

# Chin Leng Lim

Call: 2011



## Practice Areas

- International Arbitration

## Clerk Details

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## Practice Overview

Chin Lim is based in Hong Kong. He has advised and acted for governments, corporations or individuals, or been instructed to give expert evidence, in complex commercial, foreign investment, treaty and other international law matters. He has particular experience in negotiating, drafting and interpreting treaties, and in advising on how commercial and investment treaties apply to and affect contractual obligations, investments and business operations. This has included advice on territorial application or where reservations, declarations and treaty succession issues have been involved. He has acted as counsel, arbitrator or expert in international arbitrations conducted under the ICC, UNCITRAL, HKIAC, LCIA or SIAC rules and has been nominated by parties or appointing authorities, including the PCA, to act as presiding arbitrator, co-arbitrator, and sole arbitrator. Chin has acted as party-appointed expert on the UNCITRAL Arbitration Rules, as well as on the UNCITRAL Model Law (as interpreted within the law of the seat).

Types of work have included:

- Acting as sole arbitrator under
- UNCITRAL Rules, Australasian and Far Eastern parties (manufacturing and cross-border sale)
- UNCITRAL Rules, Far Eastern parties (cross-border finance)
- UNCITRAL Rules, Far Eastern and Caribbean parties (security over shares, assignment of a secured loan and guarantee)
- Institutional rules, various Far Eastern parties (international sale of goods)
- Institutional rules, Anglo-Middle Eastern and Far Eastern parties (energy, upstream oil and gas, consultancy services)
- Acting for a global fund in resisting the recognition and enforcement of a foreign judgment in a Middle Eastern conduit jurisdiction (hundreds of millions USD)
- Giving expert opinion in an investment treaty arbitration administered by the PCA and conducted under the UNCITRAL Rules
- Acting for a mining company in a shareholder dispute in a DIFC-LCIA arbitration (tens of millions USD)
- Assisting in a construction dispute in an ICC arbitration seated in the Middle East (tens of millions USD)
- Giving expert opinion on public international law and the law of a Model Law jurisdiction in a dispute brought before international arbitration and seated in the Far East (hundreds of millions USD)
- Giving expert opinion on private international law in a complex commercial and financial dispute in the Far East (tens of millions USD)
- Advice on a foreign investment dispute with a governmental authority
- Advice on the arbitration agreement in an international distribution contract
- Advice on the United Nations Convention on Contracts for the International Sale of Goods
- Advice on a cross-border investment in the Far East
- Advice on sovereign sanctions and their application to commercial dealings
- Advice on a Far Eastern bilateral treaty
- Advising a national government on issues arising from on-going multilateral commercial and investment treaty negotiations
- Advising the Hong Kong Commerce Secretary for the Committee on Pacific Economic Co-operation

- Advising a national government in a maritime boundary/energy resource matter
- Acting as counsel for a national government, particularly in commercial and investment treaty negotiations
- Serving as a UN lawyer at the United Nations Compensation Commission in Geneva, dealing with both sovereign and private claims following the first Gulf War

Chin is a Malaysian national. In addition to his practice as a barrister at the Bar of England and Wales he is also called to the Singapore Bar and admitted to the List of Arbitrators of the Hong Kong International Arbitration Centre (HKIAC), the Singapore International Arbitration Centre's (SIAC's) Reserve Panel of Arbitrators, and the panels of arbitrators of the China International Economic and Trade Arbitration Commission (CIETAC), Asian International Arbitration Centre (KLRCA/AIAC) in Kuala Lumpur, Shanghai International Economic and Trade Arbitration Commission (SHIAC), Shenzhen Court of International Arbitration (SCIA), South China International Arbitration Centre, Hong Kong (SCIAHK), the Hong Kong Regional Arbitration Centre of the Asian-African Legal Consultative Organisation (AALCO Hong Kong Regional Arbitration Centre), and the Cairo Regional Centre for International Arbitration (CRCIA). He is also appointed to the European Commission's list of persons suitable for appointment as chairperson of arbitrations involving the EU's disputes under its bilateral trade agreements with third countries, and was a member of the AIAC's Rules Revision Committee in respect of the 2021 Arbitration Rules. Chin combines practice at the Bar with being the Choh-Ming Li Professor of Law at the Chinese University of Hong Kong, and before that as Professor of Law at the University of Hong Kong. His publications include the Cambridge Companion to International Arbitration with a Foreword by Lord Neuberger (Cambridge University Press, 2021), and Lim, Ho and Paporinskis, International Investment Law and Arbitration with a new Foreword by Emmanuel Gaillard (Cambridge University Press, 2d. ed., 2021) which has been cited by the highest appellate courts in India, Colombia, and Singapore. He is also a Visiting Professor at King's College London, an Honorary Senior Fellow of the British Institute of International and Comparative Law, and a member of the editorial board of the International and Comparative Law Quarterly. He was elected an associé of the Institut de droit international in 2021, whose membership comprises some of the world's leading international lawyers, and was invited by the Curatorium of the Hague Academy of International Law to lecture at the Peace Palace in 2023. He has been attending UNCITRAL Working Group III's deliberations regularly, on behalf of an observer entity, and was nominated by the ICC Institute in Paris to UNIDROIT's current Working Group on International Investment Contracts. Chin has spoken at NYSBA, IBA, KLRCA/AIAC, HKIAC, CIETAC, SCIA, SHIAC, DAA, GAR Live and BIICL events, and most recently for Women in Arbitration and at ICCA 2024 in Hong Kong.

