

Presentations on Main Theme: Law and Economy; Dialogue on Institutions and Thinking Methods

- (1) “Law and Economics: the Problems and the Prospects”
Makoto Usami (Professor, Tokyo Institute of Technology).
- (2) “Pareto Efficiency, Equity, Social Respect for Rights, and Justice”
Koutaro Suzumura (Professor, Waseda University).
- (3) “Discussion on Suzumura’s Report”
Reiko Goto (Professor, Ritsumeikan University).
- (4) “The Law and Economics of Employment Security”
Naohiro Yashiro (Professor, International Christian University).
- (5) “Discussion on Yashiro’s Report”
Yuki Asano (Associate Professor, Kinki University).
- (6) “The Economic Effect on Law Making”
Toshihiro Ihori (Professor, The University of Tokyo).
- (7) “Discussion on Ihori’s Report”
Kouichi Taniguchi (Associate Professor, Tokyo Metropolitan University).
- (8) “Law, Legal Theory, and Economics”
Hiroshi Kamemoto (Professor, Kyoto University).
- (9) “Discussion on Kamemoto’s Report”
Shozo Ota (Professor, The University of Tokyo).
- (10) “Concluding Discussion”
Itaru Shimazu (Professor, Chiba University).
- (11) “Symposium: Law and Economy; Dialogue on Institutions and Thinking Methods”

11. Comparative Law

I. The *Japan Society of Comparative Law* held its 71st General Meeting at Osaka University on June 6 and 7, 2008.

First Day

1. Anglo-American Law Section:

- (1) “Establishment of Judicial Review in the Marshall Court — A New Approach of Republican Interpretation”
Yoshiaki Haraguchi (Doctoral Course, Waseda University).
- (2) “The Interpretation of the Creating Conflicts of Interest in Human Subject Research — Recent Trends in American Law — ”
Tomoko Mise (Research Fellow of JSPS).
- (3) “Comparative Studies on the Amended Law of Trust — Introduction of Purpose Trust — ”
Atsuko Sese (Associate Professor, Kyoto Prefectural University).

2. Continental Law Section:

- (1) “De la subrogation réelle française et allemande”
Yoshinori Naoi (Associate Professor, University of Tokushima).
- (2) “The Limitation of the Number of Holding Directorship Concurrently in France”
Tetsuya Deguchi (Doctoral Course, Kwansei Gakuin University).
- (3) “Action en bornage et la propriété foncière en droit français”
Shunichiro Koyanagi (Professor, Dokkyo University).

3. Socialist Law Section:

- (1) “Judicial Reform in Lao P. D. R.: A Focus on the Abolition of Supervision Instance System”
Hiroyuki Seto (Lecturer, Aichi Shukutoku University).
- (2) “The Current Status and Function of the Public Opinion Reflection System in Chinese Governing Institutions”
Ryo Tajimi (Assistant Professor, Waseda University).

4. Mini-Symposium A:

“Evolving Constitution and Constitutional Law in UK — from the Viewpoint of Fact and Theory — ”

- (1) “Introduction”
Takashi Kuramochi (Professor, Konan University).

- (2) “Constitutional Reform in Britain: from Blair to Brown”
Akihiro Okada (Professor, Kobe University).
- (3) “The New Bill of Rights Debates after the Human Rights Act 1998”
Takashi Kuramochi (Professor, Konan University).
- (4) “Tribunal Reform as the Third Reform of the Justice System”
Hidenori Sakakibara (Professor, Nanzan University).
- (5) “A Perspective of English ‘Public Law’ and ‘Transformation’ of
Common Law”
Michiatsu Kaino (Professor, Waseda University).
- (6) “Constitutional Theory after Constitutional Reform”
Koji Aikyo (Professor, Nagoya University).

5. Mini-Symposium B:

“Global Trends in Prescription Law”

- (1) “Introduction”
Miyohiko Matsuhisa (Professor, Hokkaido University).
- (2) “Limitation of Actions in English Law: Reform with Holding
Tradition”
Hiroshi Matsuo (Professor, Keio University).
- (3) “La prescription dans le code civil du Québec”
Masayuki Kato (Associate Professor, Kobe Gakuin University).
- (4) “The New German Law of Prescription”
Yuki Saito (Associate Professor, Otaru University of Commerce).
- (5) “Le nouveau droit français de la prescription”
Naoki Kanayama (Professor, Keio University).
- (6) “Overall Analysis”
Miyohiko Matsuhisa (Professor, Hokkaido University).

