

- (4) “Justice and International Law across National Boundaries”
Shun Kaku (Associate Professor, Hokkaido University)

Second Part:

- (1) “Globalization and Justice: Changes of Agents, Territory and Effectiveness”
Takashi Oshimura (Professor, Aoyama Gakuin University)
- (2) “Cosmopolitanism and its Role-sharing Systems”
Hirohide Takigawa (Professor, Rikkyo University)
- (3) “Comments”
Tatsuo Inoue (Professor, Tokyo University)

Symposium: “Justice across National Boundaries: Its Principals and Systems”

11. Comparative Law

I. The *Japan Society of Comparative Law* held its 75th General Meeting at Kyoto University on June 2 and 3, 2012.

First Day

1. Anglo-American Law Section Part 1:

- (1) “New Developments of Apparent Agency Theory in England Law and US Law”
Yusuke Nishiuchi (Lecturer, Kinki University)
- (2) “The Scope of Mistake and Misrepresentation in American Contract Law”
Hanae Furuya (Lecturer, Musashino University)
- (3) “The Legal Status of Children conceived via AID”
Aya Hanamoto (Associate Professor, Osaka University of Economics and Law)

2. Anglo-American Law Section Part 2:

- (1) “The Development of Anglo-American Legal Thought”

Michihiro Kaino (Professor, Doshisha University)

- (2) “Rethinking Insider Trading Regulation in the United States from Common Law of Fraud perspective”

Yoko Manzawa (Researcher, Japan Securities Research Institute)

- (3) “The Legal Process Revisited: A Historical and Critical Perspective”

Tomohiko Shiina (Associate Professor, Aomori Chuo Gakuin University)

3. Continental Law Section:

- (1) “Evaluation of Nursing Care Benefit in Germany — Focusing on the Reform of German Inheritance Law”

Yuuka Katsui (Doctoral Course, Doshisha University)

- (2) “Joint Custody after Divorce and Assistance for Visitation in Germany”

Tomoko Inagaki (Doctoral Course, Osaka University / Research Fellow of Japan Society for the Promotion Science)

- (3) “Comparing EU Law with German Law Concerning the Respect for National Identity of Member States — Comparative Study of the Article of EU Law about the Respect for National Identity and the Basic Law for the Federal Republic of Germany”

Takuma Obase (Lecturer, Rissho University)

4. Socialist Law and Asian Law Section:

- (1) “The Possibility of a Common Principle of Administrative Law in East Asia — Focusing on Comparative Study of the Concept of Rule of Law — ”

Shiow-Ching Tsay (Professor, Osaka University of Economics and Law)

- (2) “Divorce Procedure in Uzbekistan and Possibilities for Its Improvement”

Nargiza Amirova (Doctoral Course, Nagoya University)

5. Mini-Symposium A:

“PACL (Principles of Asian Contract / Civil Law)”

Chaired by Naoko Kano (Professor, Keio University)

- (1) “From Comparative Law to PACL”

Naoki Kanayama (Professor, Keio University)

- (2) “Issues of Principles of Asian Contract Law (PACL) — from View of China Contract Law — ”
Masahiro Kobayashi (Doctoral Course, Tsinghua University)
- (3) “From Korean Contract Law toward PACL”
Young Jun Lee (President, Research Institute for Asia Private Law)
translated by Heesok Seo (Associate Professor, Pusan National University)
- (4) “Some Implications from Legal Assistance to PACL”
Hiroshi Matsuo (Professor, Keio University)
- (5) “From CISG to PACL”
Hiroo Sono (Professor, Hokkaido University)

6. Mini-Symposium B:

“The New Supreme Court of the United Kingdom: what has changed?”

