



Shimpei Ishido

**Counsel
Tokyo**

Tel: +81-3-6250-6501(Direct)
Fax: +81-3-6250-7200
E-mail: s.ishido@nishimura.com

Shimpei Ishido has been active in the field of international trade matters and international investment disputes for many years. He advises and represents governments and major corporations with regard to antidumping and countervailing duties proceedings as well as investment arbitration under ICSID, ICC and UNCITRAL arbitration rules. He currently serves as a member of the Japanese delegation to the UNCITRAL Working Group III (Investor–State Dispute Settlement Reform).

He usually provides his clients with general advice on a variety of international law issues including investment protection, government procurement, trade in services, e-commerce and space. He also has rich experience in providing capacity-building training on international investment law and trade in services to government officials of various states in the Asia-Pacific Region and Central Asia.

Before joining Nishimura & Asahi, he led, as legal counsel to the Ministry of Foreign Affairs of Japan, the negotiation of Japan’s international investment agreements including the investment and trade in services chapters of the Trans-Pacific Partnership, the Japan–EU EPA, the ASEAN–Japan Comprehensive Economic Partnership, the Japan–Australia EPA, the Japan–Mongolia EPA, and the Japan–Mozambique BIT.

Qualifications

- Admitted in Japan (2009, readmitted in 2017)

Education

- 2016 University College London (LL.M. in International Law, Chevening Scholar)
- 2006 The University of Tokyo, School of Law (J.D.)
- 2004 The University of Tokyo (LL.B.)

Other Professional Experience

- 2016-2017 Three Crowns LLP (London)
- 2015 Volterra Fietta LLP (London)
- 2012-2015 Deputy Director, Economic Treaties Division, International Legal Affairs Bureau, Ministry of Foreign Affairs of Japan

- 2009-2012 Linklaters Tokyo

■ Major Cases

- US Anti-Dumping Victory for Japanese Steelmakers: assisted, in conjunction with a US law firm, in securing a significant win for Japanese special steelmakers before the U.S. International Trade Commission (ITC), which has decided to revoke anti-dumping measures on stainless steel bars imported from Japan.

■ Representative Publications

- GAR Know how Investment Treaty Arbitration - Japan, November 2020 (co-author: Lars Markert)
- The Investment Treaty Arbitration Review: The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (Law Business Research, London, UK, 2020, co-author: Lars Markert)
- Commentary on the TPP Agreement (The Research Institute of Economy, Trade and Industry Website)
- GAR Know How: Investment Treaty Arbitration – Japan, August 2019 (co-author: Lars Markert)
- Case Notes on CC/Devas et al. v Republic of India (PCA), JCA Journal (The Japan Commercial Arbitration Association, June 2019)
- The Investment Treaty Arbitration Review: The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (Law Business Research, London, UK, 2019)
- "Achmea, viewed from Japan", Global Arbitration Review (GAR) (Law Business Research, London, UK, 2018)
- The International Comparative Legal Guide to Investor-State Arbitration 2019: Japan (Global Legal Group Ltd., 2018)
- The Investment Treaty Arbitration Review - Third Edition: Covered Investors Chapter (Law Business Research, London, UK, 2018)
- What Is an Appropriate Interaction Between International Law and Domestic Legal Systems to Promote Space Resources Development? , Air and Space Law Volume 42, (Wolters Kluwer, 2017)
- Case Notes on Investment Treaty Arbitration Awards and Decisions (85) Mesa Power LLC v Canada; Application of “Procurement” exception of NAFTA Chapter 11 to Ontario’s Feed-In-Tariff Programme, and Tribunal’s Reliance on Earlier Arbitral Awards in Ascertaining the Content of Customary International Law Minimum Standard of Treatment., JCA Journal (The Japan Commercial Arbitration Association, 2016)
- Government and Corporate legal practices regarding TPP (8): Investment (4) - Investor-State Dispute Settlement (the second volume), NBL No.1078 (Shoji Homu, 2016)
- Government and Corporate legal practices regarding TPP (7): Investment (3) - Investor-State Dispute Settlement (the first volume), NBL No.1076 (Shoji Homu, 2016)

- Government and Corporate legal practices regarding TPP (6): Investment (2) - Substantive Provisions of liberalization and Protection of Investment (the second volume), NBL No.1074 (Shoji Homu, 2016)
- Government and Corporate legal practices regarding TPP (5): Investment (1) - Substantive Provisions of Liberalization and Protection of Investment (the first volume), NBL No.1072 (Shoji Homu, 2016)
- Case Notes on Investment Treaty Arbitration Awards and Decisions (61) The Rompetrol Group N. v Romania; Creeping violations of the FET standard, compensation for “reputational damage” incurred by a legal person., JCA Journal (The Japan Commercial Arbitration Association, 2014)
- Case Notes on Investment Treaty Arbitration Awards and Decisions (52) Antoine Goetz and others v Republic of Burundi; Counterclaim by Respondent State in Investment Treaty Arbitration: Jurisdiction and Admissibility., JCA Journal (The Japan Commercial Arbitration Association, 2013)
- Case Notes on Investment Treaty Arbitration Awards and Decisions (43) EDFI and Others v Argentine Republic; Incorporation of Umbrella Clause in an Investment Agreement between the Host State and the Third State through Most-Favoured-Nation Clause., JCA Journal (The Japan Commercial Arbitration Association, 2013)
- Case Notes on Investment Treaty Arbitration Awards and Decisions (34) Hochtief AG v Argentine Republic; Application of Most-Favoured-Nation Clause with regard to Dispute Settlement Procedures., (The Japan Commercial Arbitration Association, 2012)

■ Representative Presentations

- 17 May 2019: Speaker, “Legal Strategies for Space Business expanding into Various Fields - in light of legal trends - Developments in Major Space Faring Countries”, Japan Planning Institute, Tokyo, Japan
- 21 January 2019: Presenter, “Introduction to Investment Treaty Arbitration”, Mirai Program of Ministry of Foreign Affairs, Nishimura & Asahi, Tokyo, Japan
- 12 December 2018: Organizer, “Proposal for Amendment of the ICSID Rules”, ICSID Webinar with Gonzalo Flores, Deputy Secretary-General of ICSID, Nishimura & Asahi, Tokyo, Japan
- 3 October 2017: Panelist, “Dispute Prevention Strategies: Importance of Policy Coherence”, APEC Capacity Building Workshop on Investor-State Dispute Settlement (ISDS) Prevention and Management, International Centre for Settlement of Investment Disputes (ICSID), Washington DC, the United States of America

■ Languages

- Japanese, English