



INTERNATIONAL MALAYSIA LAW CONFERENCE

CREATING PRECEDENCE

21–23 September 2016

The Royale Chulan Kuala Lumpur

Challenges of an ASEAN Community: Rule of Law, Business, and Being People-Oriented



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PROGRAMME PREVIEW 4

- **WATCH OUT** for the plenary session on “Harmonisation of Laws in ASEAN for the Legal Services Industry”, and other sessions on effective case management; cross-border theft and remedies from an intellectual property perspective; issues in statutory adjudication; the role of the Judiciary under CEDAW, CRC and CRPD; and much more.

CONFIRMED SPEAKERS



THE HONOURABLE JUSTICE DATUK RAMLY HJ ALI

Judge, Federal Court of
Malaysia

Since 1978, The Honourable Justice Datuk Ramly Hj Ali has been attached to the Government's Judicial and Legal Services in various capacities, including as Magistrate, Registrar of the High Court of Malaya, and Chief Registrar of the Federal Court.

He was appointed as a Judge of the High Court in 2002, elevated to the Court of Appeal in 2009, and became Judge of the Federal Court in 2013. Currently, he is also the Managing Judge for the High Court of Shah Alam (Civil Division).



DR IOANNIS KONSTANTINIDIS

Head, Investment Treaty Arbitration and International Law, Kuala Lumpur Regional Centre for Arbitration (“KLRCA”)

Prior to joining KLRCA, Dr Ioannis Konstantinidis worked as an associate at a leading public international law firm in London. He also advised in disputes heard at the International Court of Justice; International Tribunal for the Law of the Sea (“ITLOS”); the International Centre for Settlement of Investment Disputes; and other *ad hoc* and institutional arbitral fora.

He has also worked at ITLOS and the UN Division for Ocean Affairs and the Law of the Sea. He was a Visiting Fellow at the Lauterpacht Centre for International Law, and at the Max Planck Institute for Comparative Public Law and International Law.



TAN SRI DR REBECCA FATIMA STA MARIA

Former Secretary-General,
Ministry Of International Trade and
Industry of Malaysia (“MITI”)

Since the 1980s, Tan Sri Dr Rebecca Fatima Sta Maria has served in various capacities in the then-Ministry of Trade and Industry. In 1988, she was seconded to the ASEAN Plant Quarantine and Training Centre as its Chief Administration and Procurement Officer.

In 2006, she chaired the ASEAN Senior Economic Officials Meeting, and is currently the Chair of the ASEAN High-Level Task Force for Economic Integration. She is also the Vice Chair of the World Economic Forum, Global Agenda Council on South-East Asia.



DATO' MALIK IMTIAZ SARWAR

Advocate and Solicitor, Messrs Malik
Imtiaz Sarwar

Dato' Malik Imtiaz Sarwar has more than 22 years of experience in the legal profession, with about 200 reported decisions in a diverse range of practice areas to his credit. One of his key practice areas is dispute resolution.

He has acted as counsel in a number of leading constitutional and administrative law cases over the last 15 years. He was the 2009 recipient of the Index on Censorship Award for law and campaigning.



► **The Role of the Judiciary under CEDAW, CRC and CRPD**

Evalyn Ursua; Shanthi Dairiam; Dato' Malik Imtiaz Sarwar; Sharmila Sekaran

When Malaysia acceded to three out of the nine core international human rights treaties, it signalled to the world its commitment to being legally bound by the treaty provisions, except for the few sections to which it had entered reservations.

So why is it such an uphill task when claimants attempt to use the Convention on the Elimination of All Forms of Discrimination Against Women ("CEDAW"), the Convention on the Rights of the Child ("CRC"), and the Convention on the Rights of People with Disabilities ("CRPD") in court to claim their rights? How can we overcome those barriers?

