



Activity Report

International Cooperation Dept. (ICD)
Research and Training Institute (RTI)

SATURDAY 12 JUNE 2021

THE 22ND ANNUAL CONFERENCE ON LEGAL TECHNICAL
ASSISTANCE



Main Contents of ICD's Assistance



Uzbekistan 2001-

Assistance in:

- Commentary of Bankruptcy Act (Published in 2007)
- Operation of Administrative Litigation/Procedure Laws
- White Paper on Crime
- Operation of Civil Code/Civil Procedure Code

Uzbekistan, Kyrgyzstan, Kazakhstan, Tajikistan

Seminar on comparative study of regional legal systems in Central Asia (2008-2013)

Federal Democratic Republic of Nepal 2009-

Assistance in:

- Drafting the Civil Code (Enforced in Aug. 2018)
- Commentary/leaflet of the Civil Code
- Operation of the Civil Code and related criminal laws
- * New Criminal Code, Criminal Procedure Code and Sentencing Law were enforced in Aug. 2018 as well



People's Republic of Bangladesh 2016-

Assistance in strengthening capacity of Court (Mediation etc.)



Kingdom of Cambodia 1996-

Assistance in:

- Drafting the Civil Code (Promulgated in 2007) and Civil Procedure Code (Promulgated in 2006)
- Capacity building of legal professionals
- Improving operation of Civil Procedure Code
- Long-term expert currently dispatched



Democratic Socialist Republic of Sri Lanka 2019-

Improvement of criminal justice function



Republic of Union of Myanmar 2013-

Assistance in:

- Capacity building of legal professionals
- Building of systems (IP trials, mediation)
- Reference materials for practical use
- Long-term expert currently dispatched



Mongolia 2004-

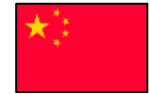
Assistance in strengthening mediation system (~2015)
Improvement of commercial laws



People's Republic of China 2007-

Assistance in:

- Amending of the Civil Procedure Code and other civil laws,
- Amending of Administrative Procedure Law and other administrative laws
- Violation of Rights Liability Law (Promulgated in 2009)
- Law on the Application of Law for Foreign-Related Civil Relations (Promulgated in 2010)
- Amending of Civil Procedure Code (Promulgated in 2012)



Lao PDR 1998-

Assistance in:

- Drafting the civil judgment manual (Published in 2006)
- Textbook on civil and commercial laws (Completed in 2007),
- Handbook on the Civil Procedure Code and Criminal Procedure Code (Published in 2014)
- Capacity-building of legal professionals
- Drafting the Civil Code (Enforced in May 2020)
- Long-term expert currently dispatched



Socialist Republic of Viet Nam 1994-

Assistance in:

- Drafting and Amending the Civil Procedure Code (Promulgated in 2004, 2011, 2015)
- Amending the Bankruptcy Law (Promulgated in 2004, 2014)
- Amending the Civil Code (Promulgated in 2005, 2015)
- Drafting/Amending the Civil Judgment Enforcement Law (Promulgated in 2008, 2014)
- Drafting the State Redress Law (Promulgated in 2009, 2017)
- Amending the Criminal Procedure Code (Promulgated in 2015)
- Manual for Prosecutors (Published in 2007)
- Standardization of civil judgment, development of precedents
- Capacity building of judicial organizations (court, prosecutors office)
- Administrative Procedure Code (Promulgated in 2010)
- Judicial review
- Long-term expert currently dispatched



Republic of Indonesia 1998-

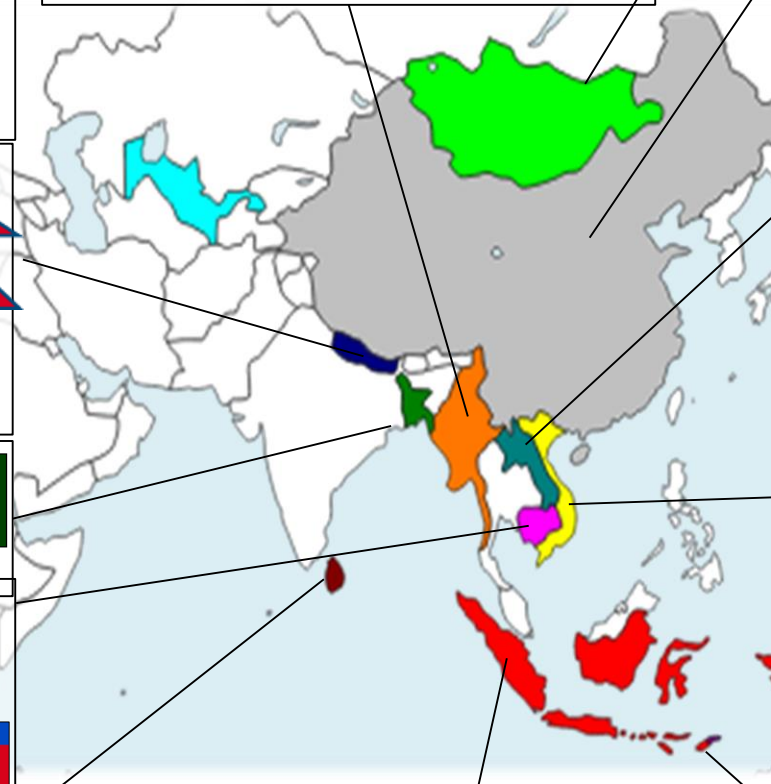
Assistance in:

- Strengthening settlement/mediation system
- Training of judges
- Strengthening IP system, enhancement of legal consistency
- Long-term expert currently dispatched



Democratic Republic of Timor-Leste 2008-

Assistance in enhancement of law-drafting capacity (recently with land/judicial system) and operation of penal institutes (UNAFEI)



Note: Long-term experts described here include the ones dispatched from MOJ only.

Cooperation with JICA Projects

(Training in Japan, Seminar, Dispatch of Experts etc.)



〈Vietnam〉

- Ensuring consistency of laws, uniform operation and application of systems (～Dec. 2020)
- Improving quality of legal normative documents and effectiveness of execution (Jan.2021～New Project)



〈Cambodia〉

- Improving operation of Civil Code/Civil Procedure Code (immovable property registry, drafting of Executors law, sample trial documents, activities for disclosure of judgments, etc.)



〈Lao PDR〉

- Research paper for the Civil Code, revision of civil judgment manual and fact-finding workbook
- Strengthening capacity-building via legal education/improvement of trainings, etc.



〈Myanmar〉

Building IP trial system, propagation of mediation system



〈Indonesia〉

Strengthening IP protection/legal consistency to improve business environment



〈Bangladesh〉

Strengthening mediation system via training of mediators, strengthening case management to decrease backlog cases at Court



〈Sri Lanka〉

Improving practice of criminal justice (resolving delays in criminal procedure)

ICD-led Activities (Major ones)



〈Timor-Leste〉

Seminar on land-related legal system, joint study on immovables registry/judicial system



〈Uzbekistan〉

- Joint study on administrative procedure law/administrative litigation law
- Preparation of White Paper on Crime based on MOC between RTI and Academy of General Prosecutors Office of Uzbekistan



〈Mongolia〉

Joint study for legal development on business transactions, seminar co-hosted with National University of Mongolia



〈Nepal〉

Seminar co-hosted by the Supreme Court and National judicial Academy of Nepal (civil law, criminal law)



〈Myanmar〉

Joint study on land registration legal system, seminar on IP (administrative control)



〈Laos〉

Seminar based on MOC between RTI and National Institute of Justice of Lao PDR



〈Cambodia〉

Activity for strengthening educational system based on MOC between RTI and Royal Academy for Judicial Professions of Cambodia

Other Activities

➤ Invitation to Legal Technical Assistance

- An event aiming to introduce legal technical assistance activities to younger generations while thinking of a career path together to lead them to be involved in legal technical assistance activities
- Held in Nov. 2020. Introduced the attraction of legal technical assistance and how to involve in it through lectures and discussions by former/current longer-term experts and JICA staff.

➤ Training for Persons to be Involved in International Cooperation

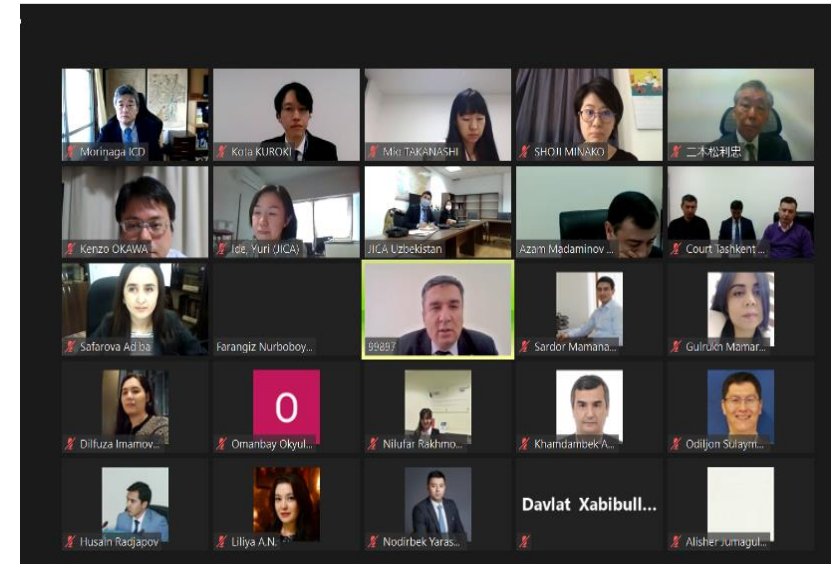
- Training for staff of MOJ and Prosecutors Office to be involved in legal technical assistance (Since 2019)

➤ Study Group on Legal System in Asia Pacific Region(10th) -mainly conducted in Kansai region

- Currently studying joint venture contracts in Vietnam, Indonesia, Malaysia and Thailand
- Symposium held in March 2021 with approximately (cumulative) 130 lawyers and company workers participated.

Examples of Application of Web Conference System

- Invitation to Legal Technical Assistance
- Capacity-building of persons to be involved in International Cooperation
- Online Seminars
(Timor-Leste, Bangladesh, Nepal, Myanmar, Uzbekistan, Laos, Mongolia, etc.)
- Training in Japan (Sri Lanka)
- Lectures at Universities in/outside Japan
(Osaka Univ., Kyoto Univ., Keio Univ., Kobe Univ., Shinshu Univ., Nagoya Univ., Tashkent State University of Law)



Online Seminar /Uzbekistan



KYOTO CONGRESS

Side Events Co-Hosted by ICD and JICA

1. March 9, 2021

Lecture on best practices of strengthening Access to Justice for realization of Rule of Law

2. March 9, 2021

Panel Discussion (Initiatives for Access to Justice in Laos, Nepal and Vietnam)



Side Event 1



Side Event 2

Thank you for your kind attention

International Cooperation Dept.
Research and Training Institute





UNA FEI's Activities

The United Nations Asia and Far East Institute
for the Prevention of Crime and the Treatment of Offenders
(UNA FEI)

About UNAFEI

- Established in 1962 by an agreement between the UN and the Government of Japan (signed in 1961)
- The United Nations Crime Prevention and Criminal Justice Programme Network Institute (PNI)
- Participation in and Contribution to the UN Crime Congress and the UN Crime Commission (CCPCJ)
- Provides training courses with regard to the UN's interests in the field of crime prevention and criminal justice



Technical assistance to developing countries funded by Japan's ODA budget (Mainly through JICA)

Organization

- Department for cooperation for UN training, Research and Training Institute, Ministry of Justice is in charge of operation
- Staff (2021)
 - ✓ Director: Prosecutor → approved by the UN
 - ✓ Deputy Director: Prosecutor
 - ✓ Professors: a judge, prosecutors, correctional officers, probation officers, a police officer (part-time)
 - ✓ Administrators
 - ✓ Linguistic adviser

etc.