Chaired by Keisuke Abe (Professor, Seikei University)

- (1) “Introduction”
Tamio Nakamura (Professor, Waseda University)
- (2) “Making of UK Supreme Court as a Defender of Human Rights: An Appraisal of Judicial Independence, Accountability and Performance”
Omi Hatashin (Barrister)
- (3) “The Supreme Court and Tort Law”
Yutaka Sano (Professor, Tezukayama University)
- (4) “From the House of Lords to the Supreme Court of the United Kingdom: from a European Law Perspective”
Tamio Nakamura (Professor, Waseda University)
- (5) “English Law and the ‘Law of Others’”
Hideaki Serizawa (Professor, Tohoku University)
- (6) “Mutual Citations of Decisions among Common Law Countries: England, Canada, Australia and New Zealand”
Kichimoto Asaka (Professor, The University of Tokyo)

7. Mini-Symposium C:

“Mixed Legal System and Japanese Law”

- (1) “Introduction: Mixed Legal System and Japanese Law”
Emi Matsumoto (Professor, Niigata University)

General Discussion

- (2) “The Concept and Current Research on Mixed Legal System”
Vernon Palmer (Professor, Tulane Law School, Eason Weinmann Center of Comparative Law; President of World Society of Mixed Jurisdiction Jurists)
- (3) “Sources of the Law in Japanese Law — From the Viewpoint of Mixed Legal System”
Kozo Ogawa (Professor, Toin University of Yokohama)

Detail: Trust Law

- (4) “The South African Trust: Its Reception, Nature and Use in the Succession Context”
Marius de Waal (Professor, University of Stellenbosch)
- (5) “Mixed Legal System from the Perspective of Japanese Trust Law”
Masayuki Tamaruya (Associate Professor, Rikkyo University)

8. Mini-Symposium D**“Same-sex marriage”**

- (1) “Introduction”
Atsushi Motoyama (Professor, Ritsumeikan University)
- (2) “France”
Lisa Oshima (Associate Professor, Niigata University)
- (3) “Germany (Lebenspartnerschaft)”
Yasuhiko Watanabe (Professor, Kyoto Sangyo University)
- (4) “England and Wales”
Teiko Tamaki (Associate Professor, Niigata University)
- (5) “United States of America”
Shinichi Suzuki (Associate Professor, Aichi Gakuin University)

Second Day**Symposium:****“Comparative Perspectives on the Concept of ‘Fair Trial’”**

- (1) “Introduction”
Tadashi Takizawa (Professor, Sophia University)
- (2) “‘Fair Trial’ and International Law”
Keiko Ko (Professor, Mie University)

- (3) “The Significance of a Right to a ‘Fair Trial’ in the European Convention on Human Rights”
Hiroko Tateishi (Professor, Hosei University)
- (4) “The Development of the Concept of a ‘Fair Trial’ in the European Union”
Takayuki Sairenji (Lecturer, Nihon University)
- (5) “‘Fair Trial’ and the Impact of the European Convention on Human Rights on the French Legal Order”
Maki Kobayashi (Professor, Aichi University)
- (6) “‘Fair Trial’ in Germany: Rights to Be Heard within a Reasonable Time”
Makoto Arai (Professor, Ferris University)
- (7) “Fair Hearing in the United Kingdom — Establishment of the Right to Fair Hearing by the British Common Law and the European Convention on Human Rights under the Multi-Layered System of Human Rights Protection”
Akiko Ejima (Professor, Meiji University)
- (8) “‘Fair Trial’ in Russia: Heritages from the Past and the Impact from the European Court of Human Rights”
Tomoyoshi Ito (Professor, Chuo University)
- (9) “Fair Trials in the United States: The Development of Procedural Rights and Current Challenges to Democracy in the Courts”
Yoshiaki Haraguchi (Research Associate, Waseda University)
- (10) “The Right to a Fair Trial in Japan from the Horizontal and the Vertical Perspectives”
Masahiro Takasaku (Professor, Kansai University)
- (11) “Synthesis”
Tadashi Takizawa (Professor, Sophia University)

II. The *Japanese American Society for Legal Studies* held its 49th General Meetings at Kokushikan University on September 8 and 9, 2012.

