


## Alex Ye

SPECIAL COUNSEL | HONG KONG

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### Alex is a special counsel in the international arbitration and litigation team.

He has advised and represented clients from Asia, Europe and Americas in a variety of contentious matters, with a particular focus on international arbitration and disputes in Hong Kong and Mainland China involving cross-border elements and parallel proceedings. His practice covers general commercial disputes, restructuring and insolvency, regulatory investigations and contentious probate disputes.

Alex has acted in proceedings under various leading arbitral institutional rules and also as tribunal secretary for complex international arbitrations. He is also experienced in court proceedings in Hong Kong and offshore jurisdictions.

Alex has the rare experience of having both a civil law and common law background. He is qualified in both Hong Kong and England & Wales and has also passed the PRC bar exam.

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## Track record

## A leading technology company in HKIAC arbitrations

Acting for a leading technology company and its affiliated entities in four HKIAC arbitrations concerning disputes arising out of investments into mobile internet services in the PRC via a VIE structure, including raising various procedural issues and jurisdictional challenges.

## A PRC online influencer and related companies in HKIAC arbitrations

Acting for a PRC online influencer and related companies in four HKIAC arbitrations arising out of investments into a social media business in the PRC via a VIE structure. One of the arbitrations is conducted in Chinese.

## A leading funds company in an HKIAC arbitration

Acting for a leading funds company in an HKIAC arbitration against a Cayman Islands company and its affiliated entities concerning a dispute arising out of an investment into the e-cigarette industry in the PRC.

## A Mainland Chinese industrial conglomerate in a claim against the Federal Republic of Nigeria

Acting for a PRC industrial conglomerate in a billion-dollar treaty claim against the Federal Republic of Nigeria under the China-Nigeria bilateral investment treaty. The claim was for expropriation and breaches of fair and equitable treatment and other standards regarding an investment in a 10,000-hectare free trade zone and joint venture agreement with Ogun State in Nigeria.

## German and Chinese subsidiaries of technology group

Representing German and Chinese subsidiaries of a German technology group in an ICC arbitration seated in Hong Kong against a Chinese automotive company in a dispute arising from several supply agreements.

## Republic of Armenia

Representing the Republic of Armenia in ICSID proceedings commenced by U.S. investors concerning a real estate project.

## Hong Kong conglomerate

Representing a Hong Kong conglomerate in an expedited ICC arbitration seated in Hong Kong against a Hong Kong technology company in a dispute arising from an agreement on implementation services of an enterprise resources planning system.

## ICC arbitration seated in Osaka, Japan

Acting as tribunal secretary in an ICC arbitration seated in Osaka, Japan concerning a dispute arising from a distribution agreement between a leading Japanese food company and a Dutch distribution company.

## ICC arbitration seated in Seoul, Korea

Acting as tribunal secretary in an ICC arbitration seated in Seoul, Korea concerning a dispute arising from a shareholder agreement between a Korean high-net-worth individual and a U.S. private equity fund.

## Taiwanese pharmaceutical company

Advising a publicly listed Taiwanese pharmaceutical company in an ICC arbitration seated in Frankfurt, against an Austrian pharmaceutical company in defending a claim arising from several agreements relating to license, supply and manufacture of a newly developed medical product.

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## Talks

- 'Chasing the Asymmetries in Arbitration Clauses - to be or not to be valid?' - Generations in Arbitration Conference: Hong Kong Legal Week 2020 Edition, Nov 2020

## External publications

*'Investment treaties and their role in protecting Chinese businesses abroad: A look at the Zhongshan v Nigeria award'*, Mar 2022, co-author

*'Review of Gustav Flecke-Giammarco et al. (EDS.), The DIS Arbitration Rules: An Article-By-Article Commentary'* - Contemporary Asia Arbitration Journal (Vol. 14, No. 2), Nov 2021, co-author

*'A radical reform of the PRC Arbitration Law: A summary of the key revisions'* - Withers, 23 August 2021, co-author

*"Enka v. Chubb Russia: The Law of the Arbitration Agreement - An end to the continuous battle between the law of the seat and the law of the underlying contract?"*, Contemporary Asia Arbitration Journal - May 2021, co-author

*'A new year, a new set of arbitral rules: a summary of the key changes introduced in the 2021 ICC arbitration rules'* - March 2021, co-author

*'Opening Pandora's Box: Unpacking the principles relating to the law governing the arbitration agreement across various jurisdictions'* - March 2021, co-author

*'Would Party Autonomy Trump Winding-Up Petitions? An Analysis of Hong Kong's Position'*, Contemporary Asia Arbitration Journal - Dec 2020, co-author

*'Why Hong Kong is the Ideal Place to Resolve Your Commercial Disputes'* - 16 July 2020, co-author with Sherlin Tung and Carmen Li

*'The Good Faith Principle in the Context of the Enforcement of New York Convention Award: An Analysis of Hong Kong's Position in Light of the Apparently Conflicting Court Decisions'*, Journal of International Arbitration 36, no.3(2019): 361-384, author

## Admissions

England & Wales, 2023

Hong Kong, 2017

PRC Legal Professional Qualification Certificate (passed the bar exam), 2010

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## Education

Master of Laws in International Commercial Arbitration, Stockholm University, 2018

Postgraduate Certificate in Laws, The Chinese University of Hong Kong, 2014

Juris Doctor, The Chinese University of Hong Kong, 2013

Master of Laws in Common Law, The Chinese University of Hong Kong, 2011

Bachelor of Arts in Forensic Linguistics (English) and Bachelor of Laws, Southwest University of Political Science & Law, 2010

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## Languages

Cantonese

English

Mandarin

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## Memberships

Hong Kong Law Society

Young ICCA - International Council for Commercial Arbitration

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## Key dates

Year joined: 2020

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