

International Arbitration in the ASEAN Century: Thailand-Australia Perspectives

Opening Observations



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Hello

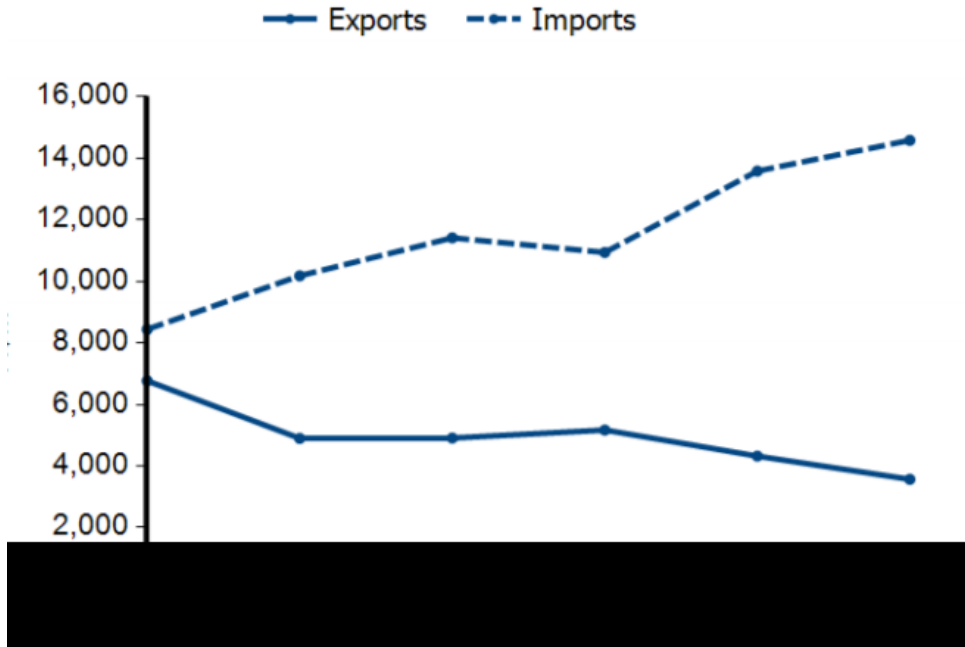
- Greetings from Australian Centre for International Commercial Arbitration.
- Thank you to Thailand Arbitration Institute and our new friends.



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The relationship matters – to us both

Australia's merchandise trade with Thailand



Australian Government, Department of Foreign Affairs and Trade, 'Thailand country/economy fact sheet'
<http://dfat.gov.au/trade/resources/Documents/thai.pdf>



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Creating a positive dynamic matters to us both

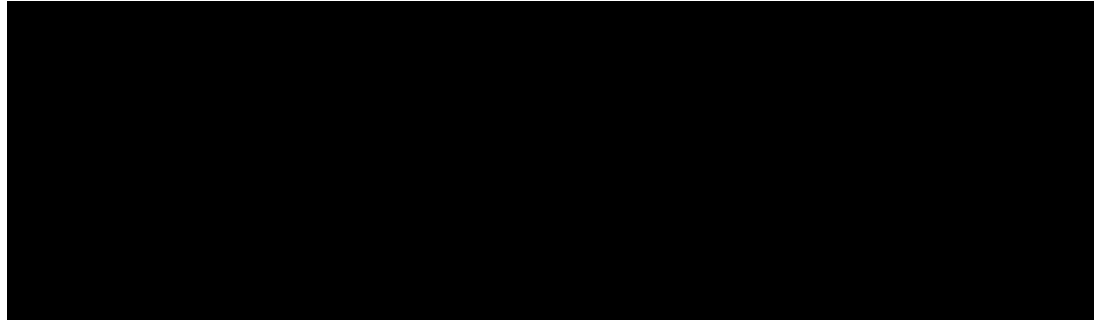
These numbers mean we are both interested in the mechanics of trade – making commercial interaction flow smoothly, resolving conflicts quickly and cost effectively.

Australia's trade and investment relationship with Thailand (b)

Australian merchandise trade with Thailand, 2016 (A\$m)		Total share	Rank	Growth (yoy)
Exports to Thailand	3,568	1.4%	14th	-17.4%
Imports from Thailand	14,581	5.5%	4th	7.4%
Total merchandise trade (exports + imports)	18,149	3.5%	5th	1.4%



The importance of a positive dynamic prevailing is bilateral.



Australian Government, Department of Foreign Affairs and Trade, 'Thailand country/economy fact sheet'
<http://dfat.gov.au/trade/resources/Documents/thai.pdf>



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Framework

I think Thailand could consider itself the leader in being proactive

- New York Convention
 - Thailand signed 21 December 1959
 - Australia signed 26 March 1975
- “The Thailand-Australia Free Trade Agreement (TAFTA) is one of two FTAs that Australian businesses can use to trade with Thailand. As a member of ASEAN, Thailand is also part of the ASEAN-Australia-New Zealand Free Trade Agreement (AANZFTA).”
 - Signed July 2004
 - Entered into force January 2005
- Other instruments



Australia-Thailand Free Trade Agreement

Article 102

The objectives of the Parties in concluding this Agreement are:

- a) To liberalise trade in goods and services and to create favourable conditions for the stimulation of trade and investment flows;
- b) To build upon their commitments under the World Trade Organisation and to support its efforts to create a predictable and more free and open global trading system;
- c) To establish a program of cooperative activities in support of the aims of the Agreement;
- d) To improve the efficiency and competitiveness of their economies; and
- e) To support the wider liberalisation and facilitation process in APEC and in particular the efforts of all APEC economies to meet the Bogor goals of free and open trade and investment by 2010 at the latest for industrialised economies and 2020 at the latest for developing economies.



