Lim Chong Fong, Court of Appeal Judge of Malaysia; Joon Liang Foo, Partner at Gan Partnership; Samrith Kaur, Deputy President of the Malaysian Society of Adjudicators and Managing Partner at Samrith Sanjiv & Partners; James Ding, Honorary Secretary of the Malaysian Society of Adjudicators and Partner at C. H. Tay & Partners; and Gurvir Singh Sandhu, President of the Advocates Association of Sarawak and Partner at Sandhu Lee & Co. Advocates.

The discussion emphasised the importance of procedural fairness, clear communication, and sound decision-making. Panelists shared practical insights on how to avoid common pitfalls, providing attendees with valuable guidance on maintaining the integrity and enforceability of awards and decisions in arbitration and adjudication processes.







# Navigating ADR Through The Lens of Borneo

📅 15 July 2024 📍 Pullman Hotel Kuching

BICAM kicked off the Borneo Arbitration Week with an opening address from its Chairman, Tan Sri David Wong. In his remarks, Tan Sri David Wong celebrated BICAM's first anniversary, reflecting on the significant milestones achieved during the past year. He expressed heartfelt gratitude to the audience and supporters for their unwavering commitment and enthusiasm.

The event began with a debate session on whether courts should mediate. Mr. Alex Ngu argued in favor of court mediation, emphasizing the benefits of judicial involvement in dispute resolution. On the opposing side, Ms. Samrtih presented compelling arguments against court mediation, advocating for the distinct roles of courts and arbitration institutions. Adding depth to the discussion, Pn. Afidah, a current session court judge, shared her valuable insights from the judicial perspective, highlighting practical considerations and experiences.

Moderated by Tan Sri David Wong, the session was dynamic and thought-provoking. He posed insightful questions that challenged the audience to consider various aspects of court mediation. The engagement extended to the audience, with participants, including those from Singapore, contributing their diverse perspectives and enriching the debate with their views from different jurisdictions.



Following a short break, the atmosphere turned festive as BICAM marked its first anniversary with a celebratory cake. This moment of celebration was a testament to the collective efforts and achievements of BICAM over the past year.

The second session of the day, moderated by Abang Iwawan, delved into the intricate topic of navigating legal avenues: courtroom trials versus arbitration hearings. The panel featured distinguished speakers, including YA Dato' Lim Chong Fong, Dato' George Varghese, and Alvin Yong, who provided a wealth of knowledge from their respective roles as a judge, arbitrator, and counsel. Their discussions shed light on the complexities and nuances of both courtroom trials and arbitration hearings, offering attendees a comprehensive understanding of the advantages and challenges of each approach.

Concluding the session, BICAM Council Member, Tan Kee Heng, delivered his closing remarks. On this note and on behalf of BICAM, we extend our sincere thanks to everyone who attended this session. Our appreciation goes to the speakers, moderators, and participants whose contributions made the event a resounding success. BICAM looks forward to many more years of growth, and collaboration with institution, stakeholders, lawyers and relevant industry players in the field of ADR.







# Coordinating Delay, Quantum & Technical Experts in ADR

15 July 2024 Pullman Hotel Kuching

The recent Borneo ADR Week held in Kuching, Malaysia, featured an engaging and insightful 90-minute panel session titled "Coordinating Delay, Quantum, and Technical Experts in ADR." Moderated by Sezgin Ozbilgin from Rimkus, the session brought together a distinguished panel of experts: Andrew Merrilees from Rimkus, Laura Chang from Wong Partnership, Joanna Seetoh from Harry Elias Partnership, and Lim Chee Yong from Lee Hishamuddin Allen & Gledhill. The discussion was both comprehensive and detailed, covering critical aspects of expert coordination in Alternative Dispute Resolution (ADR).

The session began by addressing the crucial topic of expert appointment. The panelists explored the ideal timing for appointing experts from various disciplines in a multidisciplinary arbitration. They emphasized the importance of considering both the personalities and the experience or qualifications of the individual experts. Key factors included the ability of the expert to work collaboratively within a team and their specific expertise relevant to the dispute at hand.

One significant point of discussion was the pros and cons of engaging experts from different disciplines within the same firm. While this approach can lead to better coordination and a more streamlined process, it also poses risks related to potential biases and conflicts of interest. The panelists debated whether using experts from the same firm assists in narrowing the issues, with opinions varying based on the nature and complexity of the cases.



The second part of the discussion focused on best practices for ensuring coherence of evidence among experts of different disciplines. The panelists shared insights on maintaining consistency and limiting overlap while preserving the independence of each expert. They highlighted the importance of clear communication and regular coordination meetings to align the experts' approaches and timelines.

The panel also emphasized the significance of developing a list of expert issues and the value of having experts from different disciplines comment on each other's issues. This practice helps in identifying interdependencies and ensuring that all relevant aspects are covered comprehensively.



The panelists then moved on to the key challenges encountered in presenting expert evidence across multiple disciplines. Managing time and costs within the client's budget was a recurring theme. The panelists stressed the need for meticulous planning and efficient management of the case to avoid over-reliance on other experts' evidence and ensure the integrity and validity of each expert's analysis. Another challenge discussed was managing the overlap of expertise areas, particularly when different experts' work impinges on productivity issues. The panelists shared strategies for delineating clear boundaries and responsibilities to mitigate these challenges.

The final segment of the panel session addressed conflicts of interest and bias. In regions with a limited pool of experts, engaging the same experts repeatedly poses significant challenges. The panelists shared protocols and tips for managing such situations, emphasizing transparency and proactive communication with clients. They also discussed strategies for overcoming apparent partiality or bias. These included maintaining rigorous standards of independence and objectivity and avoiding the perception of being a 'hired gun.' The panelists highlighted the importance of credibility and trustworthiness in expert testimony.

Following the panel discussion, a lively Q&A session allowed the audience to delve deeper into specific issues. The panelists provided thoughtful and practical responses, enriching the overall understanding of coordinating expert evidence in ADR and also discussed the key considerations in interactions between the experts and the legal teams.

The session was a testament to the complexity and nuances of managing expert evidence in ADR. The insights shared by Sezgin Ozbilgin, Andrew Merrilees, Laura Chang, Joanna Seetoh, and Lim Chee Yong provided valuable guidance for practitioners in the field, contributing to the ongoing discourse on effective dispute resolution practices.





