

2022 ARBITRATION WEBINARS
ADR Vietnam Chambers

Most Preferred Arbitral Institutions in Vietnam

July 8, 2022

KCAB INTERNATIONAL



ADR VIETNAM CHAMBERS LLC
CONSTITUTED UNDER VIETNAMESE LAW

KCAB
INTERNATIONAL



Speakers



Steve Kim

**Secretary-General
KCAB INTERNATIONAL**

- Secretary-General, KCAB INTERNATIONAL (2022-Present)
- Senior Advisor, uLikeKorea (2017-2022)
- Consultant, CMS Cameron McKenna Nabarro Olswang (2016-2022)
- Head of Sales, Marketing, Operations, CPA Global Korea (2011-2015)
- Senior Legal Counsel, Samsung Corning Precision Materials (2006-2011)
- Director/Attorney, AAA-ICDR, New York (1998-2005)



Sue Hyun Lim

**Attorney
Kim & Chang**

- Kim & Chang (2022-Present)
- Secretary-General, KCAB INTERNATIONAL (2018-2021)
- Debevoise and Plimpton LLP, New York (2011-2012)
- Bae, Kim & Lee LLC (2005-2010, 2012-2018)
- Kim, Shin & Yu (2002-2005)



Q&A – From the Perspective of the Practitioner

Filing Stage

- When filing an arbitration with KCAB INTL, what information and issues should you include?
- What about the claim amount?
- What if you don't know? Can you pay later?
- What if the language is not specified? What if the number of arbitrator is not specified? Do you need to let KCAB INTL know what your preference is?

Administrative

- What if the Respondent's address and/or contact point is unclear, returned or refused to receive?

Jurisdiction

- What if the arbitration clause is not clear, what if it just says KCAB, can you still file with KCAB INTL?
- What if the organization (KCAB) is misspelled? Or incorreccted referenced (Korea Arbitration Board, Korea Commercial Arbitration Association, etc.)
- What if the clause lists multiple institutions (KCAB or VIAC)?
- What if it says KCAB but under a different institution's rules?

Q&A – From the Perspective of the Practitioner

Arbitrator Selection

- What should you consider when you select an arbitrator?
- What's the KCAB default process? Party Appointment Method
- What if Respondent does not participate, and I select my arbitrator. Who will select the 2nd arbitrator?
- If it is a sole arbitrator, if Respondent does not participate then the secretariat (KCAB INTL) will select.
- What does KCAB look at when selecting the arbitrator?

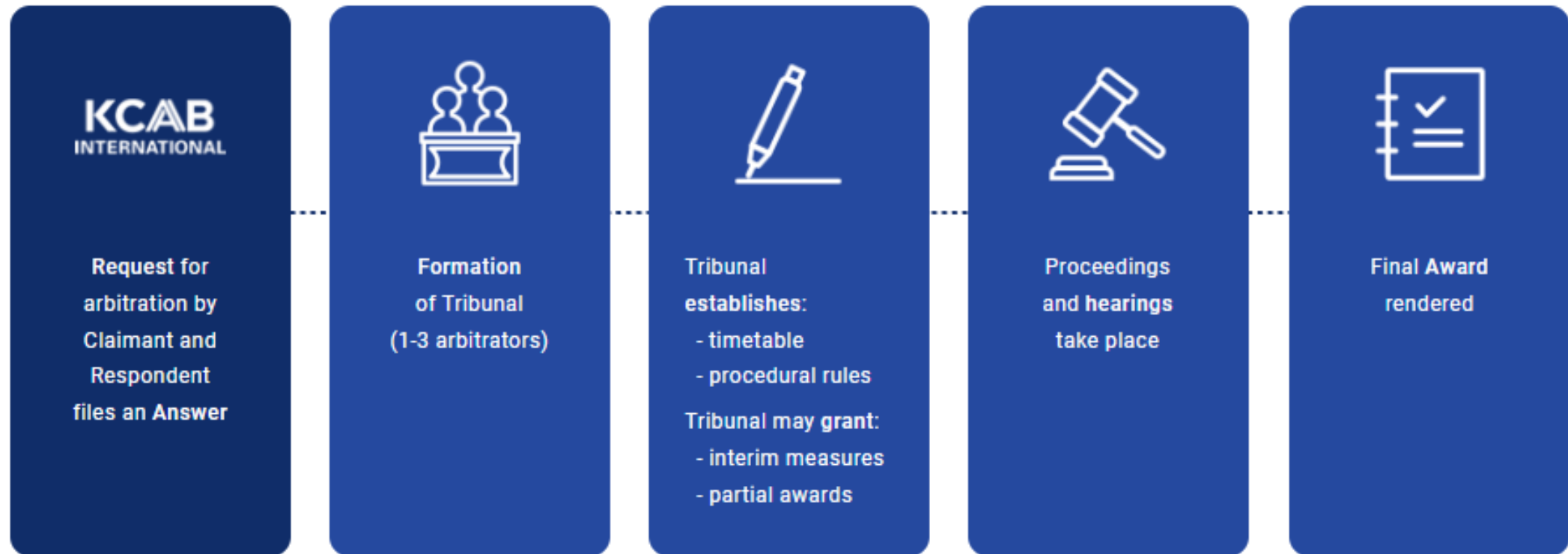
Once the tribunal is formed, then what's next?

- Preliminary procedural conference
- Procedural time table is set.
- You should make efforts to actively participate and comply with timeline. Multiple delays can create a negative impression.

Hearings

- You can do this virtually or in person (1 hearing must be commenced)
- Again, you need to be actively participating in the hearing and all document production.
- What about discovery?
- When can I expect my award?

KCAB Arbitration Procedure



Thank You!