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Remaining part of the Growth

- ASEAN+3 covers China, Japan and Republic of Korea
- ASEAN+6 covers ASEAN+3, Australia, New Zealand, and India

Regional Profile	
ASEAN Population (million)	628.9
Population as % of World Population	8.7
ASEAN+6 as % World Population	48.5
ASEAN GDP as % of World GDP	3.3
ASEAN+6 as % of World GDP	30.6

- GDP data as of 1 July 2016



The fundamentals driving growth cannot be resisted

Socio-demography	
Sex ratio (male per 100 female)	99.8
Persons below 5 years (000)	57,436.9
Persons 65 years and over (000)	37,414.9
Youth 15-29 years (000)	161,112.1
Urban population (%)	22.5-100.0
Below national poverty line (5), 2013 figure	25.5-1.7
Below PPP\$2 (%)	15.0
Unemployment rate (%)	0.5-6.9



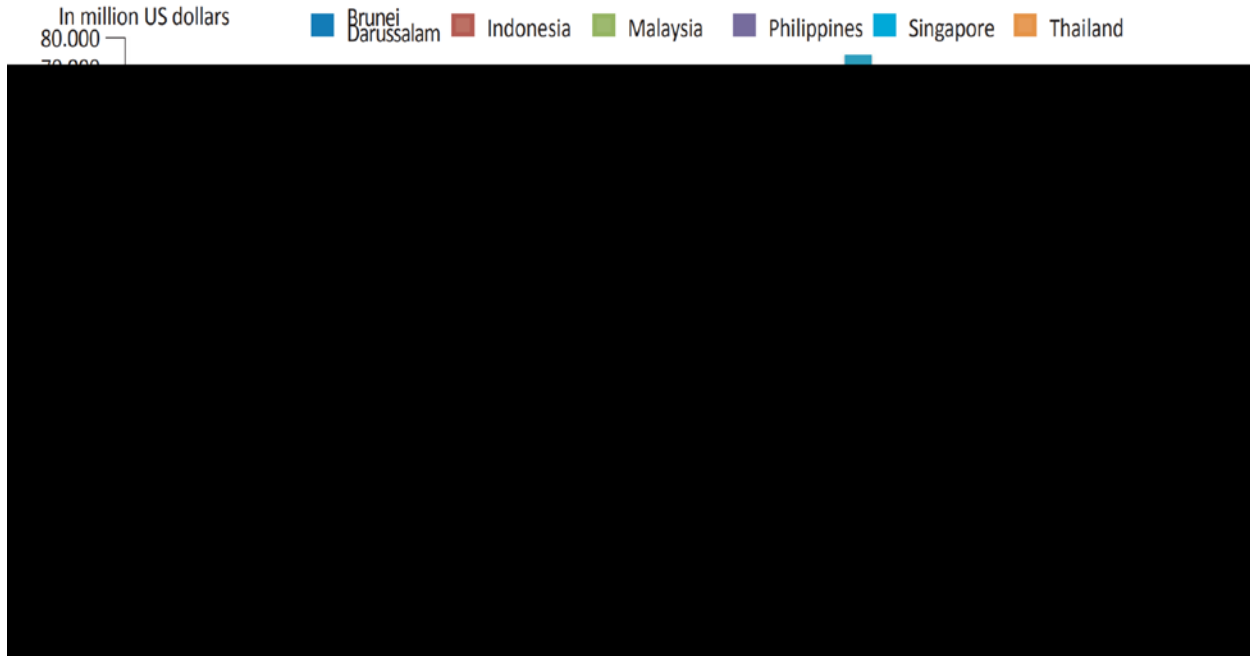
ASEAN Development Outlook 2017

- Growth in Southeast Asia is forecast to accelerate further
- “0.1 percentage points to 4.7% in 2016, growth will continue to improve to 4.8% in 2017 and 5.0% in 2018, with nearly all Southeast Asian economies showing an upward trend. Recovery for global food and fuel prices and in agricultural output will help commodity producers such as Indonesia, Malaysia, and Vietnam. Indonesia, the largest economy in the subregion, should see fiscal and structural reforms boost domestic demand.”



Thailand will benefit from increasing confidence in conflict resolution systems – as will Australia

Net Inflows of FDI, by ASEAN Member States



ASEAN Statistical Leaflet, 'Selected Key Indicators 2016'

http://www.aseanstats.org/wp-content/uploads/2016/10/ASEAN_Stats_Leaflet2016_web.pdf



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The Key Note Points

- The dynamics of commerce
- The dynamics of the region
- The need for operating frameworks for ‘people, business and countries’
- The ability for countries to support and assist each other
- The need for countries like institutions to exert effort if they are to be sustainable
- The ability of TAI and ACICA to contribute nationally and regionally



Thank you for your attention.

Questions?



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