**Turner**  
Ho  
Partnership  
Advocates & Solicitors

# Time Management in Construction Projects: Strategies, Risks, and Legal Insights

16 July 2024 The Old Court House Kuching



Turner and Ho Partnership hosted a highly successful session during Borneo ADR Week 2024. The event, titled "Time Management in Construction Projects: Strategies, Risks, and Legal Insights," attracted attention and engagement from both construction industry and legal professionals.

With over 50 attendees, this collaborative session featured prominent speakers, including Tuan Tee Geok Hock, a retired judge, AIAC arbitrator, PAM arbitrator, adjudicator, mediator, FCI Arb, and FMI Arb; Peter Hiebler, Director at Turner Commercial Advisory Services (TCAS); Wilson Ho and Bryan Ho, partners at Ho Partnership; Jamie Duncan, Managing Director at ACTUS Construction Claims & Disputes; Alex Ngu, partner at Alex, Jason & Co; and Raja Shahrul Iznil, forensic delay expert at TCAS.

The speakers shared valuable insights on delays, time extensions, and time management in construction projects. They highlighted multiple case laws, providing participants with a better understanding of current developments in condition precedents for extension of time applications and when time would be at large. The event also served as a valuable networking platform, where attendees had the opportunity to engage with peers, share experiences, and discuss potential collaborations. This exchange of ideas and strategies fostered a collaborative environment essential for advancing the field of construction project management.

In conclusion, the "Time Management in Construction Projects: Strategies, Risks, and Legal Insights" session was a success, offering valuable insights and fostering meaningful connections among industry professionals.





# Bridging Cultures: Navigating Disputes through ADR Practices in Malaysia

16 July 2024 CIDB Convention Centre Kuching



On July 16, 2024, industry professionals gathered at the CIDB Convention Centre in Kuching, Sarawak, for an exciting event: "Bridging Cultures: Navigating Disputes through ADR Practices in Malaysia". This event marked the second day of the Borneo ADR Week, an initiative by the L2 i-CON. Hosted collaboratively by the Construction Industry Development Board Malaysia (CIDB), Malaysian Air-Conditioning & Refrigeration Association (MACRA), and law firm Messrs. Tuang, Chu & Co. (TCC), the event featured three sessions focused on Alternative Dispute Resolution (ADR) methods within the Malaysian context and was a resounding success!

The event commenced with an inspiring opening speech by Lau Zhong Yan, the managing partner of Tuang, Chu & Co.. As a dispute practitioner himself, he has highlighted the importance in adopting methods that transcend traditional court litigation, fostering a collaborative and efficient dispute resolution environment in Malaysia's construction industry.

Session 1 titled "The Impact of CIPAA 2012 on Contractor Cash Flow Management" was moderated by Zephyrus Chong Shao Ching from Tuang, Chu & Co., with esteemed speakers, including Peter Tan Chin Wah, the honourable president of MACRA, Rohan Arasoo Jeyabalah, the partner of Harold & Lam Partnership, and Naveen Sri Kantha, the partner of Tuang, Chu & Co..

Session 2 titled "Construction/Commercial Disputes - Choosing Between Arbitration and Court Litigation" was moderated by Lim Suat Yee, from Tuang, Chu & Co., with esteemed speakers like Darshendev Singh, partner of Lee Hishammuddin Allen & Gledhill, Karen Ng Gek Suan, founding partner of Karen, Mak, and Partners, and Leong Chee Weng, partner of Tuang, Chu & Co..

Session 3 titled "Dispute Avoidance – ADR Mechanisms to Prevent Disputes" was moderated by Hazelyn Khoo Hui Ying, with esteemed speakers including Tuan Haji Abdul Razak Husin, the Legal Adviser of CIDB, who is also a former Magistrates' Court Judge, Peter Tan Chin Wah, the honourable president of MACRA, and Dominic Ng Ken Ming, partner of Tuang, Chu & Co..



Statistics presented by the speakers indicated a low adoption rate of ADR mechanisms, highlighting the need for increased awareness and implementation. The event had a significant impact on attendees, providing them with actionable knowledge and tools to implement ADR practices in their professional roles. The discussions on statutory adjudication under the Construction Industry Payment & Adjudication Act 2012 (CIPAA 2012), arbitration versus litigation, mediation, and dispute avoidance were particularly valuable, offering practical insights into improving dispute resolution processes within the construction industry.

The organizers hope that this event will serve as a catalyst for greater adoption of ADR methods, leading to a more efficient and collaborative approach to dispute resolution in Malaysia's construction industry.







# CIPAA Adjudication and Arbitration Process Step By Step

16 July 2024 Kuching Chinese General Chamber Innovation Hub



On Day 2 of Borneo ADR Week (BAW), a private session hosted by the Sarawak Master Builders Federation (SMBF) was held at the Kuching Chinese General Chamber Innovation Hub. This focused and engaging session featured Cindy Wong Xien Yee as the moderator, leading a distinguished panel of speakers including HongKit Leong (MAC Consultant), Adrian See Jooi Hong (Belden Advocates & Solicitors), Lynnda Lim (REX C Expert & Dispute Services), and Andrew Heng Yeng Hoe (ZMM: Zain Megat & Murad).

The session offered SMBF members a comprehensive, step-by-step guide to navigating the Construction Industry Payment and Adjudication Act (CIPAA) process. From the initiation of a claim to the enforcement of adjudication decisions or arbitration awards, participants were walked through every stage with clarity and precision.



Key areas covered included the essential documentation required, realistic timelines for each step, and proven strategies for success. Whether participants were new to CIPAA or seeking to refine their understanding, the session provided valuable tools to approach the adjudication and arbitration process with confidence.

The private nature of the session allowed for open and interactive discussions, creating an ideal platform for members to ask questions, address challenges, and deepen their knowledge under the guidance of seasoned experts. The thoughtful insights and real-world examples shared made this an impactful session, empowering attendees with the knowledge to navigate disputes effectively and efficiently within the construction industry.







Brunei Darussalam  
Arbitration Centre

# ADR In The Abode Of Peace

17 July 2024

Brunei Darussalam Arbitration Centre, Brunei  
and Virtual via Zoom



On July 17, 2024, Brunei Darussalam Arbitration Centre (BDAC) organized a hybrid event themed "ADR in the Abode of Peace" as part of Borneo ADR Week in Kuching, Sarawak. It gathered over 50 thought leaders, practitioners, academics, officials, and experts from Brunei Darussalam, Malaysia, Singapore, and Indonesia to explore the evolving landscape of Alternative Dispute Resolution (ADR) in the region.

