



ARBITRATION CHAMBERS

HONG KONG · LONDON · NEW YORK

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Arbitrator

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With almost 20 years of experience working in Hong Kong, New York and London, Chiann Bao practises exclusively as an arbitrator and mediator and is a member of Arbitration Chambers. Chiann is listed on the panel of the major arbitration institutions and has served as tribunal chair, co-arbitrator and sole arbitrator in ad hoc and institutional arbitrations under the ICC, UNCITRAL, SIAC, HKIAC, KCAB, CIETAC, and SCIA rules. She also serves as emergency arbitrator. She is a fellow of the Chartered Institute of Arbitrators and a CEDR-accredited mediator.

Prior to becoming an independent arbitrator and mediator, Chiann worked in private practice where she focused on complex international arbitration and litigation, acting as counsel for corporates, state-owned enterprises and states in a range of disputes in various sectors. Chiann has served as counsel in cases arising from construction projects, intellectual property, licensing, shareholder agreements, joint venture agreements, real estate projects, financial services agreements and other contractual disputes.

Chiann currently serves as a vice president of the ICC Court of Arbitration and is the chair of the ICC Commission task force on arbitration and ADR. She is also a member of the ICC Belt and Road Initiative Commission. From 2010 to 2016 she served as the secretary general of the Hong Kong International Arbitration Centre where she managed hundreds of arbitrations before tribunals in Asia.

Chiann regularly speaks, writes and teaches on international arbitration. Chiann is an honorary senior fellow of the British Institute of International and Comparative Law.

Qualifications

- *J.D.*, University of Wisconsin Law School, Foreign Language and Area Studies Scholarship
- *LLMArbDR*, City University of Hong Kong, School of Law
- *Grant Recipient*, United States Fulbright Program, US Department of State
- *B.S.*, Cornell University, Cornell National Scholar

Admitted

- New York
- Hong Kong (pending admission)

Professional work experience

- Member, Arbitration Chambers, Hong Kong/New York/London (2018 – present)
- Asia-Pacific Counsel, Skadden, Arps, Slate, Meagher & Flom, Hong Kong (2016 – 2018)
- Secretary-General, Hong Kong International Arbitration Centre (2010 – 2016)
- Associate, DLA Piper LLP, New York (2007 – 2010)
- Stagiaire, International Chamber of Commerce, Court of Arbitration, Paris (2005)
- Stagiaire, Shearman & Sterling LLP, Paris (2005)
- Law Clerk to Neil Kaplan CBE, QC, SBS, London (2003 – 2004)

Representative experience

As Arbitrator

- Co-arbitrator in a dispute between a Korean company and a Korean and American company relating to a nuclear power project – KCAB Rules, Seoul
- Co-arbitrator in a dispute between a state-owned Chinese company and a wholly foreign owned company relating to a dispute relating to a chemical pipeline corridor – CIETAC Rules (in Chinese)
- Co-arbitrator in a private equity dispute relating to a real estate investment fund – CIETAC Rules (in Chinese)
- Co-arbitrator in three related arbitrations between a Korean company and an American company relating to a supply agreement – ICC Rules, Singapore
- Emergency arbitrator in a dispute between two Cayman companies relating to convertible note and warrant agreement – HKIAC Rules, Hong Kong
- Co-arbitrator in a dispute between a Chinese company and a UAE company relating to sale and purchase agreement – SCIA Rules, Shenzhen (in Chinese)
- Sole arbitrator in a dispute between a Chinese entity and an Egyptian government entity relating to an agency agreement – SIAC Rules, Singapore
- Sole arbitrator in a dispute between a Singaporean company and a BVI company relating to an asset and project management agreement – SIAC Rules, Singapore

