

Developing your Private Dispute Resolution Practice:

What is happening in International Arbitration?

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International Arbitration Today

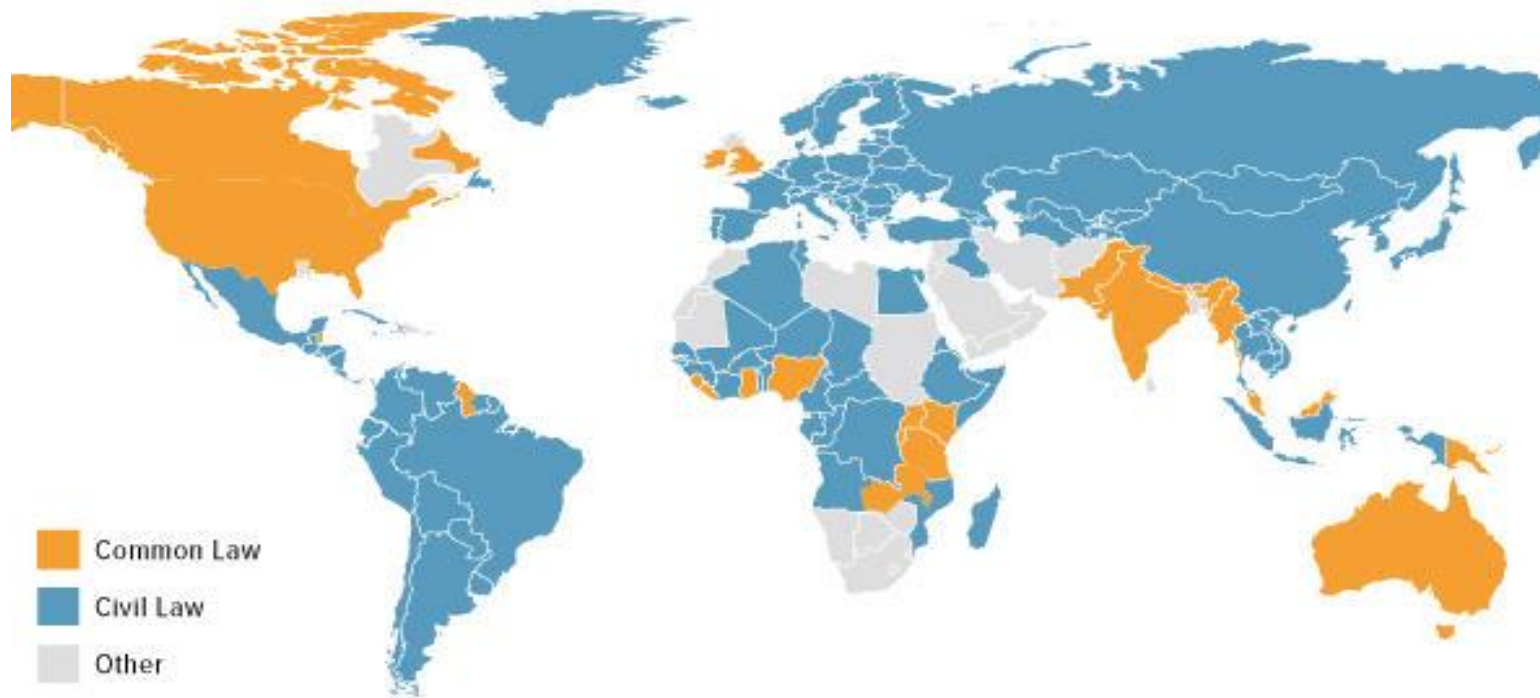
Growing economic activity in Asia

- Expected real GDP growth of 5.6% in 2018 and 2019, accounting for nearly two-thirds of global growth.

Increasing number of arbitrations seated in Asia

- According to the ICC DR, East Asia and the Pacific were selected as the seat of arbitration in 12.4% of cases in 2017, compared to 9.7% in 2016.
- In 2018 SIAC's cases exceeded 400 for a second consecutive year.

Common Law vs Civil Law Procedural Debate



Source: World Bank

- ▶ IBA Rules
- ▶ Prague Rules

Procedural Innovation - Experts

The Challenge: inefficient evidentiary hearings
and expert bias

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Limiting differences

- ▶ Identification of disciplines
- ▶ Establishment of common list of questions
- ▶ Production of "reply" expert reports that conduct a "figures-as-figures" analysis

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Best practices

- ▶ Deferral of production of expert reports until factual evidence is available
- ▶ Production of joint expert reports identifying areas of agreement and disagreement



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