



# 5th IPBA Arbitration Day 2019

## Jointly Hosted with JIDRC

Event Supporter : Westlaw Japan



# For the First Time Ever !

# The Invitation from IPBA to the 1st International Arbitration Conference in Osaka, Japan

IPBA is pleased to invite you the exciting and informative conference with fruitful discussions and networking opportunities on 13 and 14 November 2019.

All participants are kindly requested to register to attend the conference. There will be no on-site registration. Please find the flyer for more detailed information with updates.

**Date : November 13-14, 2019**

**Location : JIDRC**

Japan International Dispute Resolution Center

2nd floor of the Osaka Nakanoshima National Government Building  
1-1-60 Fukushima Fukushima-ku, Osaka  
553-8512 Japan

[http://www.idrc.jp/index\\_en.html](http://www.idrc.jp/index_en.html)

**Capacity :**

Up to 130 seats: First-come-first-served basis.

**Register Now!**

**Registration :**

<https://westlawjapan.com/english/premium/>

**Registration Fee :**

16,000 JPY (Approximately 150 USD)

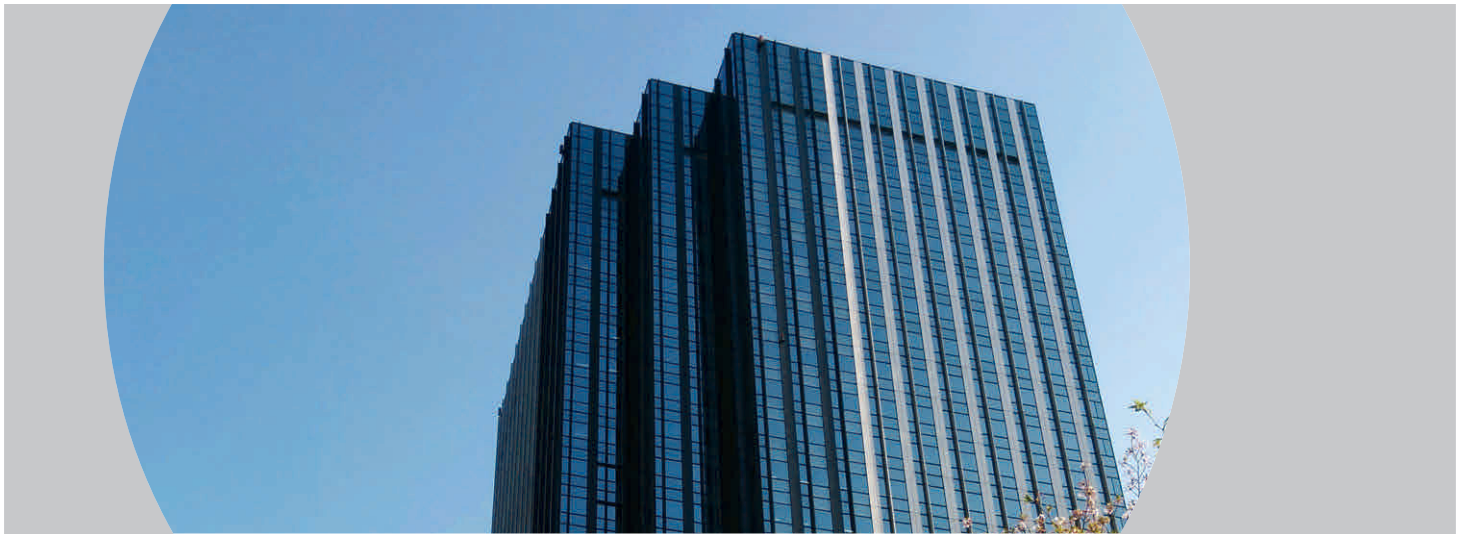
- The fee includes lunch on November 13th.
- The moderators/speakers are requested to register as well.
- Visa issue: please contact the IPBA secretariat on <https://ipba.org>.