- Presiding arbitrator in a dispute between a Hong Kong entity and a French entity relating to a product purchase agreement – HKIAC Rules, Hong Kong
- Sole arbitrator in a dispute between a BVI entity and BVI and Cayman entities relating to a put option agreement – HKIAC Rules, Hong Kong
- Co-arbitrator in a dispute between Singaporean and Seychelles entities and a Hong Kong company relating to a convertible bond subscription agreement – KCAB Rules, Hong Kong
- Co-arbitrator in a dispute between a German company and a Mainland Chinese company relating to a settlement agreement – HKIAC Rules (Expedited Procedures), Hong Kong
- Co-arbitrator in a dispute between an English company and a Mainland Chinese company relating to a purchase agreement, ICC Rules, New York
- Co-arbitrator in a dispute between two Hong Kong companies relating to a Joint Venture and Shareholders Agreement – ICC Rules, Hong Kong
- Co-arbitrator in an intellectual property dispute involving a Swiss company and a Macanese company – HKIAC Rules, Hong Kong
- Emergency arbitrator in a dispute between an Indian company and Singaporean, Dutch, Indian, and British entities relating to a development services agreement – SIAC Rules, Singapore
- Presiding arbitrator in a dispute between a Malaysian company and a Thai entity relating to a sales contract – ad hoc, Kuala Lumpur
- Sole arbitrator in a dispute between a Chinese entity and a Singaporean entity relating to a distribution and licensing agreement – SIAC Rules, Singapore
- Sole arbitrator in a dispute between a Singapore entity and an Indonesian entity relating to payment rights and settlement agreement – SIAC Rules, Singapore
- Sole arbitrator in a dispute between a Singaporean entity and a Chinese entity relating to a share purchase agreement – SIAC Rules, Singapore
- Presiding arbitrator in a dispute between an Australian company and Indonesian entities regarding a sales and management agreement – UNCITRAL Rules, Singapore
- Sole arbitrator in a dispute between two Hong Kong entities relating to a share purchase agreement – UNCITRAL Rules, Hong Kong
- Presiding arbitrator in a dispute between an Australian entity and a Korean entity relating to a convertible bond subscription agreement – ICC Rules, Hong Kong
- Sole arbitrator in a dispute between a United States entity and a Philippines entity relating to a software license and services agreement – UNCITRAL Rules/HKIAC Procedures, Hong Kong

As Counsel

- Representing Chinese state-owned enterprise in international enforcement defence strategy in relation to litigation in Sao Paulo, Brazil over a US\$80 million default judgment
- Advising Taiwanese insurance company in their potential HKIAC arbitration against Germany software company arising out of the design and implementation of software system

- Representing Brazilian poultry company in global investigations regarding food safety violations
- Representing Japanese gaming company in potential CIETAC arbitration against Chinese distributor
- Involved in all aspects of \$3 billion arbitration over commercial real estate development, including managing discovery effort, drafting memoranda of law, assisting development of trial strategy, and preparing witnesses for testimony
- Worked with team to represent Czech Republic in an investment treaty arbitration under the UNCITRAL Arbitration Rules and a bilateral investment treaty related to investment of real property and related business
- Successfully represented a banking executive who was subject of an internal investigation; efforts resulted in client being reinstated
- Involved in all aspects of an employment dispute which required mediation sessions, preparation of client for testimony, and oral arguments at hearing; efforts resulted in client receiving significant award for damages incurred

As Secretary – General

- Oversaw the profile development of HKIAC which led to the Centre being recognized as the most used institution outside of Europe and most improved institution over the past five years by the Queen Mary International Arbitration Survey 2015
- Oversaw the expansion and renovation of hearing facilities which was most highly nominated for its attention to service by the 2016 Global Arbitration Review Hearing Centre Survey
- Managed the implementation of administration of arbitration matters under the 2008 Administered Arbitration Rules as well as the 2013 Administered Arbitration Rules
- Participated in the working group to draft the 2013 HKIAC Administered Arbitration Rules
- Managed a twenty-four person Secretariat based in Hong Kong, Shanghai and Seoul to provide services for arbitration, mediation and other forms of dispute resolution; led subsequent organisational restructure
- Built and led an arbitration team to handle daily administration services and monitor the arbitration process of approximately 250 arbitrations annually
- Managed the operational restructuring of the Asian Dispute Review journal and served on the editorial board as well as supervisory board
- Advised the Hong Kong Department of Justice on appropriate revisions in the Hong Kong Arbitration Ordinance to reflect the enforceability of emergency arbitrator decisions and updates to the Arbitrator Appointment Rules
- Advised on shaping and implementing Hong Kong government policy to attract international arbitrations and mediations to Hong Kong

Arbitration Panels

Chiann has been appointed to the following panels:

- Singapore International Arbitration Centre (SIAC)
- List of Arbitrators of the Hong Kong International Arbitration Centre (HKIAC)
- China International Economic and Trade Arbitration Commission (CIETAC)

