

# ICD NEWS

## LAW FOR DEVELOPMENT

INTERNATIONAL COOPERATION DEPARTMENT  
RESEARCH AND TRAINING INSTITUTE  
MINISTRY OF JUSTICE, JAPAN

March 2026

### ~Features~

#### Contributions

On the Ministry of Justice of Cambodia's Initiative to Publish a Journal  
MIZOGUCHI Chie

Overview of the National Anti-Corruption Commission (NACC) And the Efforts for  
Anti-Corruption in Thailand  
Janewit Wittayadet

Nepal's Political Crossroads: The Gen-Z Uprising, Political Realignments, and the  
March 2026 Electoral Test  
Aman Maharjan

#### Recent Trends and Activities of Legal Technical Cooperation

The 26th Annual Conference on Legal Technical Cooperation  
HIROTA Kei

FY 2025 Japan-ASEAN Joint Study on Business and Human Rights for Young  
Leaders  
HIGUCHI Rui

Consideration of the Realization of Legal Protection in Accordance with the Principles  
of Business and Human Rights: Using Pollution Litigation as a Case Study  
Yudai Suzuki

# Contents

## I. Contributions

On the Ministry of Justice of Cambodia's Initiative to Publish a Journal-----	1
<i>MIZOGUCHI Chie</i> <i>JICA Long-term Expert in Cambodia</i>	
Overview of the National Anti-Corruption Commission (NACC) And the Efforts for Anti-Corruption in Thailand -----	19
<i>Janewit Wittayadet</i> <i>Inquiry Officer, Higher Level in the Bureau of Legal Affairs, Office of the National Anti- Corruption Commission of the Kingdom of Thailand</i>	
Nepal's Political Crossroads: The Gen-Z Uprising, Political Realignment, and the March 2026 Electoral Test -----	27
<i>Aman Maharjan</i> <i>Attorney at Law, Nepal</i>	

## II. Recent Trends and Activities of Legal Technical Cooperation

The 26th Annual Conference on Legal Technical Cooperation-----	41
<i>HIROTA Kei</i> <i>Professor, International Cooperation Department</i>	
FY 2025 Japan-ASEAN Joint Study on Business and Human Rights for Young Leaders -----	107
<i>HIGUCHI Rui</i> <i>Professor, International Cooperation Department</i>	
Consideration of the Realization of Legal Protection in Accordance with the Principles of Business and Human Rights: Using Pollution Litigation as a Case Study -----	216
<i>Yudai Suzuki</i> <i>Professor, International Cooperation Department</i>	

## III. Chronology of Legal Technical Cooperation----- 257



## **- I. Contributions -**

### **On the Ministry of Justice of Cambodia’s Initiative to Publish a Journal**

**MIZOGUCHI Chie<sup>1</sup>**

*JICA Long-term Expert in Cambodia*

#### **I. Introduction**

Last year, the Ministry of Justice of Cambodia launched a new initiative: the publication of a specialized legal and justice journal. To date, Issue No. 1 (January last year), Issue No. 2 (March last year), and Issue No. 3 (August last year) have been published, and Issue No. 4 is scheduled for publication in the spring of this year<sup>2</sup>. This initiative marks the first attempt by the Ministry of Justice to publish such a journal, and it has attracted attention as an initiative that supports the further development of Cambodia’s legal and justice sector.

The Journal is produced by a working group (hereinafter referred to as “WG”) led by H.E. Nhean Vannak, Secretary of State. This article presents an interview with the Secretary of State, along with the tables of contents (English translations) of Issues No. 1 through No. 3, and an introduction to an article by the present author that is scheduled to appear in Issue No. 4.



*Previously published issues of the Journal  
(The building depicted on the cover is  
the Ministry of Justice.)*

#### **II. Interview with H.E. Nhean Vannak, Secretary of State<sup>3</sup>**

**— I understand that this Journal is produced by a WG established for the purpose of journal preparation pursuant to a decision dated February 26, 2024. Could you please tell us the background and objectives behind the establishment of this WG and the launch of the journal?**

“I believe this is a very important question. The publication of the Journal is one of the Minister’s major goals. The Minister wishes to promote research activities and academic writing and therefore intends to publish this Journal. As one of the Minister’s subordinates, and also as an

<sup>1</sup> The English version of this article was prepared with the assistance of Mr. Peou Visal, a project staff member. He also prepared the English translation of the table of contents in Part III.

<sup>2</sup> The information on publication status is based on the situation at the time of writing (February 2026) and may have changed by the time this article is published.

<sup>3</sup> This interview was conducted in December 2025. Temporal references are based on the time of the interview.

instructor in the field of law, I would like to help realize the Minister’s objective. In launching the Journal, we established a WG and brought together highly capable members, so that the Journal would earn the trust of the public.

The purpose of launching the Journal can be broadly divided into three overarching objectives. The first objective is to strengthen human resources in the justice sector. To achieve this, it is necessary for many people to read legal and professional literature. As experts are well aware, reading a substantial body of literature is indispensable for understanding the law. To encourage such reading, a sufficient number of contributors is required. It is important for individuals with extensive knowledge to write articles and share their experiences and expertise. This Journal represents a type of research publication that had not previously existed in Cambodia’s justice sector. For example, when I was working as a university lecturer, I wished to read books written with deep analysis by highly capable scholars, however, at that time, only foreign publications were available. I believe this Journal will contribute to strengthening human resources in Cambodia’s legal and justice sector.

The second objective is to promote in-depth research and analysis. Within this objective, there are three specific goals.

The first goal is to correctly understand and appropriately apply existing laws. Civil law, in particular, must be applied based on a consistent and shared understanding. We hope that there will be a single common understanding of each legal provision. The Journal does not merely present statutory provisions but also explains their underlying philosophy—that is, the intent and rationale of the provisions. Students of law may not fully understand the law by reading statutory text alone; however, by reading the explanations of the intent and rationale provided in the Journal, they can achieve a correct understanding and application consistent with that intent and rationale.

The second goal is to improve the legal system. By reading the Journal, readers can gain insight into practical problems that arise in legal practice. When many people contribute articles to the Journal, Cambodia’s legal system can be progressively improved. I will explain the selection of contributors in more detail later.

The third goal is to deepen the analytical and critical thinking abilities of personnel in justice sector. Writing a single article requires a considerable amount of time, and throughout that process, contributors are required to engage in careful and sustained analysis.

The third and final overarching objective is to compile materials on historically important



*H.E. Nhean Vannak, Secretary of State*

developments in the justice sector—namely, records related to improvements in the justice system.

By publishing a journal that is trusted by the public, we aim to achieve these three overarching objectives.”

**— *Looking at the tables of contents from Issues No. 1 through No. 3, the Journal covers a wide range of fields and topics, both civil and criminal. Do you set an overall theme or general policy for topic selection for each issue?***

“As I mentioned earlier, we intend this Journal to respond to the needs of practitioners and officials in the legal and justice sectors. Therefore, we try to include as wide a range of fields as possible, including civil law, criminal law, and foreign law.

With regard to themes, we start with general topics and gradually move toward more complex ones. For example, if you look at the table of contents of Issue No. 1, the first article addresses an overview of Cambodia’s judicial system. However, content that is too general on its own may not attract the interest of practitioners, so we also address issues encountered in actual practice. For the Journal, we develop a plan regarding how many issues will be published each year and what themes will be covered. Based on this plan, we request contributions from experts in each field. When an invited contributor has an important topic that they themselves wish to address, we may also ask them to write on that topic.

Broadly speaking, themes fall into two categories. The first category concerns general theory. We hope students will read these articles to deepen their theoretical understanding. The second category reflects issues encountered in practice. We hope practitioners will read these articles and develop a shared understanding of the legal basis underlying their work.

So far, the Journal has addressed civil law, criminal law, and constitutional law, but going forward we would like to cover topics related to commercial law as well. Our knowledge and literature in commercial law are still limited. In addition, we would like to address theoretical topics in foreign law. When Cambodian readers attempt to read literature written in French or English on foreign legal theory, full comprehension can be difficult. By publishing articles in Khmer in the Journal, we believe understanding will be enhanced.”

**— When you approached me in the summer to request an article, you presented several candidate topics, including the topic of my article, “Retrial.” All of these reflected practical needs, and I felt that you had a clear and accurate understanding of the issues arising in judicial practice. How do you usually identify such needs and practical challenges?**

“I believe this came as a surprise not only to experts but also to Cambodian practitioners.

After completing my master’s degree in France, I joined the Ministry of Justice in 2020. Prior to that, I worked as a university lecturer from 2008 until I resigned a few years ago. During my time as a lecturer, I posed legal questions to myself and, in order to answer them, read and analyzed many legal texts.

Since joining the Ministry of Justice, I have undertaken three initiatives to identify practical problems at an early stage.

The first is the General Assembly of the Ministry of Justice. Judges, including presidents from courts nationwide, as well as lawyers belonging to the BAKC, participate in the General Assembly. At the Assembly, practical issues in various fields are discussed. I have examined the topics discussed at the assembly and gained many insights. At this year's General Assembly, we were able to resolve two issues: those related to interest and damages, and those related to succession.

The second initiative concerns amendments to civil and criminal laws. The law amendment WGs include members with extensive expertise, such as judges, lawyers, and notaries. Because practical issues are raised and opinions exchanged within these WGs, it is possible to identify challenges at an early stage. One example is the Code of Civil Procedure amendment WG, in which Expert Goto participates on a weekly basis.

The third initiative is a campaign launched by the Ministry of Justice in 2024 to address problems occurring in courts. When citizens believe that a court has conducted an unfair trial, they may file a complaint through this campaign. Over the past two years, a total of approximately 3,000 to 4,000 complaints have been submitted by the public. I have reviewed all of these submissions. As a result, I found that even a single statutory provision is interpreted differently by different judges, and that the lack of consistency in statutory interpretation leads to perceptions of unfairness and to cases that remain unresolved even after ten years.”

***— In addition to Chapter 2, “Legal Research and Analysis Articles,” the Journal also includes Chapter 1, “Contemporary Legal and Justice Sector.” The Ministry of Justice actively disseminates information through its website and social media platforms such as Facebook and Telegram. What is the purpose and significance of also including this type of content in the Journal, in addition to dissemination through websites and social media?***

“I believe this is also an important question. The Ministry of Justice disseminates a wide range of information through its website and social media, and the Journal supplements this information by incorporating it in a more structured form.

The purpose of including such articles in the Journal can be broadly divided into two objectives. The first purpose is to publish materials based on scientific analysis. For example, the Journal includes data such as the number of civil and criminal cases nationwide and the types of cases. Such detailed information is not provided on social media. By publishing this information in the Journal, students are able to conduct analyses and use it as reference material. While it can be somewhat difficult to search for past posts on social media, the Journal allows readers to gain a systematic understanding of the information.

The second purpose is to edit and record events that are historically important to the justice sector in a form that can be utilized in the future. For example, last year's General Assembly

of the Ministry of Justice was featured in the Journal. The General Assembly of the Ministry of Justice is a historically significant event unprecedented in the past. The Journal also addresses topics related to the organization of bailiffs (enforcement officers). Some may consider this topic to be of limited importance; however, the bailiff system is a critical issue that has the potential to significantly transform the justice sector. Although the drafting of the Law on Bailiffs has largely been completed, I would like to compile the process from the start of drafting through its completion into a future Journal article. As JICA support was provided during earlier phases of drafting the Law on Bailiffs, I hope to receive cooperation from JICA when preparing this article.”



### *The Interview*

*(Interpretation was provided by Ms. Sovan Panha, a member of the project staff.)*

**— *I understand that this is the first time the Ministry of Justice has published a specialized legal and justice journal. Since the launch of the Journal, have you received any feedback from members of the legal community?***

“Creating the Journal itself is challenging, but gaining the support of legal professionals is even more difficult. The Journal’s readers include students, judges, and lawyers. Nevertheless, we have received a great deal of encouragement. Some have expressed that they are very proud that the Ministry of Justice has succeeded in publishing a journal, while others have said that they feel happy simply by looking at the cover.

The Journal is available for download online. Due to budget constraints at the Ministry of Justice, the number of printed copies is limited, but demand has been high and the printed stock has already been exhausted. Even so, we have received requests such as ‘Please print additional copies’ and offers such as ‘We will support the printing costs.’

In order to earn the trust of readers, we place great emphasis not only on the selection of themes but also on the selection of contributors. As can be seen from the table of contents, the contributors include court presidents, notaries, senior officials of the Ministry of Justice, and members of the Supreme Council of the Magistracy—each of whom is a distinguished and highly capable professional. When readers see the table of contents, they are likely to feel inclined to read the Journal, knowing that such individuals have contributed.

In addition, photographs and biographical information of the contributors are included at the end of the Journal. The contributors are proud of seeing their names and profiles published on these pages. Writing an article for the Journal not only contributes to the justice system but also leaves

one's name as part of the historical record.

We plan to ask experts to contribute articles to Issue No. 4 of the Journal, and at that time, we would also like to include photographs and biographical information of the experts as well.”

***— Looking ahead, are there any themes or topics that you would like to prioritize in the fields of civil law or civil procedure?***

“In the field of civil law, the first priority is topics related to family law. In this area, there remain many unresolved issues, including succession, common-law marriage, and parental authority. The second priority is topics related to contracts for the sale of real estate. Under civil law, contracts for the sale of real estate are required to be executed in the form of a notarized document; however, in practice, such documents are rarely prepared. The third priority concerns issues related to termination, rescission, and nullity of contracts. Knowledge in these areas—particularly an understanding of judicial procedures—remains insufficient.

In the field of civil procedure, there are issues related to the identification of points of issue, the submission of allegations or evidence, and retrials. I have already written an article on the submission of allegations or evidence. I also place particular emphasis on issues that cause proceedings to become protracted. One such cause is motions for challenge (recusal). When a party files a motion for recusal, proceedings are suspended, and even after they resume, another motion for recusal may be filed, resulting in prolonged proceedings. Another cause is the filing of Chomtoah Appeals (interlocutory appeals). Although such appeals are permitted only in cases explicitly provided for by law, in practice there are many instances in which appeals are filed without any legal basis. For example, in enforcement proceedings, lawyers sometimes file appeals against decisions that are not subject to appeal, and judges suspend the proceedings as a result. Consequently, there are cases that remain unresolved even after ten years. What I have described thus far reflects the challenges currently faced in Cambodian legal practice. When these topics are addressed in future issues of the Journal, I would very much like to hear the opinions of experts regarding how such matters are regulated under



*From left: the present author, Chief Expert Goto Keisuke, H.E. Nhean Vannak, Secretary of State, and Mr. Chheourn Kuyeng (Mr. Kuyeng is a former staff member of the project and is currently working at the Minister's Secretariat of Ministry of Justice. He coordinated this interview and translated the present author's article into Khmer for publication in the Journal.)*

Japanese law and how they are resolved in Japanese legal practice.”

— *In Closing (from the Secretary of State)*

“I am very pleased to have participated in today’s interview. Above all, I am delighted that we were able to achieve mutual understanding. If there is anything I can do to be of assistance to the experts in the future, please feel free to contact me at any time.”

### **III. Tables of Contents of Previously Published Journal Issues**

English translation by Mr. Peou Visal, a project staff member.

#### **Table of Contents (1<sup>st</sup> Journal)**

<b>Preface</b>	<b>4</b>
<b>Section 1. Contemporary Legal and Justice Sector</b>	
<b>Legal and Justice System Reforms</b>	<b>8</b>
1. Background of Legal and Justice System Reforms	9
2. Achievements of Legal and Justice System Reforms Result of the Royal Government from 1 <sup>st</sup> to 6 <sup>th</sup> Legislature of the National Assembly	12
3. Legal and Justice System Reforms of the Royal Government 7 <sup>th</sup> Legislature	20
<b>Section 2. Legal Research and Analysis Articles</b>	<b>50</b>
1. The Power of Court in Cambodian Law	51
By H.E San Sophorn, H.E Chay Chandaravann, H.E Mong Monichakriya	
2. Structure of Cambodian Courts	60
By H.E Seng Dyna	
3. National Authority of Alternative Dispute Resolution	73
By H.E Nhean Vannak and H.E Tanheang Davann	
4. Form of Commercial Company in Cambodian Law	90
By H.E Nhean Vannak and Mr. San Buntheoun	

## Table of Contents (2<sup>nd</sup> Journal)

<b>Symbols of Tribunal in Cambodia</b>	<b>1</b>
<b>Section 1. 1<sup>st</sup> General Assembly of Justice Sector</b>	<b>2</b>
1. About Progress of 1 <sup>st</sup> General Assembly of Justice Sector	3
2. About Achievements of Justice Sector	16
3. About Contents of the Decision of the General Assembly	31
4. Speeches of Leaders	39
<b>Section 2. Legal Research and Analysis Articles</b>	<b>59</b>
1. Supreme Council of Magistracy	60
By H.E Seng Bunkheang and H.E Nhean Vannak	
2. Utor Appeal of Civil Plaintiff in Criminal Cases	77
By H.E Mong Monichakriya and Mr. Thun Karuna	
3. Notification of Court's Decision in Criminal Case	91
By H.E Kong Tarachhath and H.E Heng Sokna	
4. Notary in Cambodian Laws	103
By Mrs. Neuv Socheata	
5. Interpretation of Law	127
By H.E Nhean Vannak and H.E Seng Neang	
6. Issuance of Ruling of Preservative Relief	147
By Mr. Choeurn Kuyeng and Ms. Kunthea Sreysocheata	

## Table of Contents (3<sup>rd</sup> Journal)

<b>Image of Preah Yom or Yom Reach Sculpture (God of Death in Hinduism)</b>	<b>1</b>
<b>Section 1. Contemporary Legal and Justice Sector</b>	<b>2</b>
1. Organization and Promulgation of the Law on Act against Non-Acknowledgement on Crime Committed on the Period of Kampuchea Democratic and Law on Provisional Disposition of Caught Objects	3
2. Operation of Bailiff Unit	9
3. 1 Year Result of the Exercise of MoJ Campaign on Case Resolution and Irregularity Check at the Courts	12
4. Decision of Assembly to Total Work Results of Justice Sector in 2024 and Work Priority of 2025	27
<b>Section 2. Legal Research and Analysis Articles</b>	<b>34</b>
1. Discretion of Judge in Civil Case By H.E Chiv Keng	35
2. Determination of Interest and Interest for Late Payment By H.E Chaing Sinath, H.E Nhean Vannak and H.E Ngoun Nara	51
3. Writing of Reason in Civil Court's Decision By H.E Seng Neang and H.E Nhean Vannak	78
4. Statute of Limitation in Criminal Case By H.E Chan Raingsey and Mr. So Sangmoni	94
5. Non-Acknowledgement Offense in Public upon Crimes Committed on the Period of Kampuchea Democratic By H.E Seng Dyna	110
6. Provisional Disposition of Caught Objects By H.E Khat Chorvoin	127
7. Reconciliation in Criminal Case in French Law By H.E Seng Dyna	138
8. Negotiation on Guilt in American Law System By Mrs. Minsom Solida	144
<b>Section 3. Summarized Background of Writers</b>	<b>153</b>

## **IV. An Article to Be Published in Issue No. 4 of the Journal: The Period for Retrial**

### **I. Introduction**

Book IV of the Cambodian Code of Civil Procedure (hereinafter referred to as “CCP”) governs retrials. A retrial is a special procedure that differs from ordinary litigation, and many of its provisions are difficult to interpret. In particular, it is widely recognized among practitioners that the interpretation of Article 311 of the CCP, which stipulates the “Period for Retrial” —the time limits within which a motion for retrial may be filed— often poses difficulties<sup>4</sup>.

Accordingly, this article first organizes and explains the “Period for Retrial” prescribed in Article 311 of the CCP, with particular attention to the relationship among its paragraphs (Section II) and then attempts to propose a practical method for determining whether a motion for retrial has been filed within the prescribed periods (Section III).

### **II. Explanation of Article 311 of the CCP (Period for Retrial)**

#### 311. Period for retrial

1. A motion for retrial shall be filed within thirty days of the date the party learned of the grounds for retrial after the judgment became final and binding. This shall not apply where the grounds for retrial are the grounds provided in Item (c) or Item (j) of Paragraph 1 of Article 307 (Grounds for retrial (1)).
2. The period described in Paragraph 1 may not be extended.
3. A motion for retrial may not be filed once five years have elapsed from either: (i) the date on which the judgment became final and binding; or (ii) should the grounds for retrial have occurred after the judgment became final and binding, the date on which such grounds occurred. This shall not apply when the grounds for retrial are the grounds provided in Item (c) or Item (j) of Paragraph 1 of Article 307 (Grounds for retrial (1)).

The provisions of Article 311 of the CCP may be classified into three categories: (1) the retrial period that begins to run from the time the party learned of the grounds for retrial (Paragraph 1, first sentence, and paragraph 2); (2) the retrial period that begins to run from the time the judgment became final and binding (Paragraph 3, first sentence); and (3) cases in which the application of these two retrial periods is excluded (Paragraph 1, second sentence, and paragraph 3, second sentence). Below, this article first explains in detail the retrial period that begins to run

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<sup>4</sup> The title of Article 311 of the CCP is “Period for retrial,” while A Treatise on the Code of Civil Procedure of the Kingdom of Cambodia: Judgment Proceedings (カンボジア王国民事訴訟法要説判決手続編, hereinafter “Judgment Proceedings”) uses the expression “the period during which a motion for retrial may be filed” (p. 234 (p. 142 in the Japanese edition)). Both expressions have the same meaning. In this article, the shorter term “period for retrial” is used.

from the time the party learned of the grounds for retrial and the retrial period that begins to run from the time the judgment became final and binding (Subsections 1 and 2), and then clarifies the relationship between these two periods (Subsection 3). Next, it examines cases in which the application of these periods is excluded (Subsection 4). Finally, it provides an overall review of Article 311 of the CCP (Subsection 5).

## **1. Retrial Period Running from the Time the Party Learned of the Grounds for Retrial**

### **(1) Starting Point of the “30-Day Period”**

A motion for retrial must be filed within thirty (30) days from the date on which a party, after the judgment has become final and binding, learned of the grounds for retrial (Article 311(1), first sentence). As discussed below, depending on the grounds for retrial, a party may learn of the existence of the grounds for retrial before the judgment becomes final and binding. However, because a retrial is a legal challenge against a final and binding judgment, it is reasonable to interpret that the retrial period does not begin to run before the judgment becomes final and binding<sup>5</sup>. Accordingly, even if the party learned of the grounds for retrial before the judgment becomes final and binding, the thirty-day period begins to run from the date the judgment becomes final and binding. This thirty-day period may not be extended (Article 311(2)).

### **(2) Interpretation of “Learned of the Grounds for Retrial”**

“Learned of the grounds for retrial” means that the party actually came to know of the existence of such grounds based on definite factual evidence. The point in time at which a party may be said to have “learned of the grounds for retrial” varies depending on the specific ground for retrial. By way of example, this subsection examines the grounds set forth in Article 307(1), item (i), and items (d) through (g).

First, consider the retrial period in cases where the retrial is sought on the ground set forth in Article 307(1), item (i): “where significant matters that would have affected the judgment were left unadjudicated.” The phrase “were left unadjudicated” refers to a situation in which the court did not explicitly address, in the reasoning of the judgment, allegations and evidence submitted by a party. Whether matters “were left unadjudicated” can be determined by reading the written judgment itself<sup>6</sup>. Therefore, the date on which service of the written judgment was received may be regarded as the date on which the party learned of the grounds for retrial. However, as noted above, because the retrial period does not begin to run before the judgment becomes final and binding, the thirty-day period ultimately begins from the date the judgment becomes final and binding. That said, there is a potential pitfall when Article 307(1), item (i) is invoked as the

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<sup>5</sup> Mikio Akiyama (秋山幹男) et al., *Commentary on the Code of Civil Procedure Vol. VII (コンメンタール民事訴訟法VII)*, pp. 59–60 (Nippon Hyoron Sha, 2016).

<sup>6</sup> Akiyama et al., *supra* note 5), p. 38.

ground for retrial. This issue is discussed further in subsection (3).

Next, consider the retrial period in cases where the retrial is sought on the grounds set forth in Article 307(1), items (d) through (g). It should be noted that the present author does not have sufficient familiarity with whether, or how, these grounds are defined as criminal offenses under Cambodian criminal law. The following discussion is therefore necessarily somewhat abstract, and the present author would appreciate the reader's understanding.

When a retrial is sought on the grounds set forth in Article 307(1), items (d) through (g), it is essential to pay attention to the requirements that must be satisfied in order to file a motion for retrial. Article 307(2) of the CCP provides that, where a retrial is sought on the grounds set forth in Article 307(1), items (d) through (g), a motion for retrial may be filed only if either (i) the judgment of conviction or the decision imposing a civil fine has become final and binding with regard to a punishable act (item (1)), or (ii) a final and binding judgment of conviction or a final and binding decision imposing a civil fine cannot be obtained due to reasons other than lack of evidence (item (2)).

Accordingly, where the grounds listed in Article 307(1), items (d) through (g) are invoked, the retrial period begins to run from the date on which the party learned of the facts satisfying the requirements of Article 307(2), item (1) or (2)—that is, the existence of a final and binding judgment of conviction or a final and binding decision imposing a civil fine, or the fact that such a final and binding judgment or decision cannot be obtained<sup>7</sup>.

### **(3) Requirements That Should Be Considered Together**

When examining the retrial period under Article 311(1), it is also useful to consider, together with that period, the second sentence of Article 307(1). The bracketed explanations below have been added by the present author to supplement the meaning of the immediately preceding underlined portions.

