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<b>Nationality/ Date of Birth</b>	Indonesia/8 January 1965

### Educational/Professional Memberships

- LL.B., Parahyangan Catholic University, Bandung, Indonesia.
- LL.M., University of Queensland, Brisbane, Australia.
- Licensed to practice law as an advocate by the Indonesian Bar Association (PERADI).
- Member of the Chartered Institute of Arbitrators.
- Member of the SIAC Court of Arbitration (SIAC Court).
- Member of the SIAC Users Council.
- Member of the Indonesian National Mediation Centre, Jakarta.
- Member of the Centre for Effective Dispute Resolution, London.
- Passed the exam as arbiter hold by Indonesia Arbitrators Institute (IArbi), Jakarta, Indonesia.
- Appointed as an authorised translator by the Governor of Jakarta.

### Current Position

- Equity Partner / Senior Partner, Assegaf Hamzah & Partners, Jakarta – Indonesia.
- Joint Head, Dispute Resolution & Litigation Practice Group, Head Aviation & Shipping Practice Group.
- Co-Head, Regional Dispute Resolution & International Arbitration, Rajah Tann Asia.

### Professional Experience

- **July 2008 – present:** Law Firm Assegaf Hamzah & Partners (“**AHP**”), Equity Partner/Senior Partner, Joint-Head of Dispute Resolution and Litigation.
- **Jan 2001 – July 2008:** Partner at the Law Firm Adnan Buyung Nasution & Partners (“**ABNP**”), founded by Dr. Iur. Adnan Buyung Nasution, assigned as the Partner who is in charge for both Non-Litigation as well as Litigation Matters.
- **Feb’ 1999- Jan 2001:** Senior Lawyer at **ABNP** and assigned as the Head of Corporate-Commercial Matters.
- **May 1997–Feb’99:** Assigned as Corporate Legal Manager in PT Bakrie & Brothers Tbk.
- **May 1995 - May 1997:** Corporate Legal Advisor - Assistant Manager in PT Bakrie & Brothers Tbk.
- **June 1992 - May 1995:** Associate Lawyer in Kusnandar & Associates, Advocates & Legal Consultants, one of the Indonesian law firm specialized in corporate-commercial matters.

### Awards & Accolades:

- **Benchmark Litigation Asia-Pacific Awards 2019:** awarded as “*Lawyer of the Year – Indonesia.*”

- **Asialaw (2019 and 2020):** Recognised as 'Elite Practitioner' in Dispute Resolution & Litigation.
- Ranked as "Dispute Resolution Star" for Aviation, Commercial and Transactions, International Arbitration by **Benchmark Litigation 2019**.
- **Chambers & Partners (2015-2020):** Ranked in "Band 2" in Dispute Resolution.
- **Asialaw 2020:** Ranked as "Elite Practitioner" in Dispute Resolution.
- **Chambers Asia Pacific 2109 Edition:** Eri Hertiawan is adept at handling dispute in a range of areas, including commercial, criminal, banking and competition law. He is also frequently involved in assisting clients with contentious matters in the aviation industry. Clients highlight him as an expert who is very informative and detailed in providing information."
- **Chambers Asia Pacific 2108 Edition:** Eri Hertiawan is joint head of the firm's dispute resolution practice and is well placed to advise on a range of commercial disputes. Sources are quick to highlight his expert knowledge of contentious antitrust matters. In a recent highlight, he represented Bermuda-based technology company BluTether in a USD35 billion arbitration case against two Indonesian companies for breach of contract.
- **Chambers Asia Pacific 2107 Edition:** Co-Head of Department Eri Hertiawan is noted for his expertise in contentious cases, particularly in relation to banking, corporate and criminal issues. He recently led the team representing Holcim in a land dispute before the Administrative Court and the Supreme Court.
- **Who's Who Legal: Litigation 2018:** Nominated by peers as one of the world's leading practitioners in the field of litigation.
- **Benchmark Litigation 2018:** Eri Hertiawan named as **Dispute Resolution Star** for Commercial and Transactions, International Arbitration.
- **Asialaw 2018:** Eri Hertiawan is recognized as Market-Leading Lawyer for Dispute Resolution & Litigation.
- **Aviation Tier #1 (Legal 500, 2018): Assegaf Hamzah & Partners** has significant expertise in aviation-related financing and disputes, and clients include Indonesia AirAsia Extra, Garuda Indonesia and Garmin. [Eri Hertiawan](#) defended Indonesia AirAsia Extra in a tort action brought by passengers seeking damages for being prevented from boarding one of its flights due to one of them being on Air Asia's blacklist. He also represented Garuda against Musita in a contract breach dispute.
- **Dispute Resolution Tier # 1 (Legal 500, 2018) Assegaf Hamzah & Partners** has expertise in civil and commercial litigation, including ADR. Practice co-head [Chandra Hamzah](#) recently defended Coca-Cola Bottling Indonesia on charges of causing pollution and extracting groundwater without a permit, and advised Indosat on a dispute with the Ministry of Communication and Informatics regarding alleged unpaid spectrum frequency usage charges. Co-head **Eri Hertiawan** worked on a complex inheritance dispute regarding the estate of Agus Nursalim.
- **Shipping Tier # 2 (Legal 500, 2018) Assegaf Hamzah & Partners** has expertise in ship financing, marine casualties and collisions, cargo claims and securitisation. **Eri Hertiawan** represented the crew members in the Bali ferry explosion case, where two people were killed.
- **Asialaw 2017:** Eri Hertiawan is named as **Market-Leading Lawyer** for Dispute Resolution & Litigation.
- **Eri Hertiawan** is recognized as the **Dispute Star of the Year 2015**, Asialaw, Asia Pacific Dispute Resolution Award, September 2015.