# Programme

## ● Day 1 (November 13, 2019)

- 9:00 am - 9:30 am **Registration**
- 9:30 am - 9:40 am **Opening remarks by Francis Xavier S.C.  
(RAJAH & TANN SINGAPORE LLP, IPBA President)**
- 9:40 am - 10:55 am **Session 1: Arbitral Institutions in Asia-Recent Updates**  
This session explores Asia's major arbitral institutions' recent efforts in updating their rules and practices, innovations they undertook, developments in their local governments' support for arbitration, challenges they may face, and their strategies to attract users of arbitration in Asia.  
**Moderators:** Hiroyuki Tezuka (Nishimura & Asahi, IPBA DRAC Co-Chair), Sae Youn Kim (Yulchon LLC, IPBA DRAC Vice-Chair)  
**Speakers:** Seok Hui Lim (SIAC), Sue Hyun Lim (KCAB), Joe Liu (HKIAC), Houchih Kuo (CAA (Taipei)), Wang Weijun (SHIAC(Shanghai)), Mingchao Fan (ICC), Hiroko Nihei(JCAA)
- 10:55 am - 11:25 am **Coffee/tea break**
- 11:25 am - 12:40 pm **Session 2: Where to next? - Japan as a Seat for International Arbitration**  
In recent years, a number of countries in Asia have gained acceptance by the international arbitral community as appropriate seats. Drawing on the experience of both the traditional seats in the West and these seats in the East, this session explores the ingredients for Japan to be another seat in Asia well worth considering for international arbitration.  
**Moderators:** Christopher Lau (3VB), Yoshimi Ohara (Nagashima, Ohno & Tsunematsu)  
**Speakers:** Yoshihisa Hayakawa (Rikkyo University, JIDRC Secretary General), Simon Elliot (Three Crowns LLP), Thomas Allen (Greenberg Traurig LLP, IPBA DRAC Vice-Chair), Christopher Bailey (King & Spalding), Kap-You (Kevin) Kim (Bae Kim & Lee LLC), Dominique Brown-Berset (BrownPages SA)
- 12:40 pm - 2:00 pm **Lunch**  
Lunch Presentations by Li Zhiqiang (Jack Li) (Jin Mao Partners, IPBA President-Elect) & Kazuhiko Bando (JCAA)
- 2:00 pm - 2:20 pm **Announcement for release of the IPBA Guidelines on Privileges and Attorney Secrecy in International Arbitration**  
**Speaker:** Prof. Dr. Eckart Brödermann (Brödermann Jahn)
- 2:20 pm - 3:35 pm **Session 3: "Med/Arb – Arb/Med – How to combine the best of the two worlds? Chances and Risks"**  
The panelists discuss certain recent topics concerning the combination of arbitration and mediation.  
**The topics include:** (A) Is it useful for the parties in disputes to have recourse to mediation before initiating arbitration or would it rather be better to engage in a mediation at a later stage, i.e. after having started an arbitration? (B) Can an arbitrator act as a mediator in the course of arbitration proceeding or should it rather be a third neutral? (C) Would the Singapore Convention on Mediation have impact on the existing Arb/Med and Med/Arb practice?  
**Moderators:** Urs Weber-Stecher (Wenger & Vieli Ltd, IPBA DRAC Vice-Chair), Teppei Mogi (Oebashi LPC & Partners)  
**Speakers:** Dr. Professor Colin Ong (Dr. Colin Ong Legal Services, IPBA DRAC Vice-Chair), Dr. Torsten Lörcher (CMS Hasche Sigle, Germany), Haruo Okada (H.Okada International Law Offices) Ning Fei (Beijing Huizhong Law Firm), Thomas Rohner (Pestalozzi Attorneys at Law Ltd), Kirindeep Singh (Dentons Rodyk & Davidson LLP)
- 3:35 pm - 4:05 pm **Coffee/tea break**
- 4:05 pm - 5:20 pm **Session 4 : Meet the Legends**  
This interview session endeavors to uncover the secret of the success of some of the most highly sought-after arbitrators in the Asia Pacific Region. Some of the topics covered in this session include their perspectives and experiences as arbitrators who are active in the region, as well as their experience on becoming a successful arbitrator.  
**Interviewer:** Chie Nakahara (Nishimura & Asahi)  
**Interviewees:** Dr. Bernhard F. Meyer (MME Legal), Dr. Michael Hwang (Michael Hwang Chambers LLC), Prof. Hi-Taek Shin (KCAB International)



## Programme

### ● Day 2 (November 14, 2019)

#### 9:15 am - 10:30 am **Session 5: Expedited Procedures**

##### - too little, too fast or value for money - balancing efficiency and due process

This session will explore, in an interactive panel format, competing demands between speed, cost, efficiency and due process in expedited procedures. Some of the issues the panel will grapple with **include:** Should expedited procedures automatically apply to low value disputes? Is a three member tribunal ever justified for expedited procedure? Should early dismissal and summary proceedings be allowed in expedited procedures? The audience is encouraged to contribute to the debate from the floor.

