



Cavinder Bull, SC
Chief Executive Officer

B.A. (Hons), Oxford University (UK, 1992)
M.A. Oxford University (UK, 2001)
LL.M., Harvard Law School (USA, 1996)
Barrister of England & Wales (1993)
Advocate & Solicitor of the Supreme Court of Singapore (1994)
Attorney-at-Law of the state of New York (1996)
Appointed Senior Counsel (2008)
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ABOUT CAVINDER

Cavinder is the Chief Executive Officer of Drew & Napier. He has over 25 years of experience in complex litigation and international arbitration. He is engaged in trial and appellate advocacy at all levels of the Singapore Courts and appears as counsel in international arbitration in various countries. He is also co-head of the Competition Law & Regulatory Practice.

Cavinder has acted as counsel in both commercial and investor-state cases; and has experience acting for States and investors. He has also sat as an arbitrator in investor-state arbitrations under the auspices of ICSID, NAFTA, the Permanent Court of Arbitration (PCA), International Court of Arbitration (ICC), Singapore International Arbitration Centre (SIAC), and London Court of International Arbitration (LCIA).

Cavinder is on the Governing Board of the International Council for Commercial Arbitration (ICCA), on the World Bank Sanctions Board, and on the Advisory Board of the AFSA International Arbitration Rules Drafting Committee. He is Vice-President of the Court of Arbitration of the Singapore International Arbitration Centre, Vice-President of the Asia Pacific Regional Arbitration Group, and the Co-Chairman of the Singapore Stock Exchange's Disciplinary Committee. He is also a member of the Securities Industries Council. Cavinder was a recent member on the inaugural Disciplinary Tribunal of the International Association of Athletics Federations (IAAF).

Cavinder worked for the Chief Justice of Singapore as a Justices' Law Clerk before joining Drew & Napier in 1994 as a litigation

associate. In 1995, he was awarded the Lee Kuan Yew Scholarship and left for Harvard Law School where he received an LL.M. He passed the New York Bar exams and was admitted to practice in New York. Cavinder practiced as a litigation associate with Sullivan & Cromwell in New York until late 1997 when he returned to Singapore and Drew & Napier. He was made a partner of Drew & Napier in 1998 and a Director of the firm in May 2002. He was appointed Senior Counsel by the Chief Justice of Singapore in 2008, one of a handful to have been accorded the honour before the age of 40.

Cavinder graduated with First Class Honours in law from Oxford University in 1992, winning the Bellot Prize for Public International Law from Trinity College. He was called to the Bar of England & Wales the following year, placing fourth in the Bar examinations. He returned to Singapore and passed the Singapore Bar exams, winning two prizes, including the prize for top candidates.

EXPERIENCE

Some representative cases are set out below:

Investor-State arbitrations

- *City-State NV, Praktyka Asset Management Company LLC, Crystal-Invest LLC and Prodiz LLC v Ukraine* (ICSID Case No. ARB/14/9): Appointed President of the Tribunal in respect of a claim against Ukraine brought by Dutch entity City-State N.V. and other banking investors under the Netherlands-Ukraine BIT, which concerned the Dutch entity's deposits in Ukrainian bank PJSC Kreditprombank.