Awang Haji Ahmad Basuni bin Haji Abbas, Director of BDAC, delivered a keynote address emphasizing the pivotal role of ADR in modern conflict resolution. He emphasized Brunei's commitment to peace and harmony, promoting ADR methods like mediation and arbitration. He also stressed BDAC's support in resolving disputes through understanding and dialogue rather than adversarial means. Addressing technological advancements, he advocated for integrating online platforms and AI tools in ADR to enhance efficiency and accessibility for quicker, cost-effective resolutions.

## First Panel discussion: "In the Abode of Peace: Harmonizing Society through ADR"

Moderated by Hajah Zuraidah binti POKPI DP Haji Sidek, the first panel with Ahmad Jefri Abdul Rahman, Nur' Azizah binti Dato Seri Paduka Haji Ahmad, Rabviatul Adauyah @ Zahidah bte Haji Awang, and Siti Rozainah binti Dato Haji Mohd Yunos explored ADR's evolution in Brunei, covering historical roots, integration of legal frameworks, and current practices reflecting Brunei's peaceful identity. Ahmad Jefri highlighted the potential of today's communicative mindset to enhance ADR, contrasting with past approaches, and emphasized integrating ADR principles into daily life. The panel discussed traditional and modern ADR methods, legal milestones, and Brunei's Arbitration Act alignment with international standards. Special focus was placed on Sulh proceedings in Syariah law, illustrating similarities and differences it had with civil ADR mechanisms.

## Second Panel Discussion: "Embracing Technology In An Effective Dispute Resolution Landscape"

Led by Muhammad Abdul Raafe' bin Haji Ibrahim, the panel featured Hajah Noor Amalina Binti Dato Paduka Hj Alaihuddin, Lenny Rahman, Loong Seng Onn, and Darshendev Singh, where they explored AI's transformative impact on ADR. Panelists discussed the adoption of digital platforms for online mediation and virtual arbitration hearings, emphasizing their role in enhancing ADR efficiency and accessibility. The discussions also addressed challenges such as the adoption of technological innovations among legal and business practitioners. Despite these challenges, panelists agreed on the significant role of technology in shaping the future of ADR, improving outcomes, and maintaining effectiveness. Moving forward, BDAC and its stakeholders are encouraged to continue integrating technological advancements into ADR practices. This proactive approach will enhance accessibility, efficiency, and international cooperation, further establishing Brunei Darussalam as a leader in peaceful conflict resolution.



The success of the event was made possible by the collaborative efforts of BDAC, panelists, moderators, and participants. Their contributions and insights set a precedent for future dialogues on ADR, ensuring continued advancements in resolving disputes harmoniously within and beyond Brunei Darussalam.





# Bridging the Gap: Empowering Arbitration through Interim Measures and Judicial Support

17 July 2024 Pullman Hotel Kuching

Day 2 of Borneo ADR Week 2024 kicked off with an in-person session at Pullman Kuching that featured a collaboration between three (3) firms – Azmi Fadzly Maha & Sim (AFMS) from Kuala Lumpur, Clement & Co. Advocates from Kuching and RYCO Law Firm from Kota Kinabalu. The session was split into two (2) different topics moderated by Clement Wong of Clement & Co. Advocates: Topic 1, titled 'Navigating the Interim Maze: Unravelling the What, How and When to Utilise Interim Measures in Arbitration'; and Topic 2, titled 'Preserving Equilibrium: Obtaining Injunctions'.

Topic 1 was covered by Ryan Soo of RYCO Law Firm, followed by Ahmad Fadzly Abdul Gani and Deepak Mahadevan of AFMS. They discussed the interim measures available to parties under the Arbitration Act 2005, the relevant forum for applying such measures together with recent caselaw and the relevant principles, the appointment of an emergency arbitrator, preliminary orders and conditions for granting the same pursuant to the Arbitration Act 2005.

After a short break, Ryan and Deepak took the attendees through the strategic use of injunctions to stop calls on performance bonds and preserve the status quo during an arbitration. Both speakers went into in-depth analyses on recent caselaw in Malaysia and also shared their practical experiences on injunctions pending arbitration.

The session, which was attended by close to 50 people, was fruitful. Not only did the attendees gain valuable knowledge from the speakers but they also had the opportunity of networking with one another to gain more insight on the Topics and discuss shared experiences.







# The Claims Consultant's Surgery

17 July 2024 Sheraton Hotel Kuching



On Day 3 of Borneo ADR Week (BAW), The Claims Consultant's Surgery by Charlton Martin Group took place in person at the Sheraton Kuching. This engaging session focused on extensions of time, additional costs, and variation claims under construction contracts, addressing how to prevent disputes during the construction stage from escalating into formal resolution processes like adjudication, arbitration, or litigation -costly and time-consuming pathways.

The speakers include Rod Martin, Chief Executive Officer, alongside Shawn Chong Chong and Sr. John Wong, Directors (Quantum & Delay), the session created an open forum for meaningful discussions. Exceptional questions from the floor sparked insightful exchanges, drawing active participation from a diverse audience representing key stakeholders in the industry. The session highlighted practical strategies for managing claims while showcasing Charlton Martin Group's expertise in construction consultancy and ADR.



Following the session, Charlton Martin hosted a cocktail evening to thank their clients and friends, celebrating relationships that have supported their growth since 2007. The event further strengthened partnerships and provided valuable opportunities to connect with industry leaders.

Charlton Martin Group remains committed to advancing construction claims and dispute resolution practices, delivering innovative and quality services while building lasting collaborations within the industry.







# Construction Claims Unveiled: Navigating Loss & Expense Justification

18 July 2024 The Old Court House Kuching



The Borneo ADR Week 2024 (BAW2024) held its Day 4 event, "Construction Claims Unveiled: Navigating Loss & Expense Justification," on July 18th, 2024, at the South Wing of The Old Court House in Kuching, Sarawak. Jointly organized by Plus 3 Consultants and PCSS (The Project Management Specialist), the event gathered 60 attendees from various sectors of the construction industry, including lawyers, quantity surveyors, contractors, consultants, government authorities, property developers, and utility providers.

The event commenced at 9:00 AM with Stephen Heath, Business Development Director of Plus 3 Consultants, serving as the MC. He introduced the collaborative efforts of Plus 3 and PCSS in delivering integrated solutions in contract and commercial services, AI and data analytics, digital construction, and project management.

The keynote presentation, "Empowering Contractors: Unleashing the Secrets of Claiming Loss & Expense - Know Your Rights and Master the Process," was delivered by Mr. Yow Hah Lun, CEO of Plus 3 Consultants. Mr. Yow detailed methodologies, entitlements, and procedural insights essential for effective management of loss and expense claims.