#### 307. Grounds for retrial (1)

1. Should any of the grounds set forth below exist, a motion for retrial may be filed for a final and binding judgment. This shall not apply (= the party may not challenge the final and binding judgment by way of a motion for retrial) should the party have already asserted such grounds (= any of the grounds listed in the items of Paragraph 1 of this Article) in the course of an Uttor or Satuk appeal, or when the party was aware of such grounds (= any of the grounds listed in the items of Paragraph 1 of this Article) and did not assert them:

Items of Paragraph 1, Paragraph 2 and Paragraph 3 Omitted.

<sup>7</sup> Yukiko Hasebe (長谷部由起子), Civil Procedure Law, 4th ed. (民事訴訟法第4版), p.447 (Iwanami Shoten, 2024).

In other words, a motion for retrial is permitted only where the grounds for retrial could not have been asserted in a procedure preceding the retrial proceedings. This principle is generally referred to as the “supplementary nature of retrial.”<sup>8</sup>

The commentary on this Article, paragraph (2), explains that, even if facts constituting grounds for retrial exist, such grounds may not be asserted as grounds for retrial if, before judgment became final and binding, the party had already asserted such grounds by appeal but they were rejected, or if the party was aware of such grounds but did not assert them by appeal<sup>9</sup>. Attention should be paid to the underlined phrase, which has been underlined by the present author to highlight the fact that it was added in the commentary: it indicates that, where the party has already asserted such grounds by appeal but the appellate court failed to rule on them, the same ground may still be asserted in a motion for retrial.

Revisiting the example discussed in subsection (2), where Article 307(1), item (i) is invoked: as noted above, whether matters were left unadjudicated can be determined by reading the judgment, and the date on which service of the written judgment was received may be regarded as the date on which the party learned of the grounds for retrial. Under the CCP, the appeal period is one month from the date on which service of the written judgment was received (Articles 264(1) and 286; discussion of a motion to set aside a default judgment is omitted in this article). This means that it is impossible for the judgment to have become final and binding at the time it is served. Accordingly, where Article 307(1), item (i) is invoked, the party will normally be aware of the grounds for retrial at a time when an appeal is still possible. Therefore, as a general rule, a motion for retrial based on Article 307(1), item (i) is limited to cases challenging judgments rendered by the Satuk appellate court (i.e., the final appellate court), except where the matters raised by the party on appeal were left unadjudicated by the appellate court<sup>10</sup>. Careful attention is required if a lower court receives a motion for retrial based on this ground.

#### **(4) Issues Open to Interpretation**

Article 313 of the CCP provides that a party who files a motion for retrial may change the grounds for retrial. Opinions are divided as to the point in time by reference to which compliance with the retrial period under Article 311(1) should be assessed when such a change is made.

The prevailing view in Japanese legal scholarship is that compliance should be assessed at the time when the change of grounds is made; that is, each newly asserted ground for retrial must independently satisfy the requirements of Article 311(1). Another influential view holds that compliance should be assessed by reference to the time at which the original motion for retrial

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<sup>8</sup> Judgment Proceedings (要説判決手続編), p. 233 (Japanese edition p. 141).

<sup>9</sup> Commentary on the Code of Civil Procedure of Cambodia (hereinafter “CCP Commentary”), Commentary on Article 307, para (2).

<sup>10</sup> Akiyama et al., supra note 5), p. 40.

was filed; if the retrial period was observed with respect to the grounds asserted at the time of the initial motion for retrial, additional grounds may be added at any time thereafter<sup>11</sup>. The CCP commentary presents the majority view among the two views discussed above and identifies it as the prevailing view.<sup>12</sup>

## **2. Retrial Period Running from the Time the Judgment Became Final and Binding**

The first sentence of paragraph 3 may be more easily understood if broken down as follows:

- (1) “When five years have elapsed from the date on which the judgment became final and binding, a motion for retrial may not be filed.”
- (2) “Where the grounds for retrial occurred after the judgment became final and binding,” the five-year period runs from “the date on which such grounds occurred”.

Even if a party is unaware of the existence of the grounds for retrial, once five years have elapsed from the date the judgment became final and binding, a motion for retrial may no longer be filed. This five-year period cannot be extended, and even where the party was unable to comply with the period due to reasons not attributable to the party, a motion for retrial is no longer permitted<sup>13</sup>. This is the general principle established by the first sentence of paragraph 3.

Where the grounds for retrial occurred after the judgment becomes final and binding, the five-year period runs from the date on which such grounds occurred. It runs from “the date on which such grounds occurred”, and not from the date on which the party became aware of them; careful attention should be paid to this distinction. A clear example is the case provided in Article 307(1), item (h), where “a civil or criminal judgment, or any other decision or administrative disposition on which the judgment was based, has been changed by a subsequent decision or administrative disposition”.

## **3. Relationship Between the Two Retrial Periods**

To clarify the relationship between the two retrial periods discussed above, it is useful to revisit the meaning of the five-year limit described in subsection 2. Even if the party was unaware of the existence of the grounds for retrial, once five years have elapsed from the date the judgment became final and binding—or, where the grounds for retrial occurred after the judgment became final and binding, from the date on which such grounds occurred—a motion for retrial may no longer be filed. Article 311(3) contains no provision granting relief in cases where the party was unaware of the grounds for retrial.

In other words, once five years have elapsed from the date the judgment became final and binding, or where the grounds for retrial occurred after the judgment became final and binding,

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<sup>11</sup> Akiyama et al., *supra* note 5), pp. 61-62.

<sup>12</sup> CCP Commentary, Commentary on Article 313, para. (2).

<sup>13</sup> CCP Commentary, Commentary on Article 311, para. (3).

from the date on which such grounds occurred, a motion for retrial may not be filed regardless of whether the party knew of the grounds for retrial. Put differently, even if a motion for retrial is filed within thirty days of the date the party learned of the grounds for retrial, it will be time-barred if the five-year period has already elapsed.

#### **4. Cases in Which the Application of the Retrial Periods Is Excluded**

The retrial periods described in subsections 1 and 2 do not apply to motions for retrial based on the grounds listed in Article 307(1), item (c), and item (j). With respect to these grounds, a motion for retrial may be filed without being subject to the retrial period limitations described above.

In cases involving a lack of authority of representation, the litigation was conducted without the knowledge of the party concerned or the legal representative, and it would therefore be unduly harsh to allow the judgment to bind the party; for this reason, it is necessary to provide relief without imposing any time limitation. In cases where the judgment conflicts with a judgment that has previously become final and binding, confusion would otherwise arise as to which judgment should govern the legal relationship between the parties.<sup>14</sup>

#### **5. Summary**

The foregoing discussion may be summarized as follows.

First, regarding the retrial period running from the time the party learned of the grounds for retrial: a motion for retrial must be filed within thirty days from the date on which the party, after the judgment became final and binding, learned of the grounds for retrial (Article 311(1), first sentence).

Second, regarding the retrial period running from the time the judgment became final and binding: once five years have elapsed from the date the judgment became final and binding, a motion for retrial may not be filed. Where the grounds for retrial occurred after the judgment became final and binding, the five-year period runs from the date on which such grounds occurred (Article 311(3), first sentence).

Third, regarding the relationship between these two periods: once five years have elapsed from the date the judgment became final and binding, or where the grounds for retrial occurred after the judgment became final and binding, from the date on which such grounds occurred, a motion for retrial is time-barred even if it is filed within thirty days from the date on which the party learned of the grounds for retrial.

Finally, regarding exclusions: the retrial periods do not apply to motions for retrial based on the grounds listed in Article 307(1), item (c), and item (j) (Article 311(1), second sentence, and Article 311(3), second sentence).

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<sup>14</sup> CCP Commentary, Commentary on Article 311, para. (2).

### III. Method for Confirming the Retrial Periods

Finally, this article proposes an efficient method for determining whether a motion for retrial has been filed within the applicable retrial periods (or whether it is a motion not subject to such period limitations).

In Japan, motions for retrial in civil cases are extremely rare, and, to be candid, the present author has had little experience in handling retrial cases as a judge. Accordingly, the following proposal is not based on practical experience, but is instead derived from an independent analysis of the relevant statutory provisions. Officials and practitioners of the Ministry of Justice of Cambodia possess far more extensive practical experience, and it is hoped that this proposal may serve as a starting point for discussion.

#### Checklist for Retrial Periods

Date judgment became final and binding: (Year / Month / Day)

Date the motion for retrial was filed: (Year / Month / Day)

**Q1.** Are the grounds for retrial those listed in Article 307(1), item (c) or item (j)?

- Yes → OK, review completed
- No → Proceed to Q2

**Q2.** Was the motion for retrial filed within five years from the date the judgment became final and binding?

- Yes → Proceed to Q5
- No → Proceed to Q3

**Q3.** Did the grounds for retrial occur after the judgment became final and binding?

- Yes → Proceed to Q4
- No → Retrial period expired, review completed

**Q4.** When did the grounds for retrial occur? (Year / Month / Day)

Was the motion for retrial filed within five years from that date?

- Yes → Proceed to Q5
- No → Retrial period expired, review completed

**Q5.** When did the party learn of the grounds for retrial? (Year / Month / Day)

Was the motion for retrial filed within thirty days from that date?

- Yes → OK, review completed

No → Retrial period expired, review completed

## **Overview of the National Anti-Corruption Commission (NACC) And the Efforts for Anti-Corruption in Thailand**

**Janewit Wittayadet**

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Participants of the Higher Level of the Inquiry Officer Training Program, Class 8 of the Office of the National Anti-Corruption Commission (ONACC) of the Kingdom of Thailand attended a lecture entitled “Anti-Corruption Legislation in Japan”, organized by the International Cooperation Department of the Ministry of Justice on 10 June 2025.

During the program, the participants also engaged in substantive exchanges of knowledge and experience with the experts of the International Cooperation Department concerning “The Efforts for Anti-Corruption in Thailand”.

In light of these engagements, the participants intend to prepare academic materials pertaining to the aforementioned themes and to submit such documentation to the International Cooperation Department of the Ministry of Justice in an official capacity.

### **Overview of the National Anti-Corruption Commission (NACC)**

According to the Constitution of the Kingdom of Thailand, B.E. 2540 (1997), eight independent organs were established, one of which was entrusted with the duties and powers relating to the prevention and suppression of corruption, namely the National Anti-Corruption Commission (NACC). The Office of the National Anti-Corruption Commission (ONACC) was instituted as its secretariat, endowed with administrative independence in personnel management, budgeting, and other operational matters. Subsequently, under the Constitution of the Kingdom of Thailand, B.E. 2550 (2007), the NACC continued to be designated as an independent organ, with certain duties and powers expanded beyond those previously prescribed in the 1997 Constitution. A significant addition was the authority to oversee the ethical conduct and moral standards of holders of political positions.

In the current constitutional framework under the Constitution of the Kingdom of Thailand, B.E. 2560 (2017), the NACC remains a key independent organ, guided by a vision to serve as a leading institution in combating corruption with efficiency, transparency, and public trust. Its mission encompasses the integration of cooperation among all sectors in advancing corruption prevention and suppression, fostering a culture of integrity within Thai society,

and developing measures and mechanisms to prevent and combat corruption. The NACC aspires to function as a virtuous institution grounded in integrity, fairness, professionalism, and continuous monitoring and evaluation of its performance outcomes.

## **The Duties and The Powers of the National Anti-Corruption Commission (NACC) of the Kingdom of Thailand**

### **1. The Part on Prevention**

The NACC possesses the authority to propose policies, opinions, and recommendations to the Cabinet, Parliament, the Judiciary, independent agencies, and prosecutorial bodies concerning the prevention and eradication of corruption and misconduct. This authority encompasses support for improving the operations of government agencies, state enterprises, and other national institutions; the formulation of action plans and projects; the provision of effective measures and operational mechanisms for preventing corruption in both the public and private sectors; and the proposal of amendments to laws, regulations, and ordinances that may serve as breeding grounds for corruption or misconduct.<sup>1</sup>

In addition, the NACC is responsible for enhancing society's resilience against corruption and nepotism through the implementation of educational campaigns, the development of whistleblowing systems and reporting channels, the facilitation of early warning mechanisms for detecting signs of corruption within state agencies, and public awareness activities aimed at citizens and communities.<sup>2</sup>

### **2. The Part on Suppression**

The NACC is vested with a comprehensive mandate encompassing inquiry, inspection, and enforcement functions. Its responsibilities include conducting inquiry and formulating opinions in cases involving allegations against holders of political positions, judges of the Constitutional Court, and persons holding positions in independent agencies concerning unusual wealth, corruption, or intentional violations of constitutional or legal provisions, as well as serious breaches of ethical standards. The NACC is likewise empowered to inquire into and determine whether state officials have become unusually wealthy or have committed offences involving corruption, malfeasance in public office, or malfeasance in judicial office. The NACC also undertakes inquiries for the purpose of initiating legal action in offences prescribed under the

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<sup>1</sup> Organic Act on Anti-Corruption, B.E. 2561 (2018), Section 32.

<sup>2</sup> Organic Act on Anti-Corruption, B.E. 2561 (2018), Section 33.

Organic Act or other relevant laws, and may further exercise duties and powers assigned under the Constitution or applicable legislation. In implementing offences prescribed by law, the NACC may undertake proceedings directly or delegate such authority to other competent agencies.<sup>3</sup>

The scope of the NACC's duties extends to cases involving principals, instigators, accomplices, and persons or juristic persons who give, offer, or pledge property or benefits to induce unlawful performance, or omission in the performance of official duties by individuals subject to its authority. The same procedural framework applies where a single act violates multiple provisions provided that at least one falls within the NACC's jurisdiction as well as in cases involving inter-related offences or offences requiring concurrent consideration.<sup>4</sup>

### **3. The Part on Inspection of Assets and Liabilities Declarations**

The NACC is authorized to mandate financial disclosure requirements for high-ranking officials across the political, judicial, and administrative sectors, including those serving in independent constitutional organs, the Office of the Attorney General, local government administration, and other positions designated by the NACC. These officials must submit declarations of assets and liabilities covering themselves, their spouses including de facto partners<sup>5</sup> and their minor children.<sup>6</sup> Declarations are required at the commencement and termination of office, and, for specified positions, at three-year intervals during incumbency.<sup>7</sup>

The asset and liability declarations must be accompanied by supporting documents verifying the existence of the declared assets and debts, as well as personal income tax documents.

The declaration must cover assets and liabilities located both inside and outside the country, including those placed under the possession or management of another person, whether directly or indirectly.<sup>8</sup> This broad definitional approach reflects an effort to prevent asset concealment and enhance the transparency of public officeholders.

For the purpose of examination, the NACC is authorized to verify the accuracy, authenticity, and any changes in the assets and liabilities declared, both for initial and subsequent submissions. The NACC may also order state agencies, financial institutions, and relevant individuals to disclose necessary information, notwithstanding any statutory provisions restricting disclosure.<sup>9</sup>

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<sup>3</sup> Organic Act on Anti-Corruption, B.E. 2561 (2018), Section 28.

<sup>4</sup> Organic Act on Anti-Corruption, B.E. 2561 (2018), Section 30.

<sup>5</sup> Organic Act on Anti-Corruption, B.E. 2561 (2018), Section 102.

<sup>6</sup> Organic Act on Anti-Corruption, B.E. 2561 (2018), Section 103.

<sup>7</sup> Organic Act on Anti-Corruption, B.E. 2561 (2018), Section 105.

<sup>8</sup> *ibid.*

<sup>9</sup> Organic Act on Anti-Corruption, B.E. 2561 (2018), Section 112.

## **The Efforts for Anti-Corruption in Thailand**

The overview of the Fiscal Year 2024, 11,662 allegations were submitted to the NACC from various channels, including: complaint letters, official letters, verbal complaints, the NACC's reasonable grounds to suspects, anonymous letters, websites, whistleblowing, and allegations that did not reveal the name and position of a respondents. The majority of the allegations originated from complaint letters (46.58%), followed by official letters (23.70%) and anonymous letters (20.69%). According to the examination procedure of the allegations, it can be divided into the following two allegation channels:

- 1) The allegations with complete details, including: complaint letters, official letters, verbal complaints, the NACC's reasonable grounds to suspects, accounted for 8,389 cases (71.93%) of all allegations.
- 2) The allegations with incomplete details, anonymous letters, websites, whistleblowing, and allegations that did not reveal the name and position of the respondents, accounted for 3,273 cases (28.07%). Most of them did not reveal the name and position of the respondents, or the circumstances of the accused offense are unclear, or no evidences are cited, and the accuser's name and address are not provided, so it could not request additional information to take further action.

According to the analysis of the corruption situation, the NACC has resolved 3,388 cases for further proceeding (not including the cases sent to other agencies for processing, the cases on which the NACC has resolved duplicate submitted cases, cases that were not within the duties and powers of the NACC, cases that the NACC has resolved to dismiss, and other cases.). The classification of the cases by Fiscal Year. It revealed that Fiscal Year 2024 had the highest number of allegations committed, with a total of 1,091 cases (32.20%), followed by the Fiscal Year 2023 with a total of 1,060 cases (31.29%), the Fiscal Year 2022 with a total of 397 cases (11.72%), the Fiscal Year 2021 with a total of 192 (5.67%), and the Fiscal Year 2020 with a total of 133 cases (3.93%), respectively. The remaining allegations were committed in between the Fiscal Years 2010 and 2019, totaling 449 cases (13.25%), between the Fiscal Year 2013 and 2018, totaling 22 cases (0.65%), between the Fiscal Years 1975 to 2003, totaling 27 cases (0.80%) and 17 unspecified cases (0.50%). During the past five Fiscal Years (the Fiscal Years 2020 - 2024), 2,873 allegations were committed, accounting for 84.80% of the all allegations.<sup>10</sup>

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<sup>10</sup> Bureau of Anti-Corruption Research and Academic Services (BARAS), ONACC, Preliminary Examination System on Corruption Accusation (PESCA) and Case and Complain Management System (CCMS).

Considering the corruption situation based on areas in accordance with the structure of the ONACC, it was found that a headquarter had the highest number of allegations in responsibility with a total of 940 cases (27.74%), followed by the Regional office 3 (Northeast Thailand) with a total of 402 cases (11.87%), and the Regional office 8 (Southern Thailand) with a total of 363 cases (10.71%), respectively. While Regional office 2 (Eastern Thailand) had lowest amount of allegations in responsibility with a total of 151 cases (4.46%).<sup>11</sup>

The most accused agency is the Local Government Organization, with 1,550 cases (45.75%). The Ministry of Interior is the second most accused agency, with 375 cases (11.07%), followed by the Ministry of Education with 198 cases (5.84%), and other government agencies with 1,265 cases (37.34%).

When considering the allegations in fiscal year 2024, classified by the form of allegations, it was found that the top two forms of allegations were procurement and performing or omitting to perform an act in the position on duties in bad faith. Examples of the latter include neglect or indifference to the performance of duties, acting beyond one's authority with corruption, and improperly approving or disapproving licenses.<sup>12</sup>

In addition, considering the project budget and the alleged amount of corruption, the total value is 11,834 million baht. When classified by form of allegation, it was found that the allegation of procurement had the highest value, at 8,602 million baht (72.69%). This was followed by the allegation of performing or omitting to perform an act in the position or duties in bad faith, such as negligence, indifference to the performance of duty, acting beyond authority with corruption, and approving/disapproving licenses improperly, etc., amounting to 2,189 million baht (18.50), and the allegation of embezzlement/embezzlement of state money or property amounted to 358 million baht (3.03%) respectively.<sup>13</sup>

## **Factors contributing to the increasing number of allegations**

### **1. Performance in Prevention<sup>14</sup>**

The NACC has made tangible progress in corruption prevention. The increase in corruption whistleblowing can be attributed to the availability of diverse reporting channels,

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<sup>11</sup> *ibid.*

<sup>12</sup> *ibid.*

<sup>13</sup> *ibid.*

<sup>14</sup> Office of the National Anti-Corruption Commission, "The Analysis of the Corruption Situation, the Fiscal Year 2024", 65-69.

the development of civil society networks such as the STRONG Network, effective whistleblower protection, and the promotion of Anti-SLAPP Law. These factors have encouraged the public to report information with greater confidence.

Public sector agencies have demonstrated higher levels of integrity and transparency.

The average score of the Integrity and Transparency Assessment (ITA) in fiscal year 2024 reached its highest level since the assessment was first introduced, reflecting improvements in transparency. Nevertheless, perceptions of corruption in certain processes particularly those related to investment services remain at a moderate level.

The growing number of allegations and the prompt submission of complaints in the year in which incidents occur reflect public confidence in the NACC. Survey results indicate that stakeholders' overall confidence in the NACC's performance is rated at a high level.

The establishment of the Corruption Deterrence Center (CDC) has enhanced proactive monitoring capacity, with a focus on key risk areas such as public procurement and infrastructure projects, as well as extensive oversight of projects and natural resource management.

Furthermore, the promotion of a culture of integrity among children, youth, and the general public through anti-corruption curricula and STRONG initiatives, together with policy-level corruption risk assessments for large-scale projects, has contributed to reducing corruption risks in high-value projects and strengthening sustainable public participation in corruption prevention.

## **2. Performance in Suppression<sup>15</sup>**

The NACC demonstrated full efficiency in responding to complaints, achieving a 100 percent response rate for both complete and incomplete submissions. This reflects the strong emphasis placed on receiving and considering all types of complaints.

Case management was conducted in accordance with legally prescribed timeframes, attributable to data-driven planning, case prioritization, the use of the Case Follow System (CFS), close managerial oversight, and supporting mechanisms such as the NACC Operation Command Center and the Case Management Subcommittees.

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<sup>15</sup> *ibid*, 64-65.

In fiscal year 2024, a total of 1,203 investigations were completed, representing a continuous increase compared to previous years. More than 70 percent of these cases resulted in resolutions establishing wrongdoing, demonstrating the quality and effectiveness of the investigative process.

At the same time, the total value of project budgets or monetary amounts involved in corruption cases in which wrongdoing was established increased to 398,955 million baht, an increase of 62,703 million baht from fiscal year 2023. This reflects an enhanced capacity to pursue and address large-scale corruption cases.

### **3. Efficiency in Assets and Liabilities Inspection<sup>16</sup>**

In fiscal year 2024, the NACC examined more than 61 percent of all asset and liability declarations. There is also a positive outlook that the remaining cases can be expedited and completed in accordance with the legally prescribed timeframes in the following fiscal year.

At the same time, efforts have been made to incorporate information technology, including electronic filing systems for asset declarations, data linkage with parent agencies, and the use of artificial intelligence (AI) based asset verification systems. These measures have enhanced the efficiency and timeliness of asset declaration management.

Meanwhile, investigations into cases of unusual wealth have become more rigorous. In fiscal year 2024, the total value of assets requested to be vested in the State amounted to 2,495 million baht, representing the highest value since the enforcement of the Organic Act on Anti-Corruption, B.E. 2561 (2018). This reflects the effectiveness of the NACC's asset verification and enforcement mechanisms.

### **Conclusion**

To compare the fiscal year 2024, the allegation statistic for the fiscal year 2023 exhibited an upward trend, which was indicative of the corruption situation at the regional and national levels. The highest allegations submitted to the ONACC were related to performing or omitting to perform an act in the position or duties in bad faith. The Local Government Organization was the most alleged agency. If considering the form of cases for which the NACC has made an investigation within six years, it was found that procurement's cases has the highest number.

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<sup>16</sup> *ibid*, 69-70.

Therefore, the above statistics on allegations can be used to establish plans and guidelines for Thailand's anti-corruption operations on the management of corruption by area, budget management, planning, case management, prioritizing tasks to be completed within timeframe, workforce planning, as well as recruitment and appointment of government officials, to comply with the form and quantity of allegations according to their respective areas of responsibility.

However, when comparing the data of allegations in fiscal year 2024 with the average of 6 fiscal years (2019 - 2024), it was found that the allegations increased by 19.47%. This upward trend demonstrated the efficacy of the case management approach and policy of "Prioritizing Prevention over Suppression," which focuses on public participation and the case management as prescribed by law. In addition, the statistical analysis revealed an increase in the trust level of the NACC and ONACC as the main agencies for preventing and suppressing corruption. Thus, the public is keen to provide information and clues immediately when corruption or behaviors that lead to corruption are likely to occur. This was because the NACC and ONACC emphasize on supporting public participation in monitoring and providing clues in accordance with the intention of the Constitution of the Kingdom of Thailand, B.E. 2560 (2017) and the Organic Act on Anti-Corruption, B.E. 2561 (2018).

# Nepal's Political Crossroads: The Gen-Z Uprising, Political Realignment, and the March 2026 Electoral Test

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## Abstract

Nepal stands at a critical juncture following the September 2025 Gen-Z uprising that toppled the government and exposed fundamental legitimacy deficits in the post-2006 democratic settlement. This article examines the current political landscape shaped by an interim administration under former Chief Justice Sushila Karki, the strategic consolidation of reform forces through the Balen-Rabi-Kulman alliance, and established parties' scramble to adapt ahead of March 2026 elections. Drawing on recent developments including party mergers, coalition dynamics, and emerging political forces, this analysis explores scenarios for Nepal's trajectory while examining how youth frustration, economic pressures from LDC graduation, and geopolitical competition create both opportunities and risks for democratic consolidation.