► **Effective Case Management: Perspectives from the Bench and Bar**

The Honourable Justice Dato' Mary Lim Thiam Suan; Avinash Pradhan; Brendan Navin Siva; Leonard Shim

This session will allow the legal community to understand the judicial perspective as well as views from the Bar on how best to take advantage of case management. From a judicial perspective, the ability to do this effectively means being able to take control, adopt an inquiring style, and secure cooperation between the parties.

The early management of proceedings is often the lynchpin that determines the direction of proceedings. This session allows the legal community to understand the judicial perspective as well as views from the Bar on how best to take advantage of case management.

► **Cross-Border Theft and Remedies: An Intellectual Property Perspective**

The Honourable Justice Datuk Ramly Hj Ali

This session will help participants to develop an understanding of the issues in cross-border intellectual property theft, by exploring existing domestic and regional laws, and focusing on how to protect organisations and individuals in such situations.

► **Arbitration II: Issues in Statutory Adjudication**

Michael Heihre; Rammit Kaur Charan Singh; Lam Wai Loon; Raymond Mah; Belden Premaraj

This practical and interactive session will delve into the real problems, challenges and issues faced with regard to the resolution of disputes in the construction industry using statutory adjudication.

The speakers will address some of the pressing concerns, such as the retrospective applicability of the statute, the effect of no-payment response or limited-payment response, the right to refer and seek a decision on a counterclaim, the resolution of jurisdictional challenges, and the varying processes and procedures adopted by adjudicators.

The session will also analyse the actual use of statutory adjudication in Malaysia, and whether it has proven to be beneficial to the construction industry and its stakeholders.

► **Harmonisation of Laws in ASEAN for the Legal Services Industry**

The ASEAN Economic Community ("AEC"), encompassing 10 countries and with a population of more than 600 million, came into effect in 2015. How will the AEC transform the region?

This plenary session will focus on the issues facing businesses and the legal community in the ASEAN region. What will it mean for lawyers advising increasingly mobile clients? Should ASEAN embark on changing its legal and regulatory frameworks? Is there a need for harmonisation of laws within ASEAN and, if so, what is the way forward?

With regard to resolving commercial disputes, the consideration is whether this should be dealt with among the ASEAN member states or by a regional court. Explore the possible points for legal convergence to achieve harmonisation of laws and suitable legal and regulatory frameworks across Asia.

Note: Only the names of confirmed speakers and moderators are listed.

For registration and other enquiries, please contact the following persons:

- Suriati Dalilan (+603-2050 2121; suriati@malaysianbar.org.my) for **Delegate Registration**;
- Sangheetha K (+603-2050 2038; sangheetha@malaysianbar.org.my) for **Advertising and Exhibition, and Conference Sponsorship**; and
- Sumitha Shaanthinni Kishna (+603-2050 2090; sumitha@malaysianbar.org.my) for **other conference enquiries**.

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Submit completed forms by fax to +603-2026 1313 / +603-2050 2113 or by e-mail to imlc2016@malaysianbar.org.my

For more assistance, contact:

<p>Suriati Dalilan +603-2050 2121 suriati@malaysianbar.org.my</p>	<p>Tessa Najiha bt Ahmad Zaki +603-2050 2127 najiha@malaysianbar.org.my</p>
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Category	16 June to 31 Aug 2016 (RM)	From 1 Sept 2016 (RM)	Amount Payable (RM)
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Persons who accompany delegates but who do not pay for the Gala Dinner, are entitled to attend **only** the Opening and Closing Ceremonies, Raja Aziz Addruse Memorial Lecture, other Social Events, and Exhibition.

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- (3) If you have made a booking for accommodation, you are responsible for cancelling the booking. Bar Council Malaysia takes no responsibility for any financial penalties you may incur.
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- (5) The personal information that you provide to the IMLC 2016 Organising Committee, whether now or in the future, may be used, recorded, stored, disclosed or otherwise processed by or on behalf of the IMLC 2016 Organising Committee for the purposes of facilitation and organisation of this conference, research and audit, and maintenance of a delegate database for the promotion of this conference, and such ancillary services as may be relevant.