



Special Event



ASEAN-Japan Special Meeting of Justice Ministers

Protection of Human Rights in Business and Support for Refining Legal Systems for the Future

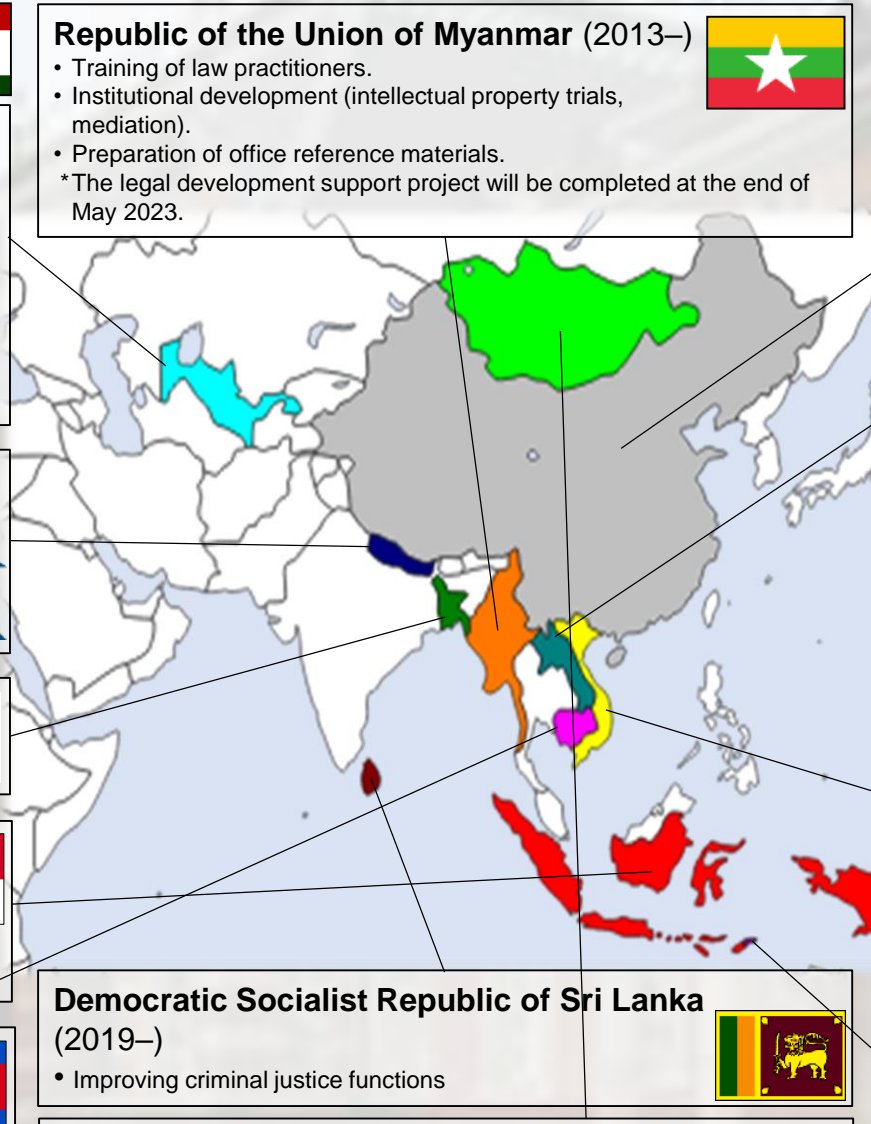
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Director of the International Cooperation Department
Research and Training Institute of the Ministry of Justice

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Legal System Development Support

- **1994:** Ministry of Justice began supporting the development of legal systems in Vietnam.
- **2001:** International Cooperation Department (ICD) established within the Research and Training Institute of the Ministry of Justice
- Assistance was provided in the following areas of legal system development, particularly in the field of civil and commercial law to developing countries in Asia.
 - Drafting of basic laws and regulations.
 - Preparation of legal enforcement structures.
 - Training of legal practitioners.
- Extensive collaboration by the Ministry of Foreign Affairs, JICA, the Supreme Court, the bar association, universities, and the International Civil and Commercial Law Centre Foundation.
An "All Japan" team supporting the development of legal systems.
- "Side-by-side" support for localization in the target country.



Uzbekistan (2001–)

- Preparation of bankruptcy law commentary (published 2007).
- Implementation of the Administrative Litigation Law and Administrative Procedure Law.
- Preparation of White Paper on Crime.
- Implementation of Civil Code and Civil Procedure Law, etc.

Uzbekistan, Kyrgyzstan, Kazakhstan, Tajikistan (2008–2013)

- Seminar on comparative research on regional legislation in Central Asia



Republic of the Union of Myanmar (2013–)

- Training of law practitioners.
- Institutional development (intellectual property trials, mediation).
- Preparation of office reference materials.
- * The legal development support project will be completed at the end of May 2023.



People's Republic of China (2007–2021)

- Amendment of Code of Civil Procedure and civil laws
- Amendment of the Administrative Litigation Law and administrative laws
- Liability for Infringement Act (promulgated 2009)
- Act on the Application of the Public Relations Civil Law (promulgated 2010)
- Code of Civil Procedure amendment (promulgated 2012)



Federal Democratic Republic of Nepal (2009–)

- Drafting of the Civil Code (enforced August 2018)
- Preparation of Civil Code commentary and leaflets
- Operational support related to civil and criminal laws
- * New penal code, Criminal Procedure Law and sentencing code (enforced August 2018).



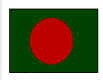
Lao People's Democratic Republic (1998–)

- Preparation of civil judgment manuals (published 2006)
- Preparation of textbooks on civil and commercial laws (completed 2007)
- Creation of handbooks on the Code of Civil Procedure and the Code of Criminal Procedure (published 2014)
- Training of law practitioners
- Drafting of the Civil Code (enforced May 2020)



People's Republic of Bangladesh (2016–)

- Enhancing the capacity of courts (case management, mediation, etc.)



Socialist Republic of Vietnam (1994–)

- Drafting and amendment of the Code of Civil Procedure (promulgated 2004/2011/2015)
- Amendment of the Bankruptcy Law (promulgated 2004/2014)
- Amendment of the Civil Code (promulgated 2005/2015)
- Drafting and amendment of the Civil Judgment Enforcement Law (promulgated 2008 and 2014)
- Drafting of the National Compensation Law (promulgated 2009/2017)
- Amendment of the Code of Criminal Procedure (promulgated 2015)
- Preparation of prosecutor's manuals (published 2007)
- Standardization of civil judgments and development of law reports
- Building the capacity of the justice sector (courts, public prosecutor's offices, etc.)
- The Administrative Litigation Act (promulgated 2010)
- Review on legislation



Republic of Indonesia (1998–)

- Enhancing the reconciliation and mediation system
- Judge training system
- Enhancing the intellectual property system and improving legal consistency



Democratic Socialist Republic of Sri Lanka (2019–)

- Improving criminal justice functions



Democratic Republic of Timor-Leste (2008–)

- Improvement in the ability to draft bills (recently in the field of land and the judicial system)
- Improvement in the capacity to utilize penal institutions (UNAFEI)



Kingdom of Cambodia (1996–)

- Drafting of the Civil Code (promulgated 2007)
- Drafting of the Code of Civil Procedure (promulgated 2006)
- Training of law practitioners
- Improving the implementation of the Civil Code and the Code of Civil Procedure



Mongolia (2004–)

- Mediation system upgrade (–2015)
- Improvement of commercial laws and regulations