**Keywords:** Nepal politics, Gen-Z mobilization, interim government, Balendra Shah, Rastriya Swatantra Party, Rabi Lamichhane, electoral politics, democratic transition, youth activism

## Introduction: A Nation in Transition

Nepal enters 2026 at a moment of profound political uncertainty. The Gen-Z-led uprising of September 2025 exposed long-standing weaknesses in governance, a deepening crisis of representation, and a widening disconnect between political elites and an increasingly assertive younger generation. Unlike the party-led movements of 1990 and 2006 or the ideologically coherent Maoist insurgency, the 2025 mobilization emerged from digitally networked, largely urban youth profoundly disillusioned not with a specific regime but with the entire political establishment.

The collapse of the previous government and formation of an interim administration under former Chief Justice Sushila Karki restored a degree of order, but the grievances that fueled the mobilization remain unresolved. Public trust in institutions is fragile, and preparations for the March 2026 elections are marked by political resistance, institutional friction, and heightened societal expectations. As Nepal prepares for these critical elections, the political landscape has transformed dramatically, with the emergence of consolidated reform forces directly challenging

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\* The author is an Attorney-at-Law based in Kathmandu, Nepal. All views and opinions expressed in this article are solely those of the author and do not necessarily reflect the views or interests of any organizations with which he is affiliated. The article is dated January 5, 2026, the situation is changing.

an establishment scrambling to maintain relevance.

## **The September 2025 Uprising: Catalysts and Character**

### **The Movement's Genesis and Organizational Logic**

The Gen-Z mobilization differed fundamentally from previous Nepali movements in its organizational logic and composition. Rather than operating through established parties or formal organizations, the movement functioned through decentralized networks coordinated via social media platforms, particularly Discord and Reddit initially, with TikTok, Facebook, and X (Twitter) joining after first-day protests lifted the social media ban. Young people organized flash mobilizations, shared real-time information about police movements, and built solidarity without hierarchical leadership structures.

This horizontal organizational form provided certain advantages: it proved difficult for security forces to decapitate through leadership arrests, allowed rapid adaptation to changing circumstances, and enabled broad participation without formal membership requirements. However, it also created challenges the movement lacked clear spokespersons for negotiating with authorities, demands remained diffuse and sometimes contradictory, and strategic direction emerged organically rather than through deliberate planning.

The movement's demands coalesced around several core themes: accountability for corruption and police violence, ending political elite impunity, electoral reforms increasing youth participation and representation, economic policies addressing unemployment and cost of living, and greater governance transparency. Notably, while overwhelmingly pro-democracy in core demands, the movement revealed ideological heterogeneity. Some participants advocated reforms within existing constitutional frameworks, while others questioned federal system elements or expressed nostalgia for previous political arrangements. Small but visible contingents displayed pro-monarchy sentiment not necessarily supporting restoration but using monarchical symbolism to reject the entire post-2006 political order.

### **Government Collapse and Interim Administration Formation**

As protests intensified, the government's oscillation between attempted suppression and dialogue offers failed to address underlying grievances. When police violence resulted in protester deaths, senior ruling coalition leaders began openly questioning government legitimacy, and several ministers resigned in protest. By the second day of protest, the prime minister's position became untenable.

After consultations among major parties and under pressure from civil society and international observers, parties agreed to an unprecedented arrangement: an interim administration led by a respected non-partisan figure to oversee election preparations. Former Chief Justice Sushila

Karki emerged as consensus candidate, bringing credibility through her 2016-2017 tenure marked by strong anti-corruption stances and independence from political parties.

Significantly, the interim head selection also involved an online poll on Discord where thousands of youth participated, with Karki receiving the highest votes. Additionally, civil society activist Sudan Gurung (Hamro Nepal Group) and Advocate Om Prakash Aryal (former legal advisor to Mayor Balen Shah, currently Home Minister) participated in negotiation meetings with President Ram Chandra Poudel, indicating Mayor Balen's substantial indirect involvement as an influential behind-the-scenes actor.

Karki was appointed Prime Minister of the interim government by President Ramchandra Poudel through extra-constitutional means under Article 61 of the Constitution of Nepal, where sub-article (4) states that upholding and protecting the constitution shall be the president's primary duty. The House of Representatives was later dissolved by the President after recommendation of the new interim prime minister. This happened amidst concern and outcry from the legal fraternity about former Chief Justice and justices of Supreme Court being ineligible for such appointment under Article 132 of the Constitution and urge to seek remedy from inside the constitution and constitutional principles.

The interim government's mandate was explicitly limited: maintain law and order, ensure credible election preparations, and investigate protest-related violence, but not undertake major policy initiatives or structural reforms. While this arrangement restored basic order and provided a pathway forward, political parties quickly began questioning the interim government's authority and accusing it of overstepping its mandate, while youth activists remained skeptical that elections alone would produce systemic change.

## **The Three-Way Alliance: Consolidating Nepal's Reform Movement**

### **Strategic Architecture and Component Strengths**

The most consequential recent development is the unprecedented three-way alliance between Balendra Shah, Rabi Lamichhane's Rastriya Swatantra Party (RSP), and Kulman Ghising's Ujyalo Nepal Party. This coalition represents the most significant consolidation of reform-oriented political forces in Nepal's post-2006 history, unifying the country's three most prominent anti-establishment figures under a single electoral banner.

Balendra Shah brings unmatched youth appeal and symbolic representation of the Gen-Z uprising. The 35-year-old Kathmandu mayor won office in 2022 as an independent candidate defeating established party machinery, emerging as perhaps the most influential youth political figure. His trajectory from underground rapper to civil engineer to mayor, combined with his confrontational governance style challenging bureaucratic inertia and federal authority, made him a symbol of youth frustration with traditional politics. During the 2025 crisis, Balen openly

sided with protesters, writing on Facebook that his full sympathy was with youth and urging politicians not to hijack the movement for party agendas confirming for many young Nepalis that he represented their voice within the system.

Rabi Lamichhane's Rastriya Swatantra Party performed surprisingly well in 2022 elections, winning 20 House seats and appealing particularly to urban, educated, middle-class voters frustrated with traditional parties. The party emphasized good governance, transparency, and anti-corruption themes resonating powerfully with the same constituencies mobilized in September 2025. Lamichhane brings organizational infrastructure, parliamentary experience, and established party machinery critical assets for mounting a credible national campaign.

Kulman Ghising adds a crucial dimension: technocratic credibility and proven delivery capacity. Ghising gained national hero status as Nepal Electricity Authority (NEA) Managing Director by dramatically reducing load-shedding and improving electricity supply transforming what many Nepalis had resigned themselves to as permanent infrastructure failure. His success demonstrated that capable leadership could achieve tangible results even within Nepal's challenging institutional environment. Currently serving as a minister in the interim cabinet, Ghising represents competence, results-oriented management, and the promise that government can actually work if led by skilled, committed professionals rather than career politicians.

The alliance represents sophisticated political engineering that addresses each component's individual weaknesses while amplifying collective strengths. The RSP provides established party structures, electoral machinery, and parliamentary experience that neither Balen nor Kulman possess. Balen delivers youth mobilization capacity and symbolic representation of generational change. Kulman provides middle-class credibility and appeals to voters prioritizing competence over ideology. Together, they create a broader electoral coalition than either could achieve independently combining youth energy, middle-class pragmatism, and urban professional support.

By designating Balen as prime ministerial candidate while Lamichhane retains party chair position and Kulman assuming a key role of senior leader, the arrangement balances symbolic leadership, organizational control, and technical expertise. This structure signals that governance would combine political vision (Balen), institutional management (Lamichhane), and delivery capacity (Kulman).

### **The Dharan Model: Hark Sampang's Parallel Success**

The alliance's appeal extends beyond Kathmandu, exemplified by Hark Sampang, the independent mayor of Dharan who has emerged as an eastern Nepal counterpart to Balendra Shah. Sampang's governance approach in Dharan, now considered as Nepal's cleanest city and a model of municipal management demonstrates that the appeal of independent, results-oriented leadership transcends geography. Like Balen, Sampang defeated established party machinery

through promises of transparent governance and efficient service delivery.

Sampang's success is particularly significant because it occurred outside the Kathmandu Valley, challenging assumptions that reform politics appeals only to capital city elites. Dharan's transformation under Sampang's leadership improved waste management, infrastructure development, and transparent administration provides a tangible model of what competent local governance can achieve. His potential alignment with the Balen–Rabi–Kulman alliance could extend the coalition's geographic reach and demonstrate that reform-oriented politics resonates across Nepal's diverse regions. However, Sampang is currently leading a newly formed political party, the Shram Sanskriti Party, and appears likely to contest upcoming elections under its banner. Tensions between Sampang and Balen Shah have intensified, particularly during negotiations following the post–Gen Z protests, when Sampang sought to assume leadership of an interim government; a proposal that Balen Shah allegedly declined to endorse.

The Dharan example if happens, also addresses a critical vulnerability of the alliance: the perception of excessive urban centrality. If Sampang and other successful independent local leaders join the coalition, it signals that the movement represents a genuine national alternative rather than merely Kathmandu-centric politics.

### **The RSP Proportional List Controversy**

Despite the alliance's momentum, the Rastriya Swatantra Party faces significant internal challenges, particularly regarding its proportional representation candidate list. The party has experienced backlash over candidate selection processes that some critics argue lack transparency and fail to adequately represent diverse constituencies. Several prominent figures had departed the party citing disagreements over internal democracy beforehand.

The proportional list controversy exposes tensions between the party's reform rhetoric and its internal practices. Critics argue that if RSP cannot demonstrate transparent, inclusive candidate selection within its own structures, it undermines credibility when criticizing established parties for similar failures. This internal tension represents a broader challenge for reform movements: the gap between aspirational rhetoric about transparency and democratic practice versus the practical necessities of political competition. The alliance must navigate this carefully, demonstrating sufficient internal democracy to maintain reformist credentials while avoiding paralysis through excessive internal contestation.

### **Strategic Advantages and Electoral Prospects**

The three-way alliance fundamentally reshapes Nepal's electoral landscape and poses the most serious challenge to established parties since 2006. The consolidation prevents vote-splitting among reform-oriented voters who might otherwise distribute support across multiple alternatives. This is critical in Nepal's first-past-the-post constituencies where victory often

depends on mobilizing pluralities rather than majorities.

The alliance's cross-generational appeal extends beyond youth-dominated constituencies. While Balen primarily appeals to Gen-Z and millennials, Kulman's national recognition spans age groups. Many older Nepalis who remember decades of load-shedding view Kulman as someone who actually solved problems. This cross-generational appeal extends the alliance's reach beyond youth-dominated urban centers.

The inclusion of technocratic legitimacy directly addresses one criticism of populist reform movements: lack of governing capacity. Kulman's proven administrative competence reduces voter anxiety that supporting change means accepting chaos. The alliance can credibly claim to combine reformist energy with demonstrated ability to deliver results.

All three figures are exceptionally skilled at media engagement and public communication. Balen's social media presence is unmatched among Nepali politicians. Kulman's plain-spoken explanations of complex technical issues built his reputation. Lamichhane's media background ensures sophisticated campaign communication. This media savvy is particularly important for reaching Nepal's increasingly digitally-connected population.

The alliance tells a compelling narrative: three outsiders who succeeded despite the system now uniting to transform the system itself. This resonates powerfully with voters frustrated by establishment politics and seeking evidence that alternatives can actually work.

### **Challenges and Vulnerabilities**

Despite substantial advantages, the alliance faces significant challenges. How the three leaders reconcile potential policy differences on economic management, federal restructuring, foreign policy, and social issues remains unclear. Voters may question whether the alliance represents coherent vision or merely tactical convergence against common opponents.

All three leaders achieved prominence in urban contexts. Balen's base is Kathmandu, Kulman's recognition stems from urban areas most affected by load-shedding, and RSP's 2022 success concentrated in cities. Yet most Nepalis live in rural areas where traditional patron-client relationships remain influential and established parties maintain stronger organizational presence. Whether urban-centered appeal translates into rural success is uncertain, however Hark Sampang's Dharan success provides encouraging evidence.

The alliance's rhetoric and symbolic position as alternative to establishment politics create extraordinarily high expectations. Any perceived compromise, any delay in delivering promised reforms, any engagement with traditional political practices risks devastating disillusionment among supporters who invested hope in fundamental change.

The alliance is fundamentally built around three strong personalities rather than institutional structures or ideological platforms. This creates both opportunity (personal appeal mobilizes voters) and risk (personality conflicts could fracture the alliance). Managing three prominent

egos within a single political formation requires sophisticated coordination.

Balen's aggressive, confrontational approach including public threats against bureaucrats, controversial nationalist stances like temporarily banning Indian films, and clashes with federal authorities generates both admiration as bold reform and criticism as populist unpredictability. His style may alienate moderate voters who support reform but are uncomfortable with confrontational politics.

While RSP appeals to many voters, Lamichhane has faced controversies including cooperative fraud allegations and questions about his citizenship status. Established parties will weaponize these issues during the campaign. How effectively the alliance manages these attacks while maintaining reformist credentials will significantly impact electoral performance.

## **Established Parties: Adaptation or Decline?**

### **Nepali Congress: Generational Crisis Intensifies**

The Nepali Congress, Nepal's oldest democratic party with roots in the anti-Rana movement, faces its most serious existential challenge in decades. While retaining the broadest geographic reach and organizational structures extending from national to local levels, the 2025 uprising and subsequent alliance formation exposed the party's growing irrelevance to young voters.

The generational tension within Congress has intensified dramatically. Gagan Kumar Thapa, party general secretary, has emerged as the most visible advocate for renewal, explicitly acknowledging that the Balen-Rabi-Kulman alliance represents a fundamental threat that cannot be addressed through business-as-usual politics. Thapa advocates transparent candidate selection, greater youth inclusion in decision-making, concrete anti-corruption measures, and ideological clarity on contemporary economic and social issues.

However, Thapa faces formidable resistance from entrenched factions led by senior leaders who control party machinery and financial resources. The short timeline before March 2026 elections limits possibilities for deep organizational transformation. The party faces a painful dilemma: rapid reform might alienate established cadres and local leaders who form Congress's organizational backbone, but failure to reform risks hemorrhaging support to the alliance among educated youth and urban middle class.

The party's upcoming national convention has become critical. There is still doubt if it happens. Thapa along with another general secretary Bishwo Prakash Sharma have called for special national convention but it remains uncertain how things will proceed. If reformists gain sufficient influence to implement meaningful changes, younger candidate slates, transparent selection processes, clear policy platforms addressing youth employment and governance accountability, Congress might remain competitive. If entrenched interests block reform, Congress risks entering long-term decline, increasingly dependent on older, rural, and more conservative voters

while losing connection with the demographic defining Nepal's political future.

The three-way alliance particularly threatens Congress because it directly competes for the party's traditional base: educated, urban, middle-class voters who historically supported Congress as the "democratic" alternative to communist parties. If this sentiment shifts to the alliance, Congress faces potential relegation to third-tier status.

### **CPN-UML: Organizational Discipline Confronts Generational Change**

The Communist Party of Nepal (Unified Marxist-Leninist) remains the most organizationally disciplined major party, with strong cadre structures, clear hierarchies, and effective mobilization capacity. Yet the three-way alliance poses distinct challenges for UML centered on the party's aging leadership and resistance to renewal.

K.P. Sharma Oli, the party chair, remains deeply polarizing. Oli's supporters credit him with strong leadership and political acumen, while critics including most young people view him as autocratic, confrontational, and resistant to generational transition. His recent calls for street mobilization against the interim government signal confidence in organizational capacity but risk reinforcing perceptions that UML prioritizes power acquisition over substantive response to youth demands.

The alliance's technocratic emphasis particularly threatens UML. While UML traditionally emphasized discipline and organizational efficiency as competitive advantages over Congress's factionalism, Kulman Ghising's inclusion in the alliance neutralizes this appeal. Voters can now choose proven technocratic competence combined with youth energy without accepting UML's alleged authoritarian tendencies and aging leadership.

Within UML, younger leaders exist but are considered to have limited autonomy to articulate distinct positions or push policy innovations. The party's hierarchical culture and Oli's dominant personality constrain internal debate. However, the alliance's rise has generated unprecedented internal pressure, with some younger UML cadres privately expressing admiration for Balen and Kulman, creating tensions between personal political instincts and party loyalty.

UML's response strategy appears two-pronged: intensify organizational mobilization to demonstrate grassroots strength, and attempt to co-opt alliance messaging through rhetorical pivots toward youth concerns and governance efficiency. Whether this suffices depends partly on UML's ability to present credible younger faces in visible positions and partly on whether organizational strength can compensate for perceived resistance to genuine change.

### **The New Nepali Communist Party: Merger Contradictions Deepen**

A major shift on the left is the formation of a new Nepali Communist Party, created through the merger of the CPN (Maoist Centre), the CPN (Unified Socialist), and thirteen smaller leftist parties. With this merger, the Maoist Centre formally disappears as an independent actor. The

new bloc constitutes the second-largest communist formation after the CPN-UML, but its political weight remains uneven.

While leadership and structures linked to the former Maoist Centre dominate, most other constituent parties have limited organizational reach and electoral influence, raising questions about internal coherence and long-term viability. The three-way alliance's emergence exposes this formation's fundamental weaknesses. The new party positions itself as an authentic leftist alternative, yet struggles when voters can choose an explicitly non-ideological, results-oriented coalition promising competence over theory.

Moreover, the new party suffers from severe credibility deficits. Pushpa Kamal Dahal (Prachanda), the dominant figure in the formation, cycled through multiple governments and coalition partnerships, repeatedly switching sides based on power calculations rather than principles. Youth activists are considered to view him as the epitome of elite politics someone who led a revolutionary movement that cost thousands of lives but ended up participating in exactly the kind of elite power-sharing that the insurgency supposedly opposed.

The party faces questionable ideological coherence despite all constituents claiming leftist orientation, contested internal power distribution with smaller parties potentially subordinated to Maoist Centre dominance, difficulty distinguishing itself from UML, and most critically, an almost complete absence of appeal among young voters who view the party as representing everything wrong with post-2006 politics.

### **Other Emerging Forces: Squeezed by Consolidation**

*The Pragatisheel Loktantrik Party (Progressive Democratic Party)*, formally launched on November 23, 2025, aimed to bring together “progressive, patriotic and socialist” groups under a non-communist banner. The party features a five-member presidium including Gen-Z movement activists alongside experienced politicians, with former Prime Minister Baburam Bhattarai in a patron role. This hybrid approach mixing experienced politicians with youth activists represents an attempt to bridge generational divides.

However, the three-way alliance's formation severely undermines this positioning. The alliance effectively occupies the space *Pragatisheel Loktantrik Party* hoped to fill: reform-oriented, generationally inclusive, anti-establishment. The party now faces a difficult choice: compete directly with the alliance for the same constituency, likely resulting in vote-splitting that helps established parties, or seek tactical accommodation with the alliance, potentially subordinating its independent identity.

*The Gatisheel Loktantrik Party*, founded by Buddha Air owner Birendra Bahadur Basnet, positions itself around economic wellbeing, private-sector efficiency, and growth-oriented governance. However, Kulman Ghising's inclusion in the alliance creates direct competition for voters prioritizing economic competence and results-oriented management. Kulman's advantage

is substantial: he delivered tangible results in government service, demonstrating that skilled management can work within existing systems.

The alliance's consolidation creates an increasingly binary political landscape: establishment parties versus the reform coalition. Smaller parties and independent forces risk being squeezed between these poles, struggling for visibility and voter attention. This consolidation has significant implications for resource competition, strategic voting patterns, and coalition dynamics.

## **Economic Pressures and the LDC Graduation Challenge**

### **The 2026 Graduation and Its Implications**

Nepal's scheduled graduation from Least Developed Country (LDC) status in 2026 adds economic pressure to political uncertainty at an inopportune moment. While representing recognition of development progress, graduation means loss of significant advantages: preferential market access phasing out over transition periods, reduced access to concessional financing, increased scrutiny of fiscal and institutional governance, and potential loss of technical assistance programs. The economic impact is likely to unfold gradually over several years; however, the timing is particularly challenging for Nepal. The economy has yet to fully recover from the shocks of the COVID-19 pandemic, while remittance inflows accounting for approximately 25 percent of GDP remain vulnerable to shifting migration patterns and adverse global economic conditions. At the same time, domestic investment continues to fall short of the levels required to sustain high and inclusive growth.

Against this backdrop, the deepening crisis in Venezuela could exert indirect but significant pressures on Nepal's already inflation-prone market economy. Global spillovers from the Venezuelan crisis particularly through energy markets, commodity prices, and financial volatility may contribute to higher import costs, thereby intensifying inflationary pressures in a country heavily dependent on imported fuel and essential goods. In addition, any global economic slowdown triggered by renewed instability could further weaken remittance flows and external demand, exacerbating Nepal's balance-of-payments vulnerabilities. Consequently, external shocks emanating from crises such as Venezuela's risk compounding Nepal's existing structural fragilities and constraining its medium-term economic recovery.

### **Youth Unemployment and Economic Frustration**

Youth unemployment and underemployment constituted core grievances driving the 2025 uprising. Despite higher education expansion over 400,000 students enrolled in higher education institutions the economy has not generated sufficient quality employment opportunities for graduates. Many young people with bachelor's or even master's degrees work in informal sector jobs or seek opportunities abroad through labor migration.

This creates profound frustration: young people invest time, effort, and family resources in education expecting upward mobility, only to find themselves unable to secure employment matching qualifications. Approximately 3-4 million Nepalis work abroad, predominantly in Malaysia, Gulf countries, and increasingly other Asian nations, but migration has costs including family separation, difficult working conditions, and “brain drain” of educated young people whose skills might otherwise contribute to domestic development.

The 2026 elections take place against this challenging economic backdrop, with a generation demanding not only political accountability but also tangible economic opportunities confronting a political class that has repeatedly promised yet failed to deliver structural economic transformation. In the absence of credible strategies for employment generation, skills development, and sustained economic dynamism, any post-election government is likely to face recurring crises of legitimacy.

A critical underlying issue, however, concerns the effective enfranchisement of youth voters. The government appears unlikely to facilitate online voting mechanisms or expand voting access through embassies and diplomatic missions abroad. As a result, a substantial proportion of young Nepalis stationed overseas may be effectively disenfranchised. This exclusion could skew electoral outcomes in favor of established parties, whose core voter bases are more domestically rooted, thereby reinforcing existing political dominance and limiting the representative capacity of the electoral process.

## **Four Scenarios for Nepal’s Trajectory**

### **Scenario 1: Managed Stability with Limited Reform (Most Likely)**

The interim government maintains basic stability through elections despite persistent party criticism. Investigations into protest violence progress slowly but sufficiently to prevent renewed mobilization. Political parties adjust rhetoric to acknowledge youth concerns but stop short of substantive structural change. Gen-Z activism remains influential in shaping discourse but does not remobilize at scale.

Elections are held broadly on schedule and result in a fragmented coalition government. The Balen–Rabi–Kulman alliance performs strongly, particularly in urban constituencies, potentially securing 60–90 seats through direct elections and representation via the proportional system, thereby emerging as a major parliamentary bloc or even the largest single formation. Nevertheless, established parties such as the Nepali Congress and the UML, either individually or in combination, may retain sufficient seats to form a coalition government. Such a government, however, would likely require the alliance’s tacit support or formal participation. Discussions regarding pre-election coalitions among these parties are already underway.

The post-election government governs unevenly, implementing some policies but expending

significant energy on coalition management. The alliance's parliamentary presence forces established parties to accommodate some reform demands, creating incremental progress on transparency and accountability without fundamental transformation. Nepal experiences continuity rather than transformation crisis avoided, basic democratic processes functioning, but underlying legitimacy deficits unresolved.

### **Scenario 2: Alliance Breakthrough and Political Realignment (Credible Alternative)**

The Balen-Rabi-Kulman alliance capitalizes on youth mobilization momentum, existing organizational infrastructure, and unprecedented consolidation of reform appeal. The party performs unexpectedly well, winning 100-120 seats or more across first-past-the-post and proportional representation, potentially emerging as the largest party or close second with less seats.

If the alliance emerges as largest or second-largest party, it faces immediate governance challenges: translating campaign promises into policy implementation, managing coalition dynamics with established parties if unable to form government alone, and maintaining youth support while navigating institutional realities. Success in forming and leading a coalition government would represent genuine political renewal, though the alliance would face enormous pressure to deliver rapid results.

This scenario represents potential for transformative change if the alliance can demonstrate that reform politics can govern effectively. However, failure to deliver on promises or perceived compromise with establishment practices could generate even deeper disillusionment than current levels.

### **Scenario 3: Political Volatility and Erosion of Trust (Moderate Risk)**

Frustration intensifies as investigations stall or appear politicized. Political parties escalate confrontation with the interim government, using street mobilization and public rhetoric to position themselves ahead of elections. Sporadic protests either youth-led or party-driven re-emerge, straining already fragile security institutions.

Election timelines may face pressure due to operational or security challenges. Public polarization increases, and pro-monarchy sentiment surfaces more visibly as protest identity. Elections occur but under tension, producing a weaker coalition vulnerable to instability. The alliance wins significant seats but established parties remain dominant, creating parliamentary gridlock as neither bloc commands clear governing authority.

Anti-establishment narratives gain visibility, including more organized monarchist activism. Economic pressures associated with LDC graduation contribute to growing sense of stagnation. Governance functions, but without energy, momentum, or public confidence.

#### **Scenario 4: Interim Government Crisis and Extended Uncertainty (Lower Likelihood)**

The interim government loses authority amid rising political pressure, administrative gridlock, and public frustration. Parties openly challenge its mandate, accusing it of overstepping authority or mishandling investigations. Political confrontation intensifies, leaving the interim administration with diminishing room to operate.