- *Tennant Energy v Canada (PCA Case No 2018-54)*: Appointed President of a Tribunal constituted under the auspices of the North American Free Trade Agreement (NAFTA). The claim was brought by a US corporation concerning its alleged investment in Skyway 127, an enterprise that proposed to develop a wind farm in Ontario. It was alleged, amongst other things, that Ontario's administration of the Feed-In Tariff program was non-transparent and opaque, and that government records documenting the alleged unfair energy regulatory measures were intentionally destroyed.
- *Rizzani de Eccher SpA, Obrascón Huarte Lain SA and Trevi SpA v State of Kuwait (ICSID Case No. ARB/17/8)*: Appointed President of the Tribunal in the first ICSID claim against Kuwait brought by an Italian-Spanish consortium under Kuwait's bilateral treaties with Italy and Spain, which concerned a billion-dollar project to upgrade a major highway in Kuwait.
- *Agility Public Warehousing Company KSC v Republic of Iraq (ICSID Case No. ARB/17/7)*: Appointed as President of the Tribunal in the first ICSID claim against the Republic of Iraq. The claim relates to an alleged investment in the telecommunications section in Iraq by a Kuwaiti company.
- *ConocoPhillips UK, Perenco UK and others v Vietnam (PCA Case No. 2018-5)*: Appointed President of the Tribunal for a claim under the UK-Vietnam BIT in respect of whether capital gains tax was payable following the sale of ConocoPhillips UK's operations in Vietnam to Perenco UK. The operations in question were held by UK subsidiaries of ConocoPhillips UK and included significant interests in two offshore oil blocks and in the Nam Con Son pipeline.
- *Richard N. Westbury, Paul D. Hinks and Symbion Power Tanzania Limited v United Republic of Tanzania (ICSID Case No. ARB/19/17)*: Appointed President of the Tribunal in respect of a claim against Tanzania brought under the Tanzania-United Kingdom BIT.
- *Karkey Karadeniz Elektrik Uretim A.S. v Islamic Republic of Pakistan (ICSID Case No. ARB/13/1)*: Appointed as a member of the Annulment Committee.
- *Dan Cake (Portugal) SA v Hungary (ICSID Case No. ARB/12/9)*: Appointed President of the Annulment Committee.
- *Cortex Mining and Stirling Capital Limited v Kenya (ICSID Case No. ARB/15/29)*: Appointed as a member of the Annulment Committee.
- *Infrastructure Services Luxembourg S.à.r.l. and Energia Termosolar B.V. v Kingdom of Spain (ICSID Case No. ARB/13/31)*: Appointed President of the Annulment Committee.
- *Marko Mihaljevic v The Republic of Croatia (ICSID Case No. ARB/19/35)*: Appointed President of the Tribunal.
- *SolEs Badajoz GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/38)*: Appointed President of the Annulment Committee.

International Arbitration

• Sharp v Hisense

Acted as lead counsel for Sharp Corporation in an international arbitration relating to a US\$3 billion contractual relationship relating to the sale of Sharp televisions in various territories. The dispute involved emergency arbitrator proceedings and related Court litigation in multiple jurisdictions. This case was reported in *Global Arbitration Review* and in various media publications in the United States.

• Billion-dollar Indian Premier League dispute

Acted for an international sports marketing and media right management group in three separate arbitrations arising from broadcasting and media rights to the Indian Premier League, a major cricket event. The agreements involved in the arbitrations were worth over US\$1.2 billion. The dispute also involved multiple legal proceedings in India, USA, UK and in Singapore, and required intensive work with various foreign counsel in those jurisdictions.

- **Billion dollar mining arbitration**

Acted for a major Australian mining corporation in arbitration against a major global engineering and construction company relating to a multi-billion dollar mining, rail and port project in Australia. The quantum of damages sought in this case was about one billion dollars.

Cavinder has also acted as counsel in Court hearings relating to investor-state arbitration. For example:

- *Republic of India v Vedanta Resources PLC*: Acting as counsel to the Republic of India in its application before the Singapore Courts concerning the applicability of the common law rule of confidentiality in Singapore to investor-state arbitrations.
- *Sanum Investments Limited v The Government of the Lao People's Democratic Republic and Lao Holdings NV v The Government of the Lao People's Democratic Republic*: Acting as counsel to the Government of Laos in setting aside jurisdictional award and subsequently resisting applications to set aside PCA and ICSID awards made under the PRC-Laos and Netherlands-Laos bilateral investment treaties, respectively.

Litigation

Cavinder is also experienced in handling a wide range of complex litigation matters including corporate disputes, fraud, insolvency, private equity disputes, and antitrust.

- **First actions for civil penalties under the Securities and Futures Act**
Represented Singapore's central bank, the Monetary Authority of Singapore, in two actions for breaches of the Securities and Futures Act (SFA). The first action was for market manipulation while the second concerned insider trading. These were the first two civil penalty cases brought by the central bank and it was the first time the central bank had instructed external counsel to appear for it in Court. Cavinder was successful in both trials as well as in both the subsequent appeals. The Court of Appeal's judgments in both cases are considered landmark decisions.

- **Largest trust case in Singapore with disputed assets worth up to US\$800 million**

Successfully acted for members of the De La Sala family in the largest trust case ever heard in Singapore, involving disputed assets estimated to be worth between US\$600 and US\$800 million. The High Court's judgment was a landmark decision setting out guidance on what constitutes impermissible witness coaching, an issue that arose during the trial pursuant to Cavinder's cross-examination of several key witnesses.

