

2022 Tokyo Forum on Dispute Resolution

Anchoring new approaches to the core principles of due process and fairness

DAY1 : Thursday, 15 December

[Session 1] 14:30-18:00 JST (GMT+9)

Opening & Stocktaking of developments in dispute resolution in the digital economy

**14:30-14:50 JST
(GMT+9)**

Opening Remarks



Noriko Shibata
Assistant Vice-
Minister of Justice
Japan



Anna Joubin-Bret
Secretary
UNCITRAL



Meg Kinnear
Secretary-General
ICSID

**14:50-16:20 JST
(GMT+9)**

Panel 1 – The use of technology in arbitration

Topics to be discussed: (a) electronic communication (incl. e-awards); (b) case management; (c) e-document production; (d) new forms of presentation of evidence (e.g. demonstrative exhibits, 3D modelling); (e) online hearings; (f) electronic awards; and (g) AI in the decision-making

Moderator: Takashi Takashima (Legal Officer, UNCITRAL)

Speakers:

- Andrés Jana Linetzky (Founding Partner, Jana & Gil Dispute Resolution; UNCITRAL WGII Chair)
- Joaquin Terceño (Partner, Freshfields Bruckhaus Deringer)
- John Ribeiro (Senior Legal Counsel, INPEX CORPORATION)
- Maud Piers (Professor, Ghent University)
- Toby Landau KC (Barrister (London); Advocate (Duxton Hill Chambers, Singapore); Arbitrator)
- Yoshimi Ohara (Partner, Nagashima Ohno & Tsunematsu)
- Makoto Hashizume (Judge, Director for Information Technology in Civil Procedure, Civil Affairs Bureau, Supreme Court of Japan)

16:20-17:05 JST (GMT+9)	<p>Panel 2 – Online mediation</p> <p>The panel will address questions relevant to developing an enabling environment for online mediation. How do you prepare for online mediation, what needs to be understood by the parties to conduct mediation online, what are the advantages/disadvantages of online mediation, etc.</p> <p>Moderator: Takashi Takashima (Legal Officer, UNCITRAL)</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Anne-Karin Grill (Principal, AKG ADVISORY) • Andrea Hartmann-Piradeau (CEO, Consensus GmbH and the International Mediation Campus; Mediator) • Geoff Sharp (Commercial Mediator) • James Claxton (Professor of Law, Waseda University)
17:05-17:40 JST (GMT+9)	<p>Panel 3 – Dispute resolution on online platforms</p> <p>The panel will discuss the use of online platforms to administer different types of dispute resolution and also attempt to identify overarching principles applicable to them.</p> <p>Moderator: Jae Sung Lee (Senior Legal Officer, UNCITRAL)</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mariel Dimsey (Secretary-General, HKIAC) – “HKIAC Case Connect” • Shunsuke Mori (Manager, Deloitte Tohmatsu Financial Advisory) and Satoshi Tsukamoto (U&I Advisory Service) – “DTFA Smart Judgement” • Teresa Rodriguez de las Heras Ballell (Professor of Commercial Law, Carlos III University of Madrid) – “Principles governing the use of online platforms for dispute resolution”
17:40-18:00 JST (GMT+9)	<p>Remarks on the way forward & Closing Remarks</p> <p>Anna Joubin-Bret (Secretary, UNCITRAL)</p> <p>Closing Remarks</p> <p>Takeshi Matsumoto (Director, Minister’s Secretariat International Affairs Division, Ministry of Justice, Japan)</p>

DAY2 : Friday, 16 December

[Session 2] 10:00-12:30 JST (GMT+9)

2022 ICSID Rules

Topics to be discussed: (a) Reduced Time and Cost; (b) Case Management Conferences; (c) Manifest Lack of Legal Merit; (d) Bifurcation; (e) Security for Costs; (f) Expedited Proceedings; (g) Decisions on cost; (h) Transparency; (i) Expanded Access to the Additional Facility; (j) Non-Disputing Parties and Non-Disputing Treaty Parties; (k) Third Party Funding ; (l) Mediation

**10:00-12:30 JST
(GMT+9)**

Moderator: Meg Kinnear (Secretary-General, ICSID)

Speakers:

- Andrés Jana Linetzky (Founding Partner, Jana & Gil Dispute Resolution; UNCITRAL WGII Chair)
- Yoshimi Ohara (Partner, Nagashima Ohno & Tsunematsu)
- Toby Landau KC (Barrister (London); Advocate (Duxton Hill Chambers, Singapore); Arbitrator)
- May Tai (Managing Partner, Herbert Smith Freehills)
- Brian King (Arbitrator (New York and London), Adjunct Professor, New York University School of Law)
- Emmanuel Jacomy (Partner, Shearman & Sterling)

Closing Remarks

Fumihiko Yanaka (Director, Ministry of Justice, Japan)

Venue: Virtual (Via Zoom)

Language: English (Simultaneous Japanese translation)

For registration, access the URL or scan the QR code.

Session 1:

https://us02web.zoom.us/webinar/register/WN_V3I9_EAkRAaHrzGLUemLBg

Session 2:

https://us02web.zoom.us/webinar/register/WN_R22graYeTBS_IQbFXq5u0w