First Day

Seminar of Judicial Precedents:

- (1) “CompuCredit Corp. v. Greenwood, 132 S.Ct. 665 (2012)”
Tatsuya Nakamura (Professor, Kokushikan University)

- (2) “Micron Tech., Inc. v. Rambus Inc., 645 F.3d 1311 (Fed. Cir. 2011); Hynix Semiconductor Inc. v. Rambus Inc., 645 F.3d 1336 (Fed. Cir. 2011)”
Harumi Takebe (Lecturer, Kyoto Prefectural University)
- (3) “AT&T Mobility LLC v. Concepcion, 563 U.S. __; 131 S. Ct. 1740 (2011)”
Hisashi Aizawa (Professor, Hokkaido University)
- (4) “Gantler v. Stephens, 965 A.2d 695 (Del.Supr. 2009)”
Makoto Ohshida (Professor, Surugadai University)
- (5) “Koehler v. Bank of Bermuda, 12 N.Y.3d 533, 911 N.E.2d 825 (2009)”
Yoshimasa Furuta (Attorney, Anderson Mori & Tomotsune)
- (6) “Perry v. Brown, 671 F.3d 1052 (9th Cir. 2012)”
Takeshi Akiba (Associate Professor, Akita International University)

Second Day

Symposium:

“The Influence of American Law in the Asia Pacific Region”

- (1) “Keynote Speech: The Influence of American Law in the Asia Pacific Region”
Gordon R. Walker (Professor, La Trobe University)
- (2) “The System of Company Law and Securities Acts in Australia — From the Viewpoint of American Law”
Yoko Manzawa (Researcher, Japan Securities Research Institute)
- (3) “Keynote Speech: The Influence of American Law in the Chinese System of Intellectual Property Rights”
Weidong Ji (Professor, Shanghai Jiao Tong University)
- (4) “The Influence of American Law in South Korea — Focusing on Company Law and Securities Acts”
Chang-Hyeon Ko (Attorney, Kim&Chang)
- (5) “American and Common Law Influences on Japanese Business Law Practices”
Naoki Iguchi (Attorney, Nagashima Ohno & Tsunematsu)

III. *Die Japanisch-Deutsche Gesellschaft für Rechtswissenschaft* held its 2011 General Meeting at Kyoto University on March 29, 2012.

“About Current Research on Kelzen”

Oliver Lepsius (Professor, University of Bayreuth)

IV. *La Société franco-japonaise de Science Juridique* held its 52nd General Meeting at The University of Tokyo, on February 18, 2012.

- (1) “René Capitant — The Collapse and the Regeneration of the Republic”
Nobuyuki Takahashi (Associate Professor, Kokugakuin University)
- (2) “Social Security and Private Insurance — The Establishment and Problems of the French ‘Supplementary’ Health Insurance”
Eri Kasagi (Associate Professor, Kyushu University)

V. The *Association for “Societal System & Law” Studies* held its 2012 General Meeting at Ritsumeikan University on June 1, 2012.

“Islam and Systemic Transformation”

- (1) “Introduction”
Tomoyoshi Ito (Professor, Chuo University)
- (2) “Implementation of Islamic law in the Thai Judiciary — The Meaning of the ‘Handbook about Islamic law’”
Shinya Imaizumi (Director, Planning and Coordination Division, Research Planning Department, Research Planning Department, Institute of Developing Economies, Japan External Trade Organization)
- (3) “The Problems about the Assignment of Chose in Action — The Case of Malaysia”
Naoko Kuwahara (Professor, Kochi Junior College)
- (4) “The Change of Jurisdiction of the Indonesian Religious Court and Its Problems — Focusing on the Sharia Court in Aceh Province”
Yuzuru Shimada (Associate Professor, Nagoya University)
- (5) “Comments”
Tomoyoshi Ito (Professor, Chuo University)

VI. The *Japanese Association of Asian Law* held its 2012 Conference at Kansai University on June 16 and 17, 2012, and its 2012 General Meeting at The University of Tokyo on November 17, 2012.

