



<b><u>Surname, First name</u></b>	<b><u>Winarta, Frans Hendra</u></b>
<b>Address</b>	<b>Frans Winarta &amp; Partners</b> Attorneys & Counsellors at Law Kompleks Bukit Gading Mediterania (Florenzia) Boulevard Bukit Gading Raya Blok A 15 – 17 Kelapa Gading Permai
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<b>Nationality/ Date of Birth</b>	Indonesian/ September 17, 1943

### **Educational/Professional Memberships**

Bachelor Degree in Law at Parahyangan Catholic University in Bandung, majoring in criminal law and criminology (1970); Notary Public Course, majoring in civil, business, contract, land and family law at the University of Indonesia in Jakarta (1979-1980); Master Degree in Criminal Law at the University of Indonesia in Jakarta with Thesis title: *“Legal Aid: A Human Right, Not Charity”* (1996-1999); Doctorate Degree in Law at Padjajaran University in Bandung. Dissertation title: *“The Constitutional Right of the Poor to Obtain Legal Aid in the Framework of National Legal Development”* (2005-2007); Advocate; Member of both national and international arbitration panels, including the Indonesian National Board of Arbitration (BANI), International Court of Arbitration of the International Chamber of Commerce in Paris (ICC), Singapore International Arbitration Centre (SIAC), Hong Kong International Arbitration Centre (HKIAC), Kuala Lumpur Regional Centre for Arbitration (KLRCA) and Shenzhen Court of International Arbitration (SCIA).

### **Current Position**

Managing Partner and Founder of Frans Winarta & Partners law firm; Co-Chairman and Founder of the Indonesian Chapter of the Chartered Institute of Arbitrators (CIArb); Chairman of the Arbitration & ADR Commission of the International Chamber of Commerce (ICC) Indonesia National Committee.

### **Professional Experience**

More than 30 years of experience as a counsel on his expertise at civil, commercial, and criminal litigation over various cases involving construction, oil and gas, mining, energy, cross-border investments, taxation, shipping issues, banking and finance, telecommunication, class action, shipping, intellectual property rights, corruptions, insurance, labor, property, aviation, and other commercial disputes in international and domestic.

### **Arbitration Experience**

Dr. Winarta has acted as presiding arbitrator, co-arbitrator, mediator, and expert witness in various construction, oil and gas, mining, energy, cross-border investments, taxation, shipping issues, and other commercial disputes in both international and domestic arbitrations, *inter alia*, under the SIAC Rules, ICC Rules, BANI Rules, UNCITRAL Rules, and KLRCA Rules. These include:

- A construction dispute involving an Indonesian State-Owned Enterprise and a toll road developer arising out of a Contracting Agreement;
- An investment dispute involving a multinational private equity company and an electronic public listed company arising out of an Investment Agreement; and
- A taxation dispute involving a major Indonesian bank and its affiliate arising out of a Settlement Agreement.

### **Publications**

- *Legal Aid: A Human Right, And Not a Favour*, Publisher: PT Elex Media Komputindo, 2000;
- *Pro Bono Publico; the Poor's Constitutional Right to Legal Aid*, First Edition, Publisher: Gramedia, 2009;
- *The People's Voice is the Supreme Law (Vox Populi Suprema Lex)*, First Edition, Publisher: PT Kompas Media Nusantara, 2009;
- *Advocacy with Conscience*, First Edition, Publisher: National Law Commission, 2010;
- *Law and Challenges in Indonesia*, First Edition, Publisher: Pensil 324, 2010;
- *Questioning SBKRI*, First Edition, Publisher: PT Suara Harapan Bangsa, 2010;
- *Legal Aid: Its History and Development*, First Edition, Publisher: Yayasan Pengkajian Hukum Indonesia (YPHI), 2011;
- *Alternative Dispute Resolution and Arbitration*, First Edition, Publisher: Yayasan Pengkajian Hukum Indonesia, 2011;
- *Code of Ethics of the Legal Profession*, First Edition, Publisher: Yayasan Pengkajian Hukum Indonesia, 2011;
- *Dispute Resolution Law*, First Edition, Publisher: Sinar Grafika Offset, 2011;
- *Legal Aid in Indonesia; Right to Representation for All Citizens*, First Edition, Publisher: PT Elex Media Komputindo, 2011;
- *Alternative Dispute Resolution and National and International Arbitration*, First Edition, Publisher: PT Grafika Karya Indah Lestari, 2011;
- *Dispute Resolution Law*, Second Edition, Publisher: Sinar Grafika, 2012.

## **Languages**

Indonesian, English, Dutch.