



UP TO 5.25
CPD/CLE
HOURS
AVAILABLE*

APAG Training Day – Best Practices in International Arbitration

12 September 2014

Japan Federation of Bar Associations Creo Auditorium, Tokyo

A conference presented by the IBA Asia Pacific Arbitration Group, supported by the IBA Arbitration Committee, the IBA Asia Pacific Regional Forum, Japan Association of Arbitrators, Japan Commercial Arbitration Association and Japan Federation of Bar Associations

Topics include:

- IBA Rules on the Taking of Evidence in International Arbitration
- IBA Guidelines on Party Representation in International Arbitration and IBA Guidelines on Conflict of Interest in International Arbitration
- Advocacy in international arbitration – discovery and witness handling in international arbitration
- Civil and common law perspectives on advocacy in international arbitration

Who should attend?

Arbitration practitioners, arbitrators, in-house counsel, experts, litigators, judges, government officials and all those involved in dispute resolution.



Programme

Asia Pacific Arbitration Group Co-Chairs

Sunil Abraham *Zul Rafique & Partners, Kuala Lumpur; Senior Vice-Chair, IBA Asia Pacific Regional Forum*

Eun Young Park *Kim & Chang, Seoul; Vice-Chair, IBA Arbitration Committee*

Friday 12 September

0900 – 1700 **Registration**

0930 – 0935 **Opening remarks**

Speaker

Eun Young Park *Co-Chair, IBA Asia Pacific Arbitration Group*

0930 – 0935 **Welcome address**

Speakers

Akira Kawamura *Anderson Mori & Tomotsune, Tokyo;*

Immediate Past President, IBA

Lawrence Teh *Rodyk & Davidson, Singapore; Co-Chair, IBA Asia Pacific Regional Forum*

0945 – 1100

The IBA Rules on the Taking of Evidence in International Arbitration

This session will examine the existing IBA Rules on the Taking of Evidence in International Arbitration. The panel members will provide a synopsis of the application of the said Rules in the context of international arbitration and provide an indication as to where perhaps reform may need to be considered.

Co-Chairs

Yoshimasa Furuta *Anderson Mori & Tomotsune, Tokyo*

Lawrence Teh

Panellists

David Bateson *King & Wood Mallesons, Hong Kong*

Timothy Grave *Clifford Chance, Sydney*

Kelvin Poon *Rajah & Tann, Singapore*

Yoshihiro Takatori *Orrick Herrington & Sutcliffe, Tokyo*

1100 – 1115 **Coffee/tea break**

1115 – 1245

The IBA Guidelines on Party Representation in International Arbitration and IBA Guidelines on Conflict of Interest in International Arbitration

This session will discuss IBA Guidelines on Party Representation in International Arbitration as well as the IBA Guidelines on Conflict of Interest in International Arbitration. The speakers will explain the rationale for the guidelines as well as the importance of the guidelines in the context of the practice of international arbitration. An analysis will be conducted on the specific rules with a discussion of where reform may or may not be necessary in so far as the existing guidelines are concerned.

Co-Chairs

Dinesh Dhillon *Allen & Gledhill, Singapore*

Yoshimi Ohara *Nagashima Ohno & Tsunematsu, Tokyo*

Panellists

Daniel Kalderimis *Chapman Tripp, Wellington*

Junya Naito *Momo-o Matsuo & Namba, Tokyo*

Vikram Nankani *Economic Laws Practice, Mumbai*

James Rogers *Norton Rose Fulbright, Hong Kong*

1245 – 1400 **Lunch**

Conference refreshment break sponsors

ANDERSON MŌRI & TOMOTSUNE
アンダーソン・毛利・友常 法律事務所

KING & WOOD
MALLESONS
金杜律师事务所



森・濱田松本法律事務所

MORI HAMADA & MATSUMOTO

長島・大野・常松 法律事務所
NAGASHIMA OHNO & TSUNEMATSU

NISHIMURA
& ASAHI



1400 – 1530

Advocacy in international arbitration – discovery and witness handling in international arbitration

This session will provide a practical approach to the conduct of the arbitration process with specific regard to discovery process and the witness examination. The panel members will provide an insight to the approaches taken from both a civil and common law perspective in international arbitration vis-à-vis, document production, expert reports, witness-conferencing, and the significance of the oral hearing.

