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ASIA

20 - 22 April 2021

Marina Bay Sands
Singapore

www.sea-asia.com

ISSUE 1
JUNE 2020

Virtual Hearings
And A Blended
Future For Maritime
Arbitration: SCMA

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Virtual Hearings And A Blended Future For Maritime Arbitration: SCMA

By Marcus Hand, Editor, Seatrade Maritime News

The COVID-19 pandemic has pushed arbitration hearings into the virtual world, and Punit Oza at Singapore Chamber of Maritime Arbitration (SCMA) believes that it could lead to a blend of physical and online in the future.

Oza joined SCMA as executive director just as the world was plunging into lockdowns and travel bans bringing the traditional in-person model of arbitration, where parties often fly in from around the world for hearings, to a grinding halt.

Fortunately for SCMA as Oza explains that Maxwell Chambers, where it is based, had already invested in the technology to allow for hearings to become virtual and that business continues “as usual”.

“I think nearly every arbitration centre will have to continue to provide virtual hearings as a part of their overall services,” Oza told Seatrade Maritime News in an interview on Zoom earlier this week. “Maxwell Services have been very proactive to try and get those virtual hearings out there.”

“None of the parties I know of have actually postponed their cases as such and they’re at different stages of the arbitration.”

He sees areas such as pre-proceedings as lending themselves to a virtual environment. “Parties can also actually try and formulate ways to say, ‘we’d like to do this part virtually and we will leave the rest to do physically at a later date’. I think people are adapting to these changes.”

While hearings are being done virtually to overcome the near-term hurdles caused by the pandemic Oza also believes they represent an opportunity to change the way arbitrations are carried out over the longer term. This is in part due to a new normal developing until there is a vaccine for COVID-19 and also that virtual hearings present opportunities in terms of cost and time management for the parties involved.

Looking at the traditional model he says: “You try to pack everything into an arbitration hearing because you know this guy is busy, he has a travel schedule to work with, he has clients to work with. Here it is very easy because you don’t really have to worry about the cost part of it, more importantly you don’t need to worry about the scheduling part of it.”

Online hearings raise the opportunity of breaking the arbitration down into sections something Oza says was raised by a shipowner ahead of an upcoming webinar by SCMA on virtual hearings. “Why don’t we actually use virtual hearings and break down an arbitration into issues in bite-sized chunks. Which means if you have five issues to sort out rather than doing one hearing why don’t we have five shorter hearings.”

The user experience is something that Oza, who has a chartering background, is keen to incorporate and the webinar on 29 May will feature both a shipowner representative from BW Group and a charterer from Tata Steel.

He recognises there are also shortcomings in virtual hearings such as not being able to cross-examine witnesses face-to-face.

Looking ahead Oza says: “It’s going to be a process the more people use it the more buy-in will be. It’s going to be a blended world out there, it’s going to be something where we need to see the value of this continuing as such. It would be a complete shame if people forget about all these lessons and go back to the status quo.”



Punit Oza
Executive Director of SCMA

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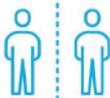


- 2 PERSONAL HYGIENE:** All events will provide additional hand washing facilities and hand sanitising stations throughout the event space, encouraging all participants to regularly wash and disinfect their hands.

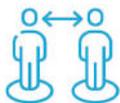
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- 5 PHYSICAL DISTANCING:** All events will maintain a density of participants in line with local authority guidance. In the absence of local guidance, a minimum of 1-1.5 meters (or 3-4.5 feet) is recommended. This will be managed through one or more control measures such as pre-show communications to participants, a one-way traffic system around show floors, staggered entry times, on-site signage and floor markings and on-site social distance ambassadors.



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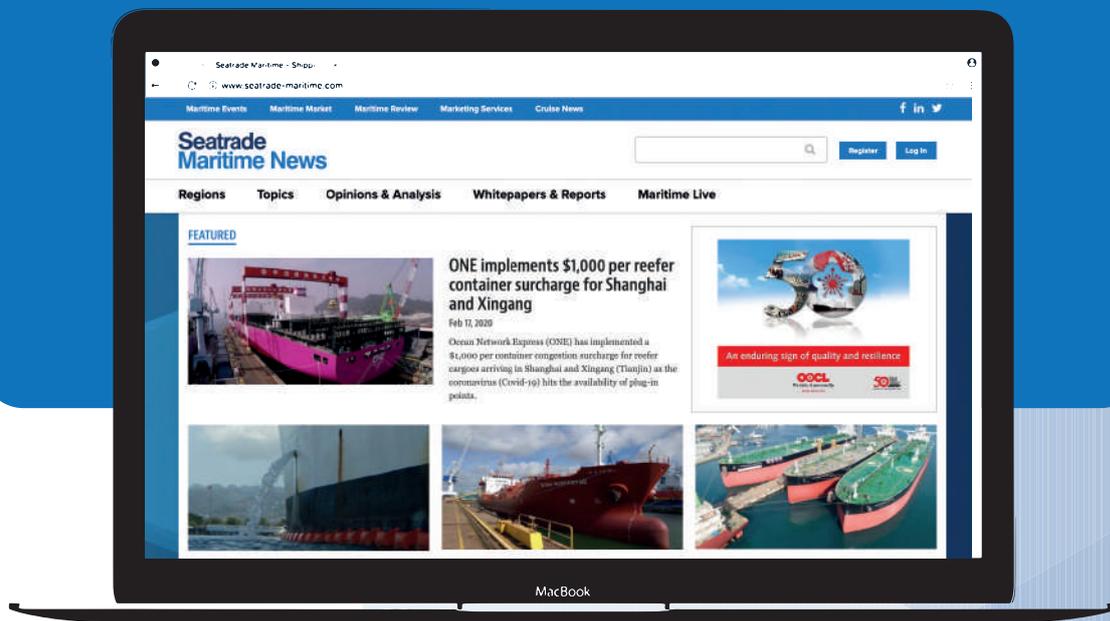
- 9 SCREENING:** All events will follow relevant health authority guidance on screening participants. This may include checking the temperatures of everyone on entry, through thermal scanning or other screening processes.