- **Represented Takashimaya subsidiary in a \$33 million dispute with REIT**

Represented a subsidiary of the Japanese Takashimaya conglomerate in a dispute over its contract with its REIT landlord. The dispute concerns issues of commercial propriety in contract law and concerns one of the most iconic shopping and commercial properties in Singapore. Cavinder acted both in the first instance hearing before the High Court as well as in the appeal before the Court of Appeal.

- **Private Banking Disputes**

Cavinder has acted for various international banks including representing UBS AG in a multi-million dollar dispute where two customers sued UBS for negligent advice and various other allegations surrounding the losses suffered by a US\$60 million investment portfolio in the aftermath of the global financial crisis in 2008. Under cross-examination, the investors admitted numerous falsehoods and ultimately withdrew their defence and counterclaim. The case had extensive media coverage.

- **Landmark decision in PT Perusahaan Gas Negara Persero TBK v. CRW Joint Operation (Indonesia)**

Obtained a landmark decision from the Singapore Court of Appeal on the interpretation of the FIDIC contracts which are widely used internationally in the construction industry. Previous lawyers for the client, CRW Joint Operation (Indonesia), had earlier sought to enforce an interim arbitral award issued by an adjudicator but this was refused by the Singapore Courts and the Court of Appeal. A new interim award was issued and the new legal team led by Cavinder persuaded the Singapore

Courts that the correct interpretation of the FIDIC provisions required the enforcement of the interim awards. This case has been the subject of many articles in legal journals and commentaries as it deals with the common practice of interim payments in international construction projects and the commonly used FIDIC form of contracts. This decision of the Singapore Court of Appeal was runner-up in Global Arbitration Review (GAR)'s "Most important published decision of the past year" award, handed out at the GAR Awards 2016 ceremony on 2 March 2016 in Shanghai.

ACCOLADES

Asian Legal Business SE Asia Law Awards 2019

Dispute Resolution Lawyer of the Year - Cavinder Bull, SC



Asialaw & Benchmark Litigation Asia-Pacific Dispute Resolution Awards 2018

Disputes Star of the Year, Singapore - Cavinder Bull, SC



The Asia Pacific Legal 500

Dispute Resolution 2020 – Leading individual for 12 consecutive years

International Arbitration 2020 – Leading individual for 8 consecutive years

Antitrust and Competition 2020 – Recommended lawyer for 4 consecutive years

'Cavinder Bull SC's advocacy is outstanding and he is quite simply in a league of his own.' – *Legal 500 APAC 2020*

'Cavinder Bull SC is plugged into global networks and has invested in the international arbitration space.' – *Legal 500 APAC 2020*

'a great advocate in arbitration-related court proceedings', 'is smart, reasonable and fair', 'is a lethal examiner of witnesses' and 'makes a very good arbitrator' – *Legal 500 APAC 2019*

'fabulous lawyer', 'a big name', 'a very astute lawyer on strategy and law', '[his] experience is invaluable' – *Legal 500 APAC 2018*

'top tier', 'very sharp and analytical' – *Legal 500 APAC 2018*

Chambers Asia-Pacific and Chambers Global (Dispute Resolution: Litigation)

Singapore 2020 – Band 1 for 10 consecutive years

'A pre-eminent dispute resolution practitioner with a long and successful track record. One client says he "knows exactly where he is going and gets there," while another notes he is "far-sighted and has got a very good mind."' – *Chambers APAC 2020*

'ability to "see the issues quickly and beyond simply locating the legal problem, look at it from the point of providing the solution to the organisation concerned."' – *Chambers APAC 2019*

"He is a very rare talent in disputes." – *Chambers APAC 2017*

"excellent presence in court" and "unflappable manner." - *Chambers APAC 2017*

"excellent advocate" who "writes compelling briefs and makes superb oral presentations." - *Chambers APAC and Global 2017*

"he is an impressive personality, has very good presentational skills and is very convincing" – *Chambers Global 2016*

[Cavinder] is not only "a great advocate" and "terrific cross-examiner who can really perform in court," but also a litigator who is "very much attuned to commercial considerations." – *Chambers APAC 2015*