**Moderators:** Steven Y.H. Lim (39 Essex Chambers, IPBA DRAC Vice-Chair), Yutaro Kawabata (Nishimura & Asahi)

**Speakers:** Felix Dasser (Homburger, IPBA DRAC Vice-Chair), Masafumi Kodama (Kitahama Partners), Sabrina Lee (Wilmer Hale, NY), Vyapak Desai (Nishith Desai Associates), Hu Ke (Jingtian & Gongcheng), Kyongwha Chung (Bae Kim & Lee)

#### 10:30 am - 11:00 am **Coffee/tea break**

#### 11:00 am - 12:15 pm **Session 6: Developments in third party funding**

In recent years, the third party funding of international arbitration (and cross border litigation) has increased significantly. This session will explore latest global trends, perceived issues, practical implications and the way forward, with perspectives from counsel, arbitrators and professional funders.

**Moderators:** Aoi Inoue (Anderson Mori & Tomotsune, IPBA DRAC Vice-Chair), Robert Rhoda (Dentons, IPBA DRAC Co-Chair)

**Speakers:** Lars Markert (Nishimura & Asahi), Suresh Divyanathan (Oon & Bazul LLP), Cheng-Yee Khong (IMF Bentham), Denis Brock (O'Melveny & Myers), David MacArthur (Bae Kim & Lee), Ashish Kabra (Nishith Desai Associates)

#### 12:15 pm - 12:30 pm **Closing remarks by the Representative of JIDRC**

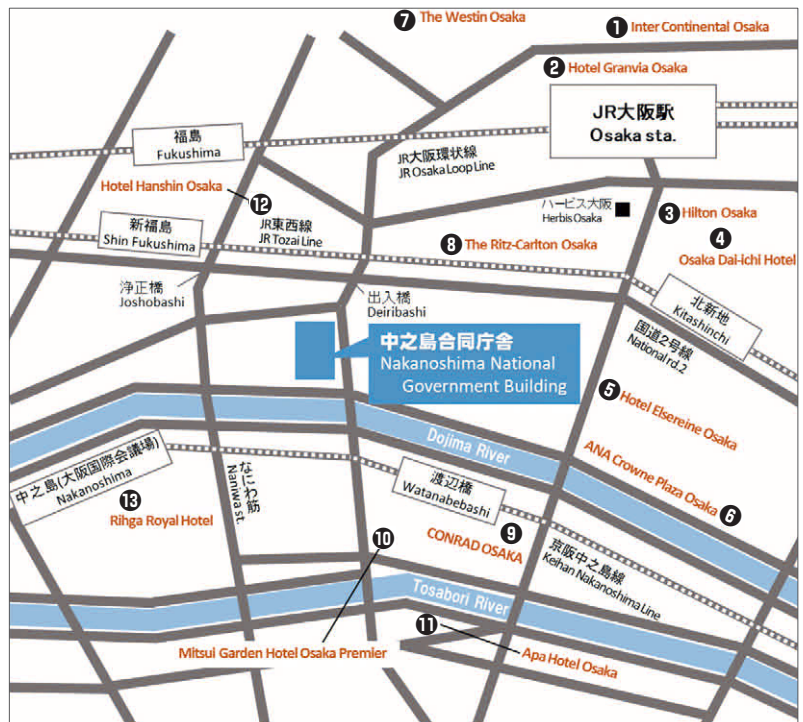
### NOTE on the day of Use of JIDRC-Osaka

- Parking Space is not available.
- Entrance and Badges  
Enter from the main gate on the first (ground) floor using stairs or the slope, receive the badge, and wear the badge at all times while you are in the premise.  
Be sure to return the badge to the secretariat when you leave the premise on the last day. If you fail to return the badge, you will be requested to send back the badge on your own cost.
- You are requested not to step into the area marked "Do Not Enter" in the premise.
- Photograph is allowed only in the Small Meeting Room.
- Smoking is prohibited in the premise except for the smoking corner on the first floor.
- Food and Beverages  
In the Large Meeting Room, food and beverages are not allowed and only capped beverages are allowed.  
In the Middle Meeting Room and the Small Meeting Room, you can enjoy food and beverages.