Following this, Andy Tiong, Managing Director of PCSS, presented "Build Smart; Track Smarter - Digital Construction Excellence," highlighting PCSS's expertise in project management, digital tools such as Oracle Primavera and SYNCHRO BIM 4D solutions, BIM services where integration of 3D and construction timeline for project controls. The event concluded with a forward-looking presentation by Mr. Tony Hilton, Director of Plus 3 Consultants, on "AI and Data Analytics: A New Approach for Construction." Mr. Hilton demonstrated applications of data analytics and AI in construction projects, showcasing interactive dashboards and practical data solutions.

A dynamic Q&A session ensued, facilitating interactive discussions among participants on the presented topics, emphasizing practical applications and industry implications. Of great interest PCSS had installed two booths at reception demonstrating their digital construction skills entitled SYNCHRO booth and a Virtual & Augmented Reality Booth.

BAW2024's Construction Claims Unveiled event successfully provided attendees with valuable insights into navigating complex construction challenges, leveraging advanced technologies, and optimizing project management practices.







# Reshaping Dispute Resolution in Borneo

18 July 2024 Sheraton Hotel Kuching

Closing Day 4 of the BAW physical sessions was the AIAC's event "Reshaping Dispute Resolution in Borneo" which illuminated the Sheraton Kuching Hotel with insightful discussions and dynamic exchanges. We are deeply grateful to everyone who contributed and attended this wonderful event, filling the venue to capacity.

The afternoon commenced with a warm welcome from YBhg. Dato' Mary Lim Thiam Suan, Chairperson of the Protem Committee for the AIAC Court of Arbitration. Her Opening Remarks set a thoughtful tone for the discussions ahead, and her expertise shone as she moderated the first session, "All Hands on Deck: Positioning Malaysia as a Preferred Seat for International Arbitration."

This session benefited from the profound knowledge and perspectives of our distinguished speakers, namely Mr. Gurvir Singh Sandhu (Advocates Association of Sarawak), Mr. Sanjay Mohanasundram (Sanjay Mohan Advocates & Solicitors) and Mr. Kee Heng Tan (S. K. Ling & Tan Advocates). Their contributions provided invaluable insights into the collective effort needed in advancing Malaysia as a preferred seat for international arbitration.

Following a break, the focus shifted to the second session titled, "Seizing ADR Opportunities in Regional Markets," masterfully moderated by Ms. Loshini Ramarmuty (Skrine). The dialogue was enriched by the expertise of Datuk Stephen Chung (retired Court of Appeal Judge), Mr. Tang Chieh Liew (Tang & Partners) and Ms. Janice Wong Heu Fun (Lind Willie Wong & Chin). Their perspectives highlighted emerging ADR opportunities and strategies across the region and promoted an engaging Q&A session with the audience.

AIAC also takes this opportunity to extend their appreciation to L2 i-CON International and Legal Plus for organising Borneo ADR Week 2024 and collaborating with the AIAC to bring this session to fruition.

The insights gained and connections made at this event promise to shape the future of dispute resolution in Borneo and beyond.







SPORTS LAW ASSOCIATION  
OF MALAYSIA

## The Dichotomy and Future of Sports Arbitration

15 July 2024 Virtual via Zoom

The session The Dichotomy and Future of Sports Arbitration brought the spotlight to an evolving and dynamic field. Held from 3 pm to 4 pm, the session was moderated by Danesh Thiagarajah and featured insightful contributions from panellists James Patrick Monteiro, Kelvin Demetrius and Mutiara Bahir.

The discussion explored the state of sports arbitration in Malaysia and across the ASEAN region, addressing key challenges, opportunities, and the growing need for specialised expertise in this field. Participants were given a glimpse into the future of sports law and how it intersects with arbitration, fostering a lively exchange of ideas and perspectives.

The impressive turnout of attendees demonstrated the increasing interest in sports law, highlighting its potential as a growing legal practice in the region. This session served as an inspiring call to action for aspiring sports law practitioners, as the panellists envisioned a future where this niche industry thrives and contributes to the broader development of ADR.



AZMI FADZLY MAHA & SIM

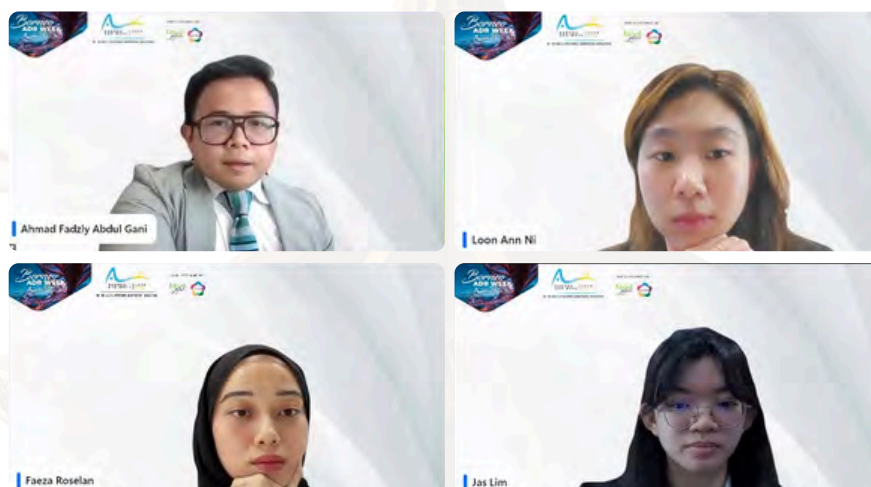
## CIPAA 101 - What You Should Know When Pursuing / Defending A CIPAA Claim

16 July 2024 Virtual via Zoom

Kicking off the virtual sessions on the second day of Borneo ADR Week (BAW), CIPAA 101 – What You Should Know When Pursuing / Defending a CIPAA Claim provided participants with a thorough understanding of the Construction Industry Payment and Adjudication Act (CIPAA). Held from 9 am to 12 pm and hosted by Azmi Fadzly Maha & Sim, the session offered valuable insights into both the adjudication process and the strategies involved in navigating CIPAA claims.

The session was divided into two parts. Part 1 explored critical issues arising before and during CIPAA proceedings, including the applicability of the Act, common disputes, and the procedural aspects of initiating and managing CIPAA claims. Part 2 shifted focus to the post-adjudication phase, guiding participants through the available options for the successful party and examining the challenges faced by the unsuccessful party in contesting an adjudication decision.