UNAFEI's Activities

International Training Courses and Seminars

- International Training Programmes
 - Criminal Justice
 - Treatment of Offenders
 - Crime Prevention and Criminal Justice (Senior Seminar)
 - Criminal Justice Response to Corruption
- Regional Training Courses and Seminars
- Bilateral Training & Technical Assistance

Activities in 2020:

International Training Courses and Seminars

- Regional Training Courses and Seminars
 - Regional Seminar on Good Governance for Southeast Asian Countries (anti-corruption measures)
 - Webinar
- Bilateral Training
 - ✓ Nepal (Office of the Attorney General etc.)
 - ✓ Timor-Leste (Corrections)
 - in collaboration with ICD and UNODC
 - ✓ Philippines (Corrections, Community Treatment)
 - ✓ Cambodia (Community Treatment)
 - Webinar, Translation of reference materials, etc.

Activities in 2020: Alumni Webinar

- Three Alumni Webinars



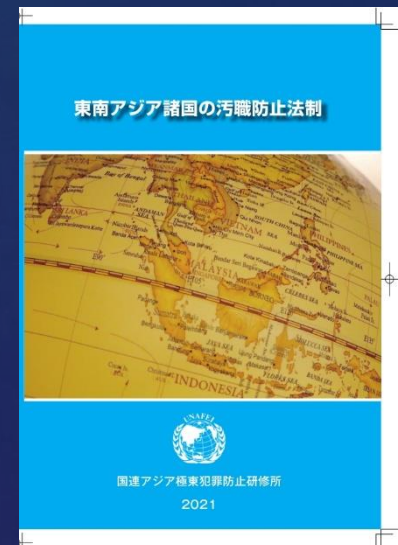
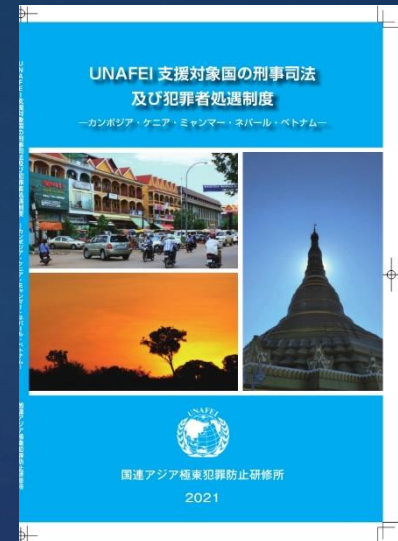
- ◆ Information sharing

- ✓ Updates on criminal justice issues (including responses to the COVID-19 pandemic) in each participating country
- ✓ Reports from alumni on how they had made use of their experiences at UNAFEI

- ◆ Strengthening our alumni network

Activities in 2020: Research

- The criminal justice systems and treatment of offenders in the countries to which UNAFEI provides technical assistance
 - Cambodia, Kenya, Myanmar, Nepal, Viet Nam
- Anti-corruption measures and legal systems in Southeast Asian countries



Themes of International training courses: 2021-2022

● 2021

- ✓ Achieving Inclusive Societies through Effective Criminal Justice Policies & Practices
- ✓ Treatment of Women Offenders
- ✓ Preventing Crime and Reoffending through Multi-Agency Cooperation and Public-Private Partnership

● 2022

- ✓ Cybercrime and Digital Evidence
- ✓ Treatment of Juveniles and Young-Adult Offenders
- ✓ Promoting Access to Justice for Crime Victims and the Accused

The Kyoto Congress

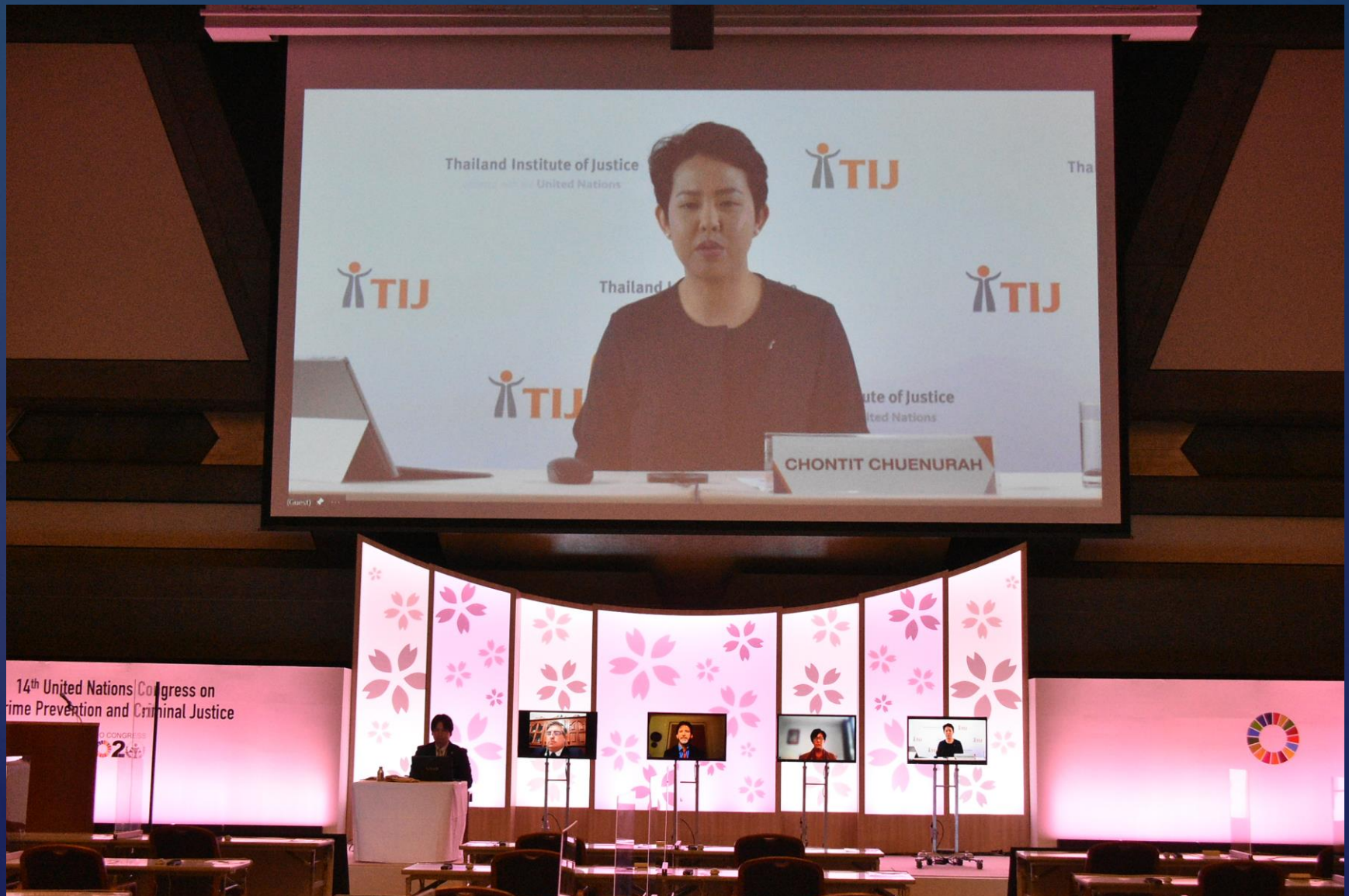
-The 14th UN Congress on Crime Prevention and Criminal Justice

- Kyoto Congress: 7-12 March 2021
- Workshop on “Reducing Reoffending”
- Ancillary meetings
 - ✓ Rehabilitation and social reintegration of women prisoners and offenders
 - ✓ Reunion: Strengthening the alumni network

Workshop: Reducing reoffending



Ancillary meeting: Women offenders



Ancillary meeting: Alumni reunion



Exhibition Booth



UNAFEI's Post-Congress Agenda

Follow-up to the Kyoto Congress

- Active involvement in the creation of new UN standards and norms on reducing reoffending:
 - Official Workshop
 - High expertise and professional network
- Participation in international cooperation platforms in Asia and the Pacific
- Involvement in the Youth Forum