JICA Projects with Specialists Currently Deployed on a Long-term Basis

June 2023



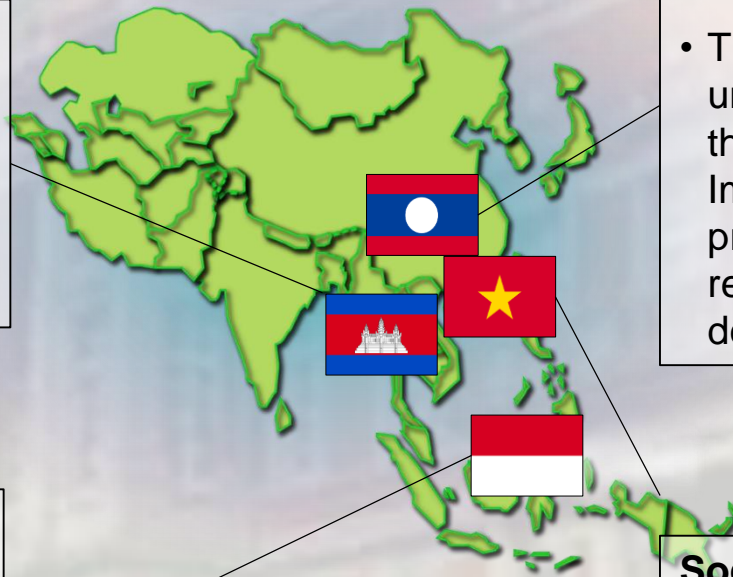
Prosecutors Judges Lawyers Administrators



Kingdom of Cambodia

Human Resource Development Project in Legislative and Judicial Fields

- Assisting judges and other judicial personnel to refine interpretation and application skills in civil procedures.



Lao People's Democratic Republic

Rule of Law Promotion Project

- The fundamental challenges are the underdevelopment of legal education and the need to train personnel. Improving capacity to train legal professionals by focusing on legal research, drafting and curriculum development.



Republic of Indonesia

Intellectual Property Rights Protection and Legal Compliance for a Better Business Environment Project

- Improving intellectual property protection and legal predictability to facilitate investment.



Socialist Republic of Vietnam

Improving the Quality and Efficiency of Legislation/Law Enforcement Project

- First support project for Japan. Supporting the drafting and revision of a large number of laws and regulations.



Basic Policy for Legal System Development Support (Revised Edition)

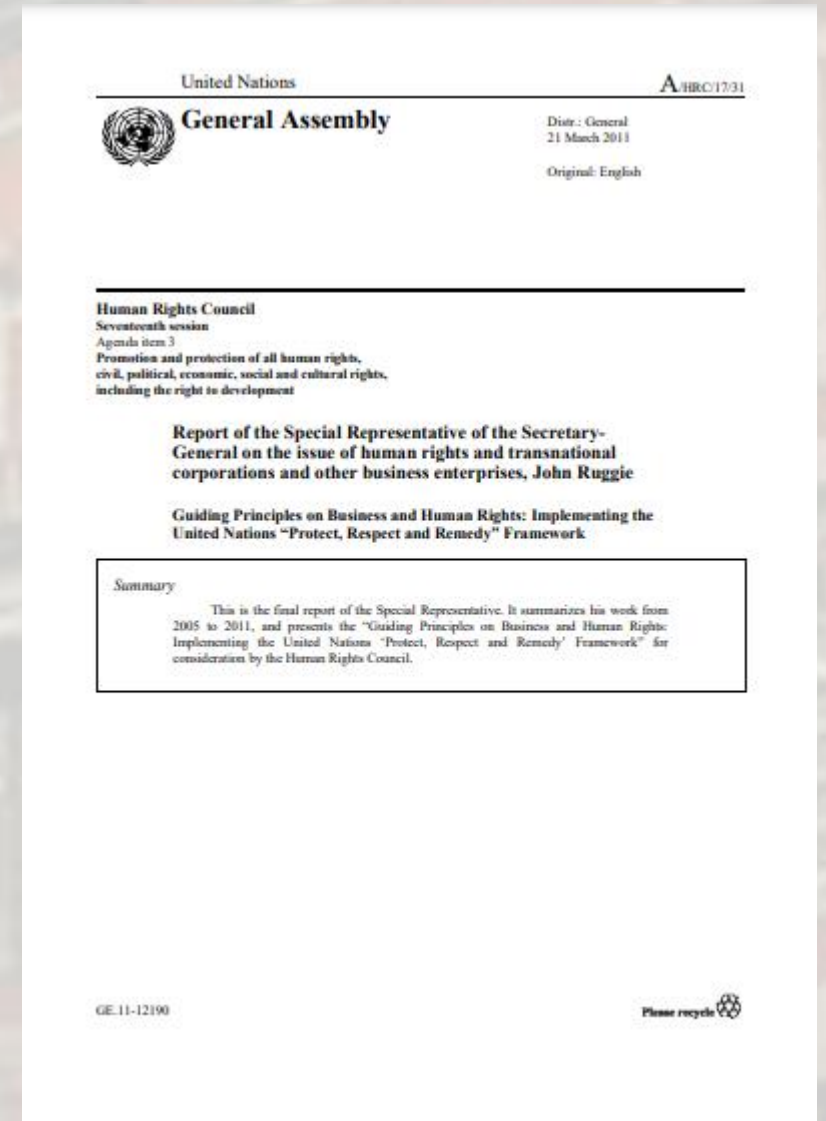
- 1) Establish the rule of law in developing countries through shared values of freedom, democracy, and fundamental human rights.
- 2) Create an enabling environment for sustainable growth and ensure compliance with global rules.
- 3) Share Japan's experience and frameworks, strengthen economic ties with Japan, and develop a foundation for regional cooperation and integration.
- 4) Support the overseas expansion of Japanese companies through the development of effective trade/investment environments and the introduction of environmental and safety regulations.
- 5) Improve the effectiveness of Japan's economic cooperation through stronger governance and by contributing to the achievement of international development goals.