Renewed mobilization whether youth-driven or politically orchestrated exposes the limited capacity of the Nepal Police. As confidence in civilian law enforcement deteriorates, the Nepali Army is increasingly viewed as the most dependable stabilizing actor. Election timelines become uncertain. Parties may be forced to negotiate caretaker political arrangements, replacing or absorbing the interim administration.

Critically, if the interim government's authority collapses entirely, the Supreme Court might intervene by restoring the previously dissolved parliament, the very body whose inability to govern precipitated the September 2025 crisis. This judicial intervention, while constitutionally possible, would effectively return Nepal to square one, likely triggering immediate and intense backlash from youth activists who would view it as elite manipulation of constitutional mechanisms to reverse popular mobilization outcomes.

Such parliamentary restoration could generate even more radical mobilization than September 2025, with demands extending beyond governmental accountability to constitutional revision or fundamental system change. The resulting chaos would manifest across multiple dimensions: political legitimacy collapse, impossible choices for security forces, international partner dilemmas, and sharp economic contraction as investors flee uncertainty.

#### **Conclusion: The March 2026 Test**

Nepal approaches March 2026 elections at a characteristically uncertain moment. The Gen-Z uprising exposed fundamental legitimacy deficits but did not produce clear alternative political formations or visions beyond the subsequently formed Balen-Rabi-Kulman alliance. This alliance represents the most significant attempt to translate youth frustration into organized political power, directly challenging established parties that struggle between reform imperatives and entrenched practices.

Several factors will shape which trajectory emerges: whether established parties genuinely adapt or simply calculate they can weather current turbulence; whether the alliance can translate Balen's appeal, Kulman's credibility, and organizational infrastructure into electoral success; whether youth activism maintains pressure or disperses; whether security institutions can provide election security while rebuilding trust; and whether economic conditions manifest as acute crisis or manageable challenge.

The 2026 elections will not resolve Nepal's fundamental tensions but will indicate whether the political system can adapt to youth demands for accountability, opportunity, and dignity. The

answer will significantly shape not only Nepal's trajectory but also broader questions about democratic consolidation in South Asia. The three-way alliance's emergence offers genuine possibility of political renewal, though whether this translates into transformative governance or becomes another disappointed alternative remains Nepal's defining question for 2026.

The inclusion of figures like Hark Sampang, Gopal Hamal (Mayor, Dhangadhi Sub-Metropolitan city) demonstrates that reform politics extends beyond Kathmandu, while internal challenges like the RSP proportional list controversy reveal the difficulties of maintaining reformist credibility while building effective political organizations. The economic pressures from LDC graduation, security institution weaknesses, and complex geopolitical environment create a challenging context for democratic consolidation.

For the moment, uncertainty prevails but within that uncertainty lies both danger of continued instability and possibility of genuine renewal. The next few months will prove decisive in determining whether Nepal can break its pattern of recurring crisis or whether 2025 represents merely another cycle in the country's turbulent democratic journey.

## ***- II. Recent Trends and Activities of Legal Technical Cooperation -***

### **The 26<sup>th</sup> Annual Conference on Legal Technical Cooperation**

**HIROTA Kei**

*Professor, International Cooperation Department*

#### **1. Introduction**

The Research and Training Institute of the Ministry of Justice, in collaboration with the Japan International Cooperation Agency (JICA), has organized Annual Conferences on Legal Technical Cooperation since January 2000. This conference serves as a forum for parties involved in legal technical cooperation, including organization and individuals—to gather, exchange information, and share opinions.

The 26<sup>th</sup> Annual Conference on Legal Technical Cooperation was held on Friday, December 19, 2025. The following is a summary report of the Conference. For details, please refer to the program and speech transcript provided onwards.

#### **2. Theme**

The 26<sup>th</sup> Annual Conference on Legal Technical Cooperation was held under the theme “The Current Landscape of Legal Technical Cooperation.”

Japan’s legal technical cooperation activities have built up a record of achievements over 30 years and have been widely accepted, primarily in Asian countries. Currently, these activities are expanding to countries such as Ukraine, Fiji, and Tanzania. For Vietnam, support began in 1994, and legal technical cooperation has continued primarily through JICA projects. Along with Vietnam’s development, the JICA project for Vietnam will conclude last December. Starting this fiscal year, based on the spirit of equal partnership, the Ministry of Justice will launch “Legal Exchange And Development (LEAD)” under its own cooperative framework, aiming to resolve legal issues common to both countries.

In addition to Vietnam, there are other countries for which cooperation projects have been implemented for many years. As these countries develop economically, it is anticipated that cooperation with them will also transition to a framework based on the spirit of equal partnership, similar to Vietnam.

Accordingly, in this year’s Annual Conference on Legal Technical Cooperation under the theme “Current Landscape of Legal Technical Cooperation,” discussions and exchanges of views were held on the current situation in countries where Japan provides legal technical cooperation and the future direction of such cooperation.

### **3. Content**

1) At the 26<sup>th</sup> Annual Conference on Legal Technical Cooperation, following opening remarks by Ms. MORIMOTO Kana, President of the Research and Training Institute and Mr. TACHIBANA Hideharu, Director, Governance and Peacebuilding Department of JICA, activity reports were delivered from various organizations involved in legal technical cooperation.

In the activity reports, first, Ms. Aparna Basnyat, Regional Advisor of UNDP Bangkok Regional Office, which plays a central role in the international development field, gave an overview and status of the support from UNDP's governance sector for Asian countries. Specifically, she reported global and regional trends in the rule of law and access to justice, the concept of people-centered justice for achieving peaceful, just, and inclusive societies, UNDP's approach to promoting people-centered justice, UNDP's initiatives in the Asia-Pacific region, and future prospects.

Subsequently, activity reports were presented by: Ms. KOTOURA Yoko, Law and Justice Team Leader, Governance Group, Governance and Peacebuilding Department, JICA; Ms. YAMADA Miwa, Senior Chief Researcher, Institute of Developing Economies, JETRO; Mr. ABE Yoshikazu, Vice Chair, International Exchange Committee, Japan Federation of Bar Associations; Ms. KOMOTO Mayumi, International Affairs Division, Minister's Secretariat, Ministry of Justice; Mr. SUGANO Naoki, Deputy Director, UNAFEI; and Mr. ITO Hiroyuki, Director General, ICD.

2. Following the activity reports, a panel discussion was held among panelists: Ms. Aparna; Mr. KAWABUCHI Takehiko, Director, International Affairs Division, Minister's Secretariat, Ministry of Justice; Professor MATSUO Hiroshi, Keio University Law School; and Ms. IWAMA Nozomi, Deputy Director, Governance and Peacebuilding Department, JICA; and Mr. NOSE Kazunori, Deputy Director General, ICD, as moderator.

During the panel discussion, Ms. Aparna addressed why UNDP focuses its support on digital initiatives, anti-corruption, and access to justice; trends in governance support from other donors; and the impact of USAID's withdrawal from the Asia-Pacific region. Professor MATSUO discussed the core principles of Japan's legal technical cooperation. Ms. IWAMA provided an overview of JICA's overall budget trends and budget tendencies in the governance sector. Mr. KAWABUCHI addressed how legal technical cooperation connects with Japan's foreign and security policies, the direction of cooperation with international organizations, and the synergistic effects of collaborating with them. Discussions ensued on these points.

### **4. Conclusion**

The 26<sup>th</sup> Annual Conference on Legal Technical Cooperation served as a forum where diverse domestic and international stakeholders gathered to comprehensively share and examine the current state, challenges, and future vision of legal technical cooperation. Starting from the

UNDP's report presenting the perspectives of international organizations, Japanese institutions brought their respective strengths and experiences to the table, reaffirming the significance of promoting the rule of law and people-centered justice. Discussions on the direction of support, particularly in light of changing international circumstances, were rich in insights that will enhance the strategic nature of future initiatives. Building on the knowledge and collaboration fostered through this conference, more effective and sustainable legal technical cooperation is anticipated.

Finally, we would like to take this opportunity to express our deepest gratitude to Ms. Aparna Basnyat, the representatives from each organization who presented their activity reports, and all those who participated in the panel discussion.

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## Speaker List

Speaker: HIGUCHI Rui (MC)

### Opening Remarks:

Speaker: MORIMOTO Kana                      President of the Research and Training Institute of the  
Ministry of Justice

### Report Presenters:

Speaker: Aparna Basnyat                      UNDP Bangkok Regional Office, Regional Adviser

Speaker: KOTOURA Yoko                      Law and Justice Team Leader, Governance Group,  
Governance and Peacebuilding Dept., JICA

Speaker: YAMADA Miwa                      Senior Chief Researcher, Institute of Developing  
Economies, JETRO

Speaker: ABE Yoshikazu                      Vice Chair, International Exchange Committee, Japan  
Federation of Bar Associations

Speaker: KOMOTO Mayumi                      International Affairs Div., Minister's Secretariat, Ministry  
of Justice

Speaker: SUGANO Naoki                      Deputy Director, UNAFEI

Speaker: ITO Hiroyuki                      Director General, ICD

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## **【ICD, Mr. HIGUCHI】**

Welcome, distinguished guests. We'd like to now begin the 26th Annual Conference on Legal Technical Cooperation. My name is HIGUCHI Rui, I'm a government attorney for the ICD of the Research and Training Institute of the Ministry of Justice.

Professor MURAKAMI Masako, Nagoya University, is unfortunately unable to join us today for health reasons and has sent her apologies. Professor MURAKAMI's material for her planned presentation representing her organization will be sent to you later. And please use the interpretation receiver if necessary for translation. Ms. Aparna Basnyat from UNDP will make her speech in English, and the temperature of this room might go up so please feel free to take off your jacket.

We were very pleased to have relevant organizations involved in legal technical cooperation in

January 2000 when this annual conference first started. This year marks the 26th, and we are very pleased to have so many participants who are interested in this important issue.

Now we'd like to invite Ms. MORIMOTO Kana, President of the Research and Training Institute of Ministry of Justice, for opening remarks.

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## **Opening Remarks**

### **【RTI, Ms. MORIMOTO】**

My name is MORIMOTO Kana, President of Research and Training Institute. On behalf of the organizers, I'd like to say a few words. First, I'd like to extend my heartfelt welcome and gratitude to all of you who have come to our venue in Akishima. And thank you, Ms. Aparna Basnyat, for taking the time to come all the way from Bangkok from your busy schedule.

I am extremely pleased that we have been able to hold this Annual Conference on Legal Technical Cooperation today, co-hosted by JICA, with the general support of all the relevant organizations. I extend my gratitude to all of you for taking time from your schedule to attend this Conference. The Annual Conference on Legal Technical Cooperation has been held annually since January 2000. It has served as a forum for stakeholders involved in legal technical assistance to share information and exchange opinions on their respective activities and challenges, as well as on various themes.

This is the 26th conference. The theme of this year's annual conference is the Current Landscape of Legal Technical Cooperation. Japan began providing assistance to Vietnam in 1994 and has since continued to provide assistance, primarily through JICA projects, building a solid track record. With the temporary end of the JICA's legal technical assistance project in January of this year, the Ministry of Justice plans to launch a new two-way initiative with Vietnam, which is called Japan-Vietnam LEAD, L-E-A-D, aimed at resolving legal issues shared by both countries. Some countries where Japan has provided legal technical assistance, including Vietnam, have seen significant economic development and social changes, some resulting from our projects over the years. Going forward, they may consider shifting to a cooperative framework based on the spirit of equal partnership.

In light of this situation, the theme of this year's annual conference is Current Landscape of Legal Technical Cooperation, aiming at providing an opportunity to understand the current situation

in Japan's partner countries and to consider together the future direction of our cooperation. We believe that cooperation based on the principle of equal partnership will create long-term cooperative relationships built on mutual understanding and trust. We hope that deepening discussions on this cooperative model through this conference will help support sustainable development in the international community.

We have also invited Ms. Aparna Basnyat, Regional Advisor at the UNDP Bangkok office, which plays a central role in the field of international development. Ms. Aparna Basnyat's report on UNDP's activities in the Asia-Pacific region will enable relevant Japanese organizations to understand trends in assistance. By sharing the activities of relevant Japanese organizations with UNDP, we hope to further strengthen our collaboration with UNDP. It would be our greatest pleasure if this annual conference could lead to a lively exchange of opinions that will be useful in your future legal technical cooperation activities.

Finally, I'd like to conclude my remarks by wishing all of you participating today continued success and prosperity. Thank you.

**【ICD, Mr. HIGUCHI】**

Thank you. Now, I would like to introduce Mr. TACHIBANA Hideharu, Director, Governance and Peacebuilding Department of JICA. Mr. TACHIBANA, please give us your opening comment.

**【JICA, Mr. TACHIBANA】**

Thank you for the introduction. As you have just heard, I am TACHIBANA Hideharu, Director, at the Governance and Peacebuilding Department, JICA. I would like to express my sincere gratitude to all at the Research and Training Institute of the Ministry of Justice, and for opening and organizing this annual conference, and all of you in attendance for your continued cooperation.

It is said the international community is currently facing multiple crises, including protracted and escalating conflicts, like natural disasters due to climate changes, food shortages and inflation, as well as various conflicts due to the political situation. Such geopolitical tensions are increasing in some regions and countries. Due to the geopolitical situation, there are many tensions being observed. Amidst these circumstances, the International NGO World Justice Project has reported on the Rule of Law Index recently. That is, out of the 143 countries, approximately two-thirds of the countries, that is 68 percent of the countries, are facing judicial independence, fundamental freedom, anti-corruption indicators declining, indicating an accelerating decline in the rule of

law.

In the world of international cooperation, the USAID has been dismantled, and the European countries also are cutting back on international cooperation, including aid to Ukraine as well. The situation is becoming tougher. Even in Japan, ODA is receiving severe criticisms from many. It is a very difficult situation for Japan as well, but even then, we are continuing to abide by this free and open Indo-Pacific, and we have to realize that not being just a mere slogan, but an essential foundation is necessary for supporting regional peace, stability, and sustainable development. To realize this ideal, it is essential that the rule of law is established and that transparent and predictable systems function, legal systems foster trust between nations, promote economic activity, and serve as a foundation for protecting people's rights.

Now, at JICA this fiscal year, the JICA Act has been revised. In recent years, changes in the environment include the fact that the private capital flows to partner countries have surpassed ODA, and the increasingly complex development needs of developing countries, and the need for further efficiency in ODA amid Japan's severe fiscal situation. Furthermore, in our operation, as you may all know, remarkable progress of AI and digital technology is driving major changes in the approaches and methods for solving social issues. In particular, developing countries are increasingly adopting new technologies more quickly and dynamically.

We also welcome all your suggestions and opinions on our operation. Now, toward the strengthening of the rule of law, we hope to reflect together with you on Japan's traditional strengths and development in the implementation of laws and regulations and human resource development. We also need to strengthen the rule of law in all the related countries, and we would like to contribute to this aspect as well. Now, this kind of initiative is important for all of Japan to work together. As President of Research and Training Institute, I recognized that close cooperation from the Ministry of Justice, UNAFEI, the Supreme Court Secretariat, ICCLC, JETRO, and universities around the world is becoming increasingly important in advancing these goals.

We would like to ask for continued guidance and cooperation. I hope that today's annual conference will be an opportunity for discussion and exchange of opinions that will lead to the development and deepening of legal technical cooperation. Thank you very much.

## **【ICD, Mr. HIGUCHI】**

Thank you very much. We would now like to proceed to the reports from relevant organizations on the current landscape of legal technical cooperation. A Q&A session will be held after all presentations have been completed, so please feel free to offer comments or ask questions at that time.

To begin, I would like to invite Ms. Aparna Basnyat, Regional Advisor at the UNDP Bangkok Regional Office, to deliver her report. Allow me to briefly introduce her background. Since joining UNDP in 2003, Ms. Basnyat has been engaged in programs related to the rule of law, human rights, and governance. She has worked in a wide range of fields and locations across South Asia, the Asia–Pacific region, and Europe. Since December 2023, she has been serving as Regional Advisor at the UNDP Bangkok Regional Office, where she provides program guidance in the areas of the rule of law, human rights, and security.

Ms. Aparna, the floor is yours.

## **Report Presentations**

### **【UNDP, Ms. Aparna Basnyat】**

Good afternoon, Excellencies, distinguished guests and colleagues. It really is a great honor to join you here at the 26th Annual Conference on Legal Technical Cooperation. I'm very grateful to the organizers, the Research and Training Institute of the Ministry of Justice of Japan, and the Japan International Cooperation Agency for the kind invitation for UNDP to contribute to this important dialogue. So my appreciation also goes to all the supporting partners, the Supreme Court of Japan, Japan Federation of Bar Associations, the Institute for Developing Economies, the Japan External Trade Organization, and the International Civil and Commercial Law Centre.

Let me start by recognizing Japan's long-standing leadership in promoting the rule of law, access to justice, and international legal cooperation. This is clearly demonstrated by 26 years of this important meeting. It is therefore especially meaningful to discuss UNDP's work on justice and the rule of law in this setting. Indeed, we are deeply appreciative of the ongoing collaboration we have with Japan and the Ministry of Justice, in particular on the rule of law and human rights. This is also an important discussion to have at this time to take stock. I think the previous speakers before me also touched on this because the current global landscape of legal technical cooperation we are facing is a challenging one. It is a shifting geopolitical environment and along with pressures that we are seeing also in the multilateral system and development cooperation in general. So domestically as well, what we see in many countries is that legal institutions are coming under increasing pressure as calls for justice and accountability are ringing loudly across the Asia-Pacific and globally, especially by young people who are demanding transformative change.

So let me jump into my presentation. So today I will speak a little bit about UNDP's overall experience in promoting a people-centered approach to justice, with a particular focus on the Asia-Pacific region. I'll talk a little bit about global trends, some of which have been mentioned already, and then speak more about UNDP's approach and some reflections on future directions. I think we had already seen the World Justice Report. You see some of the statistics from the World Justice Report, which indicates that we are seeing a recession, what they are calling a global rule of law recession, because the data that is shown is showing that we are facing many challenges, certainly not only in Asia-Pacific, but globally.

And the thing to note is that it is not limited to one region. It is not limited to a political system or income level. It really is a global phenomenon. But what we are seeing is that it is particularly challenging in fragile and transitional contexts. And these trends have direct implications around legal certainty, predictability and public trust, which are all foundations for justice systems, effective governance, but also for economic development. At the same time, we also see increasing inequalities in terms of access to justice. It remains a persistent global challenge and some data show that we have more than 5.1 billion people who lack meaningful access to justice. That's a huge number. Not only because we are lacking legal frameworks, but because systems are inaccessible, they are costly, they are slow, or are seen as biased, and they exclude those who are most at the margins.

From a development perspective, which is where UNDP comes from, this becomes very important. When you cannot resolve disputes fairly, when contracts cannot be enforced, when rights cannot be protected, human development outcomes begin to deteriorate. Particularly for women, youth, minorities, and those from marginalized communities. Some of these global trends in a little bit more detail, I just wanted to share what we are seeing worldwide. We see, for example, when we are talking about erosion of democratic institutions, we are seeing declining checks and balances, increasing politicization of judiciaries, and growing pressure on judicial independence.

Courts are increasingly instrumentalized as tools to consolidate power, silence opposition, or legitimize executive overreach. In a recent study we did recently, we looked at how SLAPPs or strategic litigation against public participation, are used. These actually stop people from speaking out and getting involved, .

At the same time, we also see civic space shrinking and restrictions on media, civil society, and freedom of expression. Digital technologies make systems more transparent and accessible, but

at the same time, in some cases, they are being misused for surveillance, censorship, and digital repression. This erosion of democratic institutions is not happening in isolation. It is unfolding alongside deep and persistent inequalities on access to justice for women, youth, minorities, persons with disabilities, migrants, displaced populations. And for many of these people, justice systems often feel very distant, inaccessible, and discriminatory. Another defining feature of the current moment is the rise in disinformation and digital harms. Information pollution undermines trust in institutions, inflames polarization, and complicates judicial processes themselves, affecting evidence, witness protection, and public confidence in verdicts.

The introduction of AI to justice systems, for example, raises complex questions related to due process, bias and accountability, issues that the justice sector worldwide are now confronting directly as more and more countries and judiciaries are adopting AI into their systems. But at the same time, digitalization has also expanded access. We see in many countries that we work with that e-courts, online dispute resolution, digital case management systems, legal aid platforms; these are ways in which there is more transparency and access to information.

The challenge is not really whether to adopt technology, the technology is there, but how is it that we can use it in a rights-respecting and legally sound manner. And alongside these challenges, we also see a growing demand for accountability, especially driven by young people, for more transparency, fairness and dignity. They demand an end to corruption and new pathways of governance that respect rights and call for an end to impunity. So that's certainly broader global trends. We see similar trends specifically in the Asia-Pacific region. And we see a range of different countries here and different levels. And where UNDP tends to work is more on the bottom end of the spectrum. In terms of the Asia-Pacific, we see the global dynamics really intersect with region-specific challenges. They are actually quite consistent with what I was speaking about earlier in terms of global trends. While the region is dynamic, it has made great strides in human development over the last decade. There continues to be many challenges. It is currently grappling with growing inequalities, political polarization and shrinking space in many contexts.

We also see judicial institutions and legal frameworks are being instrumentalized to consolidate power while human rights defenders, minorities, and opposition actors face increasing pressure. Economic fragility driven by inflation, debt and unemployment has further intensified public grievances, creating a volatile political environment where trust in institutions is fragile. I'm from Nepal and you'll see earlier this year, you'll see the confluence of many of these factors also have resulted in a dramatic change in my government. At the same time, the Asia-Pacific is a region with extraordinary opportunity. We see strong momentum around people-centered

justice, climate and environmental justice, business and human rights, and a youth-driven reform agenda.

Technology is reshaping access to justice in a way that can dramatically broaden its reach and inclusion as long as we pay attention to the digital divide. We also see increasing interest in advancing regional cooperation on judicial training, integrity, digital justice, and gender equality, areas where peer learning is increasingly valued. However, these opportunities exist alongside significant risks, particularly in periods of political transition, climate stress, and digital disruption. Managing these trade-offs has become a central focus of justice programming, from issues around just transitions to digitalization. For justice institutions, the challenge is to manage risks and opportunity simultaneously, especially in periods of transition. With this general overview of global and regional trends in mind, I will now talk a little bit about people-centered justice, which is at the core of UNDP approach to promoting access to justice.

Our starting point is the Sustainable Development Goals. The concept of people-centered justice is firmly grounded in the 2030 Agenda for Sustainable Development. The agenda articulates a vision of societies based on human dignity, equality, non-discrimination and the rule of law, where institutions serve people effectively and fairly. Importantly, justice is not framed as only an end in itself but as means to unlock human potential, share prosperity, achieve security and human development.

In terms of people-centered justice, the concept actually aims to operationalize this vision. At its core, people-centered justice asks a fundamental question. Does the justice system work for people, especially those who are most likely to be left behind? Especially to solve people's everyday justice problems. It focuses on how people actually experience justice rather than solely on the institutions themselves. It is really grounded in several key principles.

First, leaving no one behind. Justice reforms must explicitly prioritize marginalized people and groups.

Second, transformative justice. This means addressing root causes of injustice, ending impunity and protecting not just current but also future generations.

Third is effective and accountable institutions. Justice systems must be fair, accessible, responsive, and capable of delivering quality services, not just in theory but in practice.

And fourth, we really need to go beyond formal systems. In many countries, people are more likely to access informal, traditional systems. Courts are only one pathway to justice. People often use a mix of state and non-state mechanisms to resolve their disputes and justice problems.

And lastly, a human rights-based approach. People-centered justice is anchored in international

human rights standards and principles of participation and accountability, non-discrimination, transparency and empowerment. What this means is really a profound shift in how we do the work around justice programming and how work around access to justice and the rule of law is conceived.

We are moving away from a state-centered approach, which tends to focus on institutions, laws, courts, procedures, and assumes that institutional reform will automatically translate into better outcomes for people. This type of approach treats justice reform as a technical exercise.

When we shift the focus to people and put people at the center, it starts with people's experience of justice. It recognizes that justice is deeply political, shaped by power relations, trust, and social norms. Institutional transformation is not just about efficiency, but about quality, legitimacy, and fair outcomes for people. This shift is about transforming institutions so that remedies become accessible, outcomes are fair and predictable, institutions command trust, and justice systems reduce inequality. Earlier this year, we released two critical guidance documents for all our programs, which is really about how to design our programs effectively, adopting a people-centered approach, but also a human rights-based approach toolkit, so that we are able to use it not only on justice programming, but across the board, human rights at the center.

This is how we are trying across all the countries that we work in to implement this approach. Let me now focus on UNDP a bit more as well. I will start with our new strategic plan, which will come into effect next year. The strategic plan you will see has four areas, but effective governance is one of the clear areas of work and strategic objectives. The rule of law access to justice is a core part of that. It recognizes that this work on the rule of law and justice and human rights is very central to human development. It reflects a clear recognition that development gains cannot be sustained where rights are not protected, institutions are not trusted, and justice systems don't work for people. Under the strategic plan, UNDP positions people-centered justice and people-centered governance as a core enabler of progress across all dimensions of development, economic, social, environmental, and political. Justice is not treated as a standalone sector, but a foundational system that underpins poverty reduction, social cohesion, peace building, climate action, and inclusive growth.