- 10 TRACE AND CONTACT:** Should it be necessary, we will work with local authorities to trace and contact participants at our events, subject to local privacy regulations.

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An In Depth Look At CMP's Intelligent Port Developments

By Katherine Si, China Correspondent, Seatrade Maritime News

China is at the forefront of developing the so-called intelligent ports, utilizing 5G technology. One of the companies making major investments in the area of intelligent ports is **China Merchants Port Group (CMP)** and **Seatrade Maritime News** asked managing director Bai Jingtao about its developments and plans.

Which intelligent ports (domestic and overseas) are you investing/participating in and what is the current construction/development status of these ports?

Bai Jingtao: Currently, China Merchants Port Group Co., Ltd. (CMP) is promoting intelligent port construction and development at three Chinese cities, including Shenzhen, Ningbo and Zhanjiang. Each of the ports has tailor-made development plans and priorities, and could form a comprehensive intelligent port system.

Firstly, for Shenzhen, we currently have three large size intelligent port construction and operation projects at the West port area of Shenzhen.

1. Chiwan Container Terminal (CCT) RTG Remote Control System: The terminal is the largest RTG remote control (semi-automated) single container terminal in China. The project was launched in November 2011. A trial operation launched in June 2012 was China's first remote-control RTGs. The terminal started remote conversion of 36 RTGs at the whole port area in March 2016. The

container volume handled by remote control RTGs reached 2.5m boxes at the end of 2019, greatly saving on workforce and improving the working environment of the staff.

2. Shekou Container Terminal (SCT) and CCT's shoreside intelligent cargo handling system: As the members of the busiest terminals in South China, the two container terminals have realized a leading edge intelligent loading and unloading operation, allowing the terminal workers to stay at office, ensuring the workers' safety and operation efficiency. The project, initiated in 2016, covers 39 cranes at CCT and 37 cranes at SCT that are using OCR image intelligent recognition technology and the box number identify rate is over 95%.

3. Mawan intelligent port project, which is a major project of the company to transform a traditional terminal to an intelligent one: Located at Haixing terminal, Shenzhen, this facility is going to be equipped with the most advanced technology and become a green intelligent port at Guangdong-Hong Kong-Macao Greater Bay Area. The project is scheduled for delivery at the end of 2020. We are also developing three intelligent port projects at Ningbo Daxie China Merchants International Terminals. The projects are RTG remote intelligent control project, shore intelligent tally system and driverless trailer system.

In addition, we are constructing and developing a bulk intelligent port at Zhanjiang. The intelligent port project in

Zhanjiang Port (Group) Co., Ltd. is a full process bulk intelligent terminal reform project, which was started in 2018 and will be completed by 2021.

How many facilities are you constructing for the development of intelligent ports, such as lab, research centres and so forth?

Bai Jingtao: The company pays great attention to research and development of intelligent technology and has been focusing on the development of two research facilities: "5G Intelligent Port Innovation Laboratory" and "China Merchants Port Technology Innovation Research Institute". Meanwhile, the company is preparing for the establishment of a port innovation industrial fund "China Port and Shipping Innovation Development Investment Center".

The 5G Intelligent Port Innovation Laboratory is based on the Mawan intelligent port project, engaging in 5G intelligent port technology application, full technical support and research investment. The lab was jointly established by CMP, China Mobile, Huawei and other parties in June 2019. It is the first 5G intelligent port innovation lab in Guangdong-Hong Kong-Macao Greater Bay Area, which could push forward the technology implementation in the region.

The China Merchants Port Technology Innovation Research Institute, aims to research and analyze on technology empowered port industry, build port technology innovation ecosystem, explore innovations of business model, applied technology and digital platform for port industry. The institute commenced operations in October 2019.

The China Port and Shipping Innovation Development Investment Center is an industrial fund to be jointly invested in and established by CMP and some Chinese port groups. It is expected to be established in the first half of this year.

What is the core for intelligent port development; are there any particular technology gaps that need to be addressed in developing an intelligent port?