Moderated by Ahmad Fadzly Abdul Gani, Partner at Azmi Fadzly Maha & Sim, the session featured a distinguished panel of speakers: Faeza Roselan, Senior Associate; Ann Ni Loon, Legal Associate; and Jas Lim, Legal Associate. In addition to delivering comprehensive presentations, the speakers addressed a wide range of questions from the audience, providing practical advice and clarifying key aspects of CIPAA claims. This interactive exchange further enriched the session, making it an invaluable resource for both claimants and respondents.





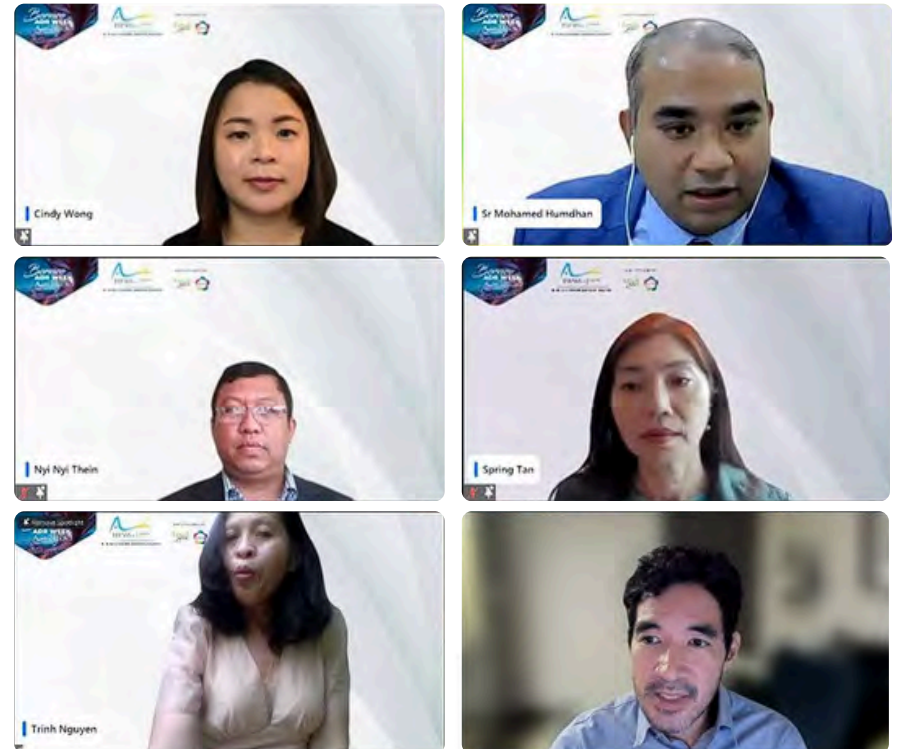
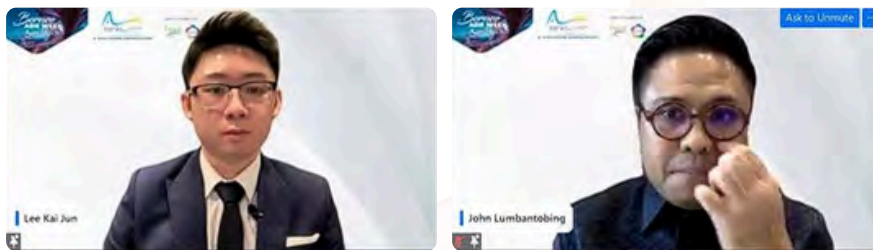
# Dispute Resolution Mechanism and Landscape in the ASEAN Region

📅 15 July 2024 📍 Virtual via Zoom 🖥️ zoom

Kicking off Borneo ADR Week 2024, Day 1's featured webinars began with the session Dispute Resolution Mechanism and Landscape in the ASEAN Region. This webinar offered attendees an in-depth exploration of the diverse dispute resolution methods employed across ASEAN countries.

Moderated by Cindy Wong, the session brought together an exceptional panel of experts who provided insights into their respective jurisdictions. Speakers included Sr Mohamed Humdhan (Brunei), Siden Din. (Cambodia), John Lumbantobing, FCI Arb (Indonesia), Kai Jun Lee (Malaysia), Nyi Nyi Thein (Myanmar), Jay Patrick Santiago MCI Arb (Philippines), Spring Tan (Singapore), and Trinh Nguyen FCI Arb (Vietnam). Their discussions highlighted key trends, challenges, and innovations shaping the dispute resolution landscape in the region.

Attendees gained a comprehensive understanding of the mechanisms available in ASEAN, equipping them with the knowledge to navigate disputes effectively within this diverse legal and cultural landscape. The session set the tone for a week of impactful dialogue and collaboration on ADR and legal developments across the region.



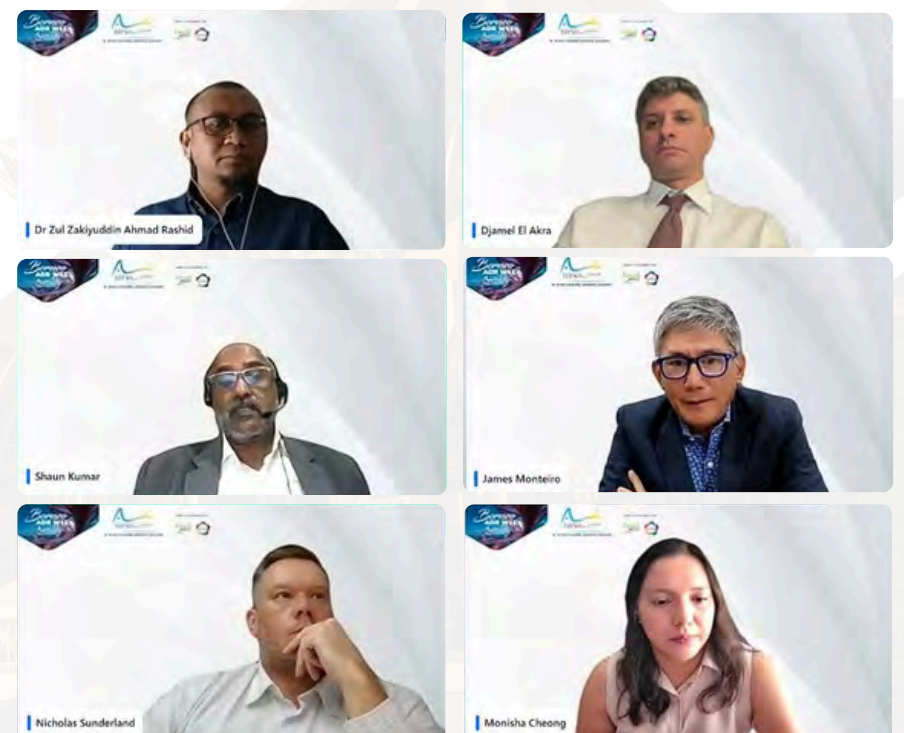
# Sourcing and Appointment of Expert Witness