We are uniquely positioned to operationalize this vision because we are working in 170 countries and territories. And in the Asia-Pacific alone, we support around 25 country offices across 36 countries. Across these diverse contexts, UNDP supports justice and rule of law as a critical driver of human development. When people can resolve disputes fairly, access remedies, and trust public institutions, they can invest more in education, livelihoods, health, and community

life. Conversely, when justice systems are inaccessible, politicized, or abusive, inequality hardens and grievances accumulate, often with destabilizing consequences.

And this is why UNDP's justice work spans the full spectrum, from access to legal aid and dispute resolution, to judicial integrity and accountability, to human rights protection and security sector governance. And we tailor this work to respond to specificities of different contexts, from fragile and conflict-affected contexts to least development contexts, as well as in middle-income countries.

Our work on justice and rule of law is anchored through our global program on strengthening rule of law, human rights, justice and security, which provides a flexible platform to respond to diverse national contexts. We are now entering our fifth phase of the program, and its logic, which you will see on the slide, is shaped directly by the realities and trends that I mentioned earlier. It places a strong emphasis on people-centered justice and prioritizes justice systems that are accessible, fair, and trusted, especially for those furthest behind, stronger human rights institutions and accountability mechanisms capable of operating under pressure, justice and security institutions that contribute to social cohesion and peace rather than repression, and addressing new and emerging harms, including digital harms and environmental injustices.

Supporting justice systems through transitions and crisis is also an area that we look at further in the new program, where risks of backsliding are highest, but opportunities for reform also emerge. This new phase of our global program really reinforces UNDP's role to connect the national institutions with communities to link development and human rights and align immediate stabilization with longer-term transformation. It also builds on some of the key achievements that we have made in our previous phase, which is coming to an end this year, where we have supported millions of people worldwide to access justice services, often for the first time. This includes expanded legal aid, mobile courts, alternative dispute resolution, digital justice platforms, and reduced cost and distance barriers for people to access justice. In conflict-affected and fragile contexts, UNDP helped ensure continuity of justice and security services, preventing institutional collapse, while laying foundations for reform.

National human rights institutions were strengthened in countries such as Nepal and Burundi, enhancing oversight protection functions during politically sensitive periods. UNDP also supported anti-corruption accountability efforts across regions, recognizing corruption as both a governance failure and a direct barrier to development, including support in Ukraine.

Digital innovation was another hallmark of our previous phase, our current phase, from digital

court management systems that benefited hundreds of thousands of users to online legal aid case tracking. UNDP demonstrated how technology when designed responsibly can expand access and transparency. I am not going to go too much into these global results, but as you can see, we work across all different settings and all different contexts, and the common thread is not a single model of justice, but that in trying to respond to the particular local contexts and priorities so that there is a consistent focus on access, accountability, and people's live experience of justice.

The range of issues that UNDP supports are in the end, defined by our local partners. I also wanted to show this slide, which is our annual meeting that takes place in New York every year, where we try to bring together our partners to assess progress similar to what you are doing here. And we hope to see you there next year. I think we had some representation of Japan there last year as well. So now, turning to the Asia-Pacific experience, I think what you see here is the work we are covering from our Bangkok office where I am based. I hope it helps illustrate some of what UNDP's work on people-centered justice looks like in practice at the country level and community level in the region.

We are currently, at present, as I mentioned, in 25 offices. But on justice and rule of law programming, we are working in about 15 countries in the region. We have access to justice and legal aid programs in places like Bhutan, as you see. But also we have different initiatives on digitalization and modernization of court systems in Sri Lanka and Vietnam, which focus around strengthening efficiency and transparency, as well as access to information. In Laos PDR, we are working on institutional reform and working with the Supreme Court in particular. And as well in Bangladesh we are currently working on a broader justice reform agenda. We have also been investing in Laos quite a bit in supporting community-level dispute resolution mechanisms through the local courts. What we see increasingly is there is a real demand for work at the intersection between justice and other development challenges. So earlier this year, I was in Papua New Guinea, where we did an assessment to identify where the entry points were on access to justice.

We are looking at a number of issues from gender-based violence to environmental justice to business and human rights. There is certainly a lot of work that needs to be done around reform of institutions, but increasingly also where that intersects with many different other areas. We also work quite a bit in transition and crisis contexts. Currently, in both Bangladesh and Nepal, we are supporting efforts for institutional reform to really meet the expectations and rather respond to the expectations that came out of the uprising to reform systems so that they are more responsive to people. And in Myanmar, we are exploring opportunities both in terms of strengthening community level dispute resolution mechanisms, but also on issues such as housing, land and

property rights and securing legal identity. So these are just some of the examples of the work we are doing in the region.

More at the regional level where I am based in Bangkok, we invest in sort of creating platforms for regional exchange and collaboration. In 2024, I am sharing the example of the People Centered Justice Conference that we held when the Ministry of Justice was also one of the partners.

I think we also had representation there at the conference where we tried to bring together. I think it is important for different countries in the region to have a conversation about what people-centered justice looks like in Asia and the Pacific. There were many topics that were discussed, but I think three or four of them that emerged was around judicial integrity and independence, gender justice, the digitalization and the use of AI, and environmental justice. These are areas where we have been trying to expand a little more this year. So let me explain a bit more on each of these areas.

UNDP has been supporting a network on judicial integrity and independence since 2018 that brings together judges and enables peer learning. The focus has been initially in the ASEAN region, but we also have brought in judges from other regions as well, because there was a lot of interest in building professional standards and guidance, learning from each other, and sharing lessons across jurisdictions, especially in a polarized context that many of these judges are working in.

The network today expands across the region and includes over 3,000 judges. For the next year we have been discussing to have a virtual meeting with them because the next UN Special Rapporteur of the Independence of Judges and Lawyers is having their report on the appointment processes of judges. So we are going to bring the network together to have a conversation or provide feedback into her next report. We are really trying to see how we can scale up this work in the future because there's a real demand, particularly around issues of judicial independence. We have heard that from Supreme Courts in South Asia.

The next area that came out from that conference was around gender justice and promoting women's leadership in the judiciary. We have been supporting an initiative which we are calling Shifts Underway, where we have been working with four countries: Indonesia, Thailand, Laos, and Bangladesh, to support national efforts to strengthen women's leadership in the judiciary. Also both in terms of increasing representation, in terms of looking at barriers towards promotions and appointments that many women face. Through initiatives like this, we have tried to bring women judges from across the region to look at strengthening networks, leadership skills, and

strengthening gender-responsive adjudication. These are not just symbolic efforts. They directly influence how justice is delivered in cases involving discrimination, violence, and inequality. Interestingly, we have also been trying to connect it with the data and reporting for SDG 16, where one of the indicators that UNDP is responsible for is on representation in the judiciary.

Then I think the other area that is coming out across all our countries in terms of interest is around both the digital and AI, artificial intelligence. We have been working on digital transformation of the justice system for many years. At the country level, we have been working, I think, in Sri Lanka where, for example, we helped with developing a comprehensive digital platform to enhance transparency and accessibility of the commercial high court in Sri Lanka. Most recently, we have been working more on the AI and rule of law side as well.

We had our country office in India to do a study to look at how judiciaries are already using AI without any broader frameworks in place in India, for example. In November, with the support of the Ministry of Justice of Japan, and together with our partners at UNESCO, we had a regional meeting where we looked at both the potential of AI, the risks and guardrails that need to be put in place. We will be launching a study next year on looking overall how AI is being used in the justice system in Asia-Pacific, and we hope to further work on this. I think it is an area where everybody is trying to find out as they go along because it is quite new and emerging.

It becomes very important to have the platforms to share information and learn from each other and to see what opportunities exist, but also to mitigate some of the risks. The last area is around environmental justice. Environmental justice is emerging as a really significant issue in the region. We see from indigenous people's rights to issues around just transition to intergenerational justice and business and human rights. Environmental justice really sits at this intersection of development and justice and human rights in the region. Recently we also held a webinar on the right to a healthy environment.

We have global declarations but ASEAN also recently adopted a new declaration on the right to a healthy environment. This provides an opportunity to further strengthen pathways to access to remedies, especially for individuals and communities on environmental matters. We are preparing a study focused around five countries in the region where we take deep dives into different ways countries are working on environmental justice issues from forestry rights. We are looking at setting up a special tribunal to look at how they handle accountability for businesses.

We are looking at each country on different topic areas. We are aiming to generate the evidence base and recommendations to strengthen legal frameworks, enforcement, and community access

to remedy that is necessary to uphold the right to a healthy environment. So that is the areas of work that we have been taking forward more recently. All of the work that we have been doing does not happen with just UNDP alone. We work very closely with all our national partners and both in terms of government and civil society and private sector in some cases. But we also work very closely with our other UN agencies on women, and UNESCO. We have also been building a partnership with the Asian Development Bank and other institutions like the Thailand Institute of Justice to see how we can collectively address these complex and interconnected justice challenges.

UNDP alone cannot make the impact, but I think together with many different partners and working on different issues, we are able to work in the same direction to make a larger impact and have larger reach on these issues. So, in terms of where we are going in the future, this is my last slide.

I think for us at UNDP, our lesson is that we really must invest in these regional partnerships and platforms to uphold the rule of law and human rights. Many justice challenges are now transcending national borders. While it is important to invest in the national level, it is really important to look at some of these issues collectively. When we talk about digital and AI, everyone needs to learn from each other. When we talk about environmental justice, sometimes it is a trans-boundary issue. This is the importance of regional platforms for cooperation and to learning from each other becomes very important.

Second, I think we need to invest more in innovative people-centered justice services. Not just to say it, but actually begin to look from a perspective and do an assessment from what are the justice needs at the community level for different marginalized groups. How we can use the tools we have, whether it is digital, whether it is different design approaches, to make sure that the systems are working for people and for the most marginalized.

And third, we need to invest in regional knowledge networks and peer learning. With both the Asian Network and the Women Judges Network that we have, we have had feedback that is incredibly helpful, especially for judges who are able to share with each other in a way perhaps not easy for them to have those conversations in their national context.

Finally, I think we must build coalitions to really address these new and emerging challenges, like I mentioned on AI, on climate justice, et cetera. That was my last slide. In closing, I would just say, justice systems matter not only because they uphold the rule of law, but because they shape people's trust in institutions and their sense of dignity.

A people-centered approach reminds us that justice is not just an abstract concept. It is experienced at the community level, in police stations, in legal aid centers, in spaces where women are seeking protection for gender-based violence, where youth are on the streets demanding accountability, and where communities are in the forefronts of defending their environmental and natural resource rights. When justice is denied, the impact is not only at the individual level, it impacts the whole society and the different movements that we are seeing across the region perhaps reflect some of them. UNDP remains committed to working with governments, partners and communities across Asia and the Pacific to deliver on the promise of the SDGs for ultimately ensuring equal access to justice for all.

Thank you all very much for your attention and I would like to thank the Ministry of Justice and JICA again for this opportunity to share some views and we really look forward to strengthening our collaboration in the future on this important topic. Thank you.

**【ICD, Mr. HIGUCHI】**

Ms. Aparna, thank you very much. We move on to the next report. Ms. Yoko Kotoura, Law and Justice Team Leader, Governance Group, Governance and Peacebuilding Department of JICA. Ms. Kotoura, The floor is yours.

**【JICA, Ms. KOTOURA】**

Thank you very much for your introduction. My name is Kotoura. I am the leader of the Law and Justice Team, Governance Group, Governance and Peacebuilding Department of JICA.

Now I am going to give a report. Thank you very much for your cooperation enabling us to organize many trainings, including 14 country-specific trainings and also 9 specific knowledge co-creation programs. For Vietnam, there was a ceremony to commemorate the 30th anniversary in Vietnam and this month will be the final month for the ongoing program. The State Minister of Justice of Japan attended the ceremony together with the counterpart vice minister. In Laos, we are having a very long-standing cooperative relationship, and for the future cooperating plan, we have just initiated a discussion. Indonesia is one step ahead with the objective of OECD's accession. Last October, the major program started for Laos for the first time in a dozen years.

Thank you very much to all concerned for your assistance. JCC's members visited Japan and made a visit to various locations. Professor Matsuo joined us in reviewing the cooperation and also looking ahead to the vision. For Nepal, a new cooperation project resumed. We previously held some discussions with the courts. Currently a new program is assisting in the preparation of

the Civil Code and a new team has been set up. Professor Matsuo introduced us to new experts, too. There are also initiatives to strengthen the rule of law. We successfully invited Kenyan high-level officials to Japan. They observed initiatives in Japan and met judicial officers and probation officers to hold a discussion. This was an opportunity for them to deepen their understanding of the Japanese system. There was a third knowledge co-creation training on the Business and Human Rights thanks to Professor Yamada. Last summer each related body was also introduced.

For Ukraine anti-corruption training started as a new initiative and it was organized successfully in Japan. We will start a discussion for the future plan. We are also preparing for this fiscal year a Knowledge Co-Creation Program on public international law.

There is another new initiative of donor collaboration. In the World Justice Forum (WJF) a panel discussion was organized where we made a presentation at the panel discussion. In the past several years, we have cooperated with the WJF and also introduced initiatives in Japan. Legal technical cooperation is an area difficult to share tangible and visible outcomes. But this was a precious opportunity for us to do so. We are also exploring a possibility of collaborating with the World Bank evaluation team. A discussion with the impact assessment team is scheduled for the end of next month. We hope to include a counterpart, an expert, to initiate this discussion. This might be overlapping with my earlier explanation. One noteworthy is at the bottom, the English-speaking African countries.

This is the third year that ICD members cooperated for this business law seminar. There are four partner countries and five members from each partner country visited Japan. We saw a very momentum-based discussion. In Kenya, we are seeing more collaboration. Two officers joined, and this past spring a training course was held. We are preparing for next opportunities.

In Thailand, we dispatched an expert but his term finished last November. We are exploring a new program. Through discussions, we hope to have a priority area for the Japan Fair Trade Commission so that we can be ready for it.

The Japan Federation of Bar Associations will continue as a partner, and also for the Ministry of Foreign Affairs, we are cooperating with the International Legal Affairs Bureau, in international events and also we receive many members, not just for a long-term but in the grant aid area as well. We also received international students this year from Uzbekistan who will be joining Nagoya University of Economics. The faculty is very much looking forward to this opportunity. This will lead to the creation of a new network between the university and developing countries. This is the last slide.

The description may be related to the upcoming panel discussion, so I will not go into the details now. This year has been a remarkable year for us because cooperation in Vietnam celebrated its 30th anniversary. In the beginning of the ceremony it was mentioned that Vietnam is a country with a quick economic development and the needs of the systems are also evolving and also the system is changing. Part of the country's situation is also being updated. The needs will be changing. How exactly we should be offering our partnership-based cooperation is a key consideration point. Also as mentioned earlier, how to get across our message globally is a major question.

So we are having a very unique way of assistance. We work with you throughout the process. That's all from me. Thank you very much.

**[ICD, Mr. HIGUCHI]**

Thank you very much. The next speaker is Ms. Miwa Yamada of JETRO, Senior Chief Researcher, Institute of Developing Economies.

**[JETRO, Ms. YAMADA]**

Thank you very much. Good afternoon. My name is Yamada. I'm from the Institute of Developing Economies of JETRO. Instead of making a report on behalf of the entire activities of the Institute of Developing Economies, I'd like to focus on human rights-related issues. The Institute of Developing Economies is located in Makuhari in the Chiba area. We focus on not only Asian economies but also emerging economies or global south or what we used to call the third world nations covering Africa, Latin America and Middle Eastern areas. I focus on legal systems, but some of my colleagues look at economic affairs. Thank you for your support extended to me and also my colleagues. Over the years, we started this project platform for business and human rights, responsible business conduct and sustainable policy over the last 14 years.

This year, I think the Japanese policy has been or will soon be revised, and for the government and also for businesses, what policies would be necessary for conducting their business operations respecting human rights. Our policy objective is to present some suggestions or recommendations in order to meet this objective. These are the objectives in detail and also for this year we have obtained some results. We showcase activities and also we have outreach areas as well. We regularly issue a policy report, and this is under revision this year.

Also, the EU's CSDDD has also been covered as a formal brief. Vietnam and Indonesia receive aid from Japan. We also participated in the UN Human Rights and Business Forum. In the near

future, a report on Business and Human Rights Global Trend and Asia will be published, focusing on Vietnam and Cambodia. We also work together with researchers from other institutions. I hope you have time to have a look at it. Also on the part of the outreach, Cancer Expo was held this year. You may think that, in fact, I traveled to the expo six times, and people were very excited. For the first time at the expo, the human rights guidelines and sustainable procurement policy were formed.

So these are direct businesses to better human rights-centered operations. That was part of the topic of one of our seminars. In Bangkok, taking the opportunity of the regional forum in Bangkok, UNDP, ILO, IOM, and other organizations were also invited to join as co-hosts to focus on the seminar on responsible business and human rights for Japanese businesses operating in Asia. We regularly hold multi-stakeholder meetings together with the Ministry of Health and Labor, Ministry of Foreign Affairs, Ministry of Economy and Trade, and experts are invited as speakers. This is the policy prescription, the project, so to speak. Well, toward the end, our joint project with the ICD, I think our initiative has been leading to our joint program with the ICD.

Once again, I'd like to share this together with you before I wrap up. Well, as Ms. Aparna said, and also the other speaker from JICA said, we might see the beginning of the collapse of the world, but I think that business and human rights might stop that ongoing trend as the first step that we have been seeing worldwide. Respect for human rights, that is. I would say that you shouldn't depend on the government, but businesses can play a huge role in turning around to a better and good direction.

So, what is the relationship with legal, technical assistance and the business human rights? Well, Ms. Aparna gave us very important stories in very detail. They are all essential in our day-to-day operations. Businesses will not be sustainable without respect for human rights today. The National Action Plan on Human Rights. I don't know how this is formulated but the basic principles remain the same in the revised version. I believe business and human rights and our sustainability in technical assistance are closely, inseparably linked. This may sound repetitious to you but legal technical assistance conducted by the government, who would benefit from it? Of course the people. But for businesses, the environment where human rights are respected, I think the environment and legal conditions would be necessary perhaps in mandating human rights due diligence so that businesses would be able to continue their operations in a prosperous manner.

In Malaysia, for example, an action plan was just formulated this summer. Legal technical assistance will continue to be important in considering our relations with the local host nations

for business operations. Of course, people can have different views on how legal technical assistance should be developed, and you may have different objectives. But there should be an aim and assistance, and then policies to support it. What policies would be necessary for the purpose of business and human rights, I think that perspective is necessary.

And this is my last slide. Two weeks ago an annual DEA forum was held and I participated in it. As Ms. Aparna and Mr. Tachibana said, the rule of law and human rights are at a critical point today. I don't know whether the situation has ever been as critical as ever before, but we are in a very serious condition today. The CSDDD plan in the US has retreated out of the concern for the cost on businesses.

Some experts in the US office are extremely cautious by repeating that whatever they say would be solely personal or their personal opinions. But I mentioned Malaysia, representatives from the government of Malaysia and also rights holders came criticizing their own government, and then the rebuttals from the government representatives in question were seen also in Indonesia and Thailand. The business and human rights policy would be promoted according to the government officials from these countries. I think it is the right time for us to see further evolution of the policies concerning business and human rights in Asian nations.

And before I conclude, I would say that at JETRO, human rights policies are planned to be formulated, in fact, at 2 o'clock today. The press release will come out or has come out already, so perhaps I am allowed to talk about it. I think this also will be part of JETRO's report at this meeting next year. Thank you.

**【ICD, Mr. HIGUCHI】**

Ms. Yamada, thank you very much. I would like to invite Mr. Yoshikazu Abe, International Legal Cooperation Center, Committee on International Relations, Japan Federation of Bar Associations.

**【JFBA, Mr. ABE】**

Thank you very much. My name is Abe. I'm from the International Committee on International Relations. Very nice to meet you. I would like to report on the activities of our organization, the Japan Federation of Bar Associations. This slide shows the outline of what kind of international legal cooperation we are doing. In each prefecture, there is a bar association. Our federation is the umbrella organization of these bar associations. And there is one committee, committee on international relations and there is also a subcommittee on international exchange and ILCC, International Legal Cooperation Center. This center provides legal and technical cooperation.

Basically each partner country has their bar association.

Mostly our counterparts are bar associations. We are entrusted by JICA to assist JICA's training program. Upon requests from JICA as an expert, we dispatched some lawyers, attorneys-at-law to some countries and ICT. Our members are working in organizations as well.

We have many cooperative partners. The JFBA, Japan Federation of Law Associations, an NGO, has a variety of expertise in the fields of law and human rights. We have attorney-at-law, experts in legal activities and services. Attorneys are not just providing legal technical cooperation. We also hold meetings with attorneys in other countries. Attorneys have a personal network. This network can be also, in some cases, utilized for technical cooperation activities.

The subcommittee on the international exchange and the international relations committee have 76 members. We would like to see more committee members, but due to some existing rules, it is difficult to increase the number of committee members.

Below the committee, there is the ILCC and the subcommittee on international exchange. A project team has been set up by each entity to provide cooperation on a project basis. For ILCC, there are Cambodia PT, Laos PT, Vietnam PT, Mongolia PT and Nepal PT. And there is a Knowledge Co-creation Program PT for JICA. Other than these, in China, Hong Kong, Taiwan, Malaysia, Russia, US, German, there are PTs. Due to the ongoing international relations with Russia and China, the situation made it hard for them to conduct activities. But as I mentioned, there is a personal attorney-to-attorney network. Once the situation improves, they can resume actions.

Other than these regions and the countries, they also have connections with Singapore, the Philippines, Fiji, South Korea, France and Australia. Meanwhile some local bar associations have friendship agreements [inaudible]. There are multiple ways of collaborating. I would like to update you about actions on the country-by-country PT.

First is in Cambodia. This country, as you may be aware, temporarily, during the Pol Pot regime, the intelligence class was almost annihilated, but now, their economy is quickly developing and SME experts dispatched by JICA are putting our legal system in place. There is action by the bar association. This past March Japan's PT members visited the country and held a seminar. During the seminar, the country made a request to organize a seminar on the civil court. They said that they would shoulder the cost. They are interested in receiving some partnership training in Japan on the law. This is another sign of the changing era.

Perhaps in the next fiscal year, including online, there is going to be a seminar with the court. Together with the members, with the training team, we are having a discussion toward that direction. Next is Laos. We have a very long-standing history of cooperation with Laos. We have dispatched experts to the country under the JICA program. Currently, two attorneys are dispatched as JICA experts. This past March, PT members visiting Laos jointly held a seminar with the Laos association and in the future a plan is underway to conduct the first seminar in January and sometime in March and they will organize a seminar in the country. Ten years ago, I started these types of activities. At that time, they said even licensed attorneys could not make money in Laos so that they would not take any active actions. But now, we are seeing great changes.

Next is Vietnam. JICA's project has had some milestone recently, and there used to be one attorney dispatched as a JICA expert just until a while ago. Up to now, as a series of JICA training programs were held with the Vietnam Bar Federation (VBF) members visiting Japan to attend training. Because of the milestone completion of the training, that would not be happening anytime. However, VBF members said that they were interested in having continuous training. Online training or mutual visits might be a possibility. This is a kind of exchange, not an assistance-based approach. That's what I believe for the future direction.

Next is Mongolia. Up until a while ago, JICA used to provide a variety of cooperation, and after the completion of the JICA program, they periodically conducted training activities. Due to Covid 19 they were suspended. Now we are seeing a resumption of activities. Starting next year, we will be making a visit to Mongolia to give training. We thought maybe the coldest season would be the right time so they are planning to visit Mongolia in February, sometime in February next year.

Next is Nepal. Mr. Morinaga is a member of the committee serving as the head of the Nepal PT and leads an exchange of information. The committee members visited Kathmandu during the February LAWASIA International Human Rights Conference and they were planning to visit next March but because of the political uncertainty and disruption they are rescheduling it to sometime in May, not March. Next, the Knowledge Co-Creation Program for the Access To Justice was held between October 20 and 31 for Laos, Bangladesh, Nepal, Côte d'Ivoire, Sri Lanka, Dominican Republic, Somalia and Maldives. A total of 12 participants attended the Access To Justice program. This is the only PT having such a lecture type, and not just lectures but they also visited the Japan Legal Support Center and Himawari Fund Law Office. They also visited Kajino, an area where bears were reportedly seen but they safely returned from an

observation tour. This type of visit, we hope, will be leading to the enhancement of their access to justice too. This is the last piece of information.

This is not just under necessarily ILCC, but there was a study tour to Fiji. Up to now, we have had no connection with Fiji as a federation, so this is a kind of a visit to initiate a contact. There were some actions for downgrading the qualification of the bar associations there. They are recently seeing some receding of their activity level as a bar association in the country. That is all from me. During the course of cooperation, we hope to expand the scope of Legal Technical cooperation to have more engagement of the people and civil members.

Attorneys-at-law will be the closest location to civic society and higher accessibility to justice will be brought by the higher accessibility through attorneys.

Thank you very much for your attention.

### **【ICD, Mr. HIGUCHI】**

Thank you very much, Mr. Abe.

The next speaker is Ms. Mayumi Komoto from the International Affairs Division of the Minister's Secretariat of the Ministry of Justice.

### **【MOJ, Ms. KOMOTO】**

Thank you very much. My name is Komoto. I focus on activity reports on our activities in justice affairs diplomacy. I will explain what is justice affairs diplomacy, international conferences and outcomes, relations with partner countries, and collaboration with international organizations. The meaning of the justice affairs diplomacy is to disseminate and promote values such as the rule of law and respect for fundamental human rights from Japan and the world, and that would strengthen Japan's judicial system, which has underpinned Japan as the world's safest and the most secure country.