- **Eri Hertiawan** is named as the "**Dispute Star**" (**Benchmark Asia-Pacific (Euromoney) 2013 and 2014**).
- **Eri Hertiawan** heads a team at Assegaf Hamzah & Partners that has good experience advising corporate, particularly in competition matters. The team is also developing its local arbitration expertise (**2012 Legal500**).
- **Eri Hertiawan** and his team are recommended for both litigation and arbitration work by the 2011 edition of highly respected international legal directory **AsiaLaw Profiles**.
- **Assegaf Hamzah & Partners'** very strong litigation team is at the forefront of competition law developments in Indonesia having acted as counsel to national carrier Garuda Indonesia in a ground-breaking competition law dispute. This saw the District Court overturn the Business Competition Supervisory Commission's decision that Garuda had taken part in an airline cartel established to maintain fuel surcharges. (**2010 AsiaLaw Profiles**).
- Assegaf Hamzah & Partners' **Eri Hertiawan** leads a team that handles the full spectrum of disputes, with particular focus on commercial matters. Recent successful cases include defending the company directors of an international mining company against allegations of environmental damage, and represented Garuda Indonesia in a fuel surcharge cartel case, which resulted in the Supreme Court overruling the competition authority's decision (**Legal500 2012/2013**).

### Arbitration Experience

- Representing a state-owned company which is engaged in electricity industry in an arbitration that is related with the termination of a power purchase agreement under UNCITRAL Rules.
- Representing a state-owned company which is engaged in construction industry in the dispute concerning construction project in BANI.
- Representing a state-owned company which is engaged in oil industry the dispute concerning oil and gas investment in SIAC.
- Representing DKI Jakarta Provincial Government in the legal dispute in Bantar Gebang.
- Representing UK based sugar manufacturer in an arbitration for a dispute regarding sales and purchase of the sugar.
- Representing state-owned company which is engaged in oil industry in the arbitration case under UNCITRAL Rules.
- Representing state-owned company which is an airport operator in BANI arbitration with regards to the insurance dispute.
- Representing state-owned company which is an airport operator in BANI arbitration with regards to the dispute with its contractor for the allegation of non-payment of construction contract.
- Representing state-owned company which is engaged in geothermal industry in BANI arbitration with regards to the geothermal project dispute .
- Representing a company which is engaged in mining industry in BANI arbitration that is related in with the delivery and coal quality inspection.
- Representing UK based oil company, in BANI arbitration with regards to the security deposit.
- Representing insurance company in *ad-hoc* arbitration with regards to the quantum of the sum insured due to the force majeure under UNCITRAL Rules.
- Representing a company engaged in sugar industry in BANI arbitration with regards to the termination of agreement.
- Representing a company engaged in oil industry in several cases before BANI arbitration.

- Representing a company engaged in geothermal industry in Singapore International Arbitration Center (SIAC) arbitration with regards to the claim arising from the success fee.
- Representing a foreign company before BANI arbitration with regards to dispute over agency.
- Representing a state-owned company engaged in telecommunication industry before BANI arbitration with regards to the dispute over the usage of a software.
- Representing a sport institution before BAKI and Court of Arbitration for Sport in Lausanne Switzerland.
- Advising a company engaged in construction industry before SIAC arbitration with regards to the industrial waste.
- Advising a foreign company with regards to the dispute over the enforcement of international arbitral award under SIAC Rules.
- Representing Singaporean company which is engaged in oil industry with regards to the registration and enforcement of SIAC arbitral award.
- Representing chinese company which is engaged in electricity project industry with regards to the legal dispute over SIAC Arbitral Award.
- Representing a foreign company with regards to the dispute over SIAC Arbitral Award.
- Representing a company with regards to the dispute over BANI Arbitral Award.
- Providing expert testimony for SIAC arbitral tribunal with regards to Indonesian Law.
- Representing a company with regards to the shareholder dispute in BANI.
- Representing a subsidiary of a state-owned company which in *ad-hoc* arbitration under UNCITRAL Rules.
- Advising a company which is engaged in fast moving consumer goods industry in SIAC Arbitration against its potential distributor.

### **Publications**

- Authored the Indonesian section for The Aviation Law Review – Edition 3 - 7, published in 2015 to 2019.
- Authored the Indonesian section for Aviation Liability: Getting the Deal Through, 1<sup>st</sup> – 3<sup>rd</sup> Edition, published by Law Business Research Ltd in 2017-2019.
- Co-authored International Comparative guide on Litigation, published by the In-house Lawyer, 2019.
- Selected to pen the chapter on Indonesia in the seminal reference work, *ASEAN Competition Law*, published by Rajah & Tann LLP, Singapore, and LexisNexis in 2011.

### **Languages**

Indonesian and English