"Very well known in Singapore as a senior litigator." – *Chambers APAC 2015*

"Very calming presence – which is good for you, but can actually unnerve the opposition." – *Chambers APAC 2015*

"A terrific cross-examiner who can really perform in court." – *Chambers APAC 2015*

"Excellent when it comes to litigation matters: very sharp, very reliable and very reassuring." – *Chambers APAC 2014*

"He is very polite with the judge but is ruthless when it comes to examining the other side's argument." – *Chambers APAC 2014*

Chambers Asia-Pacific and Chambers Global (Dispute Resolution: Arbitration)

Singapore 2020 – Band 1 for 8 consecutive years



Global-wide 2020: Arbitration (International) – Debuted in Band 5; the only Singaporean in the rankings

Cavinder Bull SC is highly sought after for his expertise in both commercial disputes and investment treaty arbitration. He adeptly advises sovereign states and private entities in complex international proceedings, and is a particularly respected figure within ASEAN and the Asia-Pacific region. Based in Singapore, he is regarded as “an excellent lawyer,” while another source describes him as being “extremely knowledgeable and a very good advocate.” – *Chambers Global 2020*

‘Cavinder Bull SC is “one of Singapore’s best legal minds,” according to interviewees. Market sources say: “He is a very capable lawyer and does standout work.” He is well versed in handling high-stakes commercial and investment treaty arbitrations.’ – *Chambers APAC 2020*

‘a highly regarded advocate with a strong track record representing investors and sovereign states in commercial and investment treaty arbitrations’ – *Chambers APAC 2019*

“exceptionally bright and engaging and prepared to tailor advice to our specific needs, rather than simply produce generic opinions.” – *Chambers APAC 2018*

“he is very reassuring and gives great comfort to clients” – *Chambers APAC 2018*

“very commercial and savvy” – *Chambers APAC 2018*

“World-class” - *Chambers APAC and Global 2017*

“His clientele is global now and the work he is doing gets bigger and bigger.” – *Chambers APAC 2016*

“a great guy and a bona fide arbitration lawyer.” – *Chambers APAC 2016*

“very clued in” and “a superb lawyer.” – *Chambers APAC 2016*

“Even, very reassuring manner” and “brilliant ability to grasp business issues.” – *Chambers APAC 2015*

“Thorough, smart, responsive and an international arbitration specialist.” – *Chambers APAC 2015*

“Clearly on an upward trajectory in his practice as an international arbitration specialist.” – *Chambers Global 2015*

“He’s formidable in arbitration - he really stands out.” – *Chambers APAC 2014*

“[He] enjoys a formidable reputation in Asian arbitration circles and is respected across the region for his skilled handling of sizeable disputes in such areas as infrastructure and media.” – *Chambers Global 2014*

“Establishing an extremely strong presence in the international arbitration field, and is widely recognised as a very serious operator” – *Chambers APAC 2013*

The Asian Lawyer Emerging Markets Awards 2015

Dispute Resolution Lawyer of the Year – Cavinder Bull, SC

Global Arbitration Review 10th edition (2017)

The Global Arbitration Review says “Cavinder Bull is the best known name internationally”. A client commented that he is “one of the finest advocates, clear, precise, and extraordinarily well prepared. His knowledge of the record and the law is unsurpassed”.



India Business Law Journal

In the India Business Law Journal (July 2017 issue), Cavinder is recommended as counsel and received praise from a client, who said “I would unhesitatingly recommend Cavinder Bull as counsel. His understanding and assessment of strategic, practical and legal issues is one of the best I have seen. Despite his obviously very heavy schedule, he has been extremely responsive...and has given significant thought and advice and various issues on an urgent basis.”

Who’s Who Legal

Identified as a Thought Leader for Arbitration (2020 edition) for 4 consecutive years

Identified as a Thought Leader for Litigation (2020 edition) for 2 consecutive years

Litigation 2019 – Recommended lawyer for 12 consecutive years

Arbitration 2020 – Recommended lawyer for 8 consecutive years

Telecommunications Media & Technology
2016 – Leading Lawyer

Competition 2014 – Recommended lawyer for
3 consecutive years

Construction 2014 – Recommended lawyer

**Global Investigations Review 100 (GIR 100)
5th edition (2019)**

Recognised as a leading individual for investigations. The GIR 100 identifies top 100 firms worldwide that handle complex cross-border government-led and internal investigations.