2012 Conference

First Day

Individual Reports:

“The Law in Islam”

Chaired by Naoko Kuwahara (Professor, Kochi Junior College)

- (1) “The Project of Translation of the Ottoman Civil Law (Majarah) — Its Meanings in the Islamic Research”

Satoe Horii (Associate Professor, J. F. Oberlin University)

- (2) “The System of ‘Shop-lease Contract with Sar-qofri’ in Iran — The Problem of ‘Haqq-e Kasb o Pish o Tejarat’ in Lessors and Leaseholders Relation Law”

Yoko Iwasaki (Deputy Director, Middle Eastern Studies Group, Area Studies Center, Institute of Developing Economies, Japan External Trade Organization)

- (3) “The Concept of Islamic International Law and Its Suggestion for Research on the History of International Law”

Yutarou Oki (Doctoral Course, Kyushu University)

Second Day

Symposium:

“Technical Legal Assistance and the Asian Civil Law”

Chaired by Naoyuki Isogawa (Professor, Kyushu University)

Commentary by Terutoshi Yamashita (Director, International Cooperation Department, Research and Training Institute, Ministry of Justice), and Masanori Aikyo (Professor, Nagoya University)

- (1) “Introduction”

Tsuneo Matsumoto (Professor, Hitotsubashi University)

- (2) “Vietnam 2005 Civil Code”

Kiyoe Kado (Professor, Rikkyo University)

- (3) “Current Trends and Issues of the Cambodian Civil Code that has Started to be Applied”
Tsuneo Matsumoto (Professor, Hitotsubashi University)
- (4) “Current Trends and Prospect of the Civil Law in Laos”
Hiroshi Matsuo (Professor, Keio University)
- (5) “Current Trends and Issues of Mongolian Civil Code”
Yasuhiro Minowa (Professor, Fukuoka University)

2012 General Meeting

- (1) “Structural Problem of Asian Constitutionalism in Post-Developmental States — Mostly on the Constitution of the Kingdom of Thailand, B.E. 2540 (1997) and B.E.2550 (2007)”
Yoshiaki Simojo (Professor, Kyushu Sangyo University)
- (2) “The Problem of the Liberalization of Foreign Legal Consultants in Asia — From the IBA Council Resolution”
Masatsugu Suzuki (Attorney, Baker& McKenzie)
- (3) “Chinese Contract law in the International Trends — Comparing with CISG, PICC, PECL, UCC and the Amendment Draft to the Japanese Civil Code”
Atsuko Sese (Associate Professor, Kyoto Prefectural University)

Symposium:

“The Historical Development and the Current Situation of Taiwanese Law”

- (1) “Introduction”
Ken Suzuki (Professor, Hokkaido University)
- (2) “The Historical Development and the Current Situation of Taiwanese Public Law”
Shiow-Ching Tsay (Professor, Osaka University of Economics and Law)
- (3) “The Historical Development and the Current Situation of Taiwanese Civil Law”
Kanao Miyahata (Associate Professor, Hiroshima University of Economics)
- (4) “The Historical Development and the Current Situation of Taiwanese Criminal Procedure”

Ken Suzuki (Professor, Hokkaido University)

VII. The *European Union Studies Association-Japan* held its 33rd Annual Conference at The University of Tokyo on November 10 and 11, 2012.

Topics:

“The EU as a Global Actor”

First Day

1. Plenary Session I

Chaired by Toshiro Tanaka (Professor, Keio University)

- (1) “Keynote Speech: The European Union as a Global Actor: Focusing on the Field of Foreign and Security Policy”
Asatsugu Tatsumi (Professor, Hannan University)
- (2) “The Regulatory Power of the European Union — The Politics of Global Standardisation”
Ken Endo (Professor, Hokkaido University)
- (3) “EU Human Rights Diplomacy in a Globalized World”
Tadashi Yamamoto (Associate Professor, The University of Kitakyushu)

