



# ICC JAPAN ARBITRATION WEEK

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## ICC INSTITUTE PIDA TRAINING ON INTERNATIONAL COMMERCIAL ARBITRATION

**26-28 SEPTEMBER 2016**

Venue:  
ANDERSON MORI & TOMOTSUNE  
Akasaka K-Tower, 2-7, Motoakasaka  
1-chome, Minato-ku, Tokyo

This training will provide participants with a first-hand experience and understanding of the ICC Arbitration procedure through practical and interactive sessions. Participants will study the arbitration proceedings through the simulation of a mock case.

For more information  
on the ICC Institute Training

Charlotte Strandberg  
E [events@iccwbo.org](mailto:events@iccwbo.org)  
T +33 (0)1 49 53 29 34

## ICC YOUNG ARBITRATORS FORUM (ICC YAF)

**26 SEPTEMBER 2016**

Venue:  
HERBERT SMITH FREEHILLS  
Midtown Hall and Conference  
Centre (Rooms 5 & 6)  
Midtown Tower, 4F  
9-7-1 Akasaka, Minato-ku, Tokyo

The ICC YAF aims to provide young practitioners with an opportunity to learn and engage with peers and arbitration specialists to discuss issues of interest in international arbitration and to foster mentor relationships.

Following the discussion forum, there will be a networking cocktail reception.

For more information  
on the ICC YAF

Wenny Huang  
E [wenny.huang@iccasia.org](mailto:wenny.huang@iccasia.org)  
T +86 135-2491-0358

## ICC JAPAN ARBITRATION SUMMIT

**29 SEPTEMBER 2016**

Venue:  
ARK HILLS CLUB  
37<sup>th</sup> Floor, East Wing, ARK Mori Bldg.  
1-12-32 Akasaka Minato-ku, Tokyo

The ICC Japan Arbitration Summit, organized by ICC Japan, will offer a line-up of world-class speakers, topical discussions and an excellent opportunity to network.

For more information  
on the ICC Japan Arbitration Summit

Tsuneyuki Kobayashi (Mr.),  
Secretary General, ICC Japan  
Emiko Yamasaki (Ms.), ICC Japan  
E [icc@iccjapan.org](mailto:icc@iccjapan.org)  
T +81-3-3213-8585

# DAY 1

## ICC INSTITUTE PIDA TRAINING LEVEL 1

### MONDAY 26 SEPTEMBER

#### 08.30-09.00 > REGISTRATION

#### 09.00-12.30 > MORNING

- Welcome address
- Opening and introduction: Arbitration in the world today and general principles of arbitration
- Positioning of ICC Arbitration in the Asian world with a focus on Japan
- Organization of the seminar and summary of the mock case
- Preparation of the Request for Arbitration
- Working Groups: Preparing and drafting the Request

#### 12.30-14.00 > LUNCH BREAK

#### 14.00-18.00 > AFTERNOON

- Plenary session: Discussion on the draft Request
- How to prepare the Answer to the Request
- Working Groups: Preparing and drafting the Answer
- Plenary Session: Discussion on the draft Answer

# DAY 2

## TUESDAY 27 SEPTEMBER

#### 9.00-12.45 > MORNING

- Role of the Secretariat of the ICC International Court of Arbitration before the Terms of Reference
- Selection and appointment of Arbitrators from the point of view of the parties
- Case Management
- Procedural approaches: Civil Law versus Common Law

#### 12.30-14.00 > LUNCH BREAK

#### 14.00-17.45 > AFTERNOON

- Terms of Reference
- Powers, duties and role of Arbitrators
- Working groups: Preparing and drafting the Terms of Reference
- Plenary Session: Discussion on the draft Terms of Reference, simulation of arbitral proceedings

# DAY 3

## WEDNESDAY 28 SEPTEMBER

#### 09.00-12.30 > MORNING

- Simulation of an arbitral hearing: Preliminary hearing, testimony and other evidence — Cross-examination and oral pleadings
- Plenary Session: Discussion on the simulation of arbitral proceedings
- Working groups: Analysis of the Award

#### 12.30-13.45 > LUNCH BREAK

#### 13.45-17.00 > AFTERNOON

- Plenary Session: Discussion on the draft Award
- Role of the Secretariat of the ICC International Court of Arbitration from the Terms of Reference to the end of the Procedure
- The enforcement of arbitral awards — The New York Convention
- Closing of the training

