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Course Title: Arbitration or International Commercial Litigation – Same same, but different?

Speakers: Francis Xavier SC, PBM – Regional Head, Disputes Practices, Rajah & Tann Singapore LLP

Professor Anselmo Reyes, SC – International Judge, Singapore International Commercial Court

Duration: 47 minutes

Course Description: Arbitration has for a number of years now been trumped as the best option for the resolution of cross-border disputes, primarily because of the uncertainties surrounding litigation in domestic courts and the ease of cross-border enforcement of arbitral awards under the New York Convention. Leveraging on this, Singapore has built an enviable reputation as one of the world's leading venues for international arbitration.

More recently however, arbitration has come under criticism by users for being slow and expensive. This is of concern as arbitration has long been touted as the quicker and cheaper alternative to litigation. The launch of the Singapore International Commercial Court ("SICC") in 2015 has also shifted attention back to litigation and renewed the perennial debate of which works better – litigation or arbitration?

The programme will be presented by an esteemed panel, including Judge Anselmo Reyes, international judge at the SICC and Senior Counsel, Francis Xavier. It will aim to equip practitioners with working knowledge on the key differences between the two modes of dispute resolution, and the benefits and pitfalls that parties should be aware of in making their selection.

About the Speakers:



Francis Xavier S.C., PBM - Regional Head, Disputes Practices, Rajah & Tann Singapore LLP

Francis was appointed Senior Counsel in January 2009 and is Regional Head, Disputes Practices of the firm. He practices in the areas of international and treaty arbitration and cross-border commercial litigation. He is actively involved in corporate and commercial disputes especially in the areas of corporate, banking, property and financial and investment related claims. He also specialises in aviation law and advised in the class-action suit resulting from the crash of the SilkAir flight in Indonesia (1997) and the Taiwan SIA crash (2000).

He is currently sitting as party-nominated arbitrator of a Mauritius entity in a bilateral investment treaty (ICSID) dispute with the Government of India. He is also counsel for an Asean government in an ICSID arbitration involving a European state investor.

Francis has been recognised as a leading lawyer by Asia Pacific Legal 500 (from 2001 to 2015), AsiaLaw Profiles (2007), Asia Law leading lawyers (2009), Chambers Global (2010 to 2015), Global Arbitration Review (2010), Chambers Asia Pacific (2011 to 2015) and the Fifth Edition of Best Lawyers in Singapore Practice area of Litigation (2013). Francis is also recognized as a leading employment lawyer by the latest edition of Chambers Asia Pacific (2014).

He is a Chartered Arbitrator and is also on the Panel of Arbitrators of the Singapore International Arbitration Centre, the Kuala Lumpur Regional Centre for International Arbitration, the Kigali International Arbitration Centre (Rwanda) and the CiArb (UK) Panel of Arbitrators.

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Professor Anselmo Reyes, SC – International Judge, Singapore International Commercial Court

Anselmo Reyes has been Professor of Legal Practice at Hong Kong University since October 2012. Before that, he was a judge of the Hong Kong High Court from 2003-12, when he was in charge of the Construction and Arbitration List (2004-8) and the Commercial and Admiralty Lists (2008-12). He was called to the Hong Kong Bar in 1986, taking silk in 2001.

In April 2013, he became Representative of the Asia-Pacific Regional Office of the Hague Conference on Private International Law. He became an International Judge of the Singapore International Commercial Court in January 2015 and an Overseas Bencher of the Inner Temple in October 2015.

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