

2nd ICC Tokyo Arbitration Day Program

第二回 ICC 東京国際仲裁フォーラム

(v40 as of 20240422)

Note: Below theme and timing and speakers are subject to change

Date: April 23rd (Tue) 2024, 9.00-20:00, including lunch and cocktail reception
Organisers: ICC International Court of Arbitration (ICA) and
International Chamber of Commerce (ICC) Japan
Venue: Tokyo Kaikan, 3-2-1 Marunouchi, Chiyoda-ku, Tokyo 100-0005 Tel 03-3215-2111
7th floor Wisteria and SAKURA (Forum venue), Royal (Lunch and Reception)

08:30 - 09:00	Registration
Master of Ceremony: Ms. Hisako Matsuda , FCI Arb, Registered Foreign Lawyer (GJB) Oh-Ebashi LPC & Partners, Tokyo	
09:00-09:10	Opening Address <ul style="list-style-type: none">● Mr. Harumichi Uchida, Chair of ICC Japan Arbitration Committee, Partner TMI Associates, Tokyo● Dr. Donna Huang, Director, Arbitration and ADR, North Asia, ICC Dispute Resolution Services
09:10 - 09:20	Welcoming Remarks <ul style="list-style-type: none">● Ms. Noriko Shibata, Assistant Vice-Minister of Justice, Japan
09:20 – 09:40	Keynote Speech <ul style="list-style-type: none">● Ms. Claudia Salomon, President, ICC International Court of Arbitration
09:40 -10:50	Panel I Exploring the Future: Adopting ICC Arbitration under the Amended Japan Arbitration Act In response to the need for efficiency in international dispute resolution, the Japanese government has been taking substantial measures to strengthen the effectiveness of arbitration by amending the Arbitration Act (Act No.15 of 2023) and enacting the Act for Implementation of the United Nations Convention on International Settlement Agreements Resulting from Mediation (Act No.16 of 2023) , which are to take effect on April 1st, 2024). The amendments encompass multifaceted enhancements from aspects of enforceability of arbitral tribunal's interim relief, special jurisdiction of the Tokyo/Osaka District Court on all arbitration-related court cases, etc. The panel will conduct a comprehensive exploration on the key features of these amendments and discover how businesses will adopt ICC arbitration while taking advantage of these amended Acts. Moderator : Ms. Yoko Maeda , Partner, City-Yuwa Partners, ICC Court member, Japan Panelists: Mr. Hiroyuki Tezuka Partner, Nishimura & Asahi (Gaikokuho Kyodo Jigyo), Tokyo Mr. Kap-You (Kevin) Kim , Founder & Managing Partner, Peter & Kim, Seoul Mr. Kelvin Poon , Partner, Rajah & Tann, Singapore Ms. Kaori Sugimoto , Partner, Nagashima Ohno & Tsunematsu, Tokyo Ms. Seri Takahashi , Partner, Mori Hamada and Matsumoto, Tokyo パネル I 将来を見すえて：日本の改正仲裁法の下での ICC 仲裁の活用 国際私的紛争解決の効率向上の必要性に対処するために、日本政府は、仲裁法改正（2023年）、シンガポール条約にかかる国内実施法（2023年発効）の新たな制定等を通じて、仲