Co-Chairs

Peter Godwin *Herbert Smith Freehills, Tokyo*

Hiroyuki Tezuka *Nishimura & Asahi, Tokyo*

Panellists

Philippe Bärtsch *Schellenberg Wittmer, Geneva*

Sean Lim *Lee & Ko, Seoul*

Kana Manabe *Mori Hamada & Matsumoto, Tokyo*

Andre Maniam SC *WongPartnership, Singapore*

Khawar Qureshi QC *McNair Chambers, Qatar; Serle Court, London*

Lim Chee Wee *Skrine, Kuala Lumpur*

1530 – 1545 **Coffee/tea break**

1545 – 1645

Open forum: civil and common law perspectives on advocacy in international arbitration

This session will allow for open discussion of the material issues of concern to practitioners across the Asia Pacific Region in international arbitration from the perspective of the entire arbitral process to the approach of national courts to enforcement issues among others.

Co-Chairs

Sunil Abraham

Eun Young Park

1645 – 1700 **Closing remarks**

Speakers

Sunil Abraham *Co-Chair, IBA Asia Pacific Arbitration Group*

Masaharu Onuki *Executive Director, The Japan Commercial Arbitration Association, Tokyo*

Kindly supported by



Information

Date

12 September 2014

Venue

Japan Federation of Bar Associations
2F Creo Auditorium
1-1-3 Kasumigaseki
Chiyoda-ku, Tokyo, Japan 100-0013
Tel: +81 (0)3 3580 9741
Fax: +81 (0)3 3580 9840

Fees

Online registrations received:

	on or before 8 August	after 8 August
IBA/JFBA/JCAA/JAA member	US\$30	US\$45
Non-member	US\$45	US\$60
Young lawyers	US\$25	US\$60
Academics/judges	US\$25	US\$60
Public lawyers	US\$25	US\$60
Corporate counsel	US\$25	US\$60

After **5 September** registrations must be received in hard copy at the IBA office.

Hard copy registration forms and fees received:

	on or before 8 August	after 8 August
IBA/JFBA/JCAA/JAA member	US\$35	US\$50
Non-member	US\$50	US\$65
Young lawyers	US\$30	US\$65
Academics/judges	US\$30	US\$65
Public lawyers	US\$30	US\$65
Corporate counsel	US\$30	US\$65

* By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this conference is held, which entitles you to the following benefits:

- 1) Password access to certain parts of the IBA website.
- 2) Receipt of *IBA E-news* and access to online versions of *IBA Global Insight*.
- 3) Pay the member rate for any subsequent conference registrations for this calendar year.

If you would like to become a full or general member of the IBA, which includes membership of one committee or more – and inclusion in and access to our membership directory – we encourage you to do so now in order to register for this conference at the member rate. Full details of how to join can be found at www.ibanet.org.

Language

All working sessions and conference materials will be in English, simultaneous interpretation in Japanese will be provided in all working sessions.

How to register

Register online by **5 September** at www.ibanet.org/conferences/conf583.aspx and make payment by credit card, to avail of the ten per cent online registration discount or complete the attached registration form and return it to Alice Kim at the IBA together with your payment. You should receive emailed confirmation of your registration within five days; if you do not then please contact Alice Kim at alice.kim@int-bar.org.

A reduced rate is offered to lawyers who are over the age of 65, have been an IBA member for more than 20 years and are no longer practising law.

Full payment must be received in order to process your registration.

Fees include:

- Attendance at all working sessions
- Conference materials, including any available speakers' papers submitted to the IBA before 5 September.
- Access to the above conference working materials from the IBA website (www.ibanet.org) approximately seven days prior to the conference
- Access to mobile delegate search application
- Tea and coffee during breaks

Please note that registrations are not transferable.

List of participants

In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by **5 September** at the latest.

Mobile delegate search application

All registered delegates will receive a printed list of participants at the conference, however delegates are now also able to use the mobile delegate search. This application has been developed to aid networking by giving delegates instant access to an up-to-date list of their fellow attendees, and comes with the added benefit of a built-in messaging service. All registered delegates with an internet or Wi-Fi-enabled device will have access, using their IBA username and password. Simply visit: m.ibanet.org/conf583.

Registration confirmation

All documentation regarding your attendance at the conference can now be obtained from the IBA website. Upon receipt of your payment for the conference a confirmation email will be sent containing instructions on how to download the documents. Registration confirmation will not be distributed by post.

Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the Sponsorship Department at the IBA (sponsorship@int-bar.org).

Payment of registration fees

Pounds sterling: by cheque drawn on a UK bank and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

OR by bank transfer to the IBA account number: 13270222 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L, IBAN GB05NWBK56000313270222. **Please ensure that a copy of the bank transfer details is attached to your registration form.**

Euro: by cheque or bank draft, drawn on a euro zone bank and converted at the current rate of exchange and in favour of the International Bar Association.

OR by bank transfer to the IBA bank account number 550/00/06570631 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L, IBAN GB58NWBK60721106570631. **Please ensure that a copy of the bank transfer details is attached to your registration form.**

US dollars: by cheque converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

OR by bank transfer to the IBA account number: 01286498 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498. **Please ensure that a copy of the bank transfer details is attached to your registration form.**

Credit card payments: by Visa, MasterCard or American Express.
No other cards are accepted.

PLEASE ENSURE THAT YOUR NAME AND '[CON583TOKYO]' APPEAR ON ANY TRANSFER OR DRAFT.

No deductions or withholdings

All fees payable to us by you in accordance with the terms contained in this 'Information' section shall be paid free and clear of all deductions or withholdings whatsoever.

If any deductions or withholdings are required by law to be made from any fees payable to us by you under the terms contained in this 'Information' section you shall pay such sum as will, after the deduction or withholding has been made, leave us with the same amount as we would have been entitled to receive in the absence of any such requirement to make a deduction or withholding.

If we obtain the benefit of any tax credit or other relief by reference to any such deductions or withholdings, then we shall repay to you such amount as, after such repayment has been made, will leave us in no worse position than we would have had no such deductions or withholdings been required.

Conference sell-outs

The IBA places its conference in venues of a suitable size for the event; however there are times when our conferences may sell out. Should this happen, prospective delegates will be informed and a waiting list will operate. The waiting list will function on a 'first come, first served' basis, subject to receiving registered delegate cancellations. The IBA will not be liable for any travel or accommodation expenses incurred by an individual who travels to the conference without a confirmed place at the event.

Cancellation of registration

If cancellation is received in writing at the IBA office by **15 August**, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date. Registrations received after **15 August** will not be eligible for any refund of registration fees.

Provided you have cancelled your registration to attend an IBA conference in accordance with the terms of the 'cancellation of registration' clause included in the 'Information' section of the relevant conference programme, you must then confirm to us in writing at the IBA office as soon as possible but in no event later than one year (12 calendar months) from the date of any such conference all necessary details to enable any reimbursement owed to you to be paid. We regret that no refunds will be made after the date that is one year (12 calendar months) after the date of the relevant conference.

Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. **We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.**

Please apply for your visa in good time.

Continuing Professional Development/Continuing Legal Education

For delegates from countries where CPD/CLE is mandatory, the International Bar Association will be pleased to provide a Conference Certificate of Attendance which, subject to the exact CPD/CLE requirements, may be used to obtain the equivalent accreditation in your jurisdiction.

This conference has been accredited for CPD/CLE by the Solicitors Regulation Authority of England and Wales. New York and Californian attorneys may submit their certificates of attendance issued, and apply this credit earned to their New York and Californian CLE requirement. Delegates should ask staff at the registration desk for information as to how to obtain the hours.

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).



International Bar Association

the global voice of the legal profession

The **International Bar Association** (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of over 50,000 individual lawyers and almost 205 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community as well as being a source of distinguished legal commentators for international news outlets.

Grouped into two divisions – the **Legal Practice Division** and the **Public and Professional Interest Division** – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of business law around the globe. Additionally, the IBA's high-quality publications and world-class conferences provide unrivalled professional development and network-building opportunities for international legal practitioners and professional associates.

IBA Asia Pacific Arbitration Group overview

The Asia Pacific Arbitration Group (APAG) a new joint practice group established by the IBA Arbitration Committee and the Asia Pacific Regional Forum. The Group is composed of arbitration practitioners, arbitrators, judges and scholars based in the Asia Pacific region and APAG members will gain access to essential legal expertise and networking opportunities, which forms a strong foundation for various activities. The aim is to create an active forum for participation of all relevant stakeholders in the arbitration process in the region.