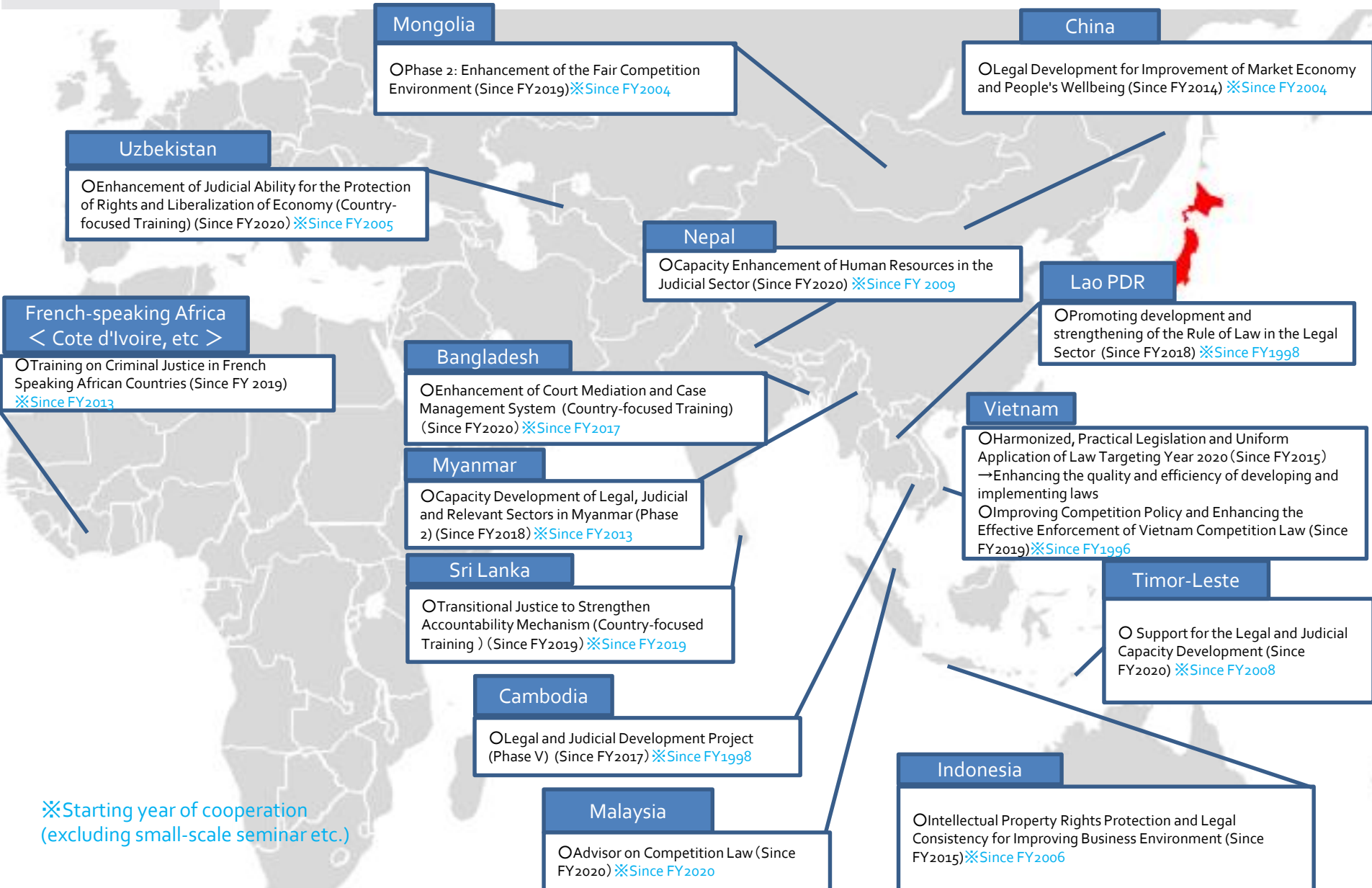
JICA FY2020 Activity Report FY2021 Activity Plan

JICA Governance and Peacebuilding Dept.
KOBAYASHI Yosuke

1. Overall Status

2. Highlights

Cooperation for Legal and Judicial Development Implemented in FY2020



1. Overall Status

- ① Long-term experts' travel restricted
- ② Training in Japan suspended
→ Online Trainings, etc.
- ③ Preparing projects online

1 ・ Overall Status

① Long-term experts' travel restricted

Indonesia, Cambodia, Vietnam,
Myanmar, Laos, China, Mongolia, Nepal
→Project activities continued via Online
working group activities, etc.

FY2020 Activity Report

1. Overall Status

② Training in Japan suspended→Online trainings, etc.

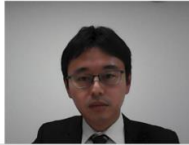
- 【Knowledge Co-Creation Program (Groups & Region-focused)】
Access to Justice, International Public Law, Competition Law
- 【Knowledge Co-Creation Program (Country-focused)】
Sri Lanka Criminal Law, Vietnam Competition Law,
Mongolia Competition Law
- 【Others: Preparation of Materials, Online Seminars】
UNAFEI Seminar, Video materials for criminal procedure,
Myanmar Training for Mediators,
Uzbekistan Civil Procedure Code,
Cambodia Executors Law WS,
Timor-Leste Land Law, etc.

Lecture

FAQ

➤ What if parties can not reach an agreement?

- The mediation proceedings will end in an "order in lieu of mediation" (civil mediation) or "ruling in lieu of mediation" (domestic relations mediation), or unsuccessful mediation. In addition, the petitioner may withdraw his/her petition.
 - If a mediation is unsuccessful or an objection is raised to an order/ruling in lieu of mediation, the proceedings will move on as follows:
 - Cases referred from litigation
 - Automatically return to an original litigation
 - Domestic relations cases in "Appended table 2" (ex. change of a person with parental authority, claim for child support, division of estates etc.)
 - Automatically proceed to an adjudication procedure
 - Civil cases and other domestic relation cases (ex. divorce, dissolution of adoption etc.)
 - No further automatic procedure
- The parties may voluntarily file a lawsuit.



ယောက်လုံးကအခုလိုပြောပြပေးသွားတဲ့အထဲကမတူတဲ့အချက်တွေကိုအစီအစဉ်ကကျလုပ်လိုက်ရင်၊



(Upper Right)
Video Material for Mediation

(Left)
Online Mediation Seminar for Bangladesh
(Role-playing)

1. Overall Status

③ Preparing Projects Online

- ・ Vietnam "The Project for Enhancing the quality and efficiency of developing and implementing laws in Vietnam"

- ・ Project Purpose

The quality of Vietnam's legal normative document system and effective law implementation are enhanced to contribute to the promotion of legal and judicial reforms and the strengthening of national competitive capacity according to international standards.

1. Overall Status

③ Preparing Projects Online

- Indonesia "Project for Efficient and Fair Disputes Resolution Mechanism and Legislative Drafting Capacity Development for Improving Business Environment"

- Project Purpose

1. The capacity of drafters to ensure legislative consistency is improved.

2. The capacity of judges for efficient and fair case processing and disposition in business-related cases including intellectual property disputes is strengthened.

1. Overall Status

2. Highlights

- (1) Cooperation with partners in Vietnam
- (2) Accepting students from Laos
- (3) End of ODA to China
- (4) Efforts to resolve backlog in Sri Lanka and Bangladesh
- (5) Kyoto Congress
- (6) Publishing English books on legal technical assistance

2. Highlights

① Cooperation with partners in Vietnam

- In Dec.2020, VBF, VBLC, JFBA, Japanese Chamber of Commerce and Industry in Vietnam (JCCI) and ICCLC held a seminar for promotion of exchange of Japanese/Vietnamese lawyers to vitalize investment/business (with JICA playing a catalytic role)
- The newly launched Project also plans to collaborate with a wide range of stakeholders.

FY2020 Activity Report



Japan-Vietnamese Business Lawyers Seminar

2. Highlights

② Accepting students from Laos

- A program exploring greater synergy between project activities and legal education in Japanese universities newly launched. Two project counterparts are now studying in Keio University.
- In FY2021, a similar program will be implemented for Vietnam (Nagoya University) in addition to Laos, and from FY2022, the target countries will be extended to Cambodia and others.
- JICA is exploring further collaboration with Japanese universities.

2. Highlights

③ End of ODA to China

- Cooperation for legal and judicial development in China ended in March 2021.
- "Seminar on Establishment of Civil Code/ Revision of Patent Law" held in Jan.2021.

2. Highlights

④ Efforts to resolve backlog in Sri Lanka and Bangladesh

- Efforts continued to resolve backlog through aforementioned online trainings, etc.
- In Sri Lanka, timely input prior to the drafting of a bill on pre-trial arrangement in criminal procedure.

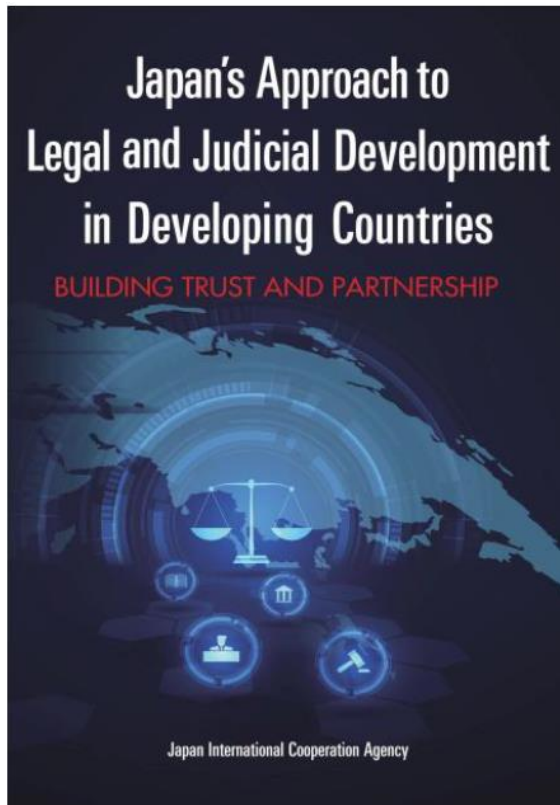
2. Highlights

⑤ Kyoto Congress

- ・ Co-hosted a side event on Access to Justice (led by ICD)
 - ・ Expansion of Knowledge Co-Creation Programs (Group & Region-focused) from FY2021
- “Criminal justice measures for vulnerable groups including re-offenders, children and women towards an inclusive society”

2. Highlights

⑥ Publishing English books on cooperation for legal and judicial development



<https://japanlibrary.jpic.or.jp/books/published/29b66020b11c9a2d42d8a78de363d028332ac031.html>

1. Continuous response to COVID-19
2. Stronger collaboration with partners
3. Others

1. Continuous response to COVID-19

- ① Further expansion of online trainings
- ② Formulating projects online
- ③ New activities in response to COVID-19
 - ・ Pilot activities on attorney-matching apps within the scope of a survey on access to justice in Africa

2. Stronger collaboration with partners

① Vietnam, Cambodia, Laos, etc.

- ・ Collaboration with programs implemented by other stakeholders

② Accepting international students

- ・ Collaboration between project activities and legal education in Japanese universities

3. Others

① A more strategic approach

- ・ "Cluster" approach

② Preparation for TICAD 8

- ・ Surveys on access to justice and business laws in Africa
- ・ Survey on protection and rehabilitation of juveniles in Kenya
- ・ Full-scale launch of training on criminal justice in French-speaking Africa

③ Collaboration with ASEAN

- ・ Participation from ASEAN in knowledge co-creation programs (group & region-focused) on criminal justice and international public law

④ Business and Human Rights

- ・ Survey on the protection of vulnerable workers
- ・ New activities related to acceptance of foreign workers

(<https://jp-mirai.org/en/>)



International Civil and Commercial Law Centre Foundation (ICCLC)

President OHNO Kotaro





ICCLC was established in 1996.