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## Practice Areas

International Arbitration

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## Other information

## Education & Professional Career

### Education & Professional Qualifications

B.C.L. Oxon (Univ. Coll.); LL.M. Harvard, Kathryn Aguirre Worth Memorial Scholar; Ph.D. Notts, Law Scholar & Tutor; LL.B. Buckingham; Of the Middle Temple, Barrister (Call: 2011); Advocate & Solicitor of the Supreme Court of Singapore, currently non-practising (Call: 2012)

### Career

- Lecturer, Queen Mary & Westfield College, University of London, 1999
- Associate Legal Officer, United Nations Compensation Commission, Geneva, 1999
- Associate Professor, previously Assistant Professor, National University of Singapore, 2001-2007
  - State Counsel, Attorney-General's Chambers, Singapore, 2003 (on leave from the National University of Singapore)
- Professor of Law, University of Hong Kong 2007, sometime Associate Dean and occasionally Acting Dean, member of Court and the Senate, 2007-2017
- Visiting Professor, Dickson Poon School of Law, King's College London, 2009-date
- Visiting Scholar-in-Residence, World Trade Organisation, Geneva, 2013
- Keating Chambers, international member, 2013-date
- Fellow of the Singapore Institute of Arbitrators, 2014-date
- Lionel A. Sheridan Visiting Professor of Law, National University of Singapore, 2015 (on leave from the University of Hong Kong)
- Choh-Ming Li Professor, and Professor of Law, the Chinese University of Hong Kong, 2017-date
- Honorary Senior Fellow, British Institute of International and Comparative Law, 2019-date
- Editorial committee member, International and Comparative Law Quarterly, 2021-date
- Elected to the Institut de Droit International, 2021-date
- List of persons suitable for appointment as chairperson for arbitrations, European Commission, 2022-date

## Seminars & Publications

A regular contributor to the Law Quarterly Review and an editor of the International and Comparative Law Quarterly, Chin's publications discuss international arbitration and commercial disputes, as well as contemporary treaty and public international law issues:

- The Cambridge Companion to International Arbitration with a Foreword by Lord Neuberger (Cambridge University Press, 2021) (editor)
- International Investment Law and Arbitration by Lim, Ho and Paparinskis with a Foreword by Emmanuel Gaillard (Cambridge University Press, 2018), xliv + 536 pp; second edition (Cambridge University Press, 2021), lix + 625 pp
- Alternative Visions of the International Law on Foreign Investment (Cambridge University Press, 2016), ed., xxxv + 494 pp. (editor)

- The Trans-Pacific Partnership (Cambridge University Press, 2012), with Deborah K. Elms & Patrick Low (eds.), xvii + 337 pp (editor)
- 'Incompatible Arbitration Agreements', (2025) 141 Law Quarterly Review 35-38 (Sweet & Maxwell)
- 'Arbitration's Gilded Age', Recueil des cours de l'Académie de La Haye (Collected Courses of the Hague Academy of International Law), vol. 437, 2024, 116-143 (Brill/Nijhoff)
- 'Neutral Rights and Collective Countermeasures for Erga Omnes Violations', (2023) 72(2) International & Comparative Law Quarterly 361-391 (with Mitchell) (Cambridge University Press)
- 'Development of the Principal Forms from Antiquity to Arbitromania', in The Cambridge Companion to International Arbitration, 3-37 (Cambridge University Press)
- 'Developments in International Investment Law and Policy in Asia', Yearbook of International Investment Law and Policy, 2019 (Oxford: Oxford University Press, 2021), 323-338
- 'Taming Leviathan as Merchant', (2020) 19 World Trade Review 402-423 (with Mitsuo Matsushita of the Tokyo Bar) (Cambridge University Press)
- 'The Function of the Transnational Chinese Contract', (2019) 20 Journal of World Investment & Trade 313-334 (Brill Publishers)
- 'Fragrant Harbour and Oyster Mirror: Beijing's Investment Treaty Policy toward Hong Kong and Macao', 2015-2016 Yearbook of International Investment Law and Policy (Oxford University Press, 2018), 375-411
- 'The Convergence of China's Foreign and Domestic Investment Regimes and China's Investment Treaty Commitments', (2015) 32 Journal of International Arbitration 461-493, with Seung Chong (Kluwer)
- 'International Investment Arbitration', Oxford Bibliographies in International Law, with J. Ho (Oxford University Press)
- 'Injuncting Foreign Sovereigns in Aid of Arbitration', (2014) 130 Law Quarterly Review 193-197 (Sweet & Maxwell)
- 'Foreign Sovereign Counterparties to Hong Kong Contracts', (2014) 9 Capital Markets Law Journal 157-176 (Oxford University Press)
- 'Beijing's 'Congo' Interpretation, Commercial Implications', (2012) 128 Law Quarterly Review 6-10 (Sweet & Maxwell)
- 'Absolute Immunity for Sovereign Debtors in Hong Kong', (2011) 127 Law Quarterly Review 495- 499 (Sweet & Maxwell)
- 'State Immunity in Post-Handover Hong Kong', (2011) 127 Law Quarterly Review 159-162 (Sweet & Maxwell)