📅 15 July 2024 📍 Virtual via Zoom 🖥️ zoom

Concluding the virtual sessions on Day 1 of Borneo ADR Week 2024, the webinar Sourcing and Appointment of Expert Witness took place from 4 pm to 5 pm. This insightful session highlighted the vital role of expert witnesses in the dispute resolution process, offering attendees practical guidance on selecting and engaging the right expert to strengthen their cases.

Moderated by Dr. Zul Zakiyuddin Ahmad Rashid, the session featured an esteemed panel of speakers, including Nicholas Sunderland, Shaun Kumar, James Patrick Monteiro, Monisha Cheong, and Djamel El Akra. The panellists shared their expertise on the key criteria for sourcing and appointing expert witnesses and emphasised the importance of timing in their engagement.

Through real-world examples and professional insights, the session underscored how the strategic use of expert witnesses can be pivotal in achieving successful outcomes in dispute resolution. Attendees left equipped with a deeper understanding of the critical considerations involved in leveraging expert witnesses effectively within legal and arbitration contexts.





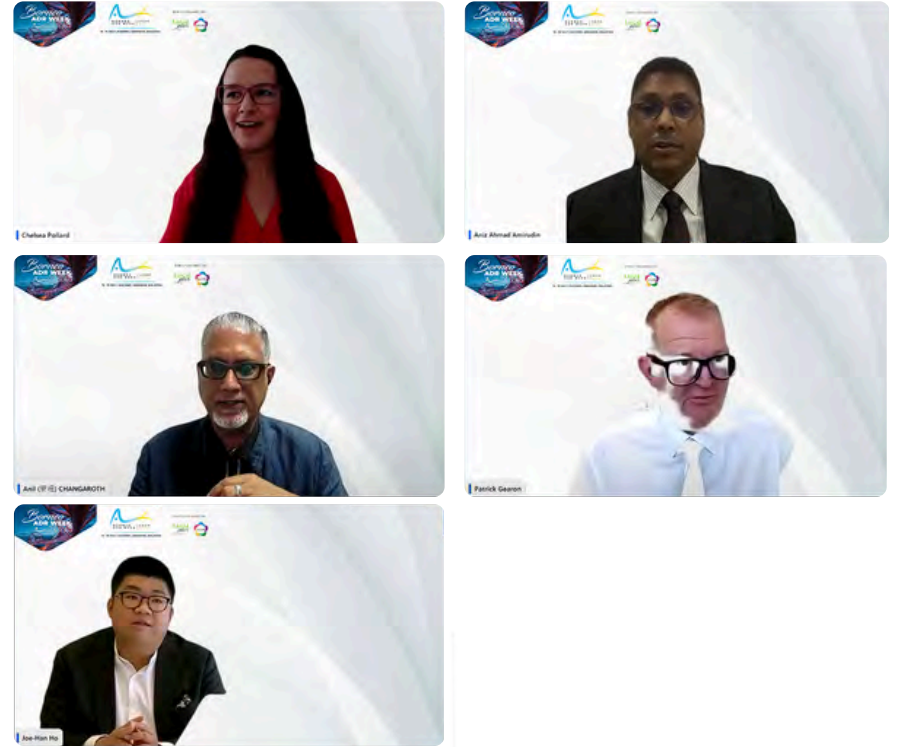
# ESG Issues – Appropriate Dispute Resolution

16 July 2024 Virtual via Zoom

As part of the virtual sessions on Day 2 of Borneo ADR Week (BAW), ESG Issues and Appropriate Dispute Resolution explored the growing significance of Environmental, Social, and Governance (ESG) in today's commercial landscape. Held from 3 pm to 4 pm, the session provided attendees with valuable insights into managing ESG-related conflicts and disputes while identifying the most effective dispute resolution mechanisms to address these pressing issues.

Moderated by Chelsea Pollard, Dispute Resolution Associate at Morgan, Lewis & Bockius LLP, the session featured an exceptional panel of experts. Anil Changaroth, Co-Head of ESG and Building, Construction & Projects Practices at RHTLawAsia, Patrick Gearon FCI Arb, Partner at Charles Russell Speechlys, Joe-han Ho, Barrister at 39 Essex Chambers, and Aniz Ahmad Amirudin, Partner at Cecil Abraham & Partners, shared practical solutions for navigating ESG disputes and fostering sustainable practices.

Through engaging discussions, the panellists emphasised how businesses can proactively address ESG challenges by leveraging ADR mechanisms such as mediation and arbitration. Attendees left the session equipped with actionable strategies and a deeper understanding of how responsible and efficient dispute resolution processes can contribute to ESG-aligned goals.



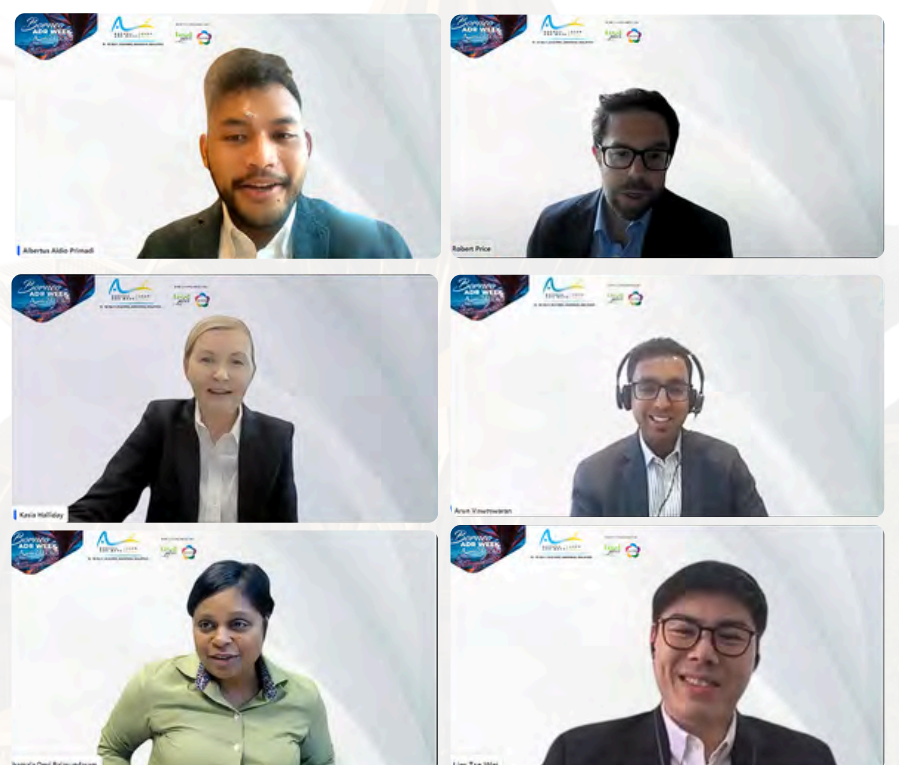
# Young Practitioners: Building a Career in International Arbitration