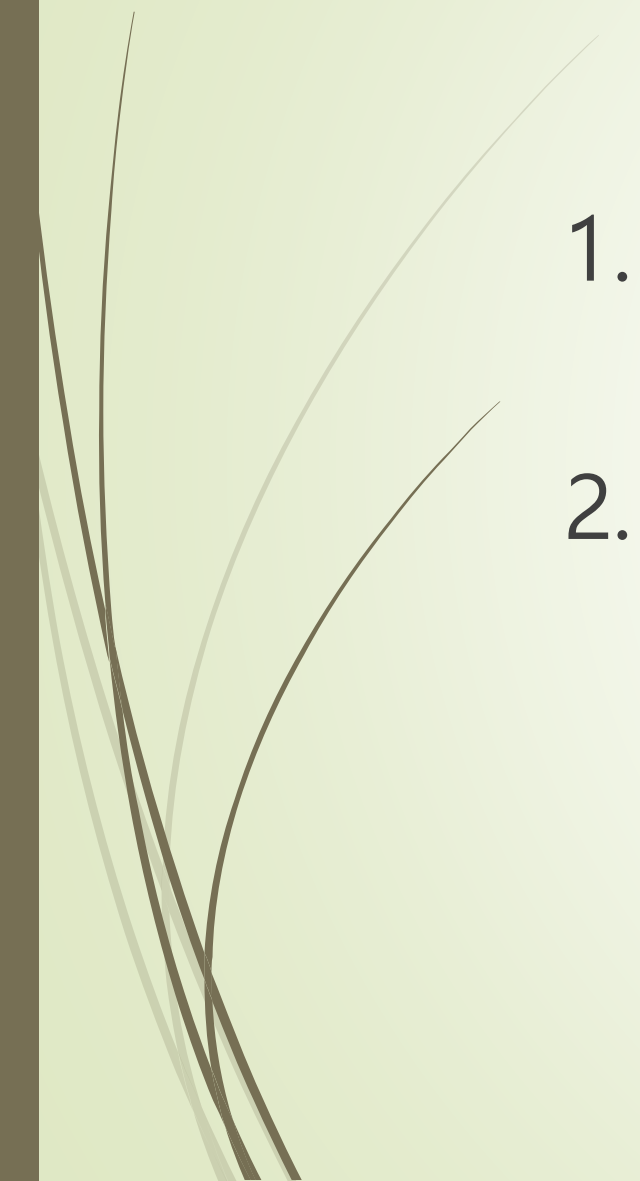
Purpose: Support legal technical assistance projects for Asian countries from the perspective of a private sector

Deepen mutual understanding for legal system/operation in Asian countries.

Members: Companies doing business in Asia,
Law firms handling international legal matters



What We Do:

1. Legal technical assistance activities
 2. Research and study of business legal systems and operations in Asian countries
- 



1. Legal technical assistance activities

Commissioned by JICA

Provide support to legal technical assistance activities conducted by ICD, etc.

Co-host events e.g. Invitation to Legal Technical Assistance , etc.



2. Research and Study of business legal system and operation in Asian countries

International Study Groups such as:

Japan-China Civil and Commercial Law Seminar

Japan-Korea Partnership Joint Study



2. Research and Study of business legal system and operation in Asian countries


Japanese study groups such as:

Study on Asia-Pacific comparative civil and commercial law

Asia Business Law Forum(ABLF)



Characteristics of ICCLC Activities

- 
- Flexibility as a private institution
 - A key link between the government, public organizations, bar associations, universities, member companies, etc.
 - Disclosing information to the public on our website

Report from the Center for Aisan Legal Exchange, Nagoya University

AKIRA FUJIMOTO

Director, The Center for Asian Legal Exchange
Professor, Graduate School of Law
Nagoya Univeristy

The 22nd Legal Support Liaison Meeting (June 12, 2021)

Center for Asian Legal Exchange (CALE)



- ❑ Established in 2002
- ❑ Specialized institution which focuses on the promotion of international cooperation in the field of law and political science

CALE' s Missions

3

Mission 01 **Research on Laws in Asia and Science of Legal Assistance**

Coordinating research on the laws of Asian countries and theories of legal assistance.

Mission 02 **Legal Education Assistance**

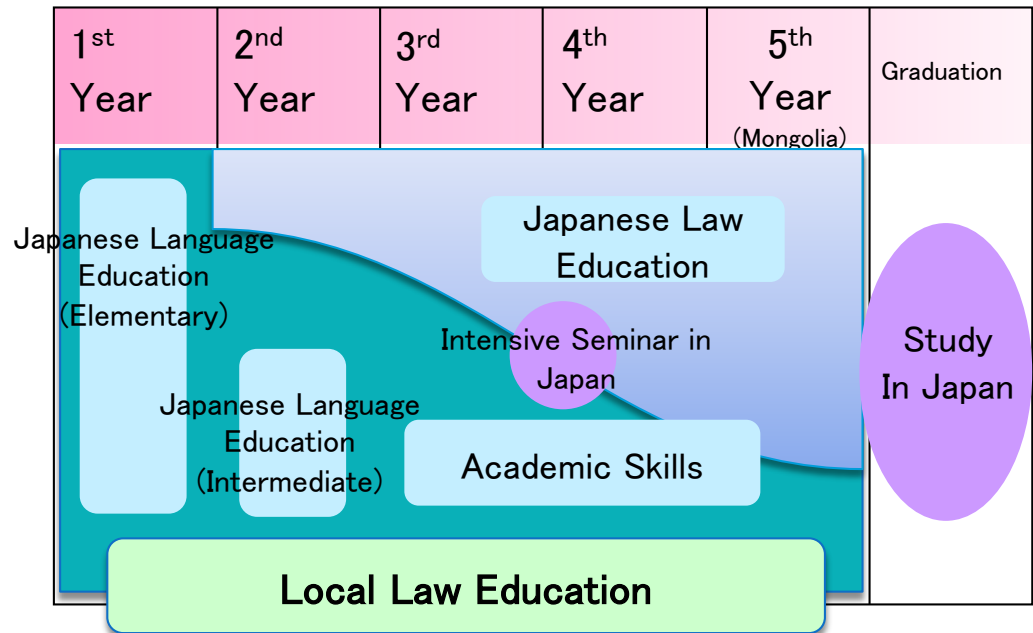
Developing human resources needed by countries in Asia in making and operating laws by themselves.

Mission 03 **Training of Human Resources in Japan**

Fostering global leaders or experts who know well about Asia and will be able to contribute meaningfully to the development of the region.

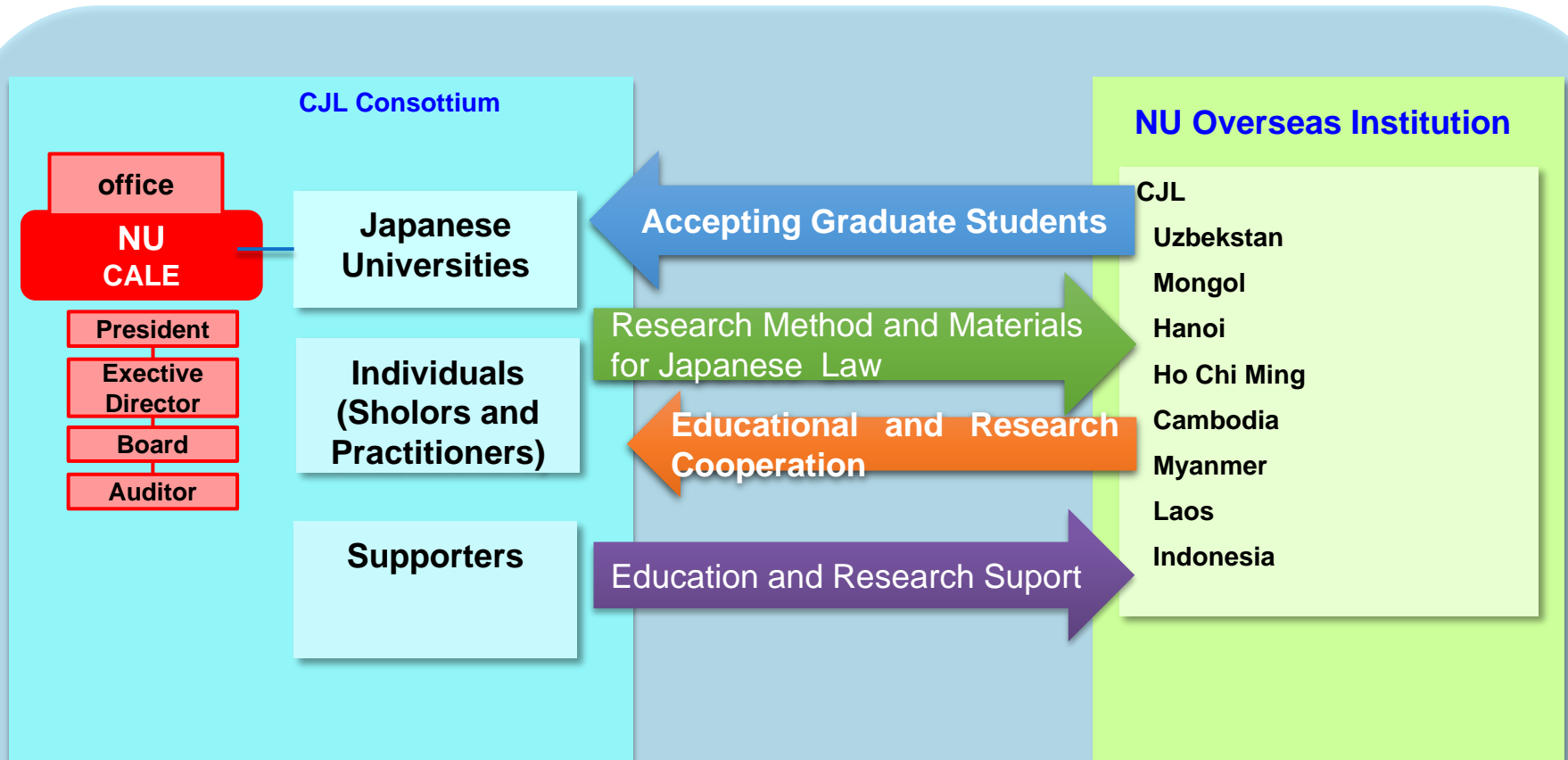
Japanese Law Program

- Japanese Language Training
- Introductory Japanese Law
- 2 weeks Intensive Seminar in Japan
- Study in Japan after graduation



CJL Consortium

本コンソーシアムは、名古屋大学大学院法学研究科および同法政国際教育協力研究センター（CALE）と共同して、ミッションポリシーに基づく日本法教育研究センター（CJLs）の事業の運営に参画する。



Overview of 2020-2021 Research Activities

Despite the movement restrictions imposed by COVID-19, we were able to actively develop online international symposiums and seminars and gain more participants than ever before.

On the other hand, in areas where the communication infrastructure was not well developed, it was difficult for CJL students to take remote lessons.

International symposium hosted by CALE

2020/5/8	Online Workshop on “Comparative legal research, legal academic writing, and publishing research papers with peer-reviewed academic publications” (cosponsored by Nagoya U Graduate School of law, CALE, Tashkent State University of Law)
2020/8/10-11	Workshop Series on Constitutionalism in Asia and Beyond Consolidating Constitutionalism in New Democracies:Perspectives from Eurasia(Remotely held) (Co-sponsored by Tashkent National Law University, Uzbekistan National Institute of Human Rights, University of Melbourne, Regensburg University, German-Eastern European Law Institute) (total of 137 participants)
2020/10/21	Workshop Series on Constitutionalism in Asia and Beyond "Consolidating Constitutionalism in New Democracies:Perspectives from Eurasia (II)" (Remotely held) (76 participants)
2021/1/14	Workshop Series on Constitutionalism in Asia and Beyond “Judicial Independence in ASEAN: A Comparative Perspective” (Remotely held) (93 participants from 15 countries)

A collection of papers on Constitutionalism will be published in Germany in the near future.

