

19 August 2016, Friday ✦ 12.30pm – 2.00pm ✦  
Executive Seminar Room, Block B, Level 3, NUS (Bukit Timah Campus)

## Japanese Arbitration Law and UNCITRAL Model Law

Associate Professor Hisashi Harata  
*University of Tokyo*

Chairperson: Associate Professor Gary F. Bell

### ABSTRACT

The new arbitration law was enacted in 2003 in Japan. Notwithstanding the declaration of adoption of UNCITRAL Model Law, there are some critical discrepancies between them. Especially there are some provisions requiring the application of mandatory rules of Japanese law, differently from the spirit of internationalism and respect of party autonomy of the Model Law. If these points are considered seriously, the Japanese adoption of Model Law might be regarded just as partial and it might also mean an infringement of the New York Convention. Such a legislative experience of Japan sheds light on some general difficulties of the model law approach for international harmonization, especially when the model law tries to revise a treaty and also on the complicated relationship between domestic laws, model law, and international treaty.

### ABOUT THE SPEAKER



Hisashi HARATA is an Associate Professor at Faculty of Law, University of Tokyo. He teaches Private International Law, including International civil procedure and international commercial arbitration. His main areas of specialization are Private International Law and Comparative Law, especially between the Western Legal Tradition and Asian legal systems.

His current research focuses on reconstructing a framework of transnational law, including various problems on fragmented public international law, international institutions of arbitration, *lex mercatoria*, investment agreement, transnational private regulation, international tax law, international corporate governance and so on.

He was a visiting scholar at Dipartimento di Diritto Romano at Università degli studi di Napoli, at Cornell Law School and at NUS. He often delivers lectures at Columbia Law School, Michigan Law School, and Chicago Kent-College of Law.

### REGISTRATION

There is no registration fee for this seminar but seats are limited.

A light sandwich lunch will be provided on a first-come-first-serve basis.

Closing Date: **15 August 2016, Monday**

For enquiries, please contact Haikel at [cals@nus.edu.sg](mailto:cals@nus.edu.sg)

To REGISTER,  
Go to URL :

<https://goo.gl/s6eJPJ>

or scan the QR Code:

