

the Preliminary Draft for the Amendment of the Code of Civil Procedure.

(1) Examination of Matters regarding to "Party" in the Preliminary Draft, by Aritoshi Fukunaga (Professor, Kobe University).

(2) Reconstruction of the Process of Reorganization of Points at Issue, by Yoshimitsu Aoyama (Professor, Tokyo University).

(3) Enlargement of the Collection of Evidence, by Hideyuki Kobayashi (Professor, Sophia University).

(4) Foundation of a Small Claims Proceeding, by Takeshi Kojima (Professor, Chuo University).

(5) System of Appeal to the Supreme Court, by Morio Takeshita (Professor, Hitotsubashi University).

Prof. TETSUO KATO
Assist. JUNKO SHIBATA

5. Criminal Law and Procedure

The Criminal Law Society of Japan held its 72nd General Meeting at Meiji Gakuin University on May 21 and 22, 1994. The contents of the General Meeting are outlined as follows:

1. Reports of Individual Studies

(1) Necessity and the Autonomy of the Individual, by Naoki Oda (Associate Professor, Hiroshima University).

(2) A Comparison of the Impossibility Theories in Japan and France, by Hitoshi Aoki (Lecturer, Kanto Gakuin University).

(3) A Study of the Crime of Forgery of a Document, by Takeyoshi Imai (Associate Professor, Hokkaido University).

(4) Arrest based on a Pretextual Charge / Detention and Interrogation for Another Charge under Investigation, by Toshihiro Kawaide (Associate Professor, Tokyo University).

(5) The Position of Interrogation of the Suspect in Criminal

Justice, by Tatsuya Tada (Associate Professor, Kyushu International University).

(6) Introductory Remarks on the Theory of Dismissal in Criminal Procedure, by Makoto Ibusuki (Associate Professor, Kagoshima University).

2. *Lecture*

- * The Integration of Europe and the European Criminal Law, by Ulrich Sieber (Professor, Würzburg University), translated by Noriyuki Nishida (Professor, Tokyo University).

3. *Report on an International Conference*

- * The 11th General Meeting of the International Criminological Society, by Junji Abe (Professor, Tohoku University).

4. *Special Report*

- * The Reform of the Criminal Code in France, by Osamu Niikura (Professor, Kokugakuin University).

5. *Reports of Joint Studies*

(1) Rethinking of the Concept of *Mens Rea*

- * Introduction, by Yoshihiko Nakamori (Professor, Kyoto University).
- * *Mens Rea* and the Findings, by Ritsuro Uemura (Judge, Sapporo District Court).
- * The Object of Perception in *Mens Rea* and Consciousness of Illegality, by Masahide Maeda (Professor, Tokyo Metropolitan University).
- * Mistake of Abstract Fact, by Atsushi Yamaguchi (Professor, Tokyo University).

(2) The Present Situation and Problems of Criminal Defense —Right to Counsel, Official Defense Counsel and Duty Attorney System—

- * Introduction, by Yoshitomo Oode (Professor, Kyushu University).
- * The Level attained by the Theories of Right to Counsel, by

Yuji Shiratori (Professor, Hokkaido University).

- * Problems in View of the Present Situation, by Shinichi Oka (Attorney).
- * Theoretical Problems, by Satoshi Ookubo (Associate Professor, Chikushi Women's College).
- (3) Considerations concerning the Death Penalty
 - * Introduction, by Munenobu Hirakawa (Professor, Nagoya University).
 - * The Death Penalty and the Order of the Constitution, by Hiroshi Onosaka (Professor, Niigata University).
 - * The Significance of the Death Penalty for Criminal Policy, by Takeyoshi Hongo (Researcher, Research and Training Institute of the Ministry of Justice).
 - * The Criterion for Sentencing to the Death Penalty, by Yoshiko Iwai (Professor, Senshu University).
 - * The Death Penalty and Due Process of Justice, by Toyo Atsumi (Professor, Chuo University).
 - * The Death Penalty and the Sociocultural Structure in Japan, by Masaaki Fukuda (Professor, Hitotsubashi University).

6. *Workshops*

The participants of the meeting, divided into the following ten theme groups, actively held discussions on: (1) Reasonableness of Causation; (2) Responsibility and Prevention; (3) Complicity and Self-Defense; (4) Embezzlement and Breach of Trust; (5) The Crime of Forgery of a Document; (6) Scientific Investigations of Crimes; (7) Criminal Justice and Participation of Citizens; (8) Juvenile Cases and Due Process of Law; (9) Daily Fine Rates; (10) Organized Crime.

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