Lectures by the CALE International Visiting Scholars

CALE SPECIAL SEMINAR

Constitutional-KHMER-ism:

Khmer concepts of constitutionalism through historical and cultural trails



H.E. TANG Ratana

CALE Visiting Research Fellow
Secretary General,
Constitutional Council of Cambodia

Date: February 20th (Thu)

Time: 13:00-14:30

**Venue: Conference Room
Asian Legal Exchange Plaza**

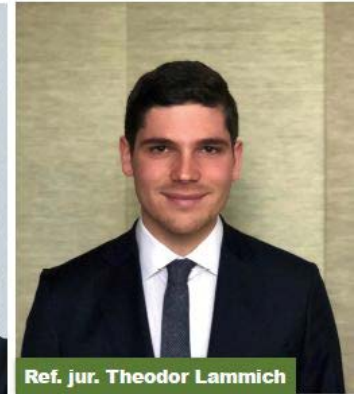
CALE Special Lectures by Professor Eliko Ciklauri-Lammich

Max Planck Institute for Foreign and International Criminal Law

Two lectures in German with simultaneous translation into English by Ref. jur. Theodor Lammich



Professor Eliko Ciklauri-Lammich



Ref. jur. Theodor Lammich

I. Legal Education in Germany (Die deutsche Juristenausbildung) (January 24, Friday, 13:00 - 14:30) ALEP Conference Room

Legal education in Germany is largely based on the Prussian legal education of the late 19th and early 20th centuries. More than a hundred years later, more and more representatives of politics and universities are advocating a comprehensive reform. This lecture shows the basics of the two-step system, its advantages, its disadvantages, and modern approaches in times of European assimilation.

II. The German Impact on Japanese Criminal Law (Der deutsche Einfluss auf das japanische Strafrecht) (January 27, Monday 10:30-12:00) ALEP Conference Room

Especially in medicine and law, German intellectuals appeared as examples for various scientific disciplines. Even if one can not deny the impact of French and American Law, German Lawyers influenced the Japanese Law doubtlessly the most during its era of modernization. The lecture sums up the process from a German point of view.

Prof. Dr. Dr. h.c. mult. Eliko Ciklauri-Lammich (Max Planck Institute for Foreign and International Criminal Law) focuses on areas such as "legal aspects of prevention of violence and conflicts" and "modern technologies and human rights". She also coordinates partnerships between Germany and the successor states of the former Soviet Union.

CJL Consortium Lecture Series 「Current Status of Japanese Legal Development Support」

2020/9/1	1 "Legal Development Support by the Ministry of Justice" (Lecturer: Taro Morinaga, Director of International Cooperation Department, Research and Training Institute of the Ministry of Justice) (Remotely held) (67 participants)
2020/10/19	2 "Why did I start legal development support-called Boissonade in Japan" (Lecturer: Akio Morishima, Professor Emeritus, Nagoya University) (Remotely held) (40 participants)
2020/12/11	3 "Teaching Japanese Law in Japanese Language in Asia - Legal Development Support, Observations by Former Lecturers of Law at the Center for Japanese Law) (remotely held) (40 participants)
2021/2/9	4 "Activities of CJL graduates who make use of their knowledge of Japanese law" (remotely held) (45 participants)
2021/3/2	5 “Legal Development Support and Asian Legal Research — Based on the Vietnam Constitutional Amendment Debate.” Lecturer: Masanori Aikyo (Chairman of Aichi Public University Corporation, Professor Emeritus of Nagoya University) (Remotely held) (44 participants)

Special Lectures for Asian Legal Development Support

2020/11/24	2020 No. 1 "Political System in the Lao Constitution" (Lecturer: Masanori Ayukyo, Professor Emeritus, Nagoya University)
2020/12/15	2020 No. 2 "Constitution of Myanmar, a multi-ethnic country" (Lecturer: Emi Makino) (11 participants)
2021/1/20	2020 No. 3 "Contemporary Russian Judiciary System-From a Comparison with the Soviet Judiciary System" (Lecturer: Kazutaka Sugiura, Professor Emeritus, Nagoya University) (24 participants)
2021/2/10	2020 No. 4 "Human Rights Issues in Contemporary Russia: From the Perspective of the Relationship between Domestic Law and International Law" (Lecturer: Kazutaka Sugiura, Professor Emeritus, Nagoya University) (16 participants)
2021/5/20	2021 No. 1 "Learning Asian Laws at Nagoya University-From the Experience of International Student Exchange" (Lecturer: Azusa Hongo Anderson Mori & Tomotsune Law Office, Foreign Law Joint Project Associate) (Remotely held) (35 participants)
2021/6/17	2021 No. 2 "Legal Development Support by NPO: Practice of Japan-Cambodia Law Association" (Lecturer: Kazuhiro Shiozawa, Professor, Faculty of Law, Seikei University) (Remotely held)

Other lectures / symposiums

2020/12/19	<p>Online seminar "What is the career of a law instructor at the Center for Japanese Law Education and Research-Attractiveness of interaction with lawyers in Asian countries through education-" (remotely held) (91 participants)</p> <p>Wataru Joto (Atsumi Sakai Law Office Foreign Law Joint Business Lawyer) Worked at CJL Vietnam Mariko Kimoto (Attorney at Anderson Mori & Tomotsune Law Office) Worked at CJL Vietnam Yoichiro Shinoda (Lawyer, Arunrea Law Office) Worked at CJL Cambodia Former JICA Cambodia Legal Development Support Long-term Expert Hironori Shamoto (Tsujimaki Law Office Lawyer) Worked at CJL Uzbekistan, Former Uzbekistan-Nepal JICA Legal Development Support Long-term Expert, Representative Director of Nagoya Uzbekistan Friendship Association Eiji Takao (Deputy Representative Lawyer, Total Kaiketsu Law Office) Worked at CJL Cambodia Moderator, Shoichiro Tamagaki (JICA Governance Peacebuilding Department, Special Commission / Lawyer) Worked at CJL Cambodia</p>
2021/3/18	<p>Seminar "Impact of Myanmar Political Change on Japanese Companies" (Lecturer, Former JICA Long-Term Expert Lawyer) (Remotely Held) (100 Participants)</p>
2021/4/18	<p>Co-sponsored / Symposium "Citizen's Life and Administration after Amendment of Covid-19 Related Laws-Comparison of Theory and Practice in Asia-"</p>

CALE Discussion Paper No. 19



Discussion Paper No.19

**Emergence and Features of
the Constitutional Review Bodies in Asia:
A Comparative Analysis of
Transitional Countries' Development**

Edited by Aziz Ismatov and Emi Makino
August, 2020

Nagoya University
Center for Asian Legal Exchange

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CALE NEWS

Center for Asian Legal Exchange
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Prospects for CALE education and human resource development

--->To develop high-quality local educators with research abilities, mainly international students who have obtained a doctoral degree.

CALE Research Prospects

- Systematically develop multiple research projects while linking them.
- Building a framework to involve experts from Asian countries, mainly returnees, in the above research projects.

Challenges of CALE hub function

- Providing continuing education / training opportunities for returning students who are active as professionals (judges, lawyers, prosecutors, government officials / staff) in their countries/areas, and facilitate their collaboration with Japanese professional counter partners (courts, Ministry of Justice, bar associations.)
- In addition, we need to enhance the presence of CALE and Nagoya University by participating more systematically and actively in international networks among universities and research institutions and international academic conferences. Joint research projects, conferences, and symposia held on the basis of these networks are also effective as a venue for international students and former international students to play an active role in academia.

Examples of international networks in which CALE is a member

*Institutions in parentheses indicate the organizing body.

World Bank Global Forum on Law, Justice and Development

ALIN - Asian Legal Information Network (Korea Legislation Research Institute)

ASLI - Asian Law Institute (NUS)

Activity Report for the 22nd Legislative Assistance Program Liaison Conference

Twenty Years of International Student Education and Research Exchange at Kobe University



Saturday, June 12, 2021, 10:30-17:30

Prof. Yuka Kaneko, Assistant Director
Kobe University Center for Social Systems
Innovation (KUSSI)

Cooperation in legal education and research with local counterpart organizations

- "System Building Theory Course" launched at the Graduate School of International Cooperation Studies, Kobe University (2005-)
- "Law and Development Program" launched as an educational program
- The International Cooperation Department of the Research and Training Institute, Ministry of Justice, started a course on legislative assistance.
- Project for Human Resource Development Scholarship (JDS Project) and other projects in the framework of the JICA Grant Aid: Acceptance of government-sponsored students from Indonesia, Vietnam, Laos, Myanmar, etc.



Building educational and research partnerships with collaborators inside and outside the university
(Researchers and legal professionals interested in legislative assistance)
Identifying needs for legislative assistance through research activities funded by KAKENHI (Grants-in-Aid for Scientific Research) grants



Cooperation with local counterpart organizations
(Ministry of Justice and other ministries, universities, etc.)
Dispatch of young researchers, selection of research topics
⇒ Human resource development to promote the next stage of legislative assistance



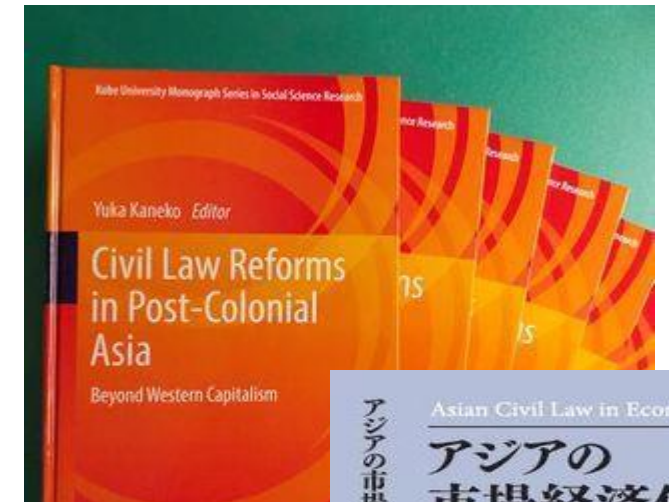
Education and research partnerships with the Ministry of Justice and universities in Vietnam

- Acceptance of young people from the Ministry of Justice, the People's Procuratorate and universities (Hanoi University of Law, Da Nang University of Economics, Ho Chi Minh University of Economics and Law, etc) in the framework of our international student program:
- Overseas academic research by cooperating Japanese professors using the KAKENHI grants ⇒ Cooperation with the dispatching institutions

Research exchange with the officials of the Vietnamese Ministry of Justice involved in the drafting of the Civil Code

↓ Research topics focused on by the dispatched students

- Civil code and land law
- Land use rights and compensation for land expropriation
- Legal interpretation in the application of the United Nations Convention on Contracts for the International Sale of Goods
- Legal restrictions on public-private partnership business contracts
- Bilateral investment agreements and investment dispute settlement systems
- Interpretation and application of the Civil Code in environmental lawsuits
- SME transactions and competition law
- Intellectual property disputes and the judiciary

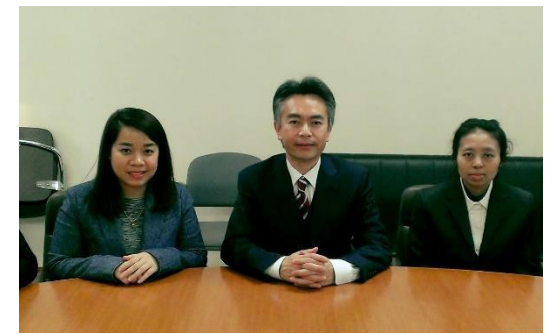


Education and research partnerships with relevant Lao ministries and agencies

International students' research topics are becoming clearer, and they are also learning to write master's theses.