	<p>裁の有効性を強化するための重要な施策を講じてきた。これらの施策は、仲裁にかかる暫定保全命令の執行、仲裁に関連する訴訟についての東京地裁、大阪地裁への競合管轄の付与等の仲裁強化の為の多様な施策も含んでいる。本パネルでは、これらの施策の重要なポイントを精査し、企業がこれらの施策を利用して ICC 仲裁を如何に活用すべきかを検討する。</p>
10:50-11:10	Coffee Break
11:10 -12:30	<p>Panel II</p> <p>At the Threshold of an Era: Navigating AI in Dispute Settlement Landscape</p> <p>Arbitration has been used as a business tool to solve disputes for thousands of years. Various sparks would ignite in a dynamic encounter when AI penetrates into dispute settlement. This panel is keen to explore the trajectory of use of Ai in dispute settlement.</p> <p>For example, there have been efforts to predict the judgment, create judgement or assist the judges to determine the contents of the judgment. Also, with the arrangement in the technology of generative AI, like ChatGPT, the range of possibility where the AI be put into practice is becoming wider and wider.</p> <p>We would explore the possibilities and the challenges of such AI to be used for the dispute resolution including settlement negotiation, mediation, litigation and arbitration in this panel.</p> <p>Keynote Speaker: Mr. Atsushi Yamada, Executive Officer & IBM Distinguished Engineer Leader, IBM AI Center Moderator: Mr. Takayuki Matsuo, Ph.D Partner, Momo-o, Matsuo & Namba, Japan/ New York</p> <p>Panelists:</p> <p>Mr. Alexander Fessas, Secretary General of ICA Mr. Patrick Pearsall, Allen & Overy Prof. Crenguta Leaua, Arbitrator and director, The Swiss Institute for Alternative Thinking Mr. Young Sun Bang, President & Representative Director Thomson Reuters K.K. Tokyo</p> <p>パネル II</p> <p>新しい時代の幕開け：紛争解決での AI の役割</p> <p>仲裁は、何千年にもわたり、紛争解決の手段として用いられて来た。AI が紛争解決の世界に侵入してくることで、AI とのダイナミックな遭遇が多方面で火花を散らすような発展を促すであろう。本パネルでは、紛争解決での AI の利用が描く未来への軌跡を探求する。例えば、これまで判決を予測し、判決を作成し、又は裁判官が判決内容を決めることを支援する試みがなされてきた。また、ChatGPT のような生成 AI 技術を活用することで、AI を実務に取り入れる可能性はより大きくなってきている。本パネルでは、このような AI が、和解、交渉、調停、訴訟、仲裁等の紛争解決の場において利用される可能性、そのための挑戦について討議する。</p>
12:30-12:45	<p>Presentation: Japanese version of ICC Rules of Arbitration</p> <p>Speakers : Mr. Tomoki Yanagisawa, TMI Associates, Mr. Mihiro Koeda, Nishimura & Asahi, Mr. Aoi Inoue, Anderson Mohri & Tomotsune, Ms. Seri Takahashi, Mori Hamada and Matsumoto</p>
12:45 - 14:00	Lunch break
14:00 - 15:10	<p>Panel III</p> <p>Practical tips and Enforcement Mechanism of Arbitral Awards on global basis</p> <p>In 1953, the ICC presented the first draft of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards to the United Nations Economic and Social Council. On June 10, 1958, the ‘New York Convention’ was officially adopted. This session will discuss essentials of enforcement of arbitral awards including the due process of arbitral procedure, quality of arbitral awards and domestic lawss and available methods of enforcement in the jurisdiction etc.</p>