New Challenges in Legal System Development Support

- **Issues related to the protection of human rights in corporate business activities.**
 - **Violation of workers' human rights in the supply chain poses a major legal risk.**
- **Increasing sophistication and complexity of legislative and judicial systems, and the diversification of dispute resolution methods.**
- **With the progress of globalization, the international movements of migrants and the overseas expansion of foreign corporations have become commonplace.**
- **Inadequate development of the necessary legal and judicial systems in developing countries to adapt to internationalization.**
- **The importance of “2) establishing an environment conducive to sustainable growth and ensuring compliance with global rules” is emphasized in the Basic Policy for Legal System Development Support (Revised Edition).**

Issues posed by "Business and Human Rights"

- **Three Pillars of the Guiding Principles**
 - **Responsibility of the state to protect human rights**
 - **Responsibility of corporations to respect human rights**
 - **Access to remedy**
- **It is important to build relationships where both parties are in an equal position, understand the realities of the host country, and advance discussions to solve common challenges, rather than one side unilaterally supporting the other.**



Action Plan on Business and Human Rights and Legal System Development Support

- Action Plan on Business and Human Rights (2020–2025)

Legal System Development Support for Developing Countries

Support includes: drafting and amending laws to secure human rights and freedom of economic activity under the rule of law, strengthening and developing the capacity of law enforcement organs, training law practitioners, and improving access to justice.

- Legal system development support is expected to play a major role in “judicial diplomacy.”



Need to Address the Challenges of Business and Human Rights

- Theme of this Symposium

Protection of Human Rights in Business and Support for Refining Legal Systems for Future: Exploring the Role of Dispute Resolution and Legal System Development Support in Relation to “Business and Human Rights” from the Standpoint of Good Practice in Japan and ASEAN.

- The increasing sophistication and complexity of legal and judicial systems, and the diversification of dispute resolution methods.

In addition to previous support for drafting basic laws, it is necessary to tackle new issues, such as "Business and Human Rights."

- There is also the need to promote collaborative support for legal system development based on a “side-by-side” support model.



**ASEAN - Japan
Special Meeting of
Justice Ministers**

G7 Hiroshima Leaders' Communiqué and Insight for Legal System Development Support

- **G7 Hiroshima Leaders' Communiqué (May 20, 2023)**

49. We will also strengthen bilateral, regional and multilateral coordination and cooperation in the field of law and justice, such as providing technical assistance to countries to develop and implement laws, and capacity building related to the justice sector. ...

Thank you for your kind attention.