- Korean Commercial Arbitration Board (KCAB)
- Japan Commercial Arbitration Association (JCAA)
- London Court of International Arbitration (LCIA)
- Dubai International Financial Centre (DIFC-LCIA)
- Vienna International Arbitration Centre (VIAC)
- Chinese Arbitration Association, Taipei (CAAI)
- Shanghai International Arbitration Centre (SHIAC)
- Hainan International Arbitration Centre (HIAC)
- Hangzhou International Arbitration Court (HIAC)
- International Arbitration Centre of Kazakhstan (IAC)

Research, Publications & Lectures

Publications (selected):

- *RSM v. Saint Lucia, With Prejudice – The Unlikely Death Knell*, **ICSID Review – Foreign Investment Law Journal** (Oxford University Press, 2020, forthcoming)
- *Forecasting Energy Disputes in Asia*, (with Elizabeth Chan) **Asian International Arbitration Journal** (Volume 16, No. 1, pp. 25-48)
- *Case Management and Seat of Arbitration*, **Handbook of International Investment Law and Policy**, Julien Chaisse, Leila Choukrounea, and Sufian Jusoh (eds), (Springer, 2020, forthcoming)
- *Hong Kong International Arbitration Centre (HKIAC)*, **Max Planck Institute Encyclopedia of Procedural Law**, Helene Ruiz Fabri (ed), (2020, forthcoming)
- *Negotiating the Potholes Along the Belt and Road*, **Asian Dispute Review** (October 2019)
- *Hong Kong Courts: International Arbitration law in the making*, **b-Arbitra | Belgian Review of Arbitration** (Issue 2, 2019)
- *One Shot Players and Arbitrator Selection: A Fair Shot or a Shot in the Dark?*, **The Powers and Duties of an Arbitrator – Liber Amoricum Pierre A. Karrer** (Wolters Kluwer, 2017)
- *Astro v. Lippo: Hong Kong Court Clarifies the Discretion Found in Article V of the New York Convention, But Holds Firm on Time Limits*, **Mealey's International Arbitration Report** (January 2017)
- **A Guide to the HKIAC Rules** (with Michael J. Moser) (Oxford University Press, 2017)
- *Third Party Funding in Singapore and Hong Kong: The Next Chapter*, **Journal of International Arbitration** (Issue 34.3, 2017)
- **Arbitrators' Insights – Essays in Honour of Neil Kaplan**, (with Felix Lautenschlager, ed), (Sweet & Maxwell, 2012).
- *The Main Features of Arbitration*, **Arbitration in Hong Kong: A Practical Guide**, D. Brock (ed), (2nd and 3rd ed., Sweet & Maxwell (2011 and 2014))
- *HKIAC and its Rules*, in **Arbitration in Hong Kong: A Practical Guide**, D. Brock (ed), (2nd and 3rd eds., Sweet & Maxwell (2011 and 2014))

- Contributor, **Hong Kong Civil Procedure: Arbitration and ADR Volume**, Weeramantry & Choong (eds), (Sweet & Maxwell, 2015 – present)
- *Developing the Emergency Arbitrator Procedure: The Approach of the Hong Kong International Arbitration Centre*, **2014 International Law Institute Conference on Interim Measures Book** (2014)
- *The Use of International Arbitration for Intellectual Property Disputes in Asia*, **iTech Law Asia-Pacific Conference**, Melbourne, Australia (February 24, 2014)
- *New Hong Kong Arbitration Comes Into Force*, **NYSBA New York Dispute Resolution Lawyer** (Fall 2011, Vol 4, No. 3)

Lectures:

- Speaker, *Third Party Funding in International Arbitration and Cross-Border Litigation: The Current State of Play*, 2020 Virtual Annual Meeting, International Law Section of the American Bar Association (June 9, 2020)
- Speaker, *Coronavirus and Exemption of Liability*, SIAC, NYU Law, NYIAC Joint Webinar (June 5, 2020)
- Speaker, *Ethics in International Arbitration: Regulatory Body to be in Charge of Disciplinary Matters in Arbitration?*, AIAC (May 21, 2020)
- Co-host, *In Conversation with Neil [Kaplan]*, Delos Dispute Resolution (every Thursday from April 23, 2020)
- Speaker, *Testing Out Virtual Arbitration in Real Life*, KCAB Next (April 9, 2020)
- Speaker, *Efficacy of Investment Treaty Arbitration*, Arbitration in the Era of Globalisation, Indian Council of Arbitration (FICCI), Delhi (February 6, 2020)
- Speaker, *Geopolitical Developments and Its Impact on Energy Disputes*, 8th ITA-IEL-ICC Joint Conference on International Energy Arbitration, Houston (January 23, 2020)
- Speaker, Belt & Road Arbitration Institutions Roundtable Forum, Beijing (November 6, 2019)
- Panelist, *The IBA Rules vs. the Prague Rules in construction arbitrations*, 7th Biennial Conference on Construction Projects from Conception to Completion, Berlin (November 2, 2019)
- Speaker, ABA Asia-Pacific Forum: Strategies to Navigate the Life Cycle of a Cross-Border Deal, Hong Kong (October 25, 2019)
- Debater, *Due process paranoia is a curse on international arbitration*, Norton Rose Fulbright, Hong Kong, (October 21, 2019)
- Speaker, *The safe, efficient and effective management of arbitration in a paperless world*, Latham & Watkins, Hong Kong (October 21, 2019)
- Speaker, *Early Conflict Resolution – a new (and better?) answer to the eternal question of how to best control time and costs?*, DIS, Hong Kong (October 20, 2019)
- Panelist, *Arbitrating with Chinese parties: understandings vs. misunderstandings*, Hong Kong Arbitration Week, Hong Kong (October 20, 2019)
- Speaker, *The Role of Gender Equality in the International Investment Regime*, SCCA19 Conference, Saudi Arabia (October 14, 2019)
- Co-Chair, 5th Annual GAR Live Singapore, Singapore (August 27, 2019)

- Panelist, *The Rise of Asia Pacific: trends and developments*, Inaugural IBA Asia Pacific Arbitration Conference, Singapore (August 6, 2019)
- Moderator, *International Law – civil law, common law or Sui Generis?*, British Institute of International and Comparative Law, Hong Kong (July 22, 2019)
- Speaker, ICC-Guangdong Bar Association Joint Workshop on International Arbitration, Guangdong (July 19, 2019)
- Panelist, *Challenges and Opportunities for International Commercial Arbitration and Investor-State Dispute Settlement in the Asia-Pacific Region*, Asian Institute of International Financial Law and USydney Law School, Hong Kong (July 15, 2019)
- Panelist, *The Magic Words: Language Translation in Litigation and Arbitration*, American Bar Association (July 11, 2019)
- Speaker, *The Bullet Train: Summary & Expedited Procedures in Arbitration*, Asia ADR Week 2019, AIAC (June 28, 2019)
- Panelist, NYIAC Individual Member Exclusive Breakfast Series: Updates from Asia, New York (June 12, 2019)
- Speaker, International Arbitration 2019, Practising Law Institute, New York (June 10, 2019)
- Discussion Leader, ASA Arbitration Practice Seminar, Danang (May 24-26, 2019)
- Moderator, *Are main hearings too short?*, 4th Annual GAR Live Stockholm, Stockholm (May 21, 2019)
- Moderator, *The Role of Arbitral Institutions and Emerging Trends in International Arbitration*, ICC-THAC Arbitration Conference, Bangkok (May 14, 2019)
- Speaker, *Projects Dispute Resolution and BRI: Practice in China and the UK*, The Belt & Road Initiative and Global Dispute Resolution London Forum, BIICL-CIETAC, London (May 2, 2019)
- Speaker, *Surveying the Landscape of Arbitration in the Pacific Rim*, ICC West Coast Conference, San Francisco (April 29, 2019)
- Speaker, *The Future Arbitration Eco-System in the Asia-Pacific*, CIArb 2019 Asia-Pacific Regional Conference, Singapore (April 23, 2019)
- Speaker, *Arbitration in Asia – Is It Different?*, Juris Leading Arbitrators Symposium, Vienna (April 15, 2019)
- Speaker, *A Career in Arbitration: Where to start and how to succeed*, HK45, Hong Kong (April 3, 2019)
- Speaker, *Arbitration in the World Today and General Principles of Arbitration*, PIDA Training on International Commercial Arbitration, Shanghai (March 29, 2019)
- Speaker, *China's Belt and Road projects – What to expect in terms of dispute resolution?*, Third Annual International Arbitration Conference at Penn Law, Philadelphia (March 22, 2019)
- Speaker, *Careers in Arbitration*, International Women's Day, Arbitral Women, CIArb, HKIAC, Hong Kong (March 8, 2019)
- Speaker, *The New Generation of Investment Dispute Settlement*, Harvard International Arbitration Conference, Massachusetts (February 23, 2019)
- Speaker, *Hearings in International Arbitration*, Harvard International Arbitration Law Students Association International Arbitration Workshop, Massachusetts (January 30, 2019)

