



SIF_{CC}

Standing International Forum
of Commercial Courts

The Standing International Forum of Commercial Courts Third Meeting

Hosted virtually by the
Supreme Court of Singapore

Thursday 11 and Friday 12 March 2021



Available through meeting portal 7 days in advance

Inside the Singapore Courts,
including Singapore's eLitigation
system and Heritage Gallery

**Welcome remarks on behalf of
Singapore as host:**

Ms Indraneel Rajah SC, Minister
in the Prime Minister's Office,
Second Minister for Finance and
Second Minister for National
Development, Singapore

[Click here for the
meeting portal](#)



Day 1

Thursday 11 March

0700-0730
EST

2000-2030
SGT

1200-1230
GMT

2300-2330
AET

1600-1630
GST

Opening session

Full live session

Opening remarks:

Lord John Thomas
(Chairman, Steering Group) and
Chief Justice Sundaresh Menon

SIFoCC Progress Report

Mr Justice Robin Knowles and
Grace Karrass (Head of Secretariat)

Report of First SIFoCC International Working Group -

Working presumptions on international best practice in case management:
Chief Justice James Allsop and
Sir Peter Gross
(Working Group co-chairs)

Report of Second SIFoCC International Working Group -

Common themes in international enforcement of judgments (including the 2nd edition of the SIFoCC Multilateral Memorandum on Enforcement of Commercial Judgments for Money)
Justice Sir William Blair and
Judge Francois Ancel
(Working Group co-chairs)

The SIFoCC Judicial Programme of Observation and Study

Chief Justice Hassan Jallow and **Justice Zainab Alami**

Day 1

Thursday 11 March

0730-0830 EST	1630-1730 GST
1230-1330 GMT	2030-2130 SGT
1530-1630 EAT	2330-0030 AET

Judicial roundtable discussion: Technology in a new world

Full live session

Objectives:

- To examine the use of technology as an enabler
- To consider issues arising from the use of technology - open justice, transparency and security, problems and opportunities presented by data, ethical and regulatory issues arising from artificial intelligence
- To prepare for the procedural, evidential and substantive questions that will face commercial courts in the age of technology in commerce e.g. understanding smart contracts, receiving evidence of what is on a blockchain, intervening in a contract that is self-executing

Chair: Chief Justice Sundaresh Menon (Singapore)

Pre-recorded contributions to be viewed in advance from:

Professor Maxi Scherer, Queen Mary University, London

Live introductory addresses:

Sir Geoffrey Vos MR (England and Wales)

Chief Justice Luiz Fux (Brazil)

Live roundtable discussion to include contributions from:

Justice Aedit Abdullah (Singapore)

Deputy Chief Judge Shen Honyu (People's Republic of China)

Registrar Chris Campbell-Holt (Kazakhstan)

Mr Justice Mark Horner (Northern Ireland)

Closing remarks: **Mr. Justice L. Nageswara Rao** (India)

Break



Day 1

Thursday 11 March

0930-1030
EST

1730-1830
EAT

1430-1530
GMT

1830-1930
GST

Judicial roundtable discussion: Commercial (third party) litigation funding

Split live session (Attendees are invited to either or both as convenient)

First session Americas / Europe / Africa / Middle East

Objectives:

- To assess the present and prospective scale of use of commercial litigation funding, and its forms
- To reflect on the current models for regulation that are in use internationally
- To identify the issues that arise for the courts, and the role of the courts

Chair: Hon Loretta Preska
(United States)

Pre-recorded contributions to be viewed in advance from:

Mr Edwin Tong SC, Minister for Culture, Community and Youth and Second Minister for Law, Singapore

Ms Susan Dunn, Chair, the Association of Litigation Funders

Lord David Hope, Chief Justice
(Abu Dhabi Global Markets Courts)

Written contribution in advance from:

Justice John Middleton (Australia) (Final Report "Integrity, Fairness and Efficiency - An Inquiry into Class Action Proceedings and Third-Party Litigation Funders", 2018)

