



HERBERT
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**Partner & Head of Arbitration Practice in Southeast Asia
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Alastair Henderson heads Herbert Smith Freehills' dispute resolution practice in Southeast Asia. He is also managing partner of the firm's business in Southeast Asia. Operating from Singapore since 2010, he was previously based in Bangkok for nine years as head of the firm's arbitration practice in Thailand.

Alastair has an *'exceptional'* reputation as a member of Singapore's international arbitration *'Hall of Fame'* (Legal 500 2022). He *'draws praise as "a top-notch and efficient arbitrator". Market commentators observe, "He has very sound judgement and is very commercially sophisticated"'* (Who's Who Legal 2019). *"Standout established name ... his "depth of knowledge in the Asian market" is a key strength"* (Who's Who Legal 2020).

Alastair is a panel arbitrator of the SIAC, HKIAC, AIAC and THAC, and an arbitrator under ICC and UNCITRAL rules as well as in ad hoc cases. He has been appointed to numerous tribunals as sole arbitrator, co-arbitrator and presiding arbitrator, in disputes under a variety of common and civil laws. He is experienced in many sectors and industries, with particular expertise in oil and gas, power, energy and natural resources (upstream, midstream and downstream); construction, engineering and infrastructure (onshore and offshore); transport and other major projects and their financing and investment structures; shareholder and joint venture disputes; and a wide range of domestic and cross-border commercial contract arbitrations. His experience extends to disputes in or involving Vietnam, Thailand, Cambodia, Myanmar, Laos, Malaysia, Indonesia, Singapore and India, and many other international trade and investment cases.

Alastair qualified as a lawyer in London in 1990 and worked there before moving to Hong Kong in 1993. He relocated to Singapore in 1999 and has been based in the region since then. He ran Herbert Smith Freehills' office in Thailand from 2002 to 2010, returning to Singapore to head the firm's international arbitration practice across Southeast Asia. He has extensive experience of domestic and international arbitration and business culture and practice in all parts of Southeast Asia, as well in international and multinational matters.

Alastair is a fellow of the Singapore Institute of Arbitrators; a member of the Chartered Institute of Arbitrators and former member of CIArb's Singapore and Thailand national committees; a Singapore national committee member of the Singapore International Arbitration Centre Users Council; and an Expert Panel member of Singapore Management University's Centre for Cross-Border Commercial Law in Asia.



Representative Experience as Arbitrator

Alastair has been appointed as an arbitrator in more than 25 cases, as sole arbitrator, co-arbitrator and presiding arbitrator, with sums in dispute typically exceeding USD 30 million and often running into 100's of millions of dollars. Representative appointments include:

- Presiding arbitrator (ad hoc, Bangkok) in a matter concerning a waste-to-energy project in Thailand
- Sole arbitrator (SIAC, Singapore) in a contract dispute under Thai law concerning an international motor vehicle manufacturing joint venture
- Sole arbitrator (UNCITRAL rules, Singapore seat) in a matter concerning the design and construction of an offshore gas pipeline in Africa
- Presiding arbitrator (SIAC, Singapore) in a dispute under Indonesian law concerning a plantation joint venture project
- Sole arbitrator (ACIA, Kuala Lumpur) in a substantial construction dispute concerning a rail infrastructure project in Malaysia, governed by Malaysian law
- Co-arbitrator (ICC, Singapore) in a dispute concerning a contract for supply and installation of on-board maritime communications systems
- Co-arbitrator (SIAC, Singapore) in a matter concerning the sale and purchase of industrial machinery and equipment in India
- Presiding arbitrator (SIAC, Singapore) in a shareholder dispute relating to an Indonesian mining project
- Co-arbitrator (SIAC, Singapore) in a dispute relating to a construction project in Cambodia
- Sole arbitrator (SIAC, Singapore) in a matter concerning a contract for offshore exploration rig design, construction, hire and drilling services
- Presiding arbitrator (SIAC, Singapore) in a matter concerning a substantial loan transaction and related security interests in Vietnam, involving issues of English and Vietnamese law
- Sole arbitrator (ICC, Singapore) in a matter concerning post-completion claims for breaches of warranties and representations in a share sale purchase agreement governed by Singapore law
- Sole arbitrator (ICC, Bangkok) in a dispute concerning an agency and distribution agreement for international sales of Thai silk
- Sole arbitrator (ACIA, Kuala Lumpur) in a matter concerning palm oil plantation waste management
- Sole arbitrator (ICC, Manila) in a matter concerning software sales and licensing for a countrywide logistics project

Other Representative Experience

- Representing an Asian oil company in a Singapore arbitration against its partners in an Indonesian petroleum concession, regarding funding obligations under the concession and the take-over / forfeiture of a non-performing party interest
- Representing an international project owner in disputes arising from the construction of Vietnam's largest refinery and petrochemical project involving claims in excess of USD2 billion, including two Singapore seated SIAC arbitrations, emergency arbitration proceedings, and related court proceedings in Korea



- Representing a Japanese multinational in arbitration against its joint venture partners concerning the allocation of costs and liabilities arising under a contract for the manufacture and supply of rolling stock for a major new mass transit rail project in South Asia
- Representing a major global bank in a Bangkok-seated arbitration (ICC rules) concerning fraud and forgery in the operation of the international payment system for air ticket sales in Southeast Asia
- Representing an international energy company on high value cost and time overrun disputes under a contract for fabrication, transportation, installation, hook-up and pre-commissioning of a central processing platform built in Indonesia for the Gulf of Thailand
- Representing the international main contractors constructing the main terminal building, passenger concourses and runways for a new international airport in Asia, in several arbitrations claiming additional time and money; defending allegations of delay and defects; and addressing the complex interfaces between various construction works and integrated technical and operational systems
- Representing an Indonesian mine owner in arbitration against a former project partner in relation to claims under a contract for development and commercialization of the mine
- Representing a Chinese state-owned entity in an arbitration concerning the aborted acquisition of an electricity utility in the Mediterranean region
- Representing a Japanese media group in US\$70 million international arbitration in Bangkok, in a dispute with its Thai licensee/franchisee for consumer entertainment products
- Representing a Spanish company in Singapore arbitration against a Chinese manufacturer of solar modules, resisting claims for payment and pursuing high-value counterclaims for losses caused by defects in the products
- Representing a global LNG company in a dispute under an FSRU conversion/charter contract and separate disputes concerning delay and damage to the works being carried out under related contracts for design and installation of a permanent mooring and subsea pipeline for an LNG project in Indonesia
- Representing the main civil works subcontractor for a hydroelectric project in Laos, in relation to numerous complex construction claims against the main contractor
- Representing two Pakistan independent power project owners in separate arbitrations in Singapore concerning non-payment by the state offtaker under the Power Purchase Agreement, and consequent issues as to suspension of electricity generation