(Thanks to the support? Transparency in the selection process) - Easy to form educational partnerships

- Prime Minister's Office: Investor-state dispute settlement
- Ministry of Foreign Affairs: WTO-TRIPS Agreement
- Ministry of Foreign Affairs: Master plan on the “rule of law”
- Ministry of Foreign Affairs: System for settlement of investment disputes
- Ministry of Justice: Bankruptcy law
- Ministry of Justice: Mediation system



Intellectual Property High Court



Patent Office/WIPO training



Interaction with IP lawyers and legal apprentices

Education and research partnerships with ministries and universities in Myanmar

Increased awareness of international students over time

(Selection process by ministry) - Launch of educational partnerships

- Ministry of Home Affairs: Land dispute resolution and disaster law
- Ministry of Commerce/Chamber of Commerce: Competition law
- Supreme Court: Bankruptcy law
- Office of the Attorney General: Settlement of investment disputes



Bankruptcy law drafting team of the Supreme Court



Research exchange with the Ministry of Commerce



Ministry of Home Affairs and survey of disaster-stricken areas

Bankruptcy Law Study Group of Osaka Bar Association



Educational exchange with Yangon University and Dagon University (twice a year)



Research Exchange with the Office of the Attorney General

Indonesia: Education and research exchange with courts and other institutions via universities

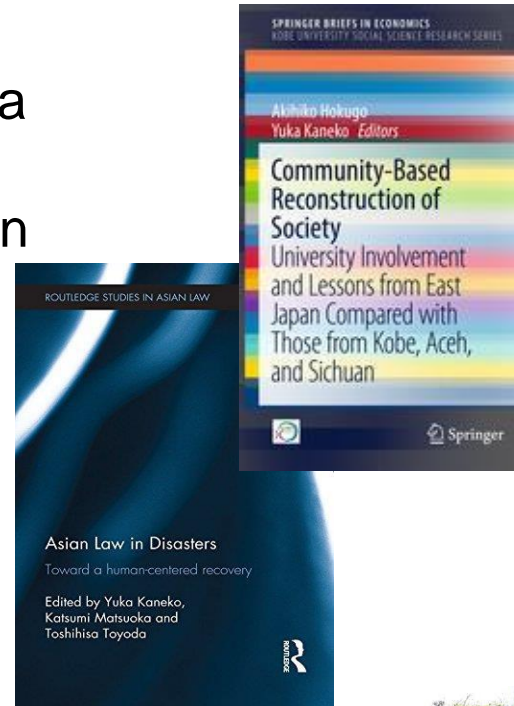
Exchange between disaster-stricken universities

2004 Sumatra Tsunami

- Reconciliation and mediation system as a means to support disaster recovery
- Publication of a book co-authored with an expert in Sharia law and customary law



Osaka District Court



Ordinary court



Sharia court



Comparative study of ASEAN economic legislations: Examining the outcomes of legislative reforms (2019-21)

- Balancing Trade in the ASEAN Economic Community: Japan works with CLVM (Cambodia, Laos, Vietnam and Myanmar) countries to achieve trade balance in order to prevent trade and investment liberalization in the ASEAN Common Market from creating winners and losers (an important subject since ASEAN Plus 1).

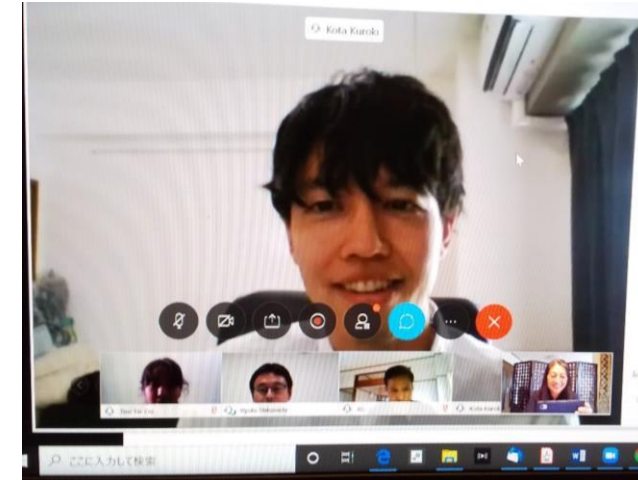


- Break down and quantify the requirements of the institutional infrastructure essential for promoting long-term, sustainable and value-added investment:
- Corporate law, bankruptcy law and financial culture for sound corporate governance
- Legal basis for stable business activities (guarantee of private rights in the Civil Code)
- Contract law and culture as the foundation for sustainable employment and supply chains
- Awareness of market actors toward fair trade
- Stability of legal policy, "rule of law" to control administrative discretion
- Fair and efficient litigation, ADR and enforcement systems for contract enforcement and administrative litigation

Cambodia	Ministry of Justice
Indonesia	Institute of Development Law, Lampung University
L a o s	National Institute for Economic Research, Lao PDR
Malaysia	University of Malaysia
Myanmar	Department of Law, Dagon University
Philippines	National College of Public Administration & Governance, University of the Philippines
Thailand	Faculty of Law, Thammasat University
Vietnam	Ho Chi Minh University of Economics and Law

Conclusion: 20 years of involvement and the future

- Long-lasting involvement in legislative assistance in terms of human resource development (with ups and downs)
- A virtuous cycle of educational and research partnerships
- Feedback from research partnerships to promote legislative assistance
We need to conduct result evaluation rooted in the essential functions of law without being bound by legal instrumentalism as in the “Role of Law in Development” advocated by World Bank and IMF...
 - Stability of law - significance and verification of legal drafting support
 - Independence of law: Law cannot be separated from social norms
 - Rule of law/judicial reform: control of administrative discretion under authoritarian regimes
- Increasing importance of educational cooperation under the COVID-19 pandemic
- Research partnerships deepening under the COVID-19 pandemic (joint research)



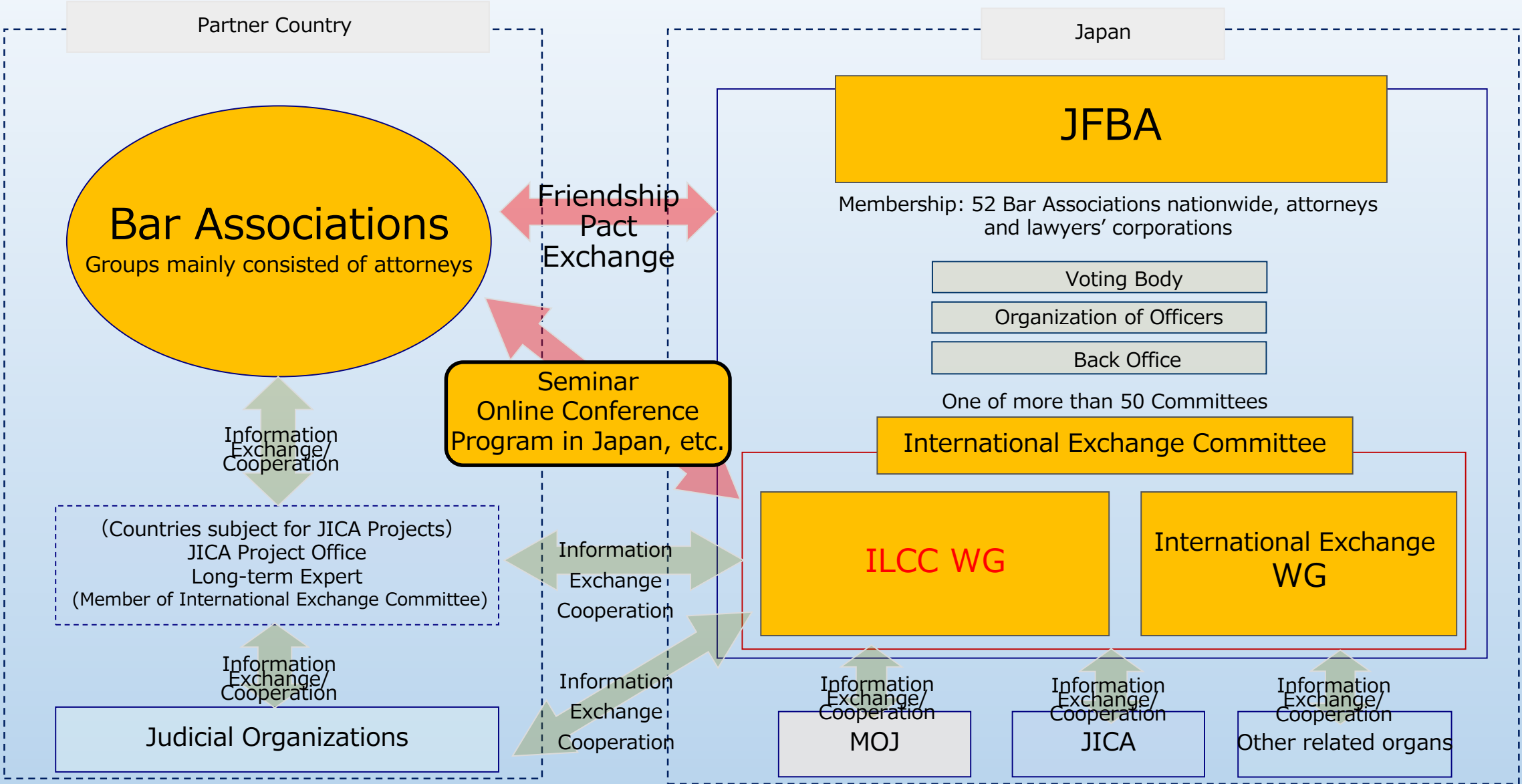
June 12, 2021

The 22nd Annual Conference on Legal Technical Assistance

Japan Federation of Bar Associations(JFBA) Activities for International Legal Support ～FY2020 Report and Future Plans～

Organizer, International Exchange Committee, JFBA
International Legal Cooperation Center (ILCC) Working Group (WG)
Law Research Fellow of International Cooperation Department (ICD) RTI, MOJ
Attorney, ISHISAKI Akito

Implementation of International Legal Cooperation



Outline of Activities Since FY2020

①Country-Focused Activity

«Toyota Foundation Grant Projects»

- Cambodia PT
- Laos PT
- Vietnam PT (※)

«Individual PT Activity»

- Mongolia PT
- ※Vietnam PT

②Transversal Activity

- JICA Knowledge Co-Creation Program (Group and Region Focused) PT

③Event/Training in Japan

- Online seminar: “The Rule of Law in the International Community and the Future of Japanese Attorneys”
- Training to raise next generation attorneys to shoulder international exchange/legal assistance

《On Toyota Foundation Grant Project》

Making the “law” closer for a peaceful and abundant life:

Collaboration of four countries to realize access to justice

**Cooperation on the realization of societies where people can have
Access to Justice in Vietnam, Cambodia, Laos and Japan**

- Aims to enhance Access to Justice by sharing experiences of Vietnam, Cambodia, Laos and Japan and learn from one another.