The Group is co-chaired by Eun Young Park, Vice-Chair of the IBA Arbitration Committee and Sunil Abraham, Senior Vice-Chair of the Asia Pacific Regional Forum and IBA Arbitration Committee's Asia- Pacific Liaison Officer.

Arbitration Committee overview

The Arbitration Committee focuses on laws, practice and procedures relating to the arbitration of transnational disputes. Through its publications and conferences, the committee seeks to share information about international arbitration and promote its use and improve its effectiveness.

Asia Pacific Regional Forum overview

In addition to offering an unrivalled opportunity to establish contact among lawyers within and outside the region, and with acknowledged experts on different areas of law, specialist Forum activities provide an unparalleled opportunity to keep abreast of legal business developments in the region. Members also benefit from excellent working relations with national Bars, the Inter-Pacific Bar Association and LAWASIA.

Contact information

International Bar Association

4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom

Tel: +44 (0)20 7842 0090 Fax: +44 (0)20 7842 0091

Email: member@int-bar.org www.ibanet.org

Registration form



APAG Training Day – Best Practices in International Arbitration

12 September 2014, Japan Federation of Bar Associations Creo Auditorium, Tokyo

Please read the 'Information' section before completing this form and return it together with your payment to Alice Kim at the address below

10F, Seoul Global Center Building, 38 Jong-ro (Seorin-dong), Jongno-gu, Seoul 110-792, South Korea, alice.kim@int-bar.org

Personal details *(Please attach your business card or write in block capitals)*

Title _____ Given name _____ Family name _____

Name and country to be shown on badge *(if different from above)* _____

IBA membership number *(if applicable)* _____ Date of birth _____

Firm/company/organisation _____

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Special dietary requirements _____

TO OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW,
PLEASE REGISTER BY 5 SEPTEMBER ONLINE AT WWW.IBANET.ORG/CONFERENCES/CONF583.ASPX
IBA MEMBERS CAN REGISTER ONLINE BY **8 AUGUST** FOR **US\$170**
PLEASE SEE 'INFORMATION' FOR FURTHER ONLINE REGISTRATION DETAILS.

Hard copy registration forms and fees received:	on or before 8 August	after 8 August	amount payable
IBA/JFBA/JCAA/JAA member	US\$35	US\$50	US\$
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Public lawyers	US\$30	US\$65	US\$
Corporate counsel	US\$30	US\$65	US\$

TOTAL AMOUNT PAYABLE US\$

A REDUCED RATE IS OFFERED TO LAWYERS WHO ARE OVER THE AGE OF 65, HAVE BEEN AN IBA MEMBER FOR MORE THAN 20 YEARS AND ARE NO LONGER PRACTISING LAW. PLEASE CONTACT THE IBA OFFICE FOR FURTHER INFORMATION.

*JOIN THE IBA TODAY AND REGISTER FOR THIS CONFERENCE AT THE IBA MEMBER RATE.
PLEASE FIND THE MEMBERSHIP APPLICATION FORM AT WWW.IBANET.ORG.

FULL PAYMENT MUST BE RECEIVED IN ORDER TO PROCESS YOUR REGISTRATION.
PLEASE NOTE THAT REGISTRATIONS ARE NOT TRANSFERABLE.



Payment details

- I enclose a cheque/bank draft made payable to the IBA for the total amount payable.
- I have transferred to the IBA bank account the total amount payable and have attached a copy of the bank transfer details.
- Please charge the total amount due to my (delete as appropriate) Visa/MasterCard/American Express. *Other cards are not accepted.*

Card number _____ Start date _____ Expiry date _____

Name of cardholder _____

Signature _____ Date _____

Where did you first hear about this conference?

- IBA CONFERENCE OTHER CONFERENCE DIRECT MAIL INTERNET ADVERTISEMENT
- EMAIL EDITORIAL RECOMMENDATION OTHER

Please provide further details, quoting code (if applicable)

IBA listings are provided to relevant third parties for marketing purposes. The IBA will treat your personal information with the utmost respect and in accordance with UK data privacy laws.

If you are agreeable to passing on your details, please tick this box

If you do **not** wish to receive IBA information and materials, please tick this box

Your details will however be included in the list of participants.

Please send the completed form to:

Alice Kim

International Bar Association

10th Floor, Seoul Global Center Building

38 Jong-ro, 63 Seorin-dong

Jongno-gu, Seoul 110-792

South Korea

alice.kim@int-bar.org

www.ibanet.org

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