



SIAC Tokyo Conference
Tokyo, Japan | 12 November 2015 | Ark Hills Club

Managing Risks with International Arbitration: Effective Tools for Asian Parties

PROGRAMME*	
1115 – 1200	Registration & Light Lunch
1200 – 1205	Welcome Address by Ms Lim Seok Hui, <i>CEO, SIAC</i>
1205 – 1215	Opening Remarks by Mr Hiroyuki Tezuka, <i>Member, SIAC Court of Arbitration</i>
1215 – 1230	Keynote Address by Mr Gary Born, <i>President, SIAC Court of Arbitration; Chair, International Arbitration Practice group, Wilmer Cutler Pickering Hale and Dorr</i>
1230 – 1345	SESSION 1
	<p>TOOLS FOR THE EMPOWERED CORPORATE COUNSEL: CHOICE OF SEAT, DRAFTING THE ARBITRATION AGREEMENT, AND SELECTING THE PROPER DISPUTE RESOLUTION MECHANISM</p> <p>This Panel will discuss how to handle international disputes from a corporate perspective. It will explore:</p> <ul style="list-style-type: none"> • How in-house counsel can prepare for a potential dispute • How to advise a Japanese multinational company with cross-border disputes, and the relevance of dispute resolution mechanisms and treaty protection when trading with foreign companies

* This Programme is still subject to change.

	<ul style="list-style-type: none"> • The importance of the seat of arbitration – how the seat can help achieve an effective arbitration • The basics of drafting effective arbitration agreements, how to avoid common drafting errors, choice of seat and the SIAC Model Clause • How to select arbitrators/mediators and tips on interviewing prospective arbitrators • How SIAC-SIMC’s Arb-Med-Arb service can help parties save time and costs <p>Moderator:</p> <ul style="list-style-type: none"> • Mr John Zadkovich, <i>Counsel, Vinson & Elkins</i> <p>Panellists:</p> <ul style="list-style-type: none"> • Mr Joel Greer, <i>Partner, Baker & McKenzie</i> • Ms Yoko Maeda, <i>Special Counsel, CITY-YUWA PARTNERS</i> • Mr Oommen Mathew, <i>Partner, Eversheds LLP</i> • Mr Lok Vi Ming SC, <i>Member, SIMC Board of Directors and Partner, Rodyk & Davidson LLP</i>
1345 – 1415	Coffee/Tea Break
1415 – 1515	SESSION 2
	<p>CONSTRUCTION ARBITRATIONS AND USE OF EMERGENCY ARBITRATOR AND EXPEDITED PROCEDURES IN CONSTRUCTION ARBITRATIONS</p> <p>Speakers will discuss best practices and issues that may arise in arbitrations involving construction disputes, such as:</p> <ul style="list-style-type: none"> • Ensuring the most time- and cost-effective approaches in dealing with complex construction claims – use of technology, witness conferencing, directions on documentary evidence and bifurcation of proceedings • The Emergency Arbitrator and Expedited Procedure provisions – how do they work? • Using Emergency Arbitrators in construction disputes, e.g. injunctive relief relating to performance bonds and guarantees • What kinds of construction cases are suitable for an Expedited Procedure? Does quantum matter – are Expedited Procedures ever suitable for arbitrations where large amounts are at stake? • The use of party-appointed expert witnesses and tribunal-appointed experts and its increasing relevance to Japan-related arbitrations

	<p>Moderator:</p> <ul style="list-style-type: none"> • Mr Steven Lim, <i>Managing Partner, Nabarro LLP</i> <p>Panellists:</p> <ul style="list-style-type: none"> • Professor Yoshihisa Hayakawa, <i>Partner, Uryu & Itoga, Professor of Law at Rikkyo University</i> • Mr Will Inglis, <i>Senior Managing Director, FTI Consulting</i> • Mr David Robertson, <i>Partner, Berwin Leighton Paisner LLP</i>
1515 – 1545	Coffee/Tea Break
1545 – 1700	SESSION 3
	<p>CIVIL AND COMMON LAW APPROACHES TO THE ARBITRAL PROCESS AND PRACTICAL TIPS FOR ENFORCEMENT OF ARBITRAL AWARDS</p> <p>This Panel will examine the distinctions between civil and common law approaches to the arbitral process, as well as the challenges faced by parties in the enforcement of arbitral awards. It will explore:</p> <ul style="list-style-type: none"> • Differences between civil and common law approaches to cross-examination, document production and witness conferencing – can there be harmonisation? • Cross-examination of witnesses – what are the cultural considerations you should consider? • Challenging arbitral awards – the differences between setting aside and resisting enforcement of awards • How the arbitral institution can help in the enforcement process - what does the scrutiny process of draft awards involve? • Practical tips for the enforcement of arbitral awards <p>Moderator:</p> <ul style="list-style-type: none"> • Mr Gary Born, <i>President, SIAC Court of Arbitration; Chair, International Arbitration Practice group, Wilmer Cutler Pickering Hale and Dorr</i> <p>Panellists:</p> <ul style="list-style-type: none"> • Mr Chris Bailey, <i>Partner, King & Spalding</i> • Mr Hiroyuki Tezuka, <i>Member, SIAC Court of Arbitration and Partner, Nishimura & Asahi</i> • Mr Andre Yeap, <i>Partner, Rajah & Tann LLP</i> • Ms June Yeum, <i>Partner, Clyde & Co</i>

1700 – 1800	SESSION 4
	<p>RECENT DEVELOPMENTS IN INVESTMENT ARBITRATION AND THE FUTURE OF INVESTOR-STATE DISPUTES IN ASIA</p> <p>This Panel will look at recent trends in investment arbitration. It will examine the future of international investment protection and investor-state dispute settlement, with a discussion on recent investment arbitration cases involving Asian parties.</p> <p>Moderator:</p> <ul style="list-style-type: none"> • Mr Yoshihiro Takatori, <i>Partner, Orrick</i> <p>Panellists:</p> <ul style="list-style-type: none"> • Mr Gary Born, <i>President, SIAC Court of Arbitration</i> • Mr Kap-You (Kevin) Kim, <i>Partner, Bae, Kim and Lee LLC</i> • Mr Nicholas Lingard, <i>Partner, Freshfields Bruckhaus Deringer</i> • Ms Yoshimi Ohara, <i>Partner, Nagashima Ohno & Tsunematsu</i>
1800	End of Conference