- Speaker, Schiefelbein Global Dispute Resolution Conference, Arizona (January 18, 2019)
- Speaker, *Arbitrators Challenged*, HKIAC Arbitration Workshops: Shanghai Series 2018, Shanghai (November 30, 2018)
- Speaker, *Innovations In ICC Practices – Expedited Rules, Emergency Arbitration Procedures, New Policies Of The Court With Regards To Transparency, Summary Disposal, Appointment Of Arbitrators*, Inaugural ICC Indonesia Arbitration Day (November 23, 2018)
- Speaker, *Inaugural Women in Arbitration event*, Seoul ADR Festival, Seoul (November 6, 2018)
- Speaker, International Conference on Celebrating the 60th Anniversary of the New York Convention, UNCITRAL, CCPIT, Beijing (November 3, 2018)
- Speaker, *The GAR Live Inquisition – is it time to align the fees of law firms and tribunals*, 8th Annual GAR Live Hong Kong Conference, Hong Kong (November 1, 2018)
- Speaker, *Update on Global, Regional and Hong Kong ICC Arbitration*, ICC and ICC HK Seminar, Hong Kong (October 29, 2018)
- Speaker, *The GAR Live Inquisition – Power of the institution vs. Party Autonomy*, 4th Annual GAR Live Singapore Conference, Singapore (May 16, 2018)
- Speaker, *Revisiting Conventional Wisdom in the Organisation of Arbitral Proceedings*, 24th ICCA Congress, Sydney (April 17, 2018)
- Panelist, *Why Don't Arbitrations Settle?*, CPR Annual Meeting, Atlanta, Georgia (March 21, 2018)
- Speaker, *The Year in Review – cases, institutional developments, politics*, GAR Live Atlanta Conference, Atlanta, Georgia (March 8, 2018)
- Speaker, *The Women's Perspective: Practicing Law in Asia*, 2018 Asia Business Conference, Harvard Business School, Cambridge, Massachusetts (March 4, 2018)
- Panelist, *Alternative Dispute Resolution: Options in Asia Pacific*, IATA's Legal Symposium, Bangkok (February 28, 2018)

Professional activities and qualifications

Professional accreditations:

- Fellow, Chartered Institute of Arbitrators
- Accredited Mediator, Centre for Effective Dispute Resolution

Institutional engagements:

- Vice President, Court of Arbitration, International Chamber of Commerce
- Chair, ICC Commission Task Force on Arbitration and ADR
- Member, ICC Belt and Road Commission
- Council Member, Appointments Committee member, HKIAC (past)
- Council Member, Hainan International Arbitration Commission
- Founding Member, HK45

- Global Advisory Board, New York International Arbitration Center
- Member, Silicon Valley Arbitration Mediation Centre Corporate Counsel Task Force (CCTF)
- Rule Drafting Committee, Arbitration Foundation of Southern Africa
- Rule Drafting Committee, Saudi Center for Commercial Arbitration
- Rule Drafting Committee, P.R.I.M.E. Finance Foundation
- Founding Member, Women in Arbitration, China

Academic engagements:

- Honorary Senior Fellow, British Institute of International and Comparative Law
- Member, International Investment Claims Academy
- Advisor, China Academy of Arbitration Law
- Adjunct Professor, Hong Kong University (2014 – 2016)
- Guest lecturer, Yale University, Stanford University, Georgetown University, City University of Hong Kong, Keio University, Seoul National University, University of International Business and Economic Law School (Beijing), Tsinghua University

Publication appointments:

- Member, Editorial Board of ICC Bulletin
- Member, Supervisory Board of Asian Dispute Review
- Editorial Board Member, IBA Arbitration Newsletter
- Member, Consultation Board, Practical Law Company

Other activities:

- Member, ICCA
- Member, American Society of International Law
- Member, ICCA-Tsinghua University Working Group on Chinese Arbitration Practice
- Member, International Advisory Board of the Association of Corporate Counsel (ACC)

Pro bono:

- Advisory Board Member, Justice Without Borders

Languages

- English
- Chinese (Mandarin)