

**Launch of Datuk Professor Sundra Rajoo's book –
“Law, Practice and Procedure of Arbitration (2nd Edition)”**

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The Honourable the Chief Justice Sundaresh Menon

1. It gives me great pleasure to launch the long-awaited second edition of Datuk Professor Sundra Rajoo's Law, Practice and Procedure of Arbitration.

2. Thirteen years have passed since the first edition of this text was published in 2003. The first edition has long been regarded, and I might add been gratefully used, by many as a leading and authoritative text on international arbitration, with a unique perspective and emphasis on arbitration in Asia. This has proved to be so despite the fact that some parts of the first edition were overtaken when significant changes were introduced to Malaysia's legislation with the enactment of the Malaysian Arbitration Act of 2005. Despite this, the text remained relevant, illuminating and instructive over the course of the ensuing decade and that is so because it was conceived and produced as so much more than a commentary only of Malaysian legislation. That certainly augurs well for this second edition — which is not only an updated but an even more extensive version of the first — and I am certain it will be invaluable to, and greatly appreciated by, all of us.

3. And I mean it when I say “**all** of us”. Whether you are a seasoned arbitrator or a young practitioner or even a law student taking a course in arbitration, I am confident that Sundra's treatise will prove to be very useful, and indeed

indispensable. It comprehensively covers the theory, the law, the procedure, and the practice of arbitration internationally; at the same time, it also provides very good coverage of the arbitration scene in Malaysia as well as in Asia generally. This text will undoubtedly join the ranks of the leading international arbitration works. Its perspective, which is uniquely Malaysian, and perhaps more accurately, Asian, will also distinguish it from its peers, and make it increasingly relevant as the various jurisdictions in this part of the world continue to become ever more popular choices as arbitral seats. For those in the practice of arbitration, it makes a world of a difference to have an authoritative local text, which analyses and sets out the laws, procedure and nuances of the particular jurisdiction in which the arbitration is about to be conducted, as a guide, while also setting out the broader aspects of the law.

4. Notably, in this text, Sundra devotes a section to cover three “speciality arbitration regimes”, and here he provides us with an insight on how arbitration works in the area of investment disputes between private investors and states as well as in the sports and maritime sectors. These chapters detail how these speciality arbitration regimes came about, how they have grown, and he traces the relevant statutes, cases and institutions that have developed to govern these regimes. These chapters are very helpful in giving the reader a good sense and understanding of these fast-developing areas of arbitration.

5. Apart from providing detailed and yet very digestible commentaries on the law of arbitration, Sundra has also interspersed *practical* guides and advice throughout the text for the reader. Professor Philip Young, who wrote one of the

forewords for this edition, observed that Sundra explores most, if not all, of the difficult and controversial arbitral topics in this text and that he has been “open and courageous in speaking out his preferred views and recommendations in difficult situations” that may arise in the course of an arbitration. As one who has from time to time challenged the orthodoxy in arbitration, I commend Sundra for this.

6. It is also truly admirable that Sundra was able to produce such an impressive piece of work while concurrently (a) serving in various arbitral organisations, including as the President of the CI Arb and the Executive Director of the KLRCA; (b) carrying out his teaching commitments; *and* (c) practising as an arbitrator. And even more so that he managed all this while he worked with a team of colleagues to produce *another* treatise, which is also being launched today! I suppose Sundra embodies the truth that if you need a big task done well, then you should first look for a busy person!

7. Please join me in congratulating Sundra and his team on the successful launch of the second edition of his book, the Law, Practice and Procedure of Arbitration!