6. Mini-Symposium C:

“Development of ‘Public Interest Litigation’ in Asia”

- (1) “Project Intention/General Remarks”
Nobuo Kochu (Professor, Kansai University).
- (2) “Public Interest Litigation in China”
Jiro Sakurai (Assistant Professor, Nagoya University).

- (3) “Public Interest Litigation and Human Rights Commission in Southeast Asia: Realization of Justice of Society”
Nobuyuki Yasuda (Professor, Kansai University).
- (4) “Public Interest Litigation in South Asia”
Noriyuki Asano (Associate Professor, Osaka Ohtani University).

Second Day

Symposium:

“Security of Society and Protection of Personal Information”

- (1) “Introduction”
Eiji Maruyama (Professor, Kobe University).
- (2) “The United States: Megan’s Law”
Shigenori Matsui (Professor, University of British Columbia).
- (3) “DNA Database Legislation in the United States”
Tatsuhiko Yamamoto (Associate Professor, Toin University of Yokohama).
- (4) “United Kingdom (England and Wales)”
Megumu Yokono (Lecturer, Waseda University).
- (5) “The Legal System of Germany concerning DNA-databank”
Yuki Tamamushi (Associate Professor, Fukuoka University).
- (6) “France”
Tetsu Isobe (Associate Professor, Dokkyo University).
- (7) “Counter Measures against Sexual Crimes in Sweden: Especially the Cases where Children Become Victims”
Emi Yano (Assistant Professor, Tohoku University).
- (8) “Protection of Children and Prevention of Sex Crimes in South Korea”
Hyunsoo Hong (The Health Care Science Institute).
- (9) “Sexual Offenders’ Personal Information and the Private Sector”
Masako Kamiya (Professor, Gakushuin University).

II. The *Japanese American Society for Legal Studies* held its 45th General Meeting at Waseda University on September 27 and 28, 2008.

First Day**Case Study:**

- (1) “Goldstein v. SEC, 451 F. 3d 873 (D. C. Cir. 2006)”
Masayoshi Ishida (Associate Professor, Osaka Prefecture University).
- (2) “United Haulers Ass’n, Inc. v. Oneida-Herkimer Solid Waste Management Authority, 127 S. Ct. 1786 (2007)”
Yuichiro Tsuji (UC Berkeley School of Law, Center of Law, energy and the Environment).
- (3) “Interim Report on the Survey of Existing Conditions in Anglo-American Law Education”
Kichimoto Asaka (Professor, University of Tokyo).
- (4) “The American Congress and Judicial Discipline”
Takatsugu Tsuchiya (Associate Professor, Kinki University).

Second Day**Symposium:****“Seeking Equality Whereabout of Affirmative Action”**

- (1) “History of Equal Protection — from Brown to Parents Involved — ”
Shigenori Matsui (Professor, University of British Columbia).
- (2) “The Constitutional Standard of Affirmative Action and Equal Protection in Public Works”
Hitomi Yoshida (Associate Professor, Kanto Gakuin University).
- (3) “Diversity and Critical Mass in Education”
Masako Kamiya (Professor, Gakushuin University).
- (4) “Reconsidering Some Cases of Affirmative Action in Employment — Distinguishing between Capable Efforts and Illegal Efforts — ”
Keisuke Abe (Professor, Seikei University).
- (5) “Affirmative Action in Elections”
Koji Higashikawa (Associate Professor, Kanazawa University).
- (6) “Voluntary Integration, Affirmative Action, and the Roberts Court”
James E. Ryan (Professor, University of Virginia).
- (7) “Does Integration Still Matter?”
James Forman Jr. (Professor, Georgetown University Law Center).

III. *Die Japanisch-Deutsche Gesellschaft für Rechtswissenschaft* held its Symposium at *Kyoto University* on March 21, 2009.

Symposium :

„Putativnotwehr: Ein Grenzfall zwischen Rechtfertigung und Entschuldigung“

Prof. Dr. Francisco Muñoz Conde (Universidad Pablo de Olavide).