We would contribute to the development of the legal system of the partner countries. That would also strengthen the bilateral relations or the relations with the partners. About 30 years ago and also for 60 years at the UNAFEI, legal technical assistance has been provided together with the ICD. We are coordinating a section within all relevant organizations of the Ministry of Justice. We also showcase the important value of legal technical assistance at international venues. That is also highlighted at the meetings of ministers and ministry officials.

First, I would like to introduce what the international conferences are and their outcomes.

In Kyoto, the 14th UN Congress on Crime Prevention and Criminal Justice was held, the largest of this area of conference and as an outcome the Kyoto Declaration was adopted. In order to implement it, as you can see here, we have organized the youth forum and Asia-Pacific meetings. Let me focus on the United Nations guidelines to prevent recidivism. The details on the reduction of re-offending is stipulated by the Kyoto Declaration, which drew high attention. We led the initiative of drafting these guidelines.

In May this year, at the CCPCJ, the so-called Kyoto Model Strategies, the resolution on this was adopted and the Kyoto Strategies was adopted at the UN General Assembly. Former criminals and local volunteers, for example, the “hogoshi” in Japan, play a very important role connecting former offenders and local communities into which they intended to be reintegrated.

Also, UNAFEI is expected to provide a seminar on this topic in order to raise the profile of these strategies. Another important congress was this, the ministerial forums. The first one is the ASEAN-Japan Special Meeting of Justice Ministers, second ASEAN G7 Justice Ministers Interface.

ASEAN-Japan relations saw the 50th anniversary this year. Taking this occasion, the special meeting of justice ministers and also ASEAN G7 interface were held. In order to implement the outcome of these meetings, these are what we are implementing. The first implementation of the ASEAN-Japan work plan is, we are trying to make concrete activities to address common challenges in the fields of law and justice in ASEAN and Japan. An example of the implementation of this work plan is a workshop. A seminar was held in October to spread best practices. It focused on the infringement of intellectual property.

The next one is a special meeting of the justice ministers, and ACT for Ukraine, and Next Leaders Forum. The G7, UNDP, UNODC, UNODC and other organizations got together to share information and challenges and the measures to be taken in order to take action for the anti-corruption effort for Ukraine. The meeting was held for the third time and the last one was held in Tokyo last November. In order to identify challenges and opportunities among experts, the next one will be held in January next year with a focus on different topics. Next, ASEAN-G7 Next Leaders Forum to develop the next generation of leaders in the judicial area in Japan and ASEAN meetings. In June and July the second meeting was held in Tokyo with 41 officials from 11 countries representing in the group discussions. They exchanged views on policy challenges, and suggested their views as to how to respond to common questions. They also visited the penitentiary and other institutions in Japan.

The ASEAN-Japan Law Ministers' Meeting was held last month and the special meeting of the Justice Ministers' Meeting was held last year. Building on that, we decided to continue this initiative. The biennial ASEAN-Japan Law Ministers' Meeting was utilized to connect ASEAN countries and Japan at the justice ministers' level. Our legal justice cooperation on a bilateral basis with ASEAN member nations has been expanded to the multilateral level to strengthen bilateral relations with partner countries.

I focused upon congresses in other multilateral fora, but we will continue building bilateral relations, for example, through strategic dialogue on law and justice with particularly strategically important partners. For example, Central Asia, Pacific Island countries, and also UK amongst the G7, and Thailand amongst the ASEAN member nations for a deeper understanding and rebuilding trust for stronger relations.

This is an example of such an initiative with Central Asian nations. From April to May, the Justice Minister visited Uzbekistan and Kyrgyzstan to meet his counterparts. They agreed on the importance of deepening understanding about the importance of justice and legal affairs in this region. In the second half of next year, the justice ministerial meeting will be held for the first time in Tokyo. As you can see here, with these UN and international organizations, UNODC, UNDP, UNCITRAL, and Economic Research Institute for ASEAN and East Asia area, we will send our officials to these organizations for stronger collaboration.

The UNODC serves as the office for drafting and implementing the United Nations guidelines on reducing recidivism. Over the last six years, the MOJ has been working together with the UNDP and we started sending officials to its Bangkok office last year. Ms. Basnyat has been taking care of our officials and we are working together to improve the access to civil justice and the implementation and formation of local projects.

As Ms. Aparna already reported last month in Bangkok, a UNESCO UNDP workshop on AI and the rule of law was held and our ministry officials also were involved in that program. Tokyo's officials also visited the meeting. Our officers stationed in Bangkok served as the facilitator. Judges and other law professionals discussed very actively, and we reported that that program was very successful. This is a very good example of closer coordination with international organizations to improve the capacity of the legal professions, and Ms. Aparna, I thank you very much for always taking good care of our officials. Taking this opportunity I sincerely extend my appreciation.

## **【ICD, Mr. HIGUCHI】**

Thank you, Ms. Komoto.

Next I would like to introduce Mr. Naoki Sugano, Deputy Director of UNAFEI.

## **【UNAFEI, Mr. SUGANO】**

Thank you for the introduction. I belong to the Department of the International Cooperation Department at MOJ serving as Deputy Director at UNAFEI. This is a training center for legal practitioners as well as judges and other judicial staff. We are a sister organization for the UN. The theme of UNAFEI is the issue at the United Nations, the international communication, and the priorities of various governments. Recently, there have been special fraud cases with bases in Southeast Asian countries. These are the themes that we focus on. Also the new UN crime prevention standard is a theme we are working on. We also have a plan to conduct various training, and there is also bilateral training that is being required. In relation to the UNODC, prosecutors from the MOJ and also staff from the correction department are seconded.

There are projects under such cooperation. Mr. Suda, a prosecutor, is also participating here. This morning during ASEAN training at UNAFEI, he was very supportive of that. Now let me report on our activities at UNAFEI. We conduct multilateral training programs. These are conducted based on various themes. After the annual conference last year, an ASEAN-Japan Criminal Justice Seminar was held for the first time. This was the ASEAN-Japan ministerial meeting, a sort of a follow-up to what was being committed, that is, international cooperation themes. In ASEAN countries there is an excessive number of inmates in various prisons and correction centers is also an issue. We also hold money laundering training. In terms with Ukraine, other training has been conducted for anti-corruption as well.

In between such bilateral or multilateral trainings, there is also bilateral assistance being conducted like UNODC. For Thailand and Vietnam training courses were conducted in Japan. For Cambodia or Timor-Leste, bilateral assistance is being provided.

I have given an overview of our activities throughout the year. Now let me touch upon some highlights of the year 2025. Number one, assistance to the Pacific nations. Last year, Palm 10, a summit meeting was held with some follow-up events together with the Bangkok office. There have been crimes or cyber crimes seen in Pacific nations as well due to various systematized anti-corruption measures in Fiji, Kiribati, Solomon Islands, and Vanuatu.

We have invited some police officers as well as prosecutors and conducted some training sessions to Fiji police officers and prosecutors. This is Timor-Leste. They have become a member of

ASEAN nations. Since 2018 they have participated in the joint research with the ICD and local prisons and a needs assessment was conducted together with the MOJ staff.

Now prison vocational programs are being conducted, developing offender assessment tools. Since last year, violence prevention program is also being held for the youth. However, the young generations are often prone to violence. The question is how we face these youth and try to correct their behavior is what we are engaged in. These are training programs. As you can see in the photos, they sit around the table, conduct workshops. We have created some tools to be delivered there. Moderators are being trained and there have been quite a number of candidates. This is the Ukraine anti-corruption efforts.

At UNAFEI, we are also trying to support Ukraine for anti-corruption by holding this training and others. Since last year, we have invited some Ukraine professionals to conduct training. Normally, only one person from a country participates, but last year there were four. We are going to invite another three this year. I would like to thank JICA for their flexibility in increasing the number of invited officials. These are multi-training or international training. Not only Kazakhstan, but countries from Africa are able to communicate with each other. They reported that it has been a good occasion for them and it was a good experience. We are also going to have a 27th international training course on the criminal justice response to corruption this and next year as well. We are co-hosting the training program in Japan together with UNODC.

Last November, a GCC was conducted and UNAFEI professors and directors were seconded and delivered some training there, and quasi-top management visited Japan for about two weeks. In July, the Kenyan Principal Secretary of Internal Affairs, as well as the probation and parole bureau staff, visited Japan. The group had an opportunity to look at the “hogoshi,” or probation officers’ activities in Japan. In a project in Kenya, a few hundred probation and parole officers are going to be recruited and we plan to assist them. How to train these people in the market is an issue.

In relation to reducing re-offending or re-offenders, we are conducting an IPPF colloquium. This organization began in the 19th century and it is an ancestor to the UN organization. They will be visiting various connection centers.

Concepts that are not in the UN standards, such as a forgiveness culture, have also been adopted. As introduced by the International Cooperation Department, next April at Abu Dhabi, the 15th UN Congress on Crime Prevention and Criminal Justice is to be organized following the Kyoto Congress. UNAFEI is going to be conducting a workshop at this occasion with a focus on

protecting women and children to build a resilient society. The same as what was introduced by Ms. Aparna from UNDP, it is going to be a permanent seminar. At UNAFEI, we also publish some documents, especially Japanese materials, every year around March.

Like those professionals or experts, documents and papers are compiled and published. This fiscal year, we have created an X account to enhance our social media presence. This concludes my presentation. Thank you.

### **【ICD, Mr. HIGUCHI】**

Mr. Sugano, thank you very much. So, we move on to the next report by Mr. Hiroyuki Ito, the Director General of ICD Research and Training Institute of MOJ.

### **【ICD, Mr. ITO】**

Good afternoon to everyone. This past July, I assumed the director general post at ICD. It is very nice to meet you. Thank you very much for joining us today. Also for the related partnership organizations, thank you very much for your continued support. Let me begin the ICD activity report. I am quickly covering an activity related to the JICA project.

This is a part of the report. There might be some overlapping content here, so I will not cover them one by one specifically, but from the ICD or the Ministry of Justice of Japan is dispatching officials to partner countries. We also plan the operation of training programs.

When there is a mission to visit a country, we are part of the mission so that we will be involved as a mission member in the planning stage to six countries: Vietnam, Cambodia, Laos, Indonesia, Bangladesh, and Nepal. Altogether, seven people have been dispatched. For the ones related to today's panel discussion, let me highlight the Cambodia and Laos-related cooperation. The aim of the program is to ensure independence, so it is very important to do capacity-building on their own.

The training for judges plays a very important part in laying the foundation for developing legal practitioners. Other than JICA's project activities, we conduct some country-focused training. I will not cover them one by one. For Timor-Leste, in cooperation with JICA, we are providing assistance as a part of legal technical cooperation. It has not finished yet, so we would like to keep on providing cooperation through this program.

This year we initiated a new cooperative project for Fiji. Other than those country-specific trainings, this slide shows the other main activities. I will not go into the details now for these

activities. This is one specific case. It is about Laos. Under Jakarta's project, we were involved as a project partner, and also in Laos NIJ and our institute have signed an MOC and we have collaborated in providing seminars. This year marks the 70th anniversary of the bilateral diplomatic relations. Today, with the development of training, as the right-hand picture shows, joint research seminars have also been held.

In Japan, there was a commemorative ceremony. This commemorative seminar looked back at the accomplishments to date. There was publishing of books. We are retrospectively looking at the record of accomplishments, and at the bottom, as you can see, in this past November, Her Imperial Highness Princess Aiko visited officially to Laos, and under Her Excellency Miss Pany, Vice-President Yathotou, The Princess Aiko said that she would be very pleased if Japan's cooperation to date, such as legal technical cooperation, development of basic infrastructure, has been of benefit to the people of Laos. During Her Excellency's stay, there were some reports of her visit, and Japanese expatriates met Princess Aiko.

Yaoita-san, the chief research advisor, had an opportunity to meet her. He is actually a member of the Legal Technical Cooperation Development Team, and he brought a very thick book on legal cooperation. The Minister of Foreign Affairs or the imperial agencies, I am not sure which agencies officially mentioned this. Without refraining from showing such a thick book to the Princess, he dared to show it. But all of them are actually written in the Laotian language. To Her Highness Princess, this might be difficult to understand what's in there. I would like to mention this episode of Yamanaka-san involving Her Highness's visit to Laos.

Also, with Vietnam, we have had a cooperative relationship. As a JICA project, this marks the end. But there is a new initiative to begin under the Ministry of Justice. It is called the Legal Exchange and Development Project, named as LEAD, as an acronym. This program is aware of equal partnership. Up to now, of course, there was awareness that the two countries are mutually equal partners, but this part remains the same for this new initiative, too. Sometimes the Vietnam side will ask for a new Insight and there will not be a change - a 180 degrees change - at all.

I personally expected that there would be no such change. However, in order to identify challenges or themes for discussion, mutually, there should be a discussion. Also mutually they will be sharing their operations and also related laws and regulations. This is a part of the actions that should be done. There might be a shift from one approach to a new approach so that this bilateral relationship should be evolving into a new type of approach. This is just a new initiative. No details have been worked out yet, so we will listen to feedback from others to incorporate it into the plan. Next month, there will be some new initiatives together with MOJ.

The final part concerns updates on our cooperation with Ukraine. Last year, Vice Justice Minister Suhak delivered remarks to us. Since then, JICA and the Ukrainian Ministry of Justice have held a series of online meetings, and there was also a visit to Ukraine from our side. During that visit, we met with Ukrainian officials, including the head of NABU (the National Anti-Corruption Bureau) and senior officials from SAPO (the Specialized Anti-Corruption Prosecutor's Office), as well as other relevant counterparts. In July, Ukrainian officials were invited to Japan for joint research activities. In addition, this month several JICA programs were conducted. A total of 21 participants—including officials from NABU, other related agencies, members of the High Anti-Corruption Court, and officers from the Ministry of Justice—were invited to take part in a JICA-organized training program. The program covered Japan's anti-corruption initiatives, relevant laws and regulations, and scientific investigation methods. From the Ukrainian side, there was also a presentation outlining their specific issues and challenges.

We continue to keep on this initiative in and after next fiscal year. This concludes my report. Thank you very much.

**【ICD, Mr.HIGUCHI】**

Thank you very much. We are going to have about a 20-minute-long break. Panel discussion will start at 20 minutes past 3:00, 3:20. We are going to start our panel discussion. Thank you.

[20-minute break time]

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## Panel discussion

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### Panelist List

#### Panelists:

Aparna Basnyat	UNDP Bangkok Regional Office, Regional Adviser
KAWABUCHI Takehiko	Director, International Affairs Div., Minister's Secretariat, Ministry of Justice
MATSUO Hiroshi	Professor, Keio University Law School
IWAMA Nozomi	Deputy Director, Governance and Peacebuilding Dept. , JICA

#### Moderator:

NOSE Kazunori	Deputy Director General, ICD
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### **[ICD, Mr. HIGUCHI]**

Welcome back. We'd like to resume the program. We'd like to now begin the panel discussion focusing on the current landscape of legal technical cooperation. Let me introduce our panelists. Ms. Aparna Basnyat, UNDP Bangkok Regional Office Regional Advisor, and Mr. Kawabuchi, Director, International Affairs of Minister's Secretariat, Ministry of Justice. Professor Matsuo, Keio University Law School, and Ms. Iwama, Governance and Peacebuilding Department of the JICA.

This session will be moderated by Mr. Nose, Deputy Director of the ICD.

### **[ICD, Mr. NOSE]**

Thank you very much. We are pleased to begin this panel discussion. Since we do not have prepared scripts, the interpreters have asked us to speak slowly, so I will do my best. Let me briefly reintroduce our panelists for those who have just joined us, beginning with Ms. Aparna Basnyat.

Ms. Basnyat has been engaged in program and policy analysis in the areas of rule of law, human rights, access to justice, and governance at UNDP since 2003. She has worked in the Asia-Pacific region, South Asia, Europe, and at UNDP headquarters in the United States. She leads governance data research and policy advisory work, particularly focusing on SDG 16. Since

December 2023, she has served as Program Advisor at the UNDP Bangkok Regional Office in the areas of rule of law, security, and human rights.

Next, Professor Hiroshi Matsuo. He previously taught at Yokohama City University and Yokohama National University, and has been a professor at Keio University since 2003. He specializes in civil law and has led civil code–related assistance projects in Laos and Nepal. He also serves on various government study committees at the Cabinet Office, Ministry of Justice, and Ministry of Finance.

Ms. Iwama joined JICA in 1995. She has worked in the Finance Section of the Public Policy Department, in the Southeast Asia and Pacific Division, and in the ASEAN Planning Section. She also worked at the Financial Services Agency. From 2017, she served for four years as Deputy Director of JICA’s Vietnam Office. She is currently Director of the Governance and Peacebuilding Group.

Mr. Kawabuchi became a public prosecutor in 2000 and has served at the Tokyo District Public Prosecutors Office, Nagoya District Public Prosecutors Office, and Nagoya High Public Prosecutors Office. He has also worked at the Embassy of Japan in the United Kingdom, the Criminal Affairs Bureau, and the Litigation Bureau of the Ministry of Justice, and later served as Deputy Director of the Planning Department of this research institute before assuming his current position in July 2025.

We have already heard reports from relevant organizations. Japan has been providing legal technical assistance to various countries through multiple organizations and approaches. This assistance began in the 1990s, and the number of recipient countries has steadily expanded.

If you look at the countries covered by ICD, money makes the world go around. International cooperation activities are dependent on the financial situation, even though the total amount remains the same. We need to focus on the change in the breakdown or allocation within the pie. Depending on the economic situation of the recipient countries, the needs for assistance also changes. For example, the economic situation of recipient countries have changed over these years. For example, Vietnam. per capita, the nominal GDP of the country in 1994 was 20.7 U.S. dollars, but it was 468.4 U.S. dollars or 70 trillion yen in 2024.

Its population grew from 70 million in 1994 to more than 100 million in 2024. Governance is a wide-ranging concept. Of course, the importance of the technical assistance for legal infrastructure building in the traditional area is important, but we are not immune from the

impact from the withdrawal of the U.S. aid and other international developments. Previously, I said that our support has expanded, but the support that we have provided to Vietnam and the support to Ukraine are a little bit different, and the same applies to justice affairs diplomacy conducted by the international section.

With this in mind, I would like to begin by asking Professor Matsuo: Has Japan's legal technical assistance changed in nature since the 1990s, or has it simply been repackaged? After that, I would like to ask Ms. Aparna and Ms. Iwama about current trends. Due to time constraints, I may also direct questions to other experts in the audience.

Professor Matsuo, thank you very much. Perhaps this question is best answered by the most senior expert in the room.

### **【Keio University Law School, Prof. MATSUO】**

Over the past 30 years of Japan's legal technical assistance, we can identify three major pillars. First, assistance in civil law and civil procedure. Japan has supported Vietnam, Cambodia, Laos, Nepal, and China in these areas. For Myanmar and Indonesia, we assisted in intellectual property law, bankruptcy law, and other specialized fields. In Uzbekistan, we supported not only banking safety law but also enforcement procedures. In addition, we have supported the development of judges, lawyers, legal counselors, and prosecutors. As these systems matured, we also assisted in developing textbooks, commentaries, and other legal educational materials, particularly in Laos, Nepal, and Cambodia.

Second, in the field of criminal justice, through UNAFEI programs, Japan has supported human resource development and improved citizens' access to justice. This includes assistance to bar associations, ADR frameworks, and legal advisory systems, as well as support for judges and Ministry of Justice personnel in Mongolia, Côte d'Ivoire, and other countries.

Third, legal infrastructure development, human resource development, and access to justice—these three pillars form the foundation of Japan's legal technical assistance over the past 30 years.

In the Japanese development cooperation guidelines, good governance is one of the goals. The rule of law is also emphasized. These are really connected. The rule of law is something inevitable. In order to have good governance, there are many discussions related to the rule of law, but in this development process in individual nations, good governance has to be very comprehensive and fundamental. Good governance as well as rule of law is diplomacy in the EU. That was the starting point, I believe. Good governance and the rule of law go together with democracy. There is this millennium development goal that has been repeatedly confirmed at the

UN, and it has become a global standard.

Now what is to be focused is that even in the general meeting at the UN, in both national and international arenas, the rule of law and good governance has to be promoted. In other words, good governance and rule of law begins at the national level, and then it can also be shared and becomes common to the international level. Building global governance and a peaceful coexistence is something to be aimed at. This idea has long been considered in Japan's own history, and we have continued to reaffirm and strengthen our commitment to such initiatives. I believe this is where Japan's guiding principles truly lie. The reports from various organizations and supporting countries, as well as the expanding range of initiatives—such as the ASEAN Work Plan and the Ukraine Anti-Corruption Task Force—reflect this ongoing effort.

I believe these efforts have been reinforced. However, when it comes to technical legal assistance, we must pursue greater caution, as well as further strengthen and deepen our understanding. We must also seek to understand history, religion, and the foundations of peaceful coexistence. These elements form the framework of security.

Defense budgets are being increased in the name of achieving peace, but can we truly feel secure by this? Various mechanisms may play a role, but I believe that diplomacy is essential for building good governance. We must continue to make every effort and urge the government to pursue peace through diplomatic means. Many people share this belief. The profound significance of legal and technical assistance must be recognized once again. That concludes my remarks.

### **【ICD, Mr. NOSE】**

Thank you very much, Professor Matsuo. Now, I would like to ask Ms. Aparna a question from a different perspective. You have listened to the various reports, and as Professor Matsuo mentioned, Japanese law, legal systems, and human resource training have long formed the foundation of Japan's assistance to many countries. This is not contradictory, of course.

The UNDP Bangkok Regional Hub has been a kind of digital hub, and you have worked on themes such as access to justice and digital approaches to anti corruption. I would like to ask about the purpose behind providing assistance through these themes, and under these thematic frameworks.

### **【UNDP, Ms. Aparna Basnyat】**

Thanks for that question. As you said, it is not mutually exclusive. I think I explained quite a bit in my presentation earlier sort of the basis for why we are focusing on different areas.

But just to mention that one of the things that we are increasingly seeing across the region—and this is really why we focus on anti corruption, access to justice, and then bring in the digital angle—is this intersection in many countries between economic fragility and weak governance institutions, including justice institutions. I think this is why, in many places, you see a kind of fragility that leads, especially among young people, to a lot of frustration with political systems and institutions that they feel are not responding to them. At the core of many of these different movements that we are seeing across the region is really this call for a more accountable system.

They are protesting against corruption, they are protesting against elite capture, but in many cases it is also a protest on the fact that they have many aspirations that are not being met. It is this intersection of economic and governance and the limits in what they can achieve – which, from a UNDP perspective, sits at the core of development aspirations.

The priorities we have outlined for our work in the region come from the recognition that we need to address these underlying structural challenges across many countries. Only by doing so can we help prevent the kinds of triggers for protests that we are seeing in so many places and avoid the disruptions that follow.

Justice systems really have an important role to play in being able to restore this trust. This is where the digital part also comes in because investing in digitalization of court systems, investing in more transparent court systems and leveraging new technologies to be able to improve access to justice for people becomes a critical way in which people also see that the state is working for them. These are the types of issues that we see being raised across many countries.

Just to give an example, in Bangladesh we are working very closely with the Supreme Court to support the justice roadmap that has been developed, and to help roll it out. This roadmap is essentially a reform agenda—one that focuses on the separation of powers, an independent judiciary, and ensuring that the justice system is one people can trust, countering the perception that it can be instrumentalized or politicized. They are really trying to move this forward following uprising.

And in Nepal, similarly, the Supreme Court was burned down when the uprising took place because there was so much anger around corruption within the justice system.

I think this is where they have really tried to move quickly to see how they can digitalize and modernize the justice system because so many of the case files were still on paper. The question is: how do we shift all of that into a digital system—one that gives people better access to information—and at the same time avoid going back to the old paper based system. Instead, how

do we use this opportunity, this crisis, as an opportunity to do something more? These are the kinds of issues and trends we are seeing across the region.

And of course, there are other issues emerging as well. We are seeing many young people calling for action on environmental justice and climate justice, and that is why some of the areas I highlighted earlier are becoming clear priorities in the region. Thank you.

**【ICD, Mr. NOSE】**

We cannot separate the processes because it is also related to the budget making processes too. For JICA, could you tell us your entire budget trend and also the trend surrounding the governance areas as she's referred to the point?

**【JICA, Ms. IWAMA】**

Thank you very much for giving me this opportunity. Thank you very much for your ongoing solid support for our activities. From question number one. He has given me a very difficult question to answer. Let me start with the outline of Japan's ODA first.

As you may know, ODA reached its peak in 1997. Since then, it has risen and fallen somewhat, but at present it stands at about half—roughly 50 percent—of that 1997 peak. It was mentioned earlier that even 30 years ago, and even before that, UNAFEI training programs were already in place. Legal technical cooperation later developed as an extension of those activities.

While the overall level of ODA has trended downward, legal technical cooperation actually increased toward the year 2000, and then more or less plateaued afterward. In this manner, we can visualize the trend. More recently, of course, because of COVID-19, visitors from other countries were unable to come to Japan, but this is the overall trend.

When we look at the broader governance sector, cooperation extends not only to the police but also to public financial management and even customs. So it is not limited to the legal field alone. JICA receives funding and allocates its budget accordingly, and roughly 2 percent is dedicated to governance. Within that, legal technical cooperation accounts for about 0.5 percent on average. We are not talking about absolute monetary amounts here. At JICA, we implement a wide range of technical cooperation projects and training programs, and our partner agencies request support in various legal technical areas. There are also other types of cooperation projects that function more like consulting arrangements. Simply put, the size of each project varies from one to another, but there is not a huge difference in the level of resources required.

