

# ARBITRATION IN AUSTRIA AND KOREA

Monday, 30 May 2011, 4:00 pm - 8:00 pm

Lotte Hotel, Seoul

## Effective Dispute Resolution for Korean Businesses in Europe and for European Businesses in Korea

A Seminar jointly organized by the  
Vienna International Arbitral Centre (VIAC) and  
Korean Commercial Arbitration Board (KCAB)

The seminar is supported by the following law firms:



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# THE SEMINAR

Austria is one of the world's leading centers for arbitration. Its success is based on its status as a neutral country, stable legal system, highly qualified attorneys, track record of bridging disputes between East and West, and location at the heart of Europe. Vienna, the capital of Austria, is considered the hub of Central and Eastern Europe, which is one of the fastest growing economic regions in the world with a GDP of approx. 2 trillion Euros. More than 420 million people can be reached from Vienna within two hours. With the EU-Korea Free Trade Agreement scheduled to enter into force in July 2011, the economic relationship between Korea and Europe will become ever more important.

This special seminar will present and discuss both Austrian and Korean arbitration law and practice. Participants of the seminar will have the opportunity to meet leading Austrian and Korean arbitration experts, including the Presidents and Board Members of the KCAB and VIAC and a delegation of leading Austrian arbitration practitioners.

The seminar is aimed at arbitration practitioners, lawyers, in-house counsels, banking and financial institutions and companies doing business in Central and Eastern Europe.

The seminar will be held in English. The ensuing buffet reception hosted by VIAC will provide an opportunity for more informal discussions.

**Monday, 30 May 2011: 4:00 pm - 8:00 pm**

**Lotte Hotel  
1 Sogong-dong, Jung-gu,  
Seoul, Korea 100-721**

The seminar is free of charge.  
Seats are limited.

Please register by sending an email to [arb@wko.at](mailto:arb@wko.at).

# THE PROGRAM

Monday, 30 May 2011  
4:00 pm - 8:00 pm

3:45 - 4:00 pm  
Registration

4:00 - 4:10 pm  
Welcome remarks - Jae Moon Doh, President of KCAB and Werner Melis, President of VIAC.

## Session 1: Economic Perspectives

4:10 - 4:30pm

The Economic Role of Austria and Central Europe

Speakers: Michael Otter, Austrian Trade Commissioner and Guenther Horvath.

## Session 2: Austrian Arbitration Law and the VIAC Rules

4:30 - 5:00 pm

Moderator: Alexander Petsche.

Speakers: Gerold Zeiler, Gernot Fiebiger, Peter Klein.

## Session 3: Korean Arbitration Law and the KCAB Rules

5:00 - 5:30 pm

Moderator: Professor Seung Wha Chang.

Speakers: Min Ho Lee, John Rhie and Tom Moxham.

## Short Break

5:30 - 6:00 pm

## Session 4: Austrian Practice and Procedure- Current Trends and Hot Topics

6:00 - 6:30 pm

Moderator: Nikolaus Pitkowitz.

Speakers: Christian Dorda, Florian Haugeneder, Guenther Horvath.

## Session 5: Korean Practice and Procedure - Current Trends and Hot Topics

6:30 - 7:00 pm

Moderator: Sean Lim.

Speakers: Kevin Kim, Young Seok Lee and Ben Hughes.

7:00 pm - 8:00 pm

Buffet: All participants are invited to a buffet reception.

# THE SPEAKERS

**Seung Wha Chang** is Professor of Law at Seoul National University School of Law. He has taught as Visiting Professor of Law at Harvard, Yale, Stanford, NYU, Duke, Georgetown and UCLA. He is one of the leading arbitrators in the Asia-Pacific region and regularly serves as an arbitrator (sole, co-arbitrator or chair) for ICC and KCAB arbitrations. He is listed on the Panel of Arbitrators for SIAC, HKIAC, ACICA, JCAA, AAA (ICDR) and other arbitral institutions. Professor Chang is currently Co-President of APRAG and also serves as Chairman of Korean Council for International Arbitration. He is an Editorial Board Member of The Journal of International Economic Law (Oxford) and Advisory Board Member of The Journal of International Dispute Settlement (Oxford). He obtained master (LLM) and doctorate (SJD) degrees at Harvard Law School.

**Jae Moon Doh** is the President of the Korean Commercial Arbitration Board (KCAB) and is Co-President of Asian Pacific Regional Arbitration Group (APRAG). Mr. Doh has previously held a number of senior positions with Korean Government, including Deputy Secretary General for Legislative Affairs and he was also the Korean Legislative Representative for Europe, based in the embassy in Paris for three years.

**Benjamin (Ben) Hughes** is a Partner and Co-chair of the International Dispute Resolution Practice Group at Shin & Kim. He is listed as an arbitrator with the KCAB, the HKIAC, and the WIPO. As an adjunct professor at the Judicial Research and Training Institute of the Supreme Court of Korea, he has extensive experience as counsel in international arbitrations in Asia, Europe and the United States, and under the rules of the ICC, ICC, KCAB, LCIA, SIAC, AAA/ICDR, and ad-hoc arbitrations under the UNCITRAL rules. 2011, he is also the Chairman of the International Arbitration Promotion Committee.