**Lectures and speaking engagements:**

- 'Looking East: International Arbitration', organised by the Shanghai International Arbitration Centre, St. Regis, Hong Kong, 7 May 2024
- 'Arbitration: A Human Endeavour', Comment on Keynote, ICCA 2024 (XXVIth Congress of the International Council for Commercial Arbitration), the International Council for Commercial Arbitration, Hong Kong, 6 May 2024
- 'Coffee Roulette with Prof. Chin Leng Lim', organised by Women in Arbitration, Hong Kong, 30 October 2023
- 'The Aims and Methods of Postcolonial International Law'/'Les objectifs et les méthodes des doctrines postcoloniales du droit international', Hague Academy of International Law, Peace Palace, The Hague, 10-14 July 2023

- ‘Damages, Costs and Duration in Investment Treaty Arbitration’, Investment Treaty Forum, British Institute of International and Comparative Law, online event, 14 May 2021
- Co-chair, ‘Reimagining Arbitration: Technology and the Pandemic’, British Institute of International and Comparative Law, Hong Kong Arbitration Week, online event, 20 October 2020
- ‘Arbitration in Asia: Opportunities and Challenges’, 39 Essex Chambers, London, 29 January 2020
- ‘International Tribunals in Interesting Times – A Fireside Chat with Elias and Lim’, University College London, 28 January 2020
- ‘Some Far Eastern Perspectives on Investment Arbitration – Options for Structural Reform’, side-line event, the 38th Session of UNCITRAL Working Group III, Vienna International Centre, 22 January 2020
- ‘Investment Law and the New Frontier’, Dutch Arbitration Day organised by the DAA at the Hermitage, Amsterdam, 10 October 2019
- Chair, ‘Investment Arbitration: Issues and Insights’, British Institute of International and Comparative Law, Graduate Law Centre, Bank of America Tower, Central, Hong Kong, 22 July 2019
- ‘The Comprehensive and Progressive Agreement on Trans-Pacific Partnership’, Asian International Arbitration Centre/Kuala Lumpur Regional Centre for Arbitration, 27 June 2019
- Chair, ‘Reform of Investor-State Dispute Settlement’, Jiaotong University, Shanghai, 12 June 2019
- ‘A Time When Malaysia Caught the Attention of the International Money Lawyers’, dinner talk organised jointly by the Malaysian and Singapore Chambers of Commerce, Hong Kong, 27 May 2019
- ‘The Belt and Road Initiative and Global Dispute Resolution’, British Institute of International and Comparative Law, Russell Square, 2 May 2019
- ‘Investment Arbitration and the Belt and Road Initiative’, CIETAC, Xi’an, China, 24 February 2019
- Chair, Debate, ISDS Reform Conference, Hong Kong Department of Justice and the AAIL, Conventions and Exhibitions Centre, Hong Kong, 13 February 2019
- ‘Utopian and Dystopian Possibilities for the World Trade Organisation’, Tokyo University, 9 January 2019
- ‘Hong Kong’s and Macao’s “Succession” to PRC Treaties’, Hong Kong Institute of Arbitrators, 9 April 2018
- ‘Overlapping Investment Treaties’, GAR Live, Hong Kong, 19 October 2017
- Chair, ‘Impact of the Belt and Road Initiative’, Joint RAA-HKIAC Russia-Hong Kong Business Summit, HKIAC, Hong Kong, 11 May 2017
- ‘Investor-State Dispute Settlement’, New York University Law School and the United Nations University, Tokyo, 24 November 2016
- Keynote, ‘Lessons Learned and Looking Ahead – Thirty Years of Investment Arbitration in Asia’, IBA Annual Conference, Asia-Pacific Arbitration Group, Washington D.C., 21 September 2016
- ‘Investment Arbitration in Asia’, Asia-Pacific Dispute Resolution Summit, Hong Kong, 27 September 2016
- ‘The Experience with Investment Arbitration and the Trans-Pacific Partnership Agreement’, IBA Asia Pacific Arbitration Group, held at the Kuala Lumpur Regional Centre for Arbitration, 3 June 2016

- 'The Trans-Pacific Partnership Agreement's Investment Treaty Clauses', Tokyo University, 14 December 2015
  - 'Foreign Sovereign Immunity', IBA Litigation Committee and Asia-Pacific Regional Forum, IBA Annual Conference, Vienna, 5 October 2015
  - 'Overcoming the Geneva Impasse', at the invitation of the Malaysian Central Bank Governor and OMFIF, Nineteenth ASEAN Finance Ministers' and Related Meetings, Kuala Lumpur, 20 March 2015
  - 'The Strange Vitality of Custom in the International Protection of Property, Contracts and Commerce', Duke Law School, Durham, North Carolina, 31 October 2014
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