16 July 2024 Virtual via Zoom

Day 2 of Borneo ADR Week (BAW) concluded with an inspiring virtual session titled Young Practitioners: Building a Career in International Arbitration. Held from 5 pm to 6 pm, the session offered invaluable guidance to aspiring practitioners and professionals looking to establish or advance their careers in the dynamic field of international arbitration.

Moderated by Albertus Aldio Primadi, Associate (Dispute Resolution) at Assegaf Hamzah & Partners, the session brought together an esteemed panel of speakers from various jurisdictions, each sharing their unique journeys and professional experiences. Panellists included Shamala Devi Balasundaram, Partner at Chooi & Company; Kasia Halliday, FCI Arb, Director of Disputes & Investigations Construction at Alvarez & Marsal; Robert Price, Partner of International Arbitration, Litigation and Sanctions at Latham & Watkins; Arun Visweswaran, Partner at Addleshaw Goddard Middle East; and Lim Tse Wei, Senior Associate at Herbert Smith Freehills.

The panellists shared practical advice on navigating challenges in the arbitration field, building strong networks, and honing skills essential for success. Their diverse experiences provided participants with a global perspective, inspiring them to embrace opportunities and pursue meaningful careers in international arbitration.





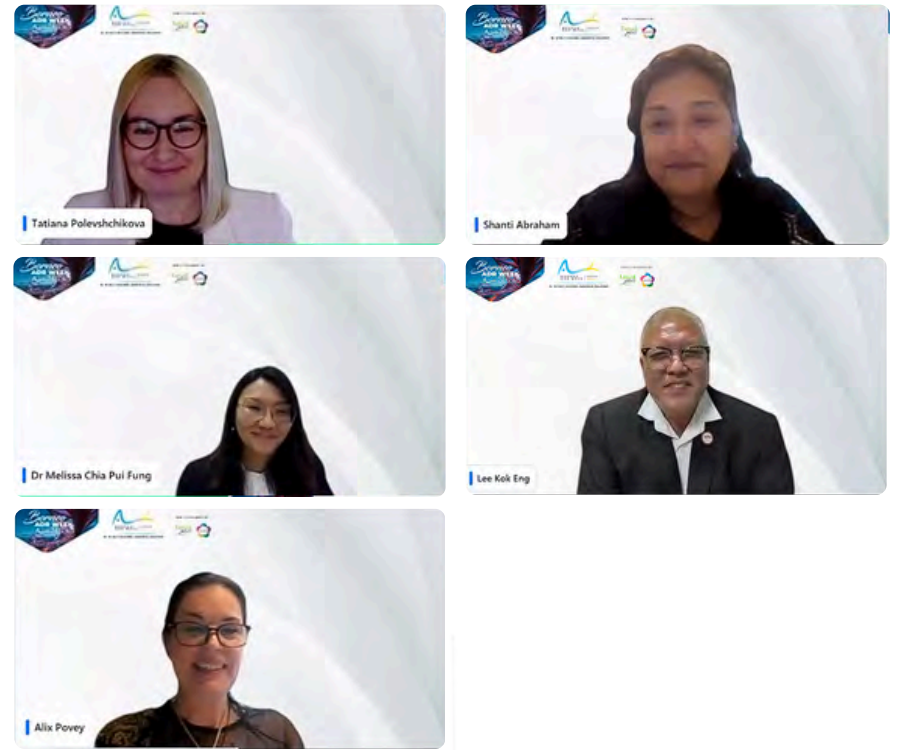
# Mediation in the Asia Pacific Region

17 July 2024 Virtual via Zoom

Continuing the series of insightful virtual sessions at Borneo ADR Week 2024, the session on Mediation in the Asia Pacific Region took place on Day 3 from 3 pm to 4 pm. This engaging discussion explored successful mediation strategies and provided attendees with valuable insights into the future of mediation within the diverse and dynamic Asia Pacific region.

Expertly led by Tatiana Plevshchikova, Senior Associate at Rybalkin, Gortsunyan, Dyakin & Partners, the session featured an exceptional lineup of speakers. Alix Povey, Director of AIAC APAC Pre-Moot and Mediator at Mediation Chambers; Shanti Abraham, Founder of Shanti Abraham & Associates; Kok Eng Lee, Certified Mediator; and Dr. Melissa Chia Pui Fung, Mediator and Judicial Officer, shared their perspectives and experiences, offering practical strategies and forward-looking viewpoints.

Attendees gained invaluable perspectives on the evolving mediation landscape, learning how to adapt to the unique challenges of the Asia Pacific region while building effective and collaborative mediation practices. The session served as a platform to promote dialogue, exchange expertise, and advance the role of mediation in resolving disputes across diverse cultural and legal contexts.



# Case Studies on Successful Dispute Board Interventions

17 July 2024 Virtual via Zoom

Concluding the virtual sessions on Day 3 of Borneo ADR Week 2024, the session on Case Studies on Successful Dispute Board Interventions took place from 5 pm to 6 pm. This insightful discussion provided attendees with real-world examples of how dispute boards play a pivotal role in preventing conflicts and ensuring the success of construction projects.