IV. *La Société franco-japonaise de Science Juridique* held its 49th General Meeting at University of Tokyo on February 14, 2009.

- (1) “The Public Action by Private Actors”

Junko Iijima (Associate Professor, Tohoku University).

- (2) “The Current Status and Problems of Medical Service Law in France”

Kimiyoshi Inamori (Associate Professor, Kyoto University).

V. *The Association for “Societal System & Law” Studies* held its 2008 General Meeting at the Kobe University on June 6, 2008.

“Globalization and Economic Laws Reform”

- (1) “Explanation of Aims”

Yu Shinoda (Professor, Hokusei Gakuen University).

- (2) “Bankruptcy Law of the Republic of Uzbekistan”

Kie Matsushima (Lawyer, Tokyo Bar Association).

- (3) “Problems of Land Law System in Mongolia — Focusing on the Development of Tenure — ”

Masaki Nakamura (Associate Professor, Nagoya University).

- (4) “The Process of the Making of Labor Contract Law in China and its Typical Features — Increased Protection of Labor’s Rights and Interests — ”

Cui Guangri (Professor, Shobi University).

- (5) “Comment”

Tomoyoshi Ito (Professor, Chuo University).

VI. *The Japanese Association of Asian Law* held its 2008 Conference at Kyushu University on June 28 and 29, 2008, and its 2008 General Meeting at International Christian University on November 15, 2008.

2008 Conference

First Day

Individual Reports:

Chaired by Machiko Kamio (Professor, Nihon University).

- (1) “The Development of Legal Regulations on ‘Irregular Employment’ in China”
Wulangerile (Lecturer, Otemon Gakuin University).
- (2) “Significance of Chinese Labor Contract Law — One Year After its Establishment — ”
Noboru Yamashita (Associate Professor, Kyushu University).
- (3) “The Gap between Economic Reality and Norms in Vietnamese Investment Policy — Problems and Prospects — ”
Teruhiko Harada (Professor, Kansai University).

Second Day

Symposium:

“Reception of Law in the Public Law Field — Law, State and Lawyer — ”

Chaired by Masaki Ina (Professor, International Christian University).

- (1) “Explanation of Aims”
Shinichi Ago (Professor, Kyushu University).
- (2) “Comparative Study on the Reception of International Law in Japan, China and Korea”
Han Sang Hee (Associate Professor, Kyushu University).
- (3) “The Reception of International Law Thought in Thailand”
Junzo Iida (Professor, Soka University).

Panel Discussion:

“Reconsidering Tokichi-Masao-logy”

Discussed by Naoyuki Isogawa (Professor, Kyushu University) and Kozo Kagawa (Professor, Osaka Jogakuin College).

Commented by Junzo Iida (Professor, Soka University).

2008 General Meeting

1. Individual Reports:

Chaired by Noriko Kokubun (Professor, University of Tsukuba).

- (1) “Hunter-Gatherer and Land Ownership — The Case of Tanzania-Hadza — ”

Hiromi Amemiya (Associate Professor, University of Toyama).

2. Symposium:

“Constitutional Justice in East Asia”

Chaired by Nobuo Kochu (Professor, Kansai University).

- (1) “Explanation of Aims”

Masaki Ina (Professor, International Christian University).

- (2) “Constitutional Justice in Japan”

Shojiro Sakaguchi (Professor, Hitotsubashi University).

- (3) “Security of Human Rights and Constitutional Justice in Korea”

Reo Mizushima (Doctral Course, Seoul National University).

- (4) “Structural Development of the Constitutional Court in Taiwan”

Yosou Kure (Associate Professor, Shih Hsin University).

- (5) “Constitutional Court in East Asia: Understanding of Diversity and the Mongolian Case”

Tom Ginsburg (Professor, University of Chicago).

VII. The *European Union Studies Association-Japan* held its 29th Annual Conference at the University of Shizuoka on November 22 and 23, 2008.

Common Theme:**“The EU Environmental Governance and the Globalised World”**First Day**1. Plenary Session:**

Chaired by: Kouji Fukuda (Professor, Waseda University).