# SPEAKERS OF THE ICC INSTITUTE TRAINING

## > CHAIRMAN

**Alan Thambiayah**, Arbitrator, The Arbitration Chambers, Singapore; Council Member, ICC Institute of World Business Law

## > SPEAKERS

**Mingchao Fan**, Regional Director for North Asia, ICC International Court of Arbitration, Shanghai

**Alexander Fessas**, Managing Counsel, ICC International Court of Arbitration, Paris

**Yoshimasa Furuta**, Partner, Anderson Mori Tomotsune, Japan

**Michael Hwang**, Senior Counsel & Chartered Arbitrator, Michael Hwang Chambers, Singapore; Alternate Member, ICC International Court of Arbitration

**Hiro Kato**, Chief Counsel, INPEX Corporation, Japan

**Kap-You (Kevin) Kim**, Partner, Bae, Kim & Lee LLC, Seoul, Korea; Vice-President, ICC International Court of Arbitration

**Christopher Lau**, Senior Counsel, 3 Verulam Buildings, Singapore; Member, ICC International Court of Arbitration

**Michael Moser**, Arbitrator, Mediator, Attorney at Law, 20 Essex Street, Hong Kong; Honorary Chairman, Hong Kong International Arbitration Centre

**Hiroshi Oda**, Attorney at Law, Nagashima Ohno & Tsunematsu, Japan; Professor of Law, University College London; Member, ICC International Court of Arbitration

**Yoshimi Ohara**, Partner, Nagashima Ohno & Tsunematsu, Japan; Vice-President, ICC International Court of Arbitration

**Vanina Sucharitkul**, Registered Foreign Lawyer (California), Herbert Smith Freehills Ltd, Hong Kong; Member, ICC International Court of Arbitration

**Wilson Tang**, Deputy Counsel, ICC International Court of Arbitration, Hong Kong

# ICC YOUNG ARBITRATORS FORUM MONDAY 26 SEPTEMBER

17.30-18.00 > **REGISTRATION**

18.00-19.30 > **DISCUSSION FORUM**

- Document production in international arbitration
- Experts in international arbitrations
- How the selection of arbitrators will influence the procedures of the above

19.30-21.00 > **COCKTAIL RECEPTION**

## > SPEAKERS OF THE ICC YAF

**Christopher Hunt** (Moderator), Partner, Gaikokuho Jimu Bengoshi, Herbert Smith Freehills GJBJ, Japan

**James Claxton**, Professor, Graduate School of Law, Kobe University, Japan

**Alexander Fessas**, Managing Counsel, ICC International Court of Arbitration, Paris

**Michael Hwang**, Senior Counsel & Chartered Arbitrator, Michael Hwang Chambers, Singapore; Alternate Member, ICC International Court of Arbitration

**Elaine Wong**, Partner, Gaikokuho Jimu Bengoshi, Herbert Smith Freehills GJBJ, Japan

## ICC International Court of Arbitration

Established in 1923 as ICC's arbitration body, the International Court of Arbitration pioneered international commercial arbitration as it is known today, initiating and leading the movement that culminated in the adoption of the New York Convention, the most important multilateral treaty on international arbitration.

The Court is one of the world's most experienced and renowned international arbitration institutions. Working closely with its Secretariat, the Court's primary role is to administer ICC Arbitrations.

The Court performs the functions entrusted to it under the ICC Rules of Arbitration available upon request from the Court. The Court provides parties with a flexible and neutral setting for dispute resolution. It offers confidentiality and extraordinary freedom for parties to choose the framework for how and where they want to resolve their dispute. While the dispute itself is resolved by independent arbitrators, the Court supervises the process from beginning to end, increasing the quality of the process and enforceability of the awards.

Members of the ICC Court are appointed by the ICC World Council on the proposal of national committees and groups. To date, the Court has 130 appointed members from 80 countries. The Court members' diverse professional, legal and cultural background brings richness to the Court's daily work and decision making process.

The Court's Secretariat, headed by a Secretary General, comprises a permanent staff of more than 100 lawyers and administrative staff of 35 different nationalities, who speak as many languages.

The Secretariat is divided into nine case-management teams, seven based in Paris, one in New York and another in Hong Kong.

Since its inception, the Court has administered over 22,000 cases involving parties and arbitrators from some 133 countries. For more information visit: <http://www.icc-arbitration.org>

## The ICC Institute of World Business Law

The ICC Institute of World Business Law acts as a think-tank working closely with the ICC International Court of Arbitration. It is composed of 35 Council members of 21 nationalities, all experienced professionals or academics in international business law or international commercial arbitration, as well as more than 200 members from around the world.