Moderated by Kevin Richard Nathan, Deputy Managing Partner at Nazmi Zaini Chambers, the session featured an esteemed panel of speakers who shared their expertise and experiences. Prof. Sarwono Hardjomuljadi, Chairman of PADSK, President of SCL Indonesia, DRBF Region 2 Board Director representing Asia, and FIDIC Ambassador; Trung Nguyen, Chair of the Society of Construction Law Vietnam (SCLVN), FIDIC Certified Contract Manager & Trainer, and Construction Arbitrator at VIAC; Shamila Neelakandan, Partner and Head of Construction Claims and Expert Services, Asia Pacific, HKA; and Soh Lih Sieng, Founding Partner of Contract Solutions-i, offered in-depth perspectives on the effectiveness of dispute boards.

The panellists highlighted the proactive role dispute boards play in resolving issues before they escalate, fostering collaboration, and maintaining project timelines and budgets. Attendees left with practical insights into leveraging dispute boards to manage conflicts efficiently and ensure the smooth execution of complex construction projects.





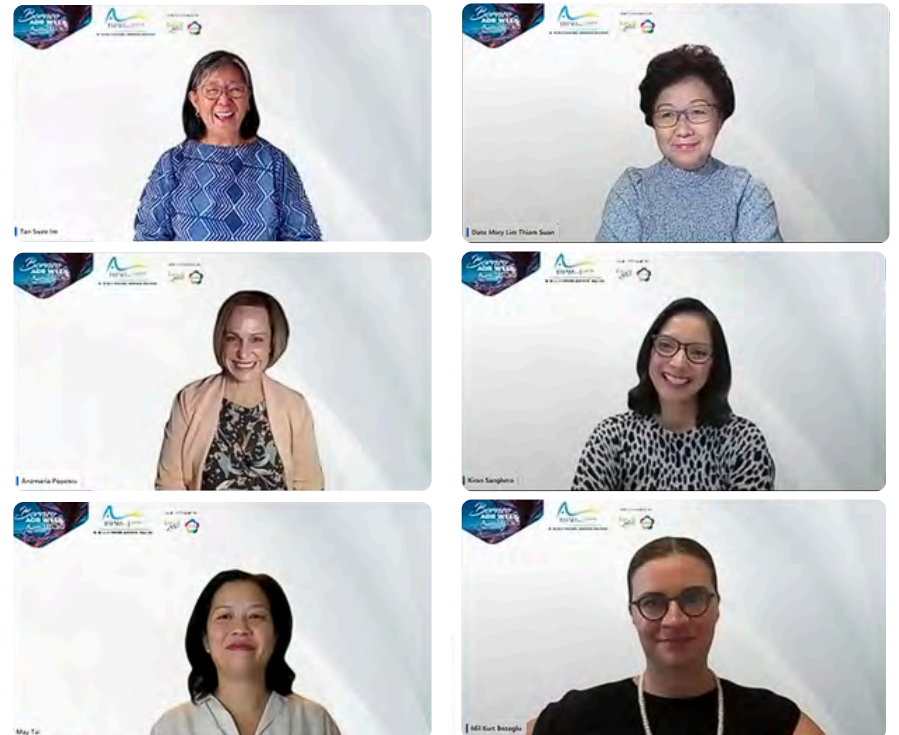
# A Fireside Chat with the Women in International Arbitration

18 July 2024 Virtual via Zoom

On the fourth day of BAW, the captivating "Fireside Chat with the Women in International Arbitration", was held virtually from 11 am to 12 pm, featuring the distinguished panellists who play a crucial role in the international arbitration ecosystem.

The session was lead and moderated by Swee Im Tan, International Arbitrator Member at 39 Essex Chambers and Member of the ICC Court. The speakers included Dato' Mary Lim Thiam Suan, Chairperson of the Protem Committee at AIAC Court of Arbitration and Retired Federal Court Judge of Malaysia; Kiran Sanghera, Deputy Secretary-General at the Australian Centre for International Commercial Arbitration (ACICA); Idil Kurt Bozoglu, Vice President & Liaison Officer at the Society of Construction Law Turkey and Founder of Bozoğlu Law; Anamaria Popescu, PhD, PE, PMP, PSP, Senior Managing Director - Global Construction Disputes and Advisory at Ankura; and May Tai, Vice-President of the ICC Court and Independent Arbitrator and Consultant with Herbert Smith Freehills in Hong Kong.

This engaging discussion provided a unique glimpse into the journeys of leading women in international arbitration, including arbitrators, experts, counsel, and representatives from arbitral institutions. Attendees were inspired by their stories and learned how their experiences are shaping the future of arbitration for women globally.





**LATEST NEWS**

## In the Spotlight: Construction Claims and ADR Conference Sabah and Sarawak 2024

The Construction Claims and ADR Conference Sabah and Sarawak 2024 gained valuable media coverage, with notable mentions in Borneo-based outlets such as The Borneo Post, Utusan Borneo, and TV Sarawak. These articles highlighted key discussions on advancing ADR practices, JKR Sarawak's new initiatives, and the broader success of ADR Week, showcasing the conference's role in fostering collaboration and progress within the region.





# 2025

## *Here We Come!*

To everyone who has been part of our journey in 2024, THANK YOU! From our colleagues, partners, and sponsors to the incredible speakers, moderators, and participants who graced our events, your unwavering support and dedication have made this year truly extraordinary. Every milestone we achieved, every challenge we overcame, and every success we celebrated was possible because of you. Your contributions have not only shaped the success of our events but also driven the growth of our community and progress within the ADR and construction industries.

As we reflect on a year filled with collaboration, resilience, and growth, we also look ahead to 2025 with excitement and anticipation. Mark your calendars for three landmark events that are set to shape the future of Construction Claims and ADR.

Building on the foundation of 2024, we are ready to embrace new challenges, strengthen connections, and continue driving innovation. Stay tuned for event details and updates by visiting [www.L2icon.org](http://www.L2icon.org) and following us on LinkedIn at [www.linkedin.com/company/L2icon](https://www.linkedin.com/company/L2icon).

# Thank You

for making 2024 a year to remember.

With this, let the 2025 excitement begin!

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For any enquiries, please email to us at [contact@L2icon.org](mailto:contact@L2icon.org)

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# SAVE THE DATE

The 2nd

# ASIAN CONSTRUCTION & ADR ROUNDTABLE 2025

**Building Bridges, Strengthening Ties:  
Unlocking Opportunities in Construction and ADR**

*A Side Event Organized Alongside the Ho Chi Minh City International  
Construction Arbitration Conference 2025 (HICAC 2025)*

FORMAT

IN PERSON



**9 April 2025 (Wed)**



**2.00pm - 5.00pm** (HCM Time, GMT +7)



**Ho Chi Minh City, Vietnam**

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