2. Plenary Session II

Chaired by Hiromasa Kubo (Professor, Kobe University)

- (1) “The European Union’s Normative Power in a More Global Era”
Ian Manners (Professor, Roskilde University)
- (2) “Austerity, the Euro-Crisis and the EU’s Diminished Profile in Global Security”
John T.S. Keeler (Professor, University of Pittsburgh)
- (3) “The EEAS - How EU Diplomacy is Taking Shape”
Maeve Collins (Minister, Deputy Head, Delegation of the European Union to Japan)

Second Day

1. Group Session A:

Chaired by Tamio Nakamura (Professor, Waseda University)

- (1) “What is so Worrying of the Charter of Fundamental Rights?: Explaining the Opposition of the UK, Poland and the Czech Republic to a Legally Binding Charter”
Ken Takeda (Doctoral Course, University of Bristol)
- (2) “Some Comments on Definitions of Direct Effect of Directive through the Examination on the Controversy over ‘Horizontal Direct Effect’”
Kazushige Yagyu (Doctoral Course, Hitotsubashi University)
- (3) “Features and Impact of EU Free Trade Agreements: A Qualitative Analysis of Environmental Provisions”
Takemasa Sekine (Research Fellow(PD), Japan Society for the Promotion of Science)

2. Group Sessions B:

Chaired by Masami Kodama (Professor, Kurume University)

- (1) “Effectiveness of ECB’s Monetary Policy and Crisis Management”
Toshiyuki Suzuki (The Bank of Tokyo-Mitsubishi UFJ)
- (2) “Territoriality and Demos in the European Polity”
Takeshi Tsuchiya (Associate Professor, Takasaki City University of Economics)
- (3) “Normative Power or Normal Power?: EU Trade Strategy After Lisbon”
Yukari Akeda (Lecturer, Keio University)

3. Group Sessions C:

Chaired by Machiko Hachiya (Professor, Kyushu University)

- (1) “Is the EU Accepted as a Normative Power among Asian People?: Public Opinion Surveys of Six Asian Countries”
Eijiro Fukui (Researcher, Jean Monnet Centre for EU Studies at Keio University)
- (2) “The EU’s Arms Embargo on China: Newly Revealed Stories”
Yongshu LI (Research Associate, Meiji University)

4. Plenary Session III:

“The Euro Crisis and the EU Institutions”

Chaired by Soko Tanaka (Professor, Chuo University)

- (1) “The Euro Crisis and Governance Reform “

- Sahoko Kaji (Professor, Keio University)
- (2) “About the Crisis of the Euro Zone- from a Viewpoint of Financial Market”
Mana Nakazora (BNP Paribas Securities)
- (3) “Recent Changes of EMU from Legal and Institutional Aspects”
Goya Kobayashi (Ministry of Finance Japan)
- (4) “Issues and Perspectives of European Fiscal Integration”
Shugo Onoe (Professor, Seinan Gakuin University)
- (5) “Discussion”
Sadayoshi Takaya (Professor, Kansai University)
Seiya Nakajima (Itochu Corporation)

12. International Law and Organizations

I. *The Japanese Society of International Law* held its 2012 Spring Session at Ryukoku University on May 12, 2012.

- (1) “The Theory of Joint Criminal Enterprise and Customary International Law”
Hiromi Sato (Associate Professor, National Defence Academy of Japan)
- (2) “Various Aspects of Authority under International Law”
Tamitomo Saito (Associate Professor, Kinjo Gakuin University)
- (3) “Current Situation of Disarmament & Non-Proliferation and its Problems”
Taijiro Kimura (Senior Expert, Conventional Arms Division, Ministry of Foreign Affairs of Japan)
- (4) “Disarmament and Governance System in the Post-Cold War Era”
Masatsugu Naya (Professor, Aoyama Gakuin University)
- (5) “Reducing the Role of Nuclear Weapons and International Law”
Mitsuru Kurosawa (Professor, Osaka Jogakuin University)