- (1) “The EU Environmental Governance and the Globalised World”
Takashi Okamura (President, Research Institute of Innovative Technology for the Earth).
- (2) “The EU Sustainable Development Strategy and its Implications on European Integration: Providing the Story of a Promised Land?”
Yoichiro Usui (Professor, Niigata University of Intl. & Info. Studies).
- (3) “Integrated Environmental and Energy Policy in the EU”
Kenichi Oshima (Professor, Ritsumeikan University).

2. Plenary Session:

Chaired by Shosaku Masai (Professor, Waseda University).

- (1) “Comparative Study of the Emissions Trading Systems and Practice in EU and Japan”
Setsuko Yufu (Attorney, Atsumi & Partners).
- (2) “Environmental Governance: a Multi-level Governance Approach”
Prof. Dr. Frank Delmartino (University of Leuven).

Second Day**1. Group A:**

Chaired by: Kenji Iwata (Professor, Kyushu University).

- (1) “Balancing Trade and Environment: The EU Method and Its Projection in the WTO”
Yukari Akeda (Senior Researcher, Keio Jean Monnet Centre).
- (2) “Environmental Policy and EU Competition Law — in the Context of the ‘Modernisation’ Reforms — ”
Yoshiharu Ichikawa (Japan Broadcasting Corporation, NHK).

- (3) “European Policy for Urban Issues under the Globalization: Focusing on the Sustainable Development Program for Problem Quarters in German Cities”

Kenji Yamamoto (Professor, Kyushu University).

2. Group B:

Chaired by Asatsugu Tatsumi (Professor, Hannan University).

- (1) “EU and Peacebuilding — European Approach to Security Sector Reform”

Tomonori Yoshizaki (Director, National Institute for Defense Studies).

- (2) “European Security Order and Germany: Challenges and Dilemmas of the Merkel government”

Toshiya Nakamura (Professor, University of Nagasaki).

- (3) “The Policy of Maritime Safety and Marine Environment Protection in the EU — Consideration of Directive on ‘Place of Refuge’”

Tetsuya Yamaji (Professor, The Japan Coast Guard Academy).

3. Group C:

Special Session:

“The Enlarged EU and its New Neighbour Countries”

organized by “Wider Europe Research Center” of the University of Shizuoka.

Chaired by Yu Hasumi (Professor, Rissho University).

- (1) “European Neighbourhood Policy: its Assessment and Challenges”

Yasuyuki Kokubo (Professor, University of Shizuoka).

- (2) “Eastern Dimension of the ENP: Comparative Analysis of Effects”

Shigeo Mutsushika (Professor, University of Shizuoka).

- (3) “The EU and the ‘Barcelona Process: Union for the Mediterranean’ — Old Wine in New Bottles?”

Michael Reiterer (Adjunct Professor, University of Innsbruck).

4. Plenary Session:

Chaired by Hiromasa Kubo (Professor, Kobe University).

- (1) “Environmental and Energy Policy in the EU for Biofuels, and Comparative Analysis for EU countries”
Kunio Iwamatsu (Doctoral Course, Kobe University).
- (2) “Dynamics of the Energy Supply Security Strategies of the EU toward Turkey’s Accession”
Machiko Hachiya (Professor, Kyushu University).
- (3) “An EU External Energy Policy and its Relations to Russia: Prospects of EU-Russian Energy Dialogue”
Yu Hasumi (Professor, Rissho University).

12. International Law and Organizations

I. *The Japanese Society of International Law* held its 2008 Spring Session at Nanzan University on May 10, 2008.

- (1) “A Myth of the Restriction of Foreign State Immunity under International Law”
Tomonori Mizushima (Associate Professor, Nagoya University).
- (2) “‘State Immunity’ from the Viewpoint of the Conflict of Laws”
Dai Yokomizo (Associate Professor, Nagoya University).
- (3) “The Rationale of Judicial Decisions”
Hélène Ruiz Fabri (Professor, University of Paris 1).
- (4) “The Concretization of Petitum in the International Court of Justice”
Yoshiyuki Lee (Associate Professor, Nagasaki Prefectural University).
- (5) “The Trend of Advisory Opinions by the International Court of Justice: The Response to the Existing Dispute”
Takahide Nagata (Associate Professor, Rissho University).

II. *The Japanese Society of International Law* held its 2008 Fall Session at Tokyo University of Foreign Studies on October 11 and 12, 2008.

Day One

- (1) “Non-State Actors and International Law: An Essay on the Change of