Asia Business Law Journal

Identified as one of Singapore's Top 100 lawyers 2019

Best Lawyers International: Singapore (2021 edition)

Bet-the-Company Litigation – Endorsed individual for 4 consecutive years (also named Lawyer of the Year)

Litigation - Endorsed individual for 11 consecutive years

International Arbitration – Endorsed individual for 3 consecutive years

Arbitration/Mediation – Endorsed individual for 8 consecutive years

Competition/Antitrust Law – Endorsed individual for 4 consecutive years

Asialaw Leading Lawyers

Dispute Resolution & Litigation 2020 – Elite Practitioner for 3 consecutive years



Benchmark Litigation Asia-Pacific 2020 edition

Dispute Resolution Star – Commercial and Transactions, International Arbitration (3 consecutive years)

“Great counsel and an asset to the team. He has great practical and strategical input.”

Asialaw Profiles

Dispute Resolution 2016 – Leading individual

Asia IP Experts 2016

Leading individual in IP Litigation

Judgments

In one case, the High Court expressed its thanks to Cavinder for his assistance in a protracted trial, describing him in the written judgment as a 'persuasive advocate' who 'ably prosecuted a factually complex and somewhat emotively charged case with conspicuous fairness.'

PUBLICATIONS

- Cavinder is the General Editor of *Law Relating to Specific Contracts in Singapore*, Sweet & Maxwell, 2nd Edition, 2016.
- Cavinder is an author of *Law and Practice of Commercial Litigation in Singapore*, Sweet & Maxwell, 2015 – Interlocutory Injunctions.
- Cavinder is also an author of *Arbitration in Singapore*, Sweet & Maxwell, 2014 – Arbitration Awards.
- Cavinder co-authored the Chambers Practice Guides (2015): *International Arbitration – “Singapore – Law & Practice”*.
- Cavinder is a co-author of *Competition Law and Policy in Singapore*. This book was written in conjunction with, amongst others, Professor Richard Whish of King's College London.
- For the past 16 years, Cavinder has co-authored the Singapore Academy of Law's Annual Review of Cases on Civil Procedure.



APPOINTMENTS/MEMBERSHIPS

- Vice-President, Court of Arbitration – Singapore International Arbitration Centre
- Vice-President, Asia Pacific Regional Arbitration Group
- Co-Chairman, Singapore Exchange disciplinary committee
- Member, Governing Board of the International Council for Commercial Arbitration (ICCA)
- Member, World Bank Sanctions Board
- Advisory Board, AFSA International Rules Drafting Committee
- Panel, International Arbitrators of the Korean Commercial Arbitration Board (KCAB)
- ICSID Panel of Arbitrators

- Former Deputy Chairman, Board of Directors - Singapore International Arbitration Centre (2010 to 2017)
- Member, International Association of Athletics Federations' (IAAF) inaugural Disciplinary Tribunal in Monaco (2017 to 2019)
- Member, Securities Industries Council
- Advisory Council, Faculty of Law, National University of Singapore
- Member, Law Reform Committee of the Singapore Academy of Law (2000 to 2010)
- Appointed by the Deputy Prime Minister to the Legal Services Review Committee (2007)
- Member, Pro-tem Committee of the Institute of Legal Education (2009)
- Appointed as a Referee under the Industrial Arbitration Act
- Member, Public and International Law Committee of the Law Society (2009)
- Member, Singapore Law Committee (India Team leader)
- Member, Sub-Committee of Remaking Singapore Committee (2002)
- Delegate, 8th Asia-Europe Young Leaders' Symposium
- Member of the Honourable Society of Gray's Inn
- Fellow, Singapore Academy of Law
- Member, Law Society of Singapore

DIRECTORSHIPS

- Director, Singapore Technologies Electronics Limited (2009 to 2012)
- Director, National Healthcare Group (2009 to 2012)
- Trustee, Singapore University of Technology and Design (2009 to 2015)
- Director, Ascendas Property Fund Trustee Pte Ltd (2010 to 2013)
- Director, Agri-Food & Veterinary Authority of Singapore (2004 to 2010)