	<p>Moderator : Mr. Ryan Goldstein, Managing Partner, Quinn Emanuel, Tokyo Office</p> <p>Panelists:</p> <p>Mr. Tomoki Yanagisawa, Partner, TMI Associates, Tokyo</p> <p>Mr. Vijayendra Pratap Singh, Sr. Partner, and Head Disputes (Delhi), AZB & Partners</p> <p>Mr. Joongi Kim, Professor, Yonsei Law School / ICC Court Member</p> <p>Ms. Chiann BAO, Vice President, ICC Court of Arbitration, Independent Arbitrator</p> <p>Mr. Leon RYAN, Partner, Anderson Mori & Tomotsune, Singapore</p> <p>パネル III</p> <p>仲裁裁定のグローバルな執行のための執行手段の概要及び実務に役立つ情報</p> <p>1953年にICCは、国連経済社会理事会に外国仲裁裁定の承認及び執行に関する条約の第一案を提出し、1958年6月10日にニューヨーク条約として正式に承認された。本セッションは、仲裁裁定の執行に関して、仲裁手続の適正性、仲裁裁定の内容、関連国の国内法、各法域で利用可能な執行方法等の仲裁裁定の執行に関する必須の知識を取り上げ討議する。</p>
15:10-15:20	<p>Presentation Session on ICC Dispute Resolution Library</p> <p>Mr. Alexandre Vagenheim, Vice President, Jus Mundi, France</p>
15:20-15:50	<p>Coffee Break</p>
15:50 – 17:10	<p>Panel IV</p> <p>Japan’s Ratification of the Singapore Convention on Mediation- How to utilize Combination of Arbitration and Mediation efficiently.</p> <p>Japan’s Ratification of the Singapore Convention on Mediation on 1 October 2023 allows Japan’s judicial system to enforce an international commercial settlement agreement resulting from mediation, signifying a higher level of economic openness. As a consensual, flexible, private and cost-effective technique in conflict management, also a frequently utilised service provided by the ICC ADR Centre, alternative dispute resolution such as mediation has a cultural root in Asian civilisation. This panel will discuss, including user’s perspective, how users can/should utilize Arb.Med.Arb., either from different legal culture background of common law and civil law, as well as hybrid global standard.</p> <p>Moderator:</p> <p>Mr. Yoshihiro (Yoshi) Takatori, F.C.I.Arb., Partner, Kasumigaseki International Law office, International Arbitration Chamber, Tokyo</p> <p>Panelists:</p> <p>Ms. Chié Nakahara, Partner, Nishimura & Asahi (Gaikokuho Kyodo Jigyo), Tokyo</p> <p>Mr. Lawrence Teh, Senior Partner, Global Co-Head of Dentons’ International Arbitration Group, Singapore</p> <p>Ms. Jeonghye Sophie Ahn, Co-Head, International Dispute Resolution Team, Yulchon LLC, Seoul</p> <p>Mr. Benjamin Highfield, Partner, Regional CEO, Asia Pacific, HKA</p> <p>パネル IV</p> <p>日本の調停に関するシンガポール条約の批准：仲裁と調停を如何に効果的に利用するか</p> <p>日本による調停に関するシンガポール条約の批准（2023年10月）は、日本の司法が、調停による国際的な和解合意を執行することを認めたことになり、日本のより高いレベルでの経済の開放性を象徴するものである。合意に基づき、柔軟で、私的で、コスト効率の良い紛争解決の手法として、また、ICC ADR Center において良く利用される調停のようなADRは、アジアの</p>

	<p>文化にその根源がある。本パネルでは、利用者の視点を含めて、仲裁—調停—仲裁（Arb-Med-Arb）等を利用者がいかに活用するかを、コモンロー、大陸法体系の国の視点から、又は複合的な視点から検討し、さらに広範に効率的な紛争解決の在り方を検討する。</p>
17:10 - 18:20	<p>Panel V Mock Scrutiny Mock ICC International Court of Arbitration Session on Draft Award Scrutiny</p> <p>Members of the ICC Court will lead an interactive mock plenary session and conference attendees will be able to act as Court members contributing to the scrutiny of a mock draft award. This session will highlight how the ICC Court may approach various issues in draft awards and how this service improves the quality and enforceability of each ICC award.</p> <p>Ms. Claudia Salomon, President of ICC International Court of Arbitration (ICA) Ms. Xin Zhang, Counsel, ICC Court of Arbitration Mr. Alexander Fessas, Secretary General of ICA</p> <p>Ms. Ndanga Kamau, Vice President, ICC International Court of Arbitration; Founder, Ndanga Kamau Law (The Hague) Ms. Yoshimi Ohara, Attorney-at-Law, Former Vice President of ICC International Court of Arbitration Mr. Hiroyuki Tezuka, Partner, Nishimura & Asahi (Gaikokuho Kyodo Jigyo), ICC Court member, Japan Prof. Joongi Kim, Professor, Yonsei Law School, ICC Court Member, Seoul</p> <p>パネル V 仲裁裁定精査（模擬精査）</p> <p>ICC 国際仲裁裁判所が仲裁裁定案をレビュー（精査）する手続を、ICC 国際仲裁裁判所のメンバーが中心となり模擬的に演じることにより、実際の精査手続を知ってもらう。 （注）ICC 仲裁では、個々の仲裁廷が作成した仲裁裁定案を仲裁裁判所がレビューして精査する手続を取る。この精査により仲裁裁定の質の確保、執行に支障ないことが保障される。実際の手続は公開されていないので、手続を知る良い機会となる。</p>
18:20 - 18:30	<p>Closing Remarks Mr. Alexander Fessas, Secretary General of ICA</p>
18:30 - 20:00	Reception