Created 35 years ago, the Institute provides research, training and information to the legal profession concerned with the development of international business law. In line with its philosophy of excellence, it proposes publications, trainings and conferences on different topics related to international business law.

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# ICC JAPAN ARBITRATION SUMMIT

## THURSDAY 29 SEPTEMBER

09.00-09.30 > **REGISTRATION**

09.30-09.35 > **OPENING REMARKS**

09.35-10.05 > **KEYNOTE SPEECH**

10.05-10.20 > **TEA BREAK**

10.20-11.45 > **ROUNDTABLE**

### WHY IS THE ICC SELECTED? THE ICC COURT AS A GUARDIAN OF ARBITRATION PROCEEDINGS – FROM SELECTION OF ARBITRATORS TO SCRUTINY OF AWARDS.

The panelists will share ICC Court practice and the role of ICC counsel, which are not often discussed publicly, and exchange their views on how the ICC Court assists in achieving effective and efficient arbitration proceedings.

11.45-11.55 **Q&A**

11.55-13.20 > **LUNCH**

13.20-14.45 > **ROUNDTABLE**

### PRACTICAL ISSUES RELATED TO SELECTION OF ARBITRATORS

Selection of arbitrators is one of the most important aspects of arbitration, which may affect the style, speed, costs, and even the outcome of the arbitration. This panel discusses practical issues on considerations to be made in the choice of arbitrators, expected role of co-arbitrators, how the selection of arbitrators may affect the style and scope of witness examination, document production and interim measures by the arbitral tribunal.

14.45-14.55 **Q&A**

14.55-15.10 > **TEA BREAK**

15.10-16.35 > **ROUNDTABLE**

### STRATEGIES FOR AN EFFECTIVE ARBITRATION CLAUSE

This panel will discuss how to strategically decide key elements of an arbitration clause, such as seat, an arbitration institution, the number of arbitrators, language and governing law, and pros and cons of each selection using hypothetical scenarios.

16.35-16.45 **Q&A**

16.45-16.50 > **CLOSING REMARKS**

## SPEAKERS OF THE ICC JAPAN SUMMIT

**Mitsuru Claire Chino**, Executive Officer/General Counsel, Legal Division, ITOCHU Corporation, Japan

**Alexander Fessas**, Managing Counsel, ICC International Court of Arbitration, Paris

**Douglas K. Freeman**, Attorney, Law Offices of Douglas K. Freeman, Japan

**Kazuhisa Fujita**, Head of Internal Audit Office, Internal Audit Department, Mitsubishi Corporation, Japan; Chair, ICC Japan Arbitration Committee

**Yoshimasa Furuta**, Partner, Anderson Mori & Tomotsune, Japan

**Yoshihisa Hayakawa**, Partner, Uryu & Itoga; Professor, Rikkyo University, Japan

**Michael Hwang**, Senior Counsel & Chartered Arbitrator, Michael Hwang Chambers, Singapore; Alternate Member, ICC International Court of Arbitration

**Kap-You (Kevin) Kim**, Partner, Bae, Kim & Lee LLC, Korea; Vice President, ICC International Court of Arbitration

**Tsuneyuki Kobayashi**, Secretary General, ICC Japan

**Christopher Lau**, Arbitrator; Senior Counsel, 3 Verulam Buildings, Singapore; Member, ICC International Court of Arbitration

**Michael Moser**, Arbitrator, Mediator, Attorney at Law, 20 Essex Street, Hong Kong; Honorary Chairman, Hong Kong International Arbitration Centre

**Alexis Mourre**, President, ICC International Court of Arbitration, Paris

**Hiroshi Oda**, Attorney at Law, Nagashima Ohno & Tsunematsu, Japan; Professor of Law, University College London; Member, ICC International Court of Arbitration

**Yoshimi Ohara**, Partner, Nagashima Ohno & Tsunematsu, Japan; Vice-President, ICC International Court of Arbitration

**Masako Takahata**, Manager, Legal Department, Eurus Energy Holdings Corporation, Japan

**Yoshihiro Takatori**, Partner, Orrick, Herrington & Sutcliffe LLP, Japan

**Hiroyuki Tezuka**, Partner, Nishimura & Asahi, Japan