YSIAC Advocacy Workshop, Seoul
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"Practice, practice and practice" and "challenge the status quo".

These were the two top tips to young practitioners Dr Eun Young Park shared at the YSIAC Advocacy Workshop in Seoul. The participants in the workshop had the opportunity to put this advice into practice and gain invaluable lessons on advocacy from the four eminent arbitrators (Ms Sae Youn Kim, Mr Toby Landau QC, Mr Kevin Kap-You Kim and Dr Eun Young Park), acting jointly in their capacity as a sole emergency arbitrator and severally as mentors in advocacy.

Ms Lim Seok Hui kicked off the workshop with a welcome address focussing on the emergency arbitrator procedure, the subject of the case scenario. SIAC introduced this increasingly popular procedure back in 2010. The procedure has since evolved, with the 2016 revision prescribing for a one-day (not business day) time-limit for the emergency arbitrator appointment.

Dr Park then gave an opening address whereby he noted that activism of young lawyers, exemplified by the success of young groups like YSIAC, is one of the main factors shaping the future of arbitration. Dr Park encouraged young practitioners to be relentless, both in honing their skills and challenging the tradition with innovative spirit.

Ahead of the mock hearing, Ms Sue Hyun Lim introduced the case scenario. The Claimant had applied for an order restraining the First Respondent (with which the Claimant had entered into a joint venture agreement) and the Second Respondent (First Respondent's parent) from calling on the guarantee in their favour and the Respondents had raised two jurisdictional objections in response. Ms Saemee Kim, Ms Seungmin Lee and Ms Una Cho appeared on behalf of the Claimant and Mr Byungsup Shin, Mr Harold Noh and Mr Jern-Fei Ng appeared on behalf of the Respondents. The advocates presented their case passionately yet calmly, even in the face of various interventions from the panel.

The mock hearing was followed by the feedback session led by Professor Joongki Kim. All four arbitrators expressed their shared appreciation for the high quality advocacy.
The panellists were all in agreement that the key to great advocacy is being "likable". Mr Landau advised that one should not fight with the mind one is trying to persuade, and if the tribunal is not with you on a point, it’s best to leave the point and move onto the next. Ms Kim also recommended against an aggressive style, and said that an advocate should aim to be soft, slow and clear.

In response to a question from the audience, the arbitrators shared their tips on developing advocacy skills other than through appearing before the tribunal. Dr Park said that advocacy is ultimately about persuasion and one could benefit from practicing on persuading one's friends and colleagues, even about daily matters. Mr Kim suggested that one should take advantage of various opportunities for public speaking, including conferences, internal seminars, or even acting.

Professor Kim concluded the session by noting that advocacy is an art, not a science. The participants definitely walked away with better tools for the art.