Bai Jingtao: We need to understand what is an intelligent port before we talk about intelligent port construction. The intelligent port is to make the port smart and intelligent, and not just automated. The automated port commonly mentioned usually refers to the automated operation of the port, while the intelligent port will be able to sense the environmental changes dynamically to autonomously run examinations, study, make decisions and carry out actions to realize optimise port services and create value. An automated terminal is in a better condition to be developed into an intelligent terminal, however, the general and traditional terminal also have ways to be updated to an intelligent port.

We believe there are two major aspects we need to consider for the intelligent port construction: one is technology, and the other is to be commercially viable.

Currently there are lots of technology gaps in the intelligent port construction, such as independent decision-making, inside and outside interaction, ecological circle development etc.. We still need manual intervention on many operation processes. Additionally, the cost of using 5G is comparatively high. All of them are major technical restrictions to develop an intelligent port.

What is your short and mid-term plans for the intelligent port development and construction?

Bai Jingtao: Referring to the intelligent port development, we will follow the ideas of “point-line-plane” and combine industry + technology to push and optimize it. The “point” and “line” is what we are doing for short-term development, while the “plane” is our mid and long-term development direction.

1. Focus on single port construction to promote intelligent reform of the ports and terminals under CMP. The reform of these ports and terminals will be based on the terminal operation system with proprietary intellectual property rights of CMP, and focus on traditional port upgrading to form a series of reformation plans for our terminals. The intelligent reform of these type of ports and terminals will provide strong support to our affiliated ports and terminals services.

2. Connecting the service line, developing the digital eco-system circle of a single port and expanding business following logistics chain and trading value chain. We are developing “CM ePort” platform and adopting the pattern of port + internet to connect to our affiliated ports in China and overseas by using digital technology to support our customers’ service and realize the innovation on business model, and increase regional trade facilitation.

3. Forming the value plane, which means expanding “M ePort” platform, to attract self-owned and external ports and terminals’ digital ecosystem services to join in, to combine different lines to plane.

What do you think of the current intelligent port development status in China?

Bai Jingtao: Currently, the intelligent port development in China is polarized. China has several pioneers equipped with automated container terminal which are under intelligent transformation and upgrade. The intelligent upgrading is speeding up and we believe the intelligent port construction in China will be in the lead of the world.

On the other hand, China has 144 ports and 4,000 terminal companies, only around ten of them already had or are constructing the automated terminal project. It would be an interesting topic to figure out how and what to do to reform the remaining large amount of traditional terminals. These terminals are facing the common challenges of intellectualization, such as internal technology bottleneck, how to cooperate with external parties, and also making tailor-made plans based on individual differences of each. They might be hub ports, inland ports, container terminals, bulk terminals, and older terminals that need to fix the interaction between port and operation parks.

What are your expectations on intelligent port development, do you have any suggestions on it and any special support will be needed (from authorities, industry players etc.)?

Bai Jingtao: The intelligent port is an evolution of an automated port. The intelligent port is just like a “human being”, not only needing to be in healthy physical condition, but also has a smart brain and being well-balanced. The intelligent port construction cannot exist excluding the logistics supply chain, it will need each sector of the upstream and downstream industry chain to upgrade synchronously to break out the traditional cooperation model and realize more data sharing, online coordination and ecological cooperation. It will need joint efforts from the logistics industry chain players and government authorities. The intelligent port is one component of the intelligent supply chain. The intelligent supply chain may hurt the vested interests under traditional logistics pattern, but it will bring overall benefits to the whole industry and improve trade facilitation level.

What are the key benefits that the company sees from developing and operating an intelligent port facility?

Bai Jingtao: Through the intelligent, automated and green improvement, the port will transform from a traditional high energy consumption and labor intensive industry to a technology-intensive industry which could bring direct operational income to port operators via increasing efficiency, saving of cost and reducing human error and potential safety hazards, and will also make the management and monitoring of port-related parties including ship owners, shippers, logistics service providers, customs authorities become more accurate, reliable and harmonized. It can improve resource utilisation and returns on investments.

How do you describe the prospect of intelligent port development?

Bai Jingtao: The intelligent port has a broad development prospect. With the development of internet of things, big data, 5G, artificial intelligence, automated control and other technologies, the investment costs of many kinds of automated, controlled and intelligent management will be further reduced, while the width and the depths of port intelligent will be improved. The optimization of terminal operation is endless and there is a bright future to construct intelligent port. All of them are most likely to happen in China as China has very big port business volume and is eager to seek for the innovation, improvements in efficiency and service quality.

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INAUGURAL SEA ASIA FIRE-SIDE CHAT WEBINAR



Marcus Hand
Editor of Seatrade Maritime News



Steen Lund
Singapore Shipping Association (SSA)
Council Member and Chairman of
Digitalisation Committee

Photo by SSA

As part of the **Seatrade Digital Maritime Week**, join us on **Tuesday, 23 June 2020** from 5.00pm to 6.00pm for our first complimentary Sea Asia webinar, organised in partnership with the Singapore Shipping Association.

In this Sea Asia webinar, Marcus Hand, Editor of Seatrade Maritime News, talks to Steen Lund, Singapore Shipping Association (SSA) Council Member and Chairman of its Digitalisation Committee, about how Singapore is approaching digitalisation and specific areas where the industry can benefit.

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