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[WEBINAR] Corruption in International Arbitration



21 May 2024, Tuesday



6:00pm to 8:00pm (SGT)

About the Webinar

“Corruption happens in every society, and is ultimately driven by human nature and greed. There will always be individuals who will be tempted to break the rules. When someone does, we must make sure they are caught and severely dealt with, because otherwise more will be tempted to try.” Prime Minister Lee Hsien Loong, 6 June 2017

Corruption is a worldwide phenomenon and is, unfortunately, endemic in some societies. It is therefore unsurprising that allegations of corruption are sometimes made in international arbitrations – both commercial and investment treaty cases – often as a defence to a claim. Corruption sometimes comes to light only after the arbitration is concluded, giving rise to conflicts between the public interest in rooting out corruption and the public interest in the finality of awards. What, then, is the effect of such allegations on claims and awards, and how (and in which forum) should they be resolved? Can a losing party have a second bite of the cherry by re-litigating corruption allegations during set-aside or enforcement proceedings, or by raising new allegations?

These issues were given particular prominence last year by the decision of the English High Court to set aside a commercial arbitration award for USD 11bn, including interest, based on allegations including bribery relating to the underlying transaction (Process & Industrial Developments Limited v Nigeria [2023] EWHC 2638 (Comm)). Meanwhile, the French Cour de cassation and Paris Court of Appeal have rendered a series of judgments touching on corruption since 2017 to date, including annulments of several awards, which arguably expanded the extent of the court’s review. And what is the impact of the Singapore Court of Appeal’s judgment on transnational issue estoppel (Deutsche Telekom v India [2023] SGCA(I)) for enforcement of awards allegedly tainted by corruption? Our speakers Elodie Dulac, Koh Swee Yen SC (who appeared in Deutsche Telekom v India) and Alexander Milner KC (who appeared in Process & Industrial Developments Limited v Nigeria), will tackle all of these issues, drawing upon decisions from international arbitral tribunals and recent cases from the courts in Singapore, France and England.

Registration

Membership	Registration Fees
SI Arb Members	S\$40.00
Members of	S\$60.00
<ul style="list-style-type: none"> • Asia Pacific Institute of Experts (APIEx) • Regional Arbitral Institute Forum (RAIF) Partners • Singapore Corporate Counsel Association (SCCA) • Singapore Chamber of Maritime Arbitration (SCMA) • Society of Construction Law (Singapore) (SCL(S)) • Singapore Institute of Architects (SIA) 	
Others	S\$90.00



Registration deadline:
13th May 2024

Practice Area: Alternative Dispute Resolution

Training Level: Foundation

CPD Points: 1.5



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Our Speakers



Alexander Milner KC, Barrister, Fountain Court Chambers, London

Alexander Milner KC has appeared as counsel in dozens of international arbitrations – many of them involving allegations of fraud and corruption – as well as in high-profile court proceedings concerning the enforcement of awards. The latter include P&ID v Nigeria, where an award worth \$11 billion was set aside by the English Commercial Court for fraud, and Naftogaz v Gazprom, relating to an SCC award worth \$2.5 billion. He is included in the panels of numerous arbitral institutions around the world and has recently been appointed to tribunals in London, Singapore and Moscow.



Elodie Dulac, Partner, King & Spalding, Singapore

Elodie Dulac specialises in international commercial arbitration, investment treaty arbitration and public international law. Elodie has particular expertise in energy, mining, joint venture/shareholder disputes as well as disputes involving States. In addition to her work as counsel, Elodie has been appointed as arbitrator in over 25 arbitrations. She is admitted to practice in England & Wales (Solicitor-Advocate), Cambodia (Foreign Lawyer) and Paris, France, and is a Registered Foreign Lawyer at the Singapore International Commercial Court.



Koh Swee Yen, Senior Counsel, Wong Partnership, Singapore

Ms Koh Swee Yen, Senior Counsel, is the Head of the International Arbitration Practice at WongPartnership, a Singapore headquartered law firm. In addition to her active counsel practice in complex litigation and international commercial and investment arbitration, she also sits as an arbitrator. She was listed in GAR's exclusive 45 under 45 list, and is also recognised as a Global Elite Thought Leader in Who's Who Legal Arbitration 2024. She was awarded Litigation Lawyer of the Year at The Legal 500 Southeast Asia Awards 2023, and is described as "an absolute standout", "razor-sharp" in her advocacy and "brilliant, decisive and fearless".

Moderator



Andrew Pullen, Barrister, Fountain Court Chambers, Singapore

Andrew Pullen specialises in international arbitration, appearing as counsel and sitting as arbitrator. He is an English-qualified barrister, based in Singapore since 2011. Andrew's experience includes commercial and construction arbitrations determined under a wide variety of governing laws and arbitral rules, in Asia, Europe and the US, across a diverse range of business sectors. Andrew frequently works as co-counsel with lawyers from many jurisdictions. Andrew is ranked in Chambers & Partners and Legal 500. He has served on the council of the Singapore Institute of Arbitrators since 2017 and is the current Vice-President of the Institute.