

## JAA Arbitration Day 2024

### New Trends in ISDS: Recent Developments in Investor-State Arbitration and Mediation

Tuesday, 12 March 2024 5:00 pm – 7:30 pm

Bar Associations Building, 1-1-3 Kasumigaseki, Chiyoda-ku, Tokyo, Japan

17<sup>th</sup> Floor 1701 Meeting Room

ISDS (Investor-State Dispute Settlement), a mechanism of dispute resolution between countries and foreign investors, is on the rise worldwide, and in recent years there have been increasing number of cases in which Japanese companies are parties to ISDS. At the same time, the United Nations Commission on International Trade Law (UNCITRAL) is taking the lead in deepening discussions on the reform of the ISDS system.

In addition, during such discussions, international mediation is drawing interest as a new ISDS tool. In particular, the United Nations Convention on International Settlement Agreements Resulting from Mediation (the Singapore Convention on Mediation) entered into force in 2020 (Japan decided to accede to it in 2023, which will enter into force in April, 2024) and interest in and expectations for dispute resolution between countries and foreign investors through international mediation are growing. In fact, the International Centre for Settlement of Investment Disputes (ICSID) and UNCITRAL have also developed mediation rules that can be used in ISDS.

At this seminar, overseas and domestic leading individuals will provide presentations and panel discussion on the recent developments and the effectiveness of arbitration and mediation as a tool for ISDS. While international politics and economy is full of unstable factors, a possibility that Japan and Japanese companies will become (or is forced to become) parties to ISDS is growing. Under such circumstances, it will be a valuable opportunity for anyone who may be involved in ISDS cases (including inhouse lawyers who may be in charge of ISDS cases or lawyers who may become the counsel, mediator or arbitrator in future ISDS cases) to learn more about the arbitration and mediation as a tool for ISDS.

**This seminar will be held in hybrid style (in-person and online). Those who are not members of the JAA can also participate either in-person or online.**

1. Date and Time:

Tuesday, 12 March 2024 5:00 pm - 7:30 pm (JST)

2. Venue (hybrid style)

Japan Federation of Bar Associations

Bar Associations Building, 1-1-3 Kasumigaseki, Chiyoda-ku, Tokyo, Japan

17<sup>th</sup> Floor 1701 Meeting Room

<https://www.nichibenren.or.jp/en/about/us/access.html>

3. Registration Fee

Free

4. Program

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|-------------|---|---|
| 17:00-17:10 | Opening Remarks   | <b>Haruo Okada</b> , President of JAA, former Chief Director of the Japan International Mediation Center in Kyoto<br><b>Junichi Matsuda</b> , Vice President of Japan Federation of Bar Associations  |
| 17:10-17:30 | Keynote Speech<br>Recent trends in dispute resolution at ICSID  | <b>Meg Kinnear</b> , Secretary-General of ICSID   |
| 17:30-17:50 | Keynote Speech<br>Recent developments in UNCITRAL in the area of dispute resolution                     | <b>Anna Joubin-Bret</b> , Secretary of UNCITRAL   |
| 17:55-19:15 | Panel Discussion<br>New Trends in ISDS utilizing arbitration and mediation and Practical Considerations | <u>Panelists:</u><br><b>Meg Kinnear</b> , Secretary-General of ICSID<br><b>Judith Knieper</b> , Legal Officer of UNCITRAL (online)<br><b>Mitsuru Claire Chino</b> , Managing Executive Officer, Itochu Corporation<br><b>Hi-Taek Shin</b> , arbitrator, Twenty Essex<br><b>Joe Tirado</b> , partner, Garrigues<br><b>Isomi Suzuki</b> , attorney at Koga & Partners<br><br><u>Moderator:</u><br><b>Yoshimi Ohara</b> , partner, Nagashima Ohno & Tsunematsu |
| 19:15-19:20 | Q&A   |   |
| 19:20-19:30 | Closing Remarks   | <b>Soichiro Sakuma</b> , President of JIDRC   |

5. Simultaneous interpretation

For online participants, simultaneous interpretation from English to Japanese will be provided. If you participate in-person at the venue (Bar Associations Building, 1701 Meeting Room) and need interpretation, please obtain the webinar link in advance, bring your PC/mobile phones and listen to the interpretation online using your earphones, headphones, etc.



Members of the Japan Federation of Bar Associations may use wifi at the venue, but the registration procedure is required at the secretariat in advance. If you want to use wifi at the venue, please make sure you have plenty of time for the registration procedure.

#### 6. Registration

Registrations are open until **5 March 2024**. Please access to the registration form from the link or the two-dimensional code below.

<https://form.qooker.jp/Q/auto/en/cyusaikinen/ARBday2024/>



Your personal information obtained for this event will be strictly managed in accordance with the privacy policy of the JFBA and will be used for the affairs of this event. The obtained personal information may be statistically processed and analyzed, and the results may be published in a state where no individual will be identified.

Secretariat of International Affairs Division/ General Affairs 2<sup>nd</sup> Dept., Japan Federation of Bar Associations TEL: (+81)-(0)3-3580-9741

Hosted by:



Supporting Organizations:

International Centre for Settlement of Investment Disputes,  
Tokyo Bar Association, Dai-Ichi Tokyo Bar Association (TBC), Daini Tokyo Bar Association (TBC),  
Osaka Bar Association (TBC), Japan Commercial Arbitration Association,  
International Chamber of Commerce, Centre for Effective Dispute Resolution,  
Swiss Arbitration Association, Korean Commercial Arbitration Board,  
Japan Business Federation (TBC), Chartered Institute of Arbitrators





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