Recently, we have been facing a challenge that I am sure you are experiencing both at home and

within your institutions—the impact of the yen’s depreciation, along with rising inflation. Even though the nominal amount of funding we receive has not changed, these trends have affected what we are able to do and what we are able to offer. So the question of how wisely we allocate these limited resources has become absolutely critical. As mentioned earlier, the needs of our partner countries are also evolving, and it is fundamentally important that we align our support with those changing needs.

For example, in Vietnam, the LEAD program of the Ministry of Justice of Japan was introduced in the first year. There may have been a one year interval, but we received a request from Vietnam to continue the cooperation project. We may have discussions to better understand the specific needs they have, but the requests are certainly there.

In the past, many long term experts were staying in the country, but now that has become more difficult. So we are increasingly relying on timely, ad hoc support. Our intention is to respond flexibly to our partners’ needs and still deliver solid results.

**【ICD, Mr. NOSE】**

Okay, I can question you afterward. For now, let me pause here, if I may.

Now, Mr. Kawabuchi, we began with a rather high level question. We are talking about legal and technical cooperation, which forms part of the Japanese government’s broader policy. How should this legal and technical cooperation be implemented in alignment with the Japanese government’s policy? May I ask you about it first?

**【MOJJ, Mr. KAWABUCHI】**

Yes, thank you for your question. At the Ministry of Justice, I have been involved in international affairs, but I have not had much direct engagement with the legal and technical cooperation side. And unlike in some other countries, no one will suffer any negative consequences because of what I say here.

I can see my supervisors in the audience, so this feels a bit like a pressure test for me. Please allow me, therefore, to speak in a personal capacity. These are thoughts I reflect on every day. Since legal and technical cooperation is implemented as a national government program, there really should be a clear framework for how it is carried out.

We need to ensure that our work is aligned with government policy—that is the starting point. Of course, legal and technical cooperation involves many different actors: academia, professors, bar associations, and the private sector. But my comments today are from the perspective of the public

sector, or the national government. As Professor Matsuo mentioned, legal technical cooperation is one component, and above that sits a broader framework of development cooperation. At an even higher level, Japan's diplomatic policy is in official documents.

We cannot disregard these levels of policy and guidance. For example, if you look at national security strategy documentation, you will find statements that emphasize Japan's commitment to pursuing national security policy based on enduring values, in cooperation with other countries. In the Asia Pacific region as well, we face various environmental and legal challenges.

There must be a commitment to realizing open, free, and transparent societies. As the professor mentioned, promoting such societies is fully aligned with our national benefits and interests. Legal and technical cooperation should serve this objective—it has historically done so, and that remains unchanged today. This, in my view, is the position the national government should continue to uphold. That is my personal perspective.

### **【ICD, Mr. NOSE】**

Let me return to Professor Matsuo. In the late 2010s, our department and JICA expanded our support beyond the three Mekong countries to include Myanmar and Indonesia. Why was this necessary? It was justified in a certain policy context, but in terms of our ideals—Japan's principles of legal technical cooperation and the rule of law—that was one consideration.

With that in mind, do you think our decision to extend support to Myanmar and Indonesia is consistent with those ideals?

### **【Keio University Law School, Prof. MATSUO】**

Well, thank you. In the 1990s, Japan's legal technical support was, in my view, aimed at improving the economic environment. For example, from the late 1980s onward, support for the development of market economies began—particularly in transition countries such as Vietnam and Laos—so that the necessary institutions for economic activity could be established. That is why we started working on investment laws, commercial laws, and commercial codes. This continued into the 2000s.

As the Japanese economy slowed, the economic potential of Southeast Asian countries became increasingly attractive for Japanese investment, both in terms of capital and human resources. In that context, legal technical support naturally played a role, and this type of assistance did not contradict the ideals underlying Japan's legal technical cooperation. We continued to support it.

We began in 2009, and with the 2013 revision, the improvement of the investment environment

was added as an objective. That was a little controversial, because some argued that it appeared to be a blatant attempt to benefit Japanese businesses. For instance, a few Japanese officials who had worked at the World Bank said that such wording was unacceptable. Of course, this was not a one sided approach. We undertook that work—and continue to do so—because we genuinely believe that legal technical assistance should serve the interests of the recipient countries, not Japan.

This ideal has remained consistent, and it remains the right one. Our focus is not only on economic interests but also on governance issues. For example, the anti corruption efforts in Ukraine show that our perspective has broadened. In the 1990s and early 2000s, I think the overall direction stayed largely the same, but by the 2010s, our focus had expanded to include governance.

### **【ICD, Mr. NOSE】**

Thank you, Professor Matsuo.

Ms. Aparna, may I turn to you next? The UNDP Regional Hub in Bangkok has been supporting countries in the area of governance. How do you see the current trends in governance assistance? Are there areas where other organizations are focusing their efforts, or areas where mandates overlap? Or do you find that different donor organizations tend to carve out distinct areas to minimize duplication?

### **【UNDP, Ms. Aparna Basnyat】**

From where we sit in UNDP, we see the broader donor landscape evolving, as you also mentioned. In terms of the governance support we provide, while we continue to define our support together with our partner countries and accompany them on their development journeys, we also work to implement various initiatives with our development partners as well.

Over the past year in particular, we have seen quite a shift in the landscape in terms of interests of different development partners. One of the clearest points for us—and I touched on this in my presentation as well—is that the engagement we are seeing is no longer strictly sector specific. Instead, there is a growing emphasis on addressing complex development challenges through a much more integrated and intersectional lens.

For example, there is strong interest from partners in environmental justice, but they are approaching it through multiple perspectives: business and human rights, youth perspective, environmental perspective and of course justice systems. The focus is really on tackling complex issues from several angles at once, rather than working within individual sectors. Another area that continues to emerge strongly—and this also came up in your first question—is digital and

AI related work.

It really is at the forefront of what many countries—whether developing or otherwise—are dealing with. On one hand, there is the potential to harness these technologies to improve and modernize the justice sector, as I mentioned earlier. On the other hand, there are the emerging harms that need to be addressed. We are seeing challenges around information integrity and information pollution, including the use of deepfakes. These issues are big challenges because they can influence political processes.

These are the kinds of areas where we are seeing growing interest. Another issue closely linked to the digital space is technology facilitated gender based violence. Gender based violence already exists offline, of course, but now we are seeing it replicated in online environments as well.

It is really about addressing these new forms of governance, new forms of violence, and other emerging challenges in the digital space. There seems to be interest in engaging on these issues. Another point I would highlight, in terms of donor priorities, is the growing focus on aligning trade and economic interests with foreign policy objectives in the development space, including in the area of security.

Other panelists have also touched on this. Some of our work on the rule of law is aimed at strengthening the enabling environment for doing business in different countries and encouraging greater investment. This is very much in the interest of developing countries who want to see increased investment in their countries.

I think connected to that, particularly in relation to our business and human rights work, there is also a link with the trade and investment agenda. We are looking across global supply chains to ensure they meet environmental and human rights standards. These are some of the areas where we are seeing different work moving ahead in the governance and rule of law space.

On the last point about security, from UNDP's perspective, we really view investments in human development, and in rule of law and governance, as a means of prevention. It is about ensuring that institutions are strong and responsive, and capable of preventing crises or conflicts before they emerge. In that sense, development investments—and investments in these systems—are also a form of security investment. I will stop there.

### **【ICD, Mr. NOSE】**

Not only in terms of legal technical support, but in terms of governance, what areas do you see expanding beyond legal assistance? If the share allocated to legal assistance is likely to shrink,

then which governance areas will see growing demand? What will you be focusing on more, or what do you expect will expand? That's what I'd like to hear.

### **【JICA, Ms. IWAMA】**

Globally—this is not specific to Japan—we are seeing shifts in ODA. As has already been mentioned, with the new U.S. administration, there has been a change in approach. Funding is moving from ODA toward military budgets, not only because of Ukraine and Israel, but more broadly. Within the OECD DAC donor community, we are also seeing more right leaning governments and parliaments, and a growing “nation first” trend.

Within this context, governance assistance is expected to be affected. Traditionally, the top four donors in this area have been the U.S., France, Germany and the U.K., but these major donors have decided to reduce their support. Governance related ODA is crucial, and for those of us working within this network, we need to consider how we will adapt to this new environment.

There is a shift underway, and the areas likely to be most affected include support for freedom of the press, justice, civil society, and civic space. U.S. and European donors, as well as NGOs that have relied on funding from various institutions, will also feel the impact of this trend. The ecosystem that has supported these actors may face risk of collapsing in the future. This is a crisis. Our cooperation has traditionally been through public institutions or governments.

We have been active in a complementary way. We have not been so conscious about it, but we have taken it as a given, that all the initiatives may come to an end, and that the impact of their disappearance will only be realized later. Going back to your original question, amidst this kind of situation, the legal development or framework development, like Vietnam, Indonesia, maybe cooperation is ending, like China.

Depending on each country's legislative process, cooperation and assistance are shifting toward a hybrid or fusion-type model, something like a “Legal Technical Cooperation 2.0,” as we see in Mongolia or Uzbekistan. JICA's projects are also reaching their final stages. Yet for you, and for students who have studied in Japan and returned to their home countries, there may be growing expectations for new initiatives that they feel are needed back home. These needs are diverse, ranging from digital data fields to emerging areas of advanced research.

Training programmes related to access to justice have been conducted in collaboration with the Japanese Bar Associations for several years. There have also been projects involving community probation volunteers in Kenya. I see these as examples of more people-centered forms of

assistance.

The more immediate needs—such as those of women, youth, children, and laborers—are areas where we need to focus on more. Issues related to business and human rights also fall into this category. Since last year, as Aparna-san mentioned, conflicts continue to exist across various countries, and our counterpart institutions—such as the courts in Nepal—may even be burned down or destroyed. It may not always be as severe as we imagine, but from the perspective of the people who hold rights or interests, we sometimes sense that we are being viewed as the ones who have been granted those rights, or that these rights are somehow given to us.

It would be ideal if people understood that we are doing this for their benefit. However, there is also a sense of resentment, and a feeling that the state must take certain measures—for example, assistance in anti-corruption efforts. We hear calls for that type of support.

As for overall governance, one of the recent trends we are seeing relates to cross border crime, which was mentioned in the initial presentation. There are growing calls for stronger countermeasures. Working alongside the police, financial crime responses and global networks need to function as shared public assets, with the relevant authorities properly connected to one another.

When it comes to cross border cases, a single project can span 18 countries, for example. This means we need to rethink our approach, because addressing cross border issues requires us to cover a far wider range of jurisdictions. We need to find ways to cooperate more efficiently.

### **【ICD, Mr. NOSE】**

Iwama-san, thank you very much. There are two points I would like to clarify. First, toward the end of your remarks, you referred to global resources being treated as a kind of public asset. Could you explain more precisely what you meant by that?

Second, regarding anti-corruption measures: I must admit I do not have direct experience in this area, but in the context of international financial institutions, when they provide loans, are there specific requirements or safeguards related to corruption? In some cases, such measures may even be conditions for receiving the loan. If such criteria or measures—like anti-corruption frameworks—are imposed, they are not only for protecting vulnerable groups. Do they also carry broader economic significance? I would appreciate hearing your views on how you understand this.

### **【JICA, Ms. IWAMA】**

Regarding your first point—whether human networks can function as a kind of public asset—let

me explain using the example of financial crime. In Nigeria, for instance, there are not only police units but also several competent financial authorities and specialized financial crime units. There are as many as eleven such bodies in the country.

If information sharing networks are left as they are, these multiple units do not necessarily work together smoothly. To address this, we brought these units together—ordinary police officers, specialized financial investigators, and others—in the same room under the framework of cooperation with INTERPOL. We conducted training of trainers sessions so that outstanding participants could later serve as instructors. That was the first phase. Targeting at the central west region in Africa, we will expand this kind of approach to 18 countries.

We then expanded this approach to 18 countries across West and Central Africa, covering both English speaking and French speaking countries. Although many of these countries have designated contact points with INTERPOL, some of those contact points were dormant. Therefore, part of our work involved reactivating and strengthening those channels of communication.

When there is some incident, the Interpol receives the relevant information. Then, if that's the case, this kind of crime or incident is now being planned. It is possible to detect such signs if there is better information sharing. Similarly, in collaboration with the WCO, we continuously conduct training programmes in areas such as customs valuation and classification across 21 African countries. These programmes target individuals who can be certified as instructor candidates and experts.

### **【ICD, Mr. NOSE】**

In the context of anti-corruption measures, you take the anti-corruption measures, and from international financial institutions, such anti-corruption measures sometimes are part of the essential requirement for banks and others to allow loans. So, is that the case? Or the anti-corruption measures taken would be not just for assisting the protection for the vulnerable, but also for the future economic development. This could be a part of promoting the underlying economic structure. That was the kind of question I asked.

### **【JICA, Ms. IWAMA】**

Thank you for your question and clarification. For anti corruption, it is not always clear what specific countermeasures should be taken, and it is difficult to identify them precisely. Recently, we have seen an increase in international conferences on anti corruption, the establishment of anti corruption commissions, and the introduction of regulations based on international standards within countries.

Regarding anti corruption measures: international financial institutions sometimes require such measures as essential conditions for providing loans. And if so, are anti corruption measures not only for protecting vulnerable groups but also important for future economic development? In other words, do they help strengthen the underlying economic structure? That was the point I wanted to ask about.

However, many countries say that it is very difficult to eliminate corruption entirely. How to make these measures more effective is really the key question. In fact, one of the conditions set by international banks and financial institutions is the establishment of proper structures and systems.

To assess effectiveness, there are international indices, and it is also possible to conduct interviews or hearings with relevant stakeholders. Through these methods, you can get a clearer picture of how well the measures are functioning. As you mentioned, interpretations of appropriate anti corruption measures vary significantly from one country to another.

From an investor's perspective, weak anti corruption systems can lead to increased costs and greater compliance risks. These aspects must be taken into account. It is important that corruption issues are handled in a fair and consistent manner. Even if the immediate negative impact is not obvious, strong anti corruption measures contribute to a more stable society in the long run.

That said, it remains unclear what specific measures should be taken. One example is the use of data analysis in public procurement.

You conduct risk analyses, identify warning signs, and carry out forensic analyses. In the anti corruption context, the use of such data is increasingly being discussed. I would like to study this area further, as we do not have many resources in Japan dedicated to it.

### **【ICD, Mr. NOSE】**

Thank you. Recently at JICA, we conducted anti corruption training for Ukraine, and an expert in public procurement covered this topic in detail.

I have a question for Ms. Aparna. Earlier, the withdrawal of USAID was mentioned, which in effect means a major reduction in U.S. assistance. The conflicts in Ukraine and between Israel and Palestine were also brought up, and it was suggested that European funding may now be redirected toward these areas.

So my question is: in the Asia Pacific region, as global attention and funding shift toward the Ukraine war and related crises, what kind of impact are you seeing? From your perspective, how is this decline in available funding affecting Asia Pacific countries?

**【UNDP, Ms. Aparna Basnyat】**

Thank you for that question. As you mentioned, we have seen an overall decline, and the U.S. funding cuts in particular had a noticeable impact on us at UNDP. We had several ongoing collaborations with the U.S. in places like Laos and Pakistan.

These cuts affected our country level work, especially in the justice sector, and we had to rethink our priorities at the time. We also had a new program with the U.S. on anti corruption and the rule of law in South Asia, but that had to be stopped as well. So there were quite a few programs—both regional and country level—that were affected. For us, the impact was certainly felt in our programming, but I want to echo what my colleague from JICA mentioned earlier: the broader impact was really on civil society in many of these countries. As I said in my presentation, we are working in an environment where civic space is shrinking. When many civil society organizations suddenly lost funding, there was a real risk that progress on the rule of law and human rights could slide backward even further.

Despite decades of investment in the rule of law and human rights, this shift in priorities—not only from the U.S., but from other partners as well—really risks pulling attention away from maintaining momentum in these areas. In some cases, when civil society groups can no longer operate because of funding cuts, it also weakens accountability—both for governments and for businesses. So the impact goes beyond just programming; it affects the whole ecosystem that keeps institutions in check.

But on a slightly more positive note—because I know this is a challenging environment—I do think many states are still interested in supporting multilateralism, even if they have stepped back a bit from the multilateral system itself. There's still recognition that cooperation is necessary. As I mentioned earlier, many of the issues we are dealing with—whether trade, investment, or security—are cross border challenges. So the need for multilateral cooperation hasn't gone away.

I think the other thing I would say is because this shift away and for more, I think somebody also referred to this, more policies that are looking at domestic priorities or looking at their own foreign policy or trade priorities, there's much more of an interest within the region and in collaboration between countries, and I think that really is interesting to see because it is not so much from the outside but within Asia, and within whether it is ASEAN countries or bilateral

cooperation between countries, in the rule of law and human rights I mean I think broadly as well.

I would also add that, with this shift toward more domestically focused policies—whether on foreign policy, trade, or other national priorities - there's been a noticeable increase in interest within the region itself. Countries are looking more to each other, rather than relying on actors outside Asia. This applies not only to the rule of law and human rights, but more broadly across different areas.

What's interesting is that we are seeing much more regional collaboration. For example, different Supreme Courts in the region have been meeting and signing MOUs with one another. We are also getting more requests from countries asking us to help them learn from each other and strengthen cooperation on issues like judicial independence. Others tell us that global level discussions feel too abstract or too distant, and that what they really need is practical, region focused cooperation.

So overall, there's a clear shift—either toward advancing these agendas independently within the region, or toward deepening regional collaboration to move them forward. I'll stop here. Thanks.

### **【ICD, Mr. NOSE】**

Ms. Aparna, may I continue with a few more questions? With the reduction in support from USAID—and perhaps from other organizations as well—was the biggest impact felt in terms of funding, or personnel? That is my first question.

Secondly, as you mentioned earlier, USAID accounted for a significant share of assistance. How do you think we can fill the gap created by its withdrawal?

### **【UNDP, Ms. Aparna Basnyat】**

Thank you for those questions. If we speak specifically about UNDP, our work is organized through various initiatives and projects, so the impact was felt across many of the programs we implement with our partner countries. The short answer is that the cuts affected both funding and personnel. It was not so much U.S. staff being withdrawn, but rather the staff we had recruited to carry out these initiatives. In several countries, the funding stopped very quickly and abruptly, and that had a significant impact.

As for your second question—what we are doing to fill the gap—it is indeed a large gap. This is true not only for the U.S., but also for other donors whose priorities are shifting.

I think for us, we are really looking at new models to keep our different areas of work moving forward. We have been talking with various foundations and the private sector, but as I mentioned earlier, a big part of this is figuring out how we can invest more within the region itself.

At UNDP, we already have programs where governments partner with us directly and contribute to advancing projects in their own countries. And we are also seeing much stronger regional cooperation to push these initiatives forward.

The gap left by the funding cuts is definitely large, but at the same time, there's growing interest in more collective action and shared learning at the regional level.

### **【ICD, Mr. NOSE】**

Thank you very much. Ms. Iwama, legal assistance—or legal technical assistance—started back in the 1990s and has continued for about 30 years now. The current approach is the project type model. How do you see the future of this traditional model? Do you think there are other approaches or new ways we could provide legal technical assistance?

### **【JICA, Ms. IWAMA】**

When it comes to project type technical assistance, we usually send one or more experts for about five years. This model has been very stable over the past 30 years and has produced good results. Institutionally, we are not restricted in continuing this approach.

We have a great deal of flexibility in designing our projects. We can shape them in many ways, depending on our creativity and the resources available. Various modules can be combined into a single package, which then becomes what we call a project type assistance model.

Typically, in the initial stage, we begin with a rather loose design for the first one or two years while conducting baseline surveys. After that, the project gradually evolves into a more detailed design and then moves into implementation. That is one approach. Another approach is a two phase model, where—although the number of cases is limited—projects may be suspended or terminated if certain conditions are not met.

We also sometimes outsource implementation to consultants, or use a hybrid model that combines consultants with the more traditional approach. A project type framework allows us to take advantage of the strengths of different study methods. The way we provide assistance can vary depending on conditions in the field. Judges and prosecutors are extremely limited and valuable human resources. If they are required to stay in one location for a long period, it can create difficulties. At the same time, the resources Japan can allocate are increasingly under

pressure. Our legal experts are unique and scarce assets, and we need to be more creative in how we make the best use of these important human resources.

**【ICD, Mr. NOSE】**

Thank you very much to the Japan Bar Association and UNAFEI. As they mentioned, their support is more task specific rather than project type. What do you think about that approach—Knowledge Co-Creation Program (KCCP) for Group—as a way of providing legal assistance?

**【JICA, Ms. IWAMA】**

Thank you. Yes, regarding Knowledge Co-Creation Program (KCCP) for Group—although I’m not the direct expert on this, as another team in our organization handles it—the main challenge is that the funding sources are different. With issue specific approaches, there tend to be more conditions and limitations attached, especially for governance related projects. There’s also more financial pressure.

Even though we try to prioritize important areas, the number of projects in this field has actually decreased by about 20%. JICA does still run KCCP for Group in various areas, but overall, the budget for them has been shrinking. At the same time, there are many issue specific trainings that still need support.

I think the real value we can offer is showing what we actually do in Japan. It is not only about sending Japanese experts overseas for training. We can also invite experts from other countries to come here and see our practices firsthand. By experiencing things directly, they can take away lessons most practical to their situations.

**【ICD, Mr. NOSE】**

I’m sorry for changing the order of questions, but I would like to ask Aparna-san once again about the same issue. In our country, someone mentioned earlier the long-term cooperation between Japan and Vietnam. For about 30 years, we have been providing support to Vietnam, and that project will come to an end this December.

Over that period, we have built up human resources, networks, and various forms of expertise. Within Japan’s institutional framework, how should we preserve and accumulate these assets?

Since we do not have much of this expertise ourselves, I imagine UNDP has handled many projects over the years and has gained a great deal of experience. You don’t simply end a project and walk away. Within UNDP, how do you retain and build on your human resources, networks,

and expertise? From your own experience, I would like to know how you capture and preserve that institutional knowledge.

### **【UNDP, Ms. Aparna Basnyat】**

I think I understand your question. You are asking how we maintain networks and ensure long term impact even after a project formally ends. At UNDP, as I mentioned in the slide, we have a country presence in about 25 countries in this region, and around 170 worldwide. Those offices work across a wide range of areas—not only the rule of law and human rights, but also poverty reduction, environmental issues, and more.

That presence remains in place for the long term, and in many cases continues well beyond the lifespan of any single project. When we implement projects, we usually do so in partnership with national counterparts. Except in crisis situations, UNDP is not the one directly implementing activities; they are carried out through national partners.

The idea from the very beginning is to build sustainability into the project—ensuring that its impact lasts, and that capacity is strengthened within national institutions such as the Ministry of Justice, the Supreme Court, or the legal aid authority.

So in that sense, our investment is really in building national capacity and ensuring national ownership of project outcomes. Of course, this can be challenging at times. In the specific case I was involved in—which also relates to your earlier question—the ASEAN Judicial Integrity Network was one of the U.S.-funded initiatives that came to an end. We have a network of 3,000 very active and engaged judges. Even though we had to close the project, our Bangkok office is still there, and we continue to support some of the network’s activities through the capacities we still have. But naturally, we are no longer able to engage at the scale we would ideally like.

I think there are two important points here. First, we need to think about sustainability from the very beginning—when we design the initial concept—so that once we exit, the work is already embedded in and owned by national partners. Second, because we remain present in many of these countries, we stay in continuous dialogue with national counterparts and development partners. That allows us to build on the results of projects that have ended, identify emerging priorities, and develop new programming accordingly.

I hope that addresses your question.

### **【ICD, Mr. NOSE】**

Thank you. I would now like to ask Mr. Kawabuchi a question. We have heard comments from Ms. Aparna and Ms. Iwama, and especially from Ms. Aparna of UNDP, about cooperation with

international organizations. Japan also seconded personnel to these organizations. If the Ministry of Justice could do everything on its own, then we could simply proceed alone. But in reality, collaboration with international organizations seems to be an essential means, and it carries particular significance. I would like to hear your thoughts on the importance and value of such cooperation.

**[MOJJ, Mr. KAWABUCHI]**

Thank you. I thought I might not have another chance to speak. In general, by working with international organizations, the Japanese government can reach places and achieve things that it could not accomplish on its own. We are also able to make use of the expertise and information that these organizations possess.

Today's theme is the trends in legal technical assistance and the current position. I believe there are many benefits we can gain from this. As I mentioned in the slide, UNDP—where Ms. Aparna works—accepts JPO fellows and other secondees. Through such arrangements, we can learn about people centered justice and emerging approaches to assistance, and we can work together to provide support. By collaborating with international partners, we also contribute to preventing re offending. These experiences and lessons can be shared globally, not only within Japan, and they can be fully developed here as well.

By working together, we can achieve a higher goal that would be difficult for any single country to accomplish on its own. For example, Japan also seconded personnel to the UN Commission on International Trade Law. There, the Japanese government has proposed the digitalization of arbitration procedures, and discussions on modernizing the law are underway. This is an area where Japan has been actively contributing to the development of international standards—something that cannot be done by one country alone. In legal technical assistance, there are times when support is needed in areas that are not necessarily Japan's own specialties.