# The List of Hotels around JIDRC

No.	Name	Address	Room rate (¥110=＄1) date of Oct 5, 2019 standard room
①	Inter Continental Osaka	3-60 Ofuka-cho, Kita-ku, Osaka, 530-0011 <a href="https://www.icosaka.com/en/">https://www.icosaka.com/en/</a>	\$522.8 / ¥57,510
②	Hotel Granvia Osaka	3-1-1 Umeda, Kita-ku, Osaka, 530-0001 <a href="https://www.hotelgranviaosaka.jp/en/">https://www.hotelgranviaosaka.jp/en/</a>	\$150 / ¥15,300
③	Hilton Osaka	1-8-8 Umeda, Kita-ku, Osaka, 530-0001 <a href="https://www3.hilton.com/en/hotels/japan/hilton-osaka-OSAHITW/index.html">https://www3.hilton.com/en/hotels/japan/hilton-osaka-OSAHITW/index.html</a>	\$338.2 / ¥37,200
④	Osaka Dai-ichi Hotel	1-9-20 Umeda Kita-ku Osaka 530-0001 <a href="https://www.osakadaichi.co.jp/en/">https://www.osakadaichi.co.jp/en/</a>	\$139.2 / ¥15,310
⑤	Hotel Elserine Osaka	1-5-25 Dojima, Kita-ku, Osaka, 530-0003 <a href="https://htl-el-osaka.com/">https://htl-el-osaka.com/</a>	\$147.8 / ¥16,254
⑥	ANA Crowne Plaza Osaka	1-3-1 Dojimahama, Kita-ku, Osaka, 530-0004 <a href="https://htl-el-ohhttps://www.anacrowneplaza-osaka.jp/en/">https://htl-el-ohhttps://www.anacrowneplaza-osaka.jp/en/</a>	\$216.4 / ¥23,800
⑦	Westin Osaka	1-1-20, Oyodonaka, Kita-ku, Osaka-shi (the Shin Umeda City), 531-0076 <a href="http://www.westin-osaka.co.jp.e.iu.hp.transer.com/">http://www.westin-osaka.co.jp.e.iu.hp.transer.com/</a>	\$245.5 / ¥27,000
⑧	The Ritz-Carlton Osaka	2-5-25 Umeda, Kita-ku, Osaka, Japan 530-0001 <a href="https://www.ritzcarlton.com/en/hotels/japan/osaka">https://www.ritzcarlton.com/en/hotels/japan/osaka</a>	\$554 / ¥61,000
⑨	Conrad Osaka	3-2-4, Nakanoshima, Kita-ku, Osaka, 530-0005 <a href="https://conradhotels3.hilton.com/en/hotels/japan/conrad-osaka-OSACICI/index.html">https://conradhotels3.hilton.com/en/hotels/japan/conrad-osaka-OSACICI/index.html</a>	\$488.7 / ¥53,760
⑩	Mitsui Garden Hotel Osaka Premier	3-4-15, Nakanoshima, Kita-ku, Osaka, 530-0005 <a href="https://www.gardenhotels.co.jp/osaka-premier/eng/">https://www.gardenhotels.co.jp/osaka-premier/eng/</a>	\$136.4 / ¥15,000
⑪	Apa Hotel Osaka Higobashi Ekimae	1-2-1, Tosabori, Nishi-ku, Osaka, 550-0001 <a href="https://www.apahotel.com/en/hotel/kansai/osakahigobashi-ekimae/">https://www.apahotel.com/en/hotel/kansai/osakahigobashi-ekimae/</a>	\$81.18 / ¥8,930
⑫	Hotel Hanshin Osaka	5-6-16, Fukushima, Fukushima-ku, Osaka, 553-0003 <a href="https://global.hankyu-hotel.com/hotel-hanshin/">https://global.hankyu-hotel.com/hotel-hanshin/</a>	\$156.4 / ¥17,200
⑬	Rihga Royal Hotel	5-3-68, Nakanoshima, Kita-ku, Osaka, 530-0005 <a href="https://www.rihga.com/osaka">https://www.rihga.com/osaka</a>	\$150.9 / ¥16,600

※NOTE:  
The rate above varies according to the season and the room types.  
For more information, please visit each web site.



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