<http://toyotafound.force.com/psearch/JoseiDetail?name=D19-N-0070>

✂The Project launched in Nov. 2019. Then supposed to hold workshops for each country February 2020 onwards and a joint four-country seminar in June, however...

Cambodia

《Actual Situation of Toyota Foundation Grant Project》

Local seminar scheduled to be held in consultation with BAKC.

It was initially scheduled to be held around Oct. 2020, however, it has been pushed back due to Covid-19. BAKC wants to wait until the the situation improves.

It is also planned to create video contents for the general public for promotion of Access to Justice.

Laos

- LBA requested assistance to create a tool which introduces the role of attorneys.

Background: The role of attorneys is not known especially in remote areas.

There have been cases where people could not
have access to justice due to non-involvement by attorneys.
(e.g. forced eviction from the land)

→ Activities downsized due to COVID-19.

《Actual Situation of Toyota Foundation Grant Project》

LBA's executive body was replaced this year. Adjustments are being made on the progress of the Project.

Vietnam

- VBF (and the Bar Association of Nghe An Province, the pilot district) requested for assistance to deliver legal services to remote areas. (e.g. Opening/Operating a remote legal consultation center using SNS).

Background: Western part of Nghe An Province, the largest province in Vietnam, does not have enough attorneys. Despite traveling legal consultation caravans, it is not still enough.

→ Activities downsized due to COVID-19.

- Trainings in Japan, which had been conducted since FY2009 as part of JICA's PJ for supporting legal/judicial system reform with the aim to strengthen the capacity of Bar Associations, was conducted online. (*Implementation method of e-learning, etc.)
- Other activities include Commercial Attorneys Club seminars, etc.

《Actual Situation of Toyota Foundation Grant Project》

- Adjustments are being made as domestic procedure is required for VBF to participate in the Project.

Mongolia

- Association of Mongolian Advocates and Mongolian Bar Association planned on a voluntary training via Zoom.

It is planned as informal training mainly for exchange with its theme “The Role of Attorneys under the COVID-19”. Both countries make presentations on the theme and exchange information.

*It was supposed to be held in Dec. 2020, however, was postponed due to strengthen the quarantine system along with a case of Covid-19 found in Mongolia. The new date is not set yet.

Myanmar

- No specific activities currently
- ✕ Attorneys are now able to make democratic involvement with the Bar Council.

JICA Knowledge Co-Creation Program (Group and Region Focused)

- Project: Knowledge Co-Creation Program on Enhancement of Access to Justice
- Period: Jan.6-Feb.9, 2021 (8 times)
- Number of participants: 10
- Participating Countries/Organizations

Cambodia, Cote d'Ivoire, Laos, Malawi, Uzbekistan, Myanmar, South Sudan, Tanzania and Moldova (9 countries)

Requirements of Participation

Those who are interested in the current situation/challenges of Access to Justice in their countries and able to involve in building the system for Access to Justice. (e.g. Ministry of Justice, Courts, Bar Associations, etc.)

1 participant from each country, 2 participants from Myanmar,

1 observer from Myanmar

Knowledge Co-Creation Program (Group and Region Focused)

1. Introduction Phase: Preparation of Country Report

2. Preparation Phase: Watch On-demand Video

3. Core Phase: Participate in Live Sessions of Lecture/Discussions

Day 1 : Course orientation/Outline of Japanese judicial system

Day 2 : Country Report

Day 3 : Theory and international trend regarding Access to Justice

Day 4 : Outline of Japan Legal Support Center, major organization for legal aids in Japan

Day 5 : History of Civil Legal Aid System

Day 6 : History of Criminal Legal Aid System

Day 7 : Case Study (Assistance to Cote d'Ivoire), Q&A, Guidelines for Action Plan

Day 8 : Presentation of Action Plan

- March 23, 2021

“The Rule of Law and the Future of Japanese Attorneys in the International Community ”

Part 1: Keynote Lecture: “The Rule of Law and the Role of Attorneys in the International Community ”

Speaker: Mr. OWADA Hisashi(The 22nd President of the International Court of Justice)

Part 2: Activity Report by JFBA International Exchange Committee

Participants: Attorneys, legal apprentices, law school/undergraduate students, etc.

- April 28–July 16, 2021 (6 times)

“Training for Attorneys Who Will Shoulder the Next Generation of International Exchange/
Legal Support”

Content: Introducing the activities of JFBA International Exchange

(Exchange Committee WG/ILCC WG) and actual situation of/how to get
involved in international exchange/legal support

Participants: Attorneys, and legal apprentices introduced by attorneys

Thank you for your kind attention!

法務省法務総合研究所/国際協力機構主催 Organized by Research and Training Institute, MOJ and JICA
第22回法整備支援連絡会 The 22nd Annual Conference on Technical Assistance in the Legal Field

新たな時代の法整備支援～ICD創設20周年を機として～

“Legal Technical Assistance in the New Era: Commemorating the 20th Anniversary of ICD”

アジア経済研究所 活動報告 Activity Report of IDE

「ビジネスと人権：責任ある企業行動およびサステナビリティに関する政策」に係る
プラットフォーム事業

IDE-JETRO Policy Proposal Research Project FY2020-2022

“Platform for Business and Human Rights:
Responsible Business Conduct and Sustainability Policy”

日本貿易振興機構アジア経済研究所 新領域研究センター 法・制度研究グループ長
山田 美和 miwa_yamada@ide.go.jp

Director, Law and Institution Studies Group, Inter-disciplinary Studies Center
Institute of Developing Economies, JETRO

2021年6月12日 法務省国際法総合センター国際会議場A

Purpose

- to research how Japanese business should integrate human rights respect and advance human rights due diligence in their core operations including supply chains and what are effective policy measures to create enabling environment for business.
- to organize seminars and workshops to promote UN Guiding Principles on Business and Human Rights and create a platform to discuss the issue among multi-stakeholders such as government agencies, companies and civil society groups.
- 日本企業のサプライチェーンで重要なアジア地域を中心に、ビジネスと人権に関する政府と企業の動向を調査し、企業はどのように人権尊重を企業活動の中に取り込むべきか、責任ある企業行動、責任あるサプライチェーンを実現できるか、そして日本政府としてどのような政策が必要か等について調査するとともに提言を行う。中小企業を中心とする企業が直面する課題を洗い出し、日本政府「ビジネスと人権に関する国連指導原則」にもとづく国別行動計画（NAP）の実行や見直しに有効なインプットを行う。ビジネスと人権、責任ある企業行動、持続的で包括的なサプライチェーンやサステナビリティに関する議論をする場としてのプラットフォームとして研究会を運営する。

Research

- Responsible Supply Chains in Vehicle Parts Industry Case Studies and Challenges in collaboration with ILO
- Opportunities and challenges of Japanese companies
- Trend of development in policy measures taken by governments, including legislating mandatory due diligence in Europe
- IDE Policy Brief: アジ研ポリシー・ブリーフNo. 146 2021年4月「人権デューデリジェンスをいかに促すか——日本政府『ビジネスと人権に関する行動計画（2020-2025）』を活用する」No. 142 2021年2月「欧州で活発化するデューデリジェンス義務化の動き」

Multi-Stakeholders Platform

Members: IDE-JETRO, Keidanren, Global Compact Network Japan, Japan Business Council in Europe, Human Rights Watch, Japanese Trade Union Confederation, Japanese Bar Association

Observers: METI, MHLW, FSA, etc.

Guest speakers: German Embassy, Myanmar Centre for Responsible Business, Ministry of Environment, Maersk, etc.

Outreach

- 「グローバル・サプライチェーンにおける責任ある労働慣行の実践と持続可能性〜タイにおける日本の自動車部品企業の事例〜」ILO駐日事務所と共催(2021年2月4日)

Webinar: Advancing Responsible Labour Practices and Sustainability in Global Supply Chains - Learning from Japanese Vehicle Parts Companies in Thailand -

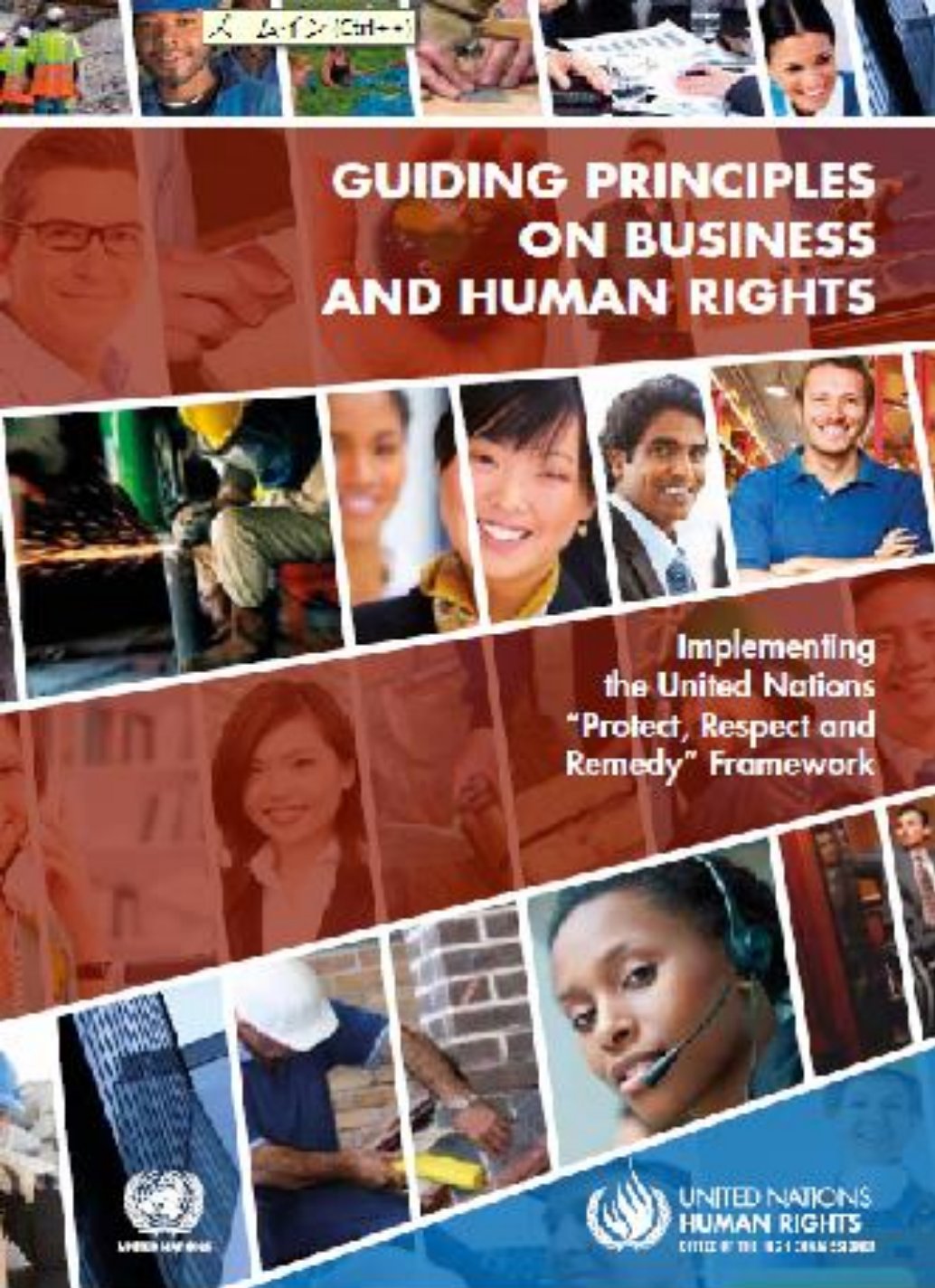
- ハイレベルイベント「レジリエンス構築における責任ある企業行動の役割」EU/OECD/ILO共催における報告（2021年1月21日）