Day 2

Friday 12 March

0900-1000
EAT

1400-1500
SGT

1000-1100
GST

1700-1800
AET

1900-2000
NZDT

Judicial roundtable discussion: Commercial (third party) litigation funding

Split live session (Attendees are invited to either or both as convenient)

Second session Africa / Middle East / Asia / Australasia

Objectives:

- To assess the present and prospective scale of use of commercial litigation funding, and its forms
- To reflect on the current models for regulation that are in use internationally
- To identify the issues that arise for the courts, and the role of the courts

Chair: Chief Justice Tom Bathurst (New South Wales, Australia)

Pre-recorded contributions to be viewed in advance from:

Mr Edwin Tong SC, Minister for Culture, Community and Youth and Second Minister for Law, Singapore

Ms Susan Dunn, Chair, the Association of Litigation Funders

Lord David Hope, Chief Justice (Abu Dhabi Global Markets Courts)

Written contribution in advance from:

Justice John Middleton (Australia) (Final Report "Integrity, Fairness and Efficiency - An Inquiry into Class Action Proceedings and Third-Party Litigation Funders", 2018)

Day 2

Friday 12 March



Judicial roundtable discussion: Meeting the needs of court users

Full live session

Objectives:

- Responding to users given the economic consequences of the pandemic
- Identifying appropriate ways of courts keeping in touch with user needs
- Focusing on the importance of the rule of law to users

Co-chairs:

Chief Justice Emeritus Bart Katureebe
(Uganda)

Justice Geoffrey Venning (New Zealand)

Live introductory addresses:

Chief Justice James Allsop
(Australia Federal Courts)

Dr Jan Tolkmitt, Federal Court, (Germany)

Pre-recorded contributions to be viewed in advance from:

Mr Wong Taur-Jiun, Head of Legal and Sustainability, Rabobank Singapore

Mr Shuva Mandal, General Counsel, Tata International

Mr Cavinder Bull SC, member of the Governing Board of the International Council for Commercial Arbitration (ICCA)

Mr Audley Sheppard QC, Chair, London Court of International Arbitration (LCIA)

Live roundtable discussion to include contributions from:

Sir Julian Flaux CHC (England and Wales)

Registrar Christopher Grout (Qatar)

Justice Kannan Ramesh (Singapore)

Justice Sir Richard Field (Dubai)



Day 2

Friday 12 March

0800-0900
GMT

1600-1700
SGT

1100-1200
EAT

1900-2000
AET

1200-1300
GST

2100-2200
NZDT

Short final reflections on the present and future role for the world's commercial courts, and for SIFoCC

Full live session

Justice Madiyar Balken (Kazakhstan)
Presiding Judge S.K. Yeon (South Korea)
Chief Justice Andrew Cheung (Hong Kong SAR)
Judge Fabienne Schaller (France)
Judge Nallini Pathmanathan (Malaysia)
Mr Justice Prateek Jalan (India)

Closing address:
Lord Chief Justice Ian Burnett
(England and Wales)

Agreed actions, forward look and details of next meeting:
Lord John Thomas

Closing remarks:
Chief Justice Sundaresh Menon
and Lord Thomas



Forum discussions

These will take place through written contributions in a chat-style forum.
Live for the duration of 11-12 March.

1. Arbitration and the courts: Getting the best from both

Objectives:

- Achieving transparency for users in what courts and arbitration have to offer as forms of dispute resolution
- Developing the best models for court involvement where the parties have chosen arbitration
- Exploring the potential for the courts to contribute to the development of ethical rules in international arbitration

- Achieving greater consistency internationally in the enforcement of arbitration awards under the New York Convention
- Exploring the challenges faced by courts and in arbitral tribunals during the COVID-19 pandemic, and distilling common learning points applicable to both litigation and arbitration

2. Cross-border insolvency

Objectives:

- Summarising current developments internationally
- Evaluating the current priority of the subject

3. Technology updates

An opportunity to share and discuss technological developments and updates from member courts

Forum discussion can be reached through portal (as per page 2)