**Kap-You (Kevin) Kim** is head of Bae, Kim & Lee LLC's Arbitration Group. He is serving as Secretary General of the ICCA, a Court Member at the ICC Court and the LCIA Court, a Board Member of the AAA and a member of the Panel of Arbitrators of ICSID. He is also a senior advisor and arbitrator of the Korea Commercial Arbitration Board (KCAB) and a Vice President of the Korean Council for International Arbitration (KOCIA).

**Min Ho Lee** is a member of Lee & Ko's International Dispute Resolution Practice Group. He specializes in international arbitration before various leading arbitral institutions including KCAB. His litigation experience includes representing U.S. Fortune 500 companies in U.S. state and federal courts with numerous cases to verdict in arbitrations and jury trials. Prior to joining Lee & Ko, he was an associate at Seyfarth Shaw LLP in Los Angeles and also a judicial clerk to a federal judge in San Jose, California.

**Young Seok Lee** leads Yulchon's international dispute resolution team. He has handled international arbitration cases as counsel in various fields of industry. He is actively involved in and leads many arbitration-related associations. Mr. Lee regularly speaks on international dispute resolution, both in and outside of Korea. He also sits as an arbitrator from time to time.

**Sungwoo (Sean) Lim** is head of the International Dispute Resolution Practice Group at Lee & Ko. He currently serves as Arbitrator for the Korean Commercial Arbitration Board, Director of the Korean Arbitrators Association, Managing Director of the Korean Council for International Arbitration and Secretary General of the Asia Pacific Regional Arbitration Group (APRAG). He has extensive experience as both counsel and arbitrator in numerous high-profile arbitration matters before various leading arbitral institutions in New York, London, Paris, Singapore, Hong Kong and Seoul.

**Tom Moxham** is an Australian qualified lawyer who joined the KCAB as its first International Counsel in March 2011 after having spent two years as Special Counsel to the Korean Bar Association in Seoul. Prior to moving to Korea, he worked in the International Arbitration Group of Freshfields Bruckhaus Deringer in Paris from 2006 to 2009.

**John Rhie** is a senior foreign attorney in the international arbitration group and leads the UK practice group of Kim & Chang. He is listed in Chambers & Partners as a leading lawyer in international arbitration and dispute resolution in South Korea and Asia.

**Dr. Christian Dorda** is founding partner of DORDA BRUGGER JORDIS and has been specializing in international commercial arbitration. He acted as a member of the ICC International Court of Arbitration, is the vice-chairman of ICC Austria and is regularly sought as an arbitrator in institutional or ad hoc arbitral proceedings.

**Dr. Gernot Fiebiger** is an attorney with Neudorfer, Attorneys at Law, Vienna. He specializes in international arbitration, domestic and cross-border litigation, competition law and international trade law.

**Florian Haugeneder** is a partner at Wolf Theiss specializing in international commercial and investment arbitration. He has extensive experience in conducting arbitrations under the major international arbitration rules. He is a founding member of the Advisory Board of the Young Austrian Arbitration Practitioners (YAAP) and frequently speaks and publishes on topics relating to international arbitration.

**Dr. Günther Horvath** is the head of the Vienna dispute resolution practice of Freshfields Bruckhaus Deringer. He is a member of the ICC Court and the VIAC Board. With his Austrian and US legal background, Guenther has acted in around one hundred international commercial arbitrations, including energy, post-M&A and industrial engineering matters, both as counsel and arbitrator.

**Dr. Peter Klein** graduated from the University of Vienna and is partner at PETSCH FROSCH KLEIN ARTURO with offices in Vienna and Milan. Peter is fluent in German English and Italian and has been working for more than 20 years in both jurisdictions specializing in cross border transactions and arbitration both as Counsel and arbitrator.

**DDr. Werner Melis** is the President of the Vienna International Arbitral Centre (VIAC). He is also active as an international arbitrator worldwide. He is the author of numerous publications on international arbitration and on international trade law and he lectures on international arbitration at the University of Vienna.

**DDr. Alexander Petsche, MAES (Bruegge)** is a partner at Baker & McKenzie. He specializes in international contract law, international disputes before arbitral tribunals and state courts as well as compliance matters. Alexander Petsche is VIAC Board member and member of the Board of the Austrian Arbitration Association.

**Dr. Nikolaus Pitkowitz** is founding partner and head of dispute resolution at Graf & Pitkowitz, Vienna. He has 25 years of experience in international arbitration, particularly in the CEE region. He acted as party representative in the largest ever pending Austrian arbitration. Nikolaus is VIAC Board member and panel member of several arbitration institutions including HKIAC, CIETAC, KLRCA and SIAC.

**Dr. Gerold Zeiler** is a partner of Schoenherr Rechtsanwälte, a Central and Eastern European law firm with its head offices in Vienna. Gerold practices mainly in international arbitration work and heads Schoenherr's arbitration practice.