High Level Event: The role of Responsible Business Conduct in building resilience - Perspectives from Japan

- ジェトロ・メンバー会員向けオンライン講座「責任あるサプライチェーン ビジネスと人権を視座においた企業の取り組み」（12月2日～3月2日配信）

JETRO On-line seminar for members: Responsible Supply Chains

- 今年度予定：夏期講座、中小企業団体とのセミナー、国際シンポジウム等
Under planning: IDE Summer Course on BHR, seminars with SMEs. International Symposium on BHR



UN Guiding Principles on Business and Human Rights 「ビジネスと人権に関する国連指導原則」

企業活動と人権の問題の深刻化の根本原因は‘ガバナンス・ギャップ’の存在。すなわち多国籍企業などの経済的アクターがもたらす負の側面と、それを適切にコントロールできない国際社会側の能力のギャップ。それをできるだけ少なくし埋めていくことが課題。

To fill “governance gap” =the gap between the sphere of influences and the scale of impacts caused by economic actors (including enterprises), and the inability of society to properly control the negative impact therefrom.

I 人権を保護する国家の義務(1-10)

The state duty to protect human rights

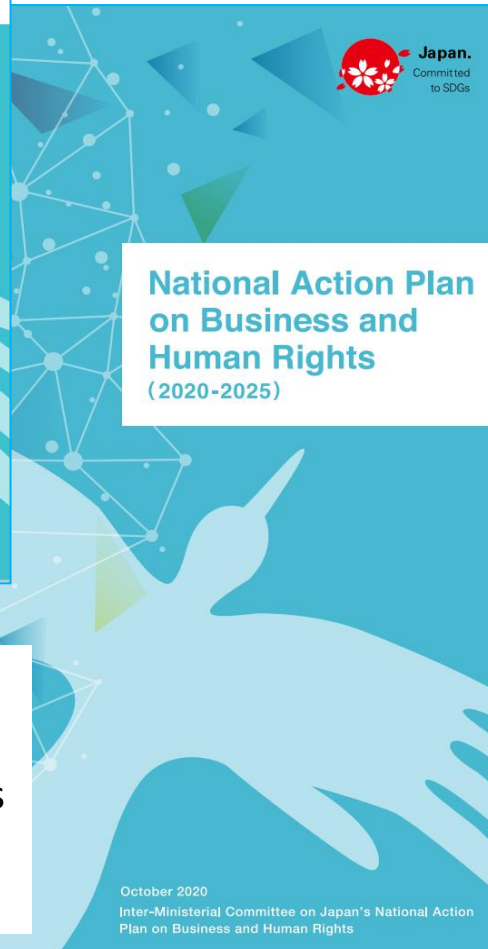
II 人権を尊重する企業の責任(11-24)

The corporate responsibility to respect human rights

III 救済へのアクセス(25-31) Access to remedy



日本政府「ビジネスと人権」に関する行動計画(2020-2025) National Action Plan on Business and Human Rights 2020年10月16日策定・公表 launched on 16 October, 2020



第2章 行動計画

(3) 人権を尊重する企業の責任を促すための政府による取組

A. 国内外のサプライチェーンにおける取組及び「指導原則」に基づく人権デューディリジェンスの実施

<これまでの取組> 23頁

「普及・支援活動では、企業向けに、(独)日本貿易振興機構(JETRO)アジア経済研究所や・・・関係機関による調査研究を実施し、その成果を発表してきている。」

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(3) Measures of the Government Promoting Corporate Responsibility to Respect Human Rights

A. Measures Related to Domestic and Global Supply Chains and Promotion of Human Rights Due Diligence Based on the UNGPs (Measures taken)

In terms of awareness-raising activities and support, studies and research have been conducted by relevant institutions, including IDE-JETRO ...

ビジネスと人権に関する行動計画に係る関係省庁連絡会議

Inter-Ministerial Committee on Japan's National Action Plan on Business and Human Rights

日本企業の機会と課題ー責任あるサプライチェーン調査結果から

Opportunities and challenges of Japanese companies in 'Responsible Supply Chain'

- 自社のオペレーションが人権に与えるリスクについて日本企業は認識しつつあり、事業活動における人権デューデリジェンスの実施・強化が望まれる。リスクに対応することでプラスの成果を最大に。

Japanese companies are aware of risks of its operations impacts on human rights. Need to strengthen DD implementation. Maximize positive impacts by addressing risks.

- 人権尊重、経営の透明性、説明責任および建設的な労使関係を支援することで、サプライチェーン全体のレジリエンス、持続可能性、企業価値の向上につながる。

Supporting respect for human rights, transparency in management, accountability and constructive labour relations will lead to resilience, sustainability and increased corporate value through supply chains.

- 望む公的支援には、現地政府の政策や法規制に関する情報提供、企業の社会的責任、労働、環境の問題に関する現地の情報、現地政府への制度支援やキャパシティビルディングがある。企業が責任ある企業行動、人権尊重責任をはたせる環境を構築する、とくに、企業が単独では軽減できない構造的リスクに対処してほしい。

Japanese companies seek for public support including provision of information on policies, laws and regulations in the place of operation, and information on local issues relating to corporate social responsibility, labour and environments, and assistance to local governments in institution and capacity building.

Government has a role to play in creating an enabling environment for companies to practice responsible business conduct that covers human rights, labour, environmental standards and good governance. In particular, governments should address systemic risks that businesses can't mitigate on their own.



法整備支援と「ビジネスと人権」 Legal Technical Assistance and Business and Human Rights

第2章 行動計画

(5) その他の取組

(今後行っていく具体的な措置) 29頁

途上国における法制度整備支援

・ODAを活用し、関係府省庁とも協力しつつ、法の支配の下における人権の保障と自由な経済活動の基礎となる法令の起草・改正、法運用組織の機能強化と実務改善、法曹人材育成、司法アクセスの向上等に関する支援を実施する(JICAによる専門家派遣、研修、セミナー等)。【外務省、法務省】

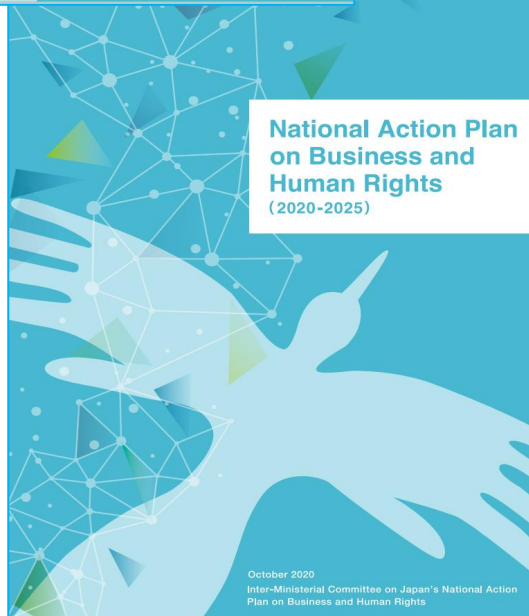
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(5) Other Measures

(Future measures planned) Page 29

Support development of legal systems in developing countries

・Utilizing ODA and in cooperation with relevant ministries and agencies, provide assistance that ensures human rights under the rule of law and forms the foundation of free economic activities in areas that include: drafting and amendment of legislation; enhancement of capacities of and improving practice of legal and judicial institutions; capacity-building of legal professionals; and improvement of access to justice (through dispatching experts and providing training courses and seminars by JICA). [Ministry of Foreign Affairs, Ministry of Justice]



相手国政府が人権保護義務をはたし、現地で操業する企業が人権尊重責任をはたせる環境 (enabling environment)をいかに整えるか

スマートミックスと政策の一貫性 Smart mix and Policy Coherence

- 「国家は、企業が常に国家の不作為を好み、または国家の不作為から利益を得ると推定すべきではなく、企業の人権尊重を助長するため、国内的及び国際的措置、強制的及び自発的な措置といった措置の**スマートミックス**を考えるべきである。」(原則3 解説)

State should not assume that business invariably prefer, or benefit from, State inaction, and that should consider **a smart mix of measures** – national and international, mandatory and voluntary – to foster business respect for human rights. (UNGP 3 Commentary)

- **政策の一貫性**＝「会社法および証券規制法、投資、輸出信用及び保険、貿易、労働を含む、国および地方レベルで企業の実務を規律する部局や機関の**共通認識と合致した行動**」(原則8 解説)

Horizontal **policy coherence** means supporting and equipping departments and agencies that shape business practices – including those responsible for corporate law and securities regulation, investment, export credit and insurance, trade and labour – to be informed of and act in a manner compatible with the Governments' human rights obligations. (UNGP 8 Commentary)

- **法整備支援は日本政府として指導原則を具現化するものであり、同時に相手国の指導原則の実行を支援する。救済へのアクセスを確保する。市民社会のスペースを確保する。**

Legal technical assistance embodies Japan's state duty under UNGP and supports recipient countries in implementing UNGP as their state duty to protect human rights, ensuring access to remedy and space for civil society engagement.

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