By collaborating with international organizations, we can also absorb new skills and knowledge. However, cooperation with international organizations is not without challenges. Realistically, there are many ways of collaboration, but seconding personnel and working together requires significant investment. It costs money—not only for personnel, but also in the form of contributions and donations. We are also asked to cover commissions or project fees, which can amount to tens of millions of yen. I apologize for mentioning this in front of Ms. Aparna.

Sometimes we are criticized by the Ministry of Finance and the Board of Audit. They say that our management of activities with international organizations is too loose. We are constantly

being told to improve efficiency—both for ourselves and for our partner countries. Finding the most effective approach is something we are always trying to figure out. I’m sorry this is a bit abstract, but many people have already been seconded, so perhaps Mr. Sugano or others may be better suited to answer this.

**【ICD, Mr. NOSE】**

Then why don’t we ask Mr. Sugano. Could you tell us what really happens behind the scenes?

**【UNAFEI, Mr. SUGANO】**

I didn’t expect to receive this question from that angle. I thought I would be asked about how UNAFEI builds networks and makes use of them. I was prepared for that. But I wasn’t expecting a question about seconding staff to counterpart organizations.

The collaboration between UNAFEI, in my presentation, I covered it in a concrete way. To go further, UNAFEI, although it is a United Nations PNI, it is run by one unit of the Ministry of Justice, so we set up priorities accordingly. For the Pacific-related countries, the research department and the UNAFEI are collaborating, and also under the contribution from the Ministry of Foreign Affairs. Resources are coming, not just from the Ministry of Justice, but also from the Ministry of Foreign Affairs. As a UNODC’s staff member, I am paying attention to that, and also how we will be making a link with other projects from the Ministry of Justice. I am working together with Mr. Suda.

In my presentation, I explained UNAFEI’s collaboration in concrete terms. To add a bit more, although UNAFEI is a United Nations PNI, it is operated by a unit within the Ministry of Justice, so we set our priorities accordingly. For work related to Pacific countries, for example, UNAFEI and the Research Department collaborate closely, and we also receive support from the Ministry of Foreign Affairs. So our resources come not only from the Ministry of Justice but also from MOFA.

As a staff member of UNODC, I pay close attention to how these different streams connect, and I work with Mr. Suda on how to link our activities with other Ministry of Justice projects.

Recently, we held the ASEAN–Japan Criminal Law Seminar. We used an investigative tool and a template developed under Mr. Suda’s leadership, funded by the Ministry of Justice, and we are making active use of that as well.

We still face an ongoing challenge in making full use of the network of the Research Institute of China. We need to consider how we can effectively utilize this existing network and generate

positive outcomes, and how we can share that knowledge with JICA staff as well as the International Affairs Division of the Ministry of Justice. In practical terms, this is part of the mission for those who have been seconded to international organizations. After returning, they must work in cooperation with colleagues such as Mr. Suda and Mr. Nagata, and I would like to prepare some materials to facilitate that sharing.

### **【ICD, Mr. NOSE】**

This may be an unexpected question for you, but thank you very much for your response. Given the limited time, I would like to ask Professor Matsuo the following. As I mentioned earlier, legal technical cooperation programs have evolved, but their core mission and spirit remain unchanged. Going forward, we believe we should continue to uphold that original philosophy. At the same time, we would like to understand the direction these programs should take—how they should be operated, and what new frontiers or areas they should cover. Professor Matsuo, this will be the final question for the panel.

### **【Keio University Law School Prof. MATSUO】**

Thank you very much. The direction of legal technical cooperation and which way we should go.

Thank you very much. Regarding the future direction of legal technical cooperation—where we should be heading—if we look back over the past 30 years, the partner countries, legal systems, and areas we have worked with have diversified significantly. We started small, but gradually expanded into broader fields. There was never a single, fixed direction set in advance.

Now, we are seeing new technologies and institutions emerge, such as AI. One important trend for the future is that legal cooperation should not be limited to specialists alone. We need to broaden our horizons—both in terms of the areas we cover and the people who participate in these programs. Ultimately, the goal is to involve a wider range of individuals, so that legal technical cooperation becomes something that engages everyone, not just a narrow group of experts.

Many of you have various ideas, and you may feel that certain areas need to be strengthened or that cooperation is needed in specific legal fields. As I mentioned earlier, national security is also an important factor. For those who are legal experts, there may be moments when you wonder, “Why am I stationed in another country, far from home? What exactly am I doing here?” In that sense, I would like to offer an answer—perhaps the answer you are seeking.

The underlying philosophy is important. It is not about the standards of one particular country; it

is about how we understand and embrace this philosophy ourselves. Ultimately, we should aim to create a society where everyone feels comfortable, safe, and secure. Whether someone is visiting Japan as a non Japanese person, or a Japanese person is living abroad, we should strive to build such a society. This can certainly be viewed as part of national security, but in simpler terms, it is about ensuring that everyone—including non Japanese residents—can live with a sense of safety and security. When we provide support and assistance to non Japanese residents in Japan, we help create such a community. And when those individuals eventually return to their home countries, they may carry these experiences with them and initiate similar efforts there. That, I believe, is a very important point.

Providing support for international students in Japan is also a good example. After completing their studies here and returning to their home countries, they can carry their experiences with them and apply them in positive ways. Of course, this requires a considerable amount of funding. For the students in this audience—and for those of you who may come from other countries—I hope you will make friends here and visit each other’s countries in the future. This, too, contributes to realizing the philosophy behind legal and technical cooperation. I know I am not answering your question directly, but this is how I feel when I reflect on the past 30 years.

**【ICD, Mr. NOSE】**

Thank you very much for your comments. I’m running a little behind schedule in moderating this panel discussion, so we will conclude the panel here.

**【ICD, Mr. HIGUCHI】**

Please join me in giving a warm round of applause to our four panelists—Ms. Aparna, Mr. Kawabuchi, Professor Matsuo, and Ms. Iwama—and to our moderator, Mr. Nose. Thank you very much. We will now take a 10 minute break. The next program, the Q&A session, will begin at 5:05. Thank you.

[10-minute break]

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## Q & A Session

### **【ICD, Mr. HIGUCHI】**

Welcome back. We are now resuming the session. We will have a general questions and answers session.

Please ask and answer questions either in Japanese or English. Please use the interpretation receiver if necessary, and Ms. Aparna Basnyat will provide answers in English, which will be translated into Japanese. Please use the channel as indicated at the front. If you have questions addressed to specific speakers, that will be possible. If general questions are asked, I will direct it to the most appropriate person to answer. If you have a question, please raise your hand.

### **【Nagoya University, Prof. Emeritus AIKYO】**

My name is Aikyo, and I am a professor emeritus at Nagoya University. We focus on the current landscape of legal technical cooperation. I am uncertain whether the organizers of this program fully understand this concept. My question is: for whom do we provide legal technical assistance?

For example, Korea's Institute of Law and Justice, which openly states that its objective is the *export of its legal system*. South Korea considers its Constitutional Court a national achievement, and it attempted to export it to Vietnam. A decade ago, a project was initiated for various reasons and Vietnam ultimately decided not to establish a constitutional court. So what about Japan? For the rule of law and the countries ruled by law, such a system should be provided. Such an assistance should be provided in order to establish such a system in the recipient countries.

But instead, Japan's legal technical assistance has primarily focused on developing legal institutions that support economic activities. That is my understanding. Also, in order to understand the current landscape, we have listened to today's discussions, but as some reporters hinted, I found some logic was not clear for me. In the 1990s, Japan started legal technical assistance, for example, to Vietnam. Was the political situation of Vietnam at the time, not its economic situation, different at that time?

Because, whether you like or not, when it comes to the political conditions of Vietnam, I think that was not clearly defined by any of the speakers today. One important piece of the puzzle is missing. That's what I have felt. I am not directing this question to a specific person, but what is the current landscape of Japan's legal technical assistance? Would someone answer the question?

**【ICD, Mr. HIGUCHI】**

Thank you very much. I believe that this question is addressed to the ICD, organizer of today's program. Perhaps Mr. Nose, Deputy Director General, ICD.

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**Speaker: NOSE Kazunori**

Professor Aikyo, thank you very much for your question. I think this is a valid concern. Let me explain how we made a decision on this subject. In 2000, Japanese stakeholders were invited to exchange views at the conference. And today, the main theme was what kind of assistance can be provided and what we can learn from the situation in Ukraine. That was the primary focus this year.

Of course, many things have changed over the past 30 years, but after 24 or 26 years, the same issues may be understood differently depending on the U.S. perspective. Vietnam has been a leading project in our legal technical cooperation, and our project is now coming to an end.

Of course, it would be ideal if we could reach the goals of our current legal technical cooperation, but our intention today was to explore that path. So, as you mentioned, if a piece of the puzzle is missing, then we need to identify it and bring it back as we consider the way forward. Twenty five years have passed, and perhaps all those who have been involved over this period need to reflect and review in order to find the best way forward. Thank you.

**【ICD, Mr. HIGUCHI】**

Mr. Nose, thank you very much. Professor Aikyo. Are you satisfied?

**【Nagoya University Prof. Emeritus AIKYO】**

Well, let me add one more point. Justice affairs, diplomacy, and value based diplomacy are, I believe, important pillars of Japan's diplomacy and assistance. Mr. Kawabuchi's talk resonated with me very strongly. But the counterpart in value diplomacy is always unclear. What does that actually mean for us?

In my view, value diplomacy often ends up as lip service, because legal technical cooperation is an important part of value diplomacy. If that is the case, then is Vietnam truly reliable or trustworthy as a counterpart in Japan's value diplomacy? I think that perspective is essential. That is why I raised my question.

**【ICD, Mr. HIGUCHI】**

Thank you for your comments. Does anyone want to make a comment concerning these points raised by Professor Aikyo? Mr. Kawabuchi, please.

**【ICD, Mr. KAWABUCHI】**

Thank you. I appreciate that you sympathize with my comment. I think this is a very difficult issue, even after listening to the discussion. I recently visited several Central Asian countries, and I realized how many different types of countries exist. In that context, if I am asked whether we truly share common values despite the various political situations in each country, that is a real question—and I believe that is part of the issue. As Matsuo sensei mentioned, creating a peaceful and stable society is the goal, and people are working toward that.

In particular, our actions are directed not at governments but at the ordinary citizens of each country. I think that is one approach. This does not mean we should close our eyes to the issues, but whatever the political situation of the counterpart country may be, as long as our activities reach the ordinary people in that country, we hope to achieve that and take it as our goal.

I am sorry that I may not be giving you a concrete answer, but I also have the same question in my mind. It is something I always consider in mind.

**【ICD, Mr. HIGUCHI】**

Thank you. Mr. Morinaga, you are raising your hand.

**【A&S, Mr. MORINAGA】**

Professor Aikyo has pointed out a very crucial point. I was in Vietnam more than 20 years ago, so I would like to make a comment. Indeed, what kind of political systems and what kind of value system exists in a particular country are very important, and they may form assumptions for providing assistance. These have to be among the elements we consider.

I fully understand this. A long time ago, I was discussing this with someone from the Finnish Ministry of Foreign Affairs. They asked whether we would refrain from assisting countries that are not democratized. That point was even written down, but I asked that it be deleted. The reason was that—even if the situation is difficult—if there is any possibility, any potential that we may be able to share some global values, then that should not become a reason to refuse assistance. In fact, I believe those are precisely the countries that need our assistance. And that, in my view, is what value diplomacy truly means.

It is not that I believe we should extend assistance to a country where there is absolutely no possibility, but if there is anything we can contribute, then we should do so, and I think that should be the ideal.

As for Vietnam, yes, when we began our assistance, Vietnam had truly struggled—starting in the 1980s—to become a market economy. In the 1990s, they made another effort and sought assistance from various advanced countries. In Japan, value diplomacy—meaning values as a slogan—was not our main banner at that time, because there was considerable resistance within the country. The Japanese side understood this, and the bureaucrats understood it as well. So we began contributing and cooperating in the development of a market economy.

But after 30 years, this has become long term assistance and cooperation. It is like a quiet breeze. It does not get adopted or incorporated suddenly, but the Ministry of Justice or the courts begin to notice things. They start to take into account ideas that may not exist in their current system, and they begin to realize what might be possible. It gradually permeates—like a quiet breeze.

It is not something that will be adopted or incorporated suddenly, but the Ministry of Justice or the courts will begin to notice it and take it into account. Even if it is not part of their existing system, they will start to realize what may be possible. Then it gradually penetrates—like a breeze, a quiet breeze. Personally, I believe it has been quite influential. I think they are now in a situation where they will not be able to return to the past.

**【ICD, Mr. HIGUCHI】**

Yes, Professor Matsuo, you were also raising your hand.

**【Keio University Law School Prof. MATSUO】**

Thank you. Aikyo sensei, thank you very much for raising this issue. It is extremely important and crucial. It was also very striking to me, and I would like to offer a comment. Your question, phrased differently, was whether the 30 years of assistance and cooperation with Vietnam were truly grounded.

The question, then, is how well it was grounded, and we need to assess that and consider what we should do going forward. That is how I understood the message in your comment or question. Vietnam has certainly experienced significant—indeed, striking—economic development. But when we think about whether justice has taken root there, whether equality is truly grounded, this is something we must continue to reflect on. The rule of law is not easy to express in indices, but over the weekend I visited Vietnam and the project office, and I had the chance to see the

situation for myself.

Chinone san from ICD, and Oni san or Tsukane san—I met these people, and I had the impression that the situation was very tough. The professionals working on the front lines understand very well whether the rule of law is truly taking root in the country, and some of them may be skeptical about it. But this is an issue we cannot avoid. We need to face it and think about what we can do going forward. Fortunately, as Iwama san, the ICD representative, or Ito san mentioned, cooperation with Vietnam will continue.

This kind of issue definitely needs to be taken up and examined as we move forward. Another issue concerns our assistance to Myanmar because of the military government, the justice system has been retreating. Yet we have provided considerable assistance to Myanmar as well. We must ask what that meant. I really do not want to think that it was simply a waste of effort. What we were able to achieve—and what we were not able to achieve—must be assessed properly.

Perhaps we should have discussed these matters more deeply at the time, but we were not able to do so. The political situation and the state of the economy and society are also involved, and these cannot be taken lightly. But we need to take time to build mutual trust and try to communicate what the true issues and problems are. I wanted to suggest that, but I did not. Still, Aikyo sensei's comment was very insightful and raised many important issues.

### **【ICD, Mr. HIGUCHI】**

Professor Matsuo, thank you very much. Mr. Sakai, please.

### **【ICCLC H.E. Mr. SAKAI】**

Yes, Professor Aikyo's sharp questions and insights were clearly heard. As someone who has been involved in the Vietnamese process from the very beginning, let me say this: the Vietnamese political system is under the control of the communist regime. When we first initiated the program, it was during the Doi Moi era, and the civil court system related to private assets did not exist. We started from that point.

We are talking about the civil court. As with any other laws, the civil code should be applied to everyone equally. If there is an established court system, then adjudication will be applied to everyone. When we talk about the rule of law, the equal treatment of every person under the law is essential. That is what we have been working on through our series of programs—in China, in Vietnam, and in other countries as well. There are events that are completely unexpected for those of us coming from a free and democratic system, as in the case of China.

This is a completely unexpected phenomenon. Looking at the current situation in Vietnam, the economy is quite developed and continues to grow. As for how much of that economic growth can be attributed to our cooperation, we have not yet quantified it, but we believe we may have contributed.

In Vietnam's development, the "China plus one" trend also became popular in Japan, and many manufacturing factories shifted from China to Vietnam as part of globalization. This kind of development has contributed to increased prosperity. We were involved in cooperation related to the Doi Moi policy, so although we cannot quantify exactly how much we contributed in terms of GDP, our contribution was certainly a positive one.

But if you look at the development of the market economy, as in China and Vietnam, you will see inequality among people—those who become wealthy and those who do not. There will also be issues between subcontractors and large companies. New types of social issues emerge as a result of the market economy. From the viewpoint of equality of every person under the law, this will become an important theme for us in the future. In a sense, these are authoritarian systems. For such countries, Japan should continue to provide cooperation programs.

When we speak with attorneys in Cambodia, for example, they have also developed a legal mindset. The idea of equal treatment under the law has taken root in their minds. However, at present, if someone opposes the authoritarian regime in their country, they may run a risk of being imprisoned. Even so, once a legal mind grounded in the rule of law has been developed, in 20 or 30 years it can lead to positive outcomes.

Take Cambodia as an example. They held general elections, but under the Hun Sen regime, the elections were not conducted successfully. Mr. Akashi, the head of the UN unit, said that we should stop providing legal cooperation to such countries. But I did not agree with him. In Cambodia, attorneys have built their own legal mindset, but if they oppose the Hun Sen regime, they may be imprisoned or even killed. I cannot argue strongly against that reality, but over time, the principles of equality under the law and the rule of law remain unchanged. Our cooperation should continue to focus on these fundamental principles.

One bottleneck, perhaps related to JICA, is the counterpart system. For example, in Japan, the Consumer Affairs Agency is under METI, and for such programs you need a counterpart agency. That can become a bottleneck.

When I was involved in the Myanmar program, I spoke with the president. I asked him to incorporate any legal issue—whatever it may be—into the program. As Professor Matsuo mentioned, in Myanmar, civil society was functioning, and court hearings were being conducted. Professor Kosugi and I were involved in a case in Myanmar; we fought all the way to the Supreme Court and we prevailed. Even under that political system, it did not mean that the legal or judicial system had stopped functioning. In that sense, our cooperation was effective.

In the upcoming election in Myanmar, things may not work as expected, but in the future we hope they will. In this context, we should not think in terms of 10 years, but rather look ahead 100 years in the legal development of the country. As Professor Aikyo mentioned, even starting with teaching the Japanese language to participants is important. We have an ultimate objective, and although our position will evolve over time, the underlying principles remain the same. That is how I see it. Thank you very much.

**[ICD, Mr. HIGUCHI]**

The time is approaching for us to close, so we will take one or two more questions. Are there any questions from the floor? Oh, Ms. Yamada? If there are any other hands, I cannot see them, but if not, please go ahead.

**[JETRO, Ms. YAMADA]**

If I make a comment and everyone falls silent - I am a bit worried about that silence. But since Professor Aikyo and Mr. Sakai have already spoken, I would like to add a comment that connects with what they said. In Ms. Aparna's presentation, she pointed out that we need to be concerned about the shrinking civic space in the Asian region. She mentioned environmental justice and other issues, as well as strategic litigation against the public, which is actually happening.

In other words, we are in a critical situation as civic space continues to shrink. I wonder how many Japanese people are aware of this. In my presentation, I covered business and human rights. Business and civic space are strongly connected. If you want to conduct business properly, you need a healthy civil society. Otherwise, you cannot grow your business sustainably, even if you can make money temporarily. Civil society must be protected. We need to protect it. What was the purpose of starting this legal technical cooperation program 30 years ago?

In a venue like this, I am raising this point. I also discussed this with Professor Morishima and others. For today's annual conference on this theme, we must ask: for whom are we organizing this conference? We also need to explain this to the Ministry of Foreign Affairs, especially as the budget proposal period is approaching. Together with our colleagues, we need to reconsider the

rationale as well. As Professor Matsuo mentioned, everyone should be included and targeted in legal technical cooperation. In other words, everyone's human rights should be protected, and every person should be able to exercise their rights.

As a member of Japanese society, and speaking in front of officials from the Ministry of Justice, if I may say so, we never know what may happen in Japan in the future. We talk about national security, but is that the only direction we should pursue? Security must also include human beings—humankind itself. We need to reaffirm the direction of our legal technical assistance program. That is my comment. Thank you.

**【ICD, Mr. HIGUCHI】**

Thank you very much. We can accept only one more question or comment, if any, due to time constraints. Please go ahead, Mr. Tachibana from JICA.

**【JICA, Mr. TACHIBANA】**

It has been a really productive discussion. Thank you very much. The current landscape may differ depending on one's perspective, but for me, 30 years of cooperation has built very trusting relationships with developing countries, and I expect this will continue. Over the past 30 years, our counterparts in developing countries have developed strong human resources, and some of them have become high ranking officials and even ministers. I think this is one of the landscapes we now see. Based on these relationships we have built, we must consider what we will do going forward.

Of course, many tools and many approaches are possible. But as I mentioned, our ultimate goal is to realize human security and a free, open, peaceful, and stable international community. These are the objectives of our assistance, and we intend to continue our cooperation toward that end.

The importance of the cooperation we provide has therefore become greater than ever. With your continued support and collaboration, we hope to further promote JICA's projects. Once again, I would like to express my deep appreciation to all of you for your strong support and cooperation.

**【ICD, Mr. HIGUCHI】**

Mr. Tachibana, thank you very much.

**【UNDP, Ms. Aparna Basnyat】**

Thank you very much. Just a couple of points. It was a very rich discussion, and I learned a great deal from it as well. From the UNDP side, perhaps I can share some reflections on our work

related to the rule of law and access to justice.

One thing we are increasingly realizing is that even when support is technical, it ultimately becomes political as well. That brings us back to value based engagement. For the UN, this is very clear: it is grounded in the UN Charter and the broader framework of international norms and standards that we promote on the ground. We engage with all member states and all countries. We have programs in Myanmar, we have programs in Vietnam. In those countries, as others have mentioned, our aim is to ensure that people can access justice—whether through formal courts or alternative mechanisms—and that they receive resolutions to the disputes they face. There are many different kinds of disputes, and this is how we have been approaching our work.

Regarding our broader direction, as we have already noted, the global environment is becoming increasingly challenging, even for value based approaches. It is therefore very important to have champions like Japan and others who continue to push this forward. Ultimately, the UN system is made up of member states. Ensuring that international standards are promoted and embraced—and understanding how member states advance their foreign policy, including justice affairs diplomacy—is extremely important.

I would also like to express my deep thanks once again for inviting me to participate in this very rich discussion, and for the continued support we receive from the Ministry of Justice, including seconded staff. We have fellows and JPOs working with us who are doing important work in advancing the UN system’s efforts in different areas. Thank you very much.

### **【ICD, Mr. HIGUCHI】**

Thank you very much, Ms. Aparna. This concludes the question and answer session. Thank you very much for your questions, comments, and responses. Please give a round of applause to all the speakers. Thank you. And now, I would like to invite the President of the ICCLC, Mr. Kotaro Ono, to deliver the closing remarks.

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## **Closing Remarks**

Speaker: OHNO Kotaro

President, ICCLC

### **【ICCLC H.E., Mr.OHNO】**

Thank you to all the participants for your contributions during this conference, and in particular, I would like to express my sincere gratitude to Ms. Aparna Basnyat, Regional Advisor at the

UNDP Bangkok Regional Office, who traveled all the way from Bangkok to join us.

This annual conference on legal technical cooperation has been held every year since 2000, and I have been participating since 2018. Every time, the related parties have reported on their activities and exchanged views. This year's theme was the current landscape of legal technical cooperation. At the end of the Q&A session, we had a very substantial discussion on what this "current landscape" actually is. I found that very meaningful and impressive. When we consider the present landscape, both domestically and internationally, we see conflicts in various regions, and in many countries political involvement in justice is becoming more visible. Fake news is increasing, and we are all affected by it. It is not a situation in which we can feel secure. Even the concept of the rule of law is interpreted in very different ways.

If we imagine a society where everyone can feel safe, secure, and live a prosperous life, we must ask whether we are moving in a good direction or a bad one. I believe we are in a situation where we cannot be optimistic, and this is precisely why today's discussion on legal technical cooperation is so important.

Japanese cooperation is often described as sympathetic. It is not only about methodology but also about substance—content grounded in the realities of the counterpart country. We envision the operation and implementation of legal frameworks. This was not part of the initial concept of technical cooperation. Human rights and the rule of law are universal, but the concepts we hold should not be imposed or forced upon our counterparts. That would not be an appropriate approach. Even when we speak of the rule of law, ideas and interpretations may differ.

For Japan, however, it is important to continue these efforts. Legal technical cooperation cannot be realized overnight. There will be progress and setbacks, but as long as we face the same direction and continue our efforts, we should envision this as an ongoing, long term process. With that understanding, I would like to comment on what was discussed today. The number of partner countries is expanding. Vietnam, which has received assistance from Japan for 30 years, will see that cooperation come to an end. From next year, the Ministry of Justice will build on this relationship to establish a more interactive, bilateral partnership. Vietnam is the country with which Japan has the longest history of cooperation. In recent years, Vietnam's economy and society have developed significantly—no one would dispute that.

Infrastructure development, thanks to the late Professor Morishima and many others, has played a major role. Tangible results have been achieved. Japanese companies operating in Vietnam have also benefited. These activities have contributed to deeper relationships and

stability in the community. All those involved can take pride in this, and I believe it is a model case. Traditionally, at this annual conference, we have discussed how the counterpart country's legal system and practice have developed. As the system advances, I have always said that the relationship should evolve into a bilateral one rather than a one way form of assistance. Vietnam is a model that demonstrates this.

In the legal and judicial fields, I hope to continue observing how the relationship between the two countries develops. At this conference, various organizations reported on their current initiatives. This year, in particular, we heard from Ms. Aparna Basnyat of the UNDP Bangkok Regional Office, whose perspective and approach differed from Japan's. Originally, this conference was intended for internal communication among domestic organizations, but now external organizations such as UNDP are also involved. I hope this continues. Because legal technical cooperation has limited resources, collaboration with international organizations is essential for efficiency and effectiveness.

I have said many things, but going forward, each country's legal development will differ, and their needs will diversify. Therefore, the content and methods of cooperation must become more flexible. As mentioned today, "Cooperation 2.0" suggests that we are entering a new stage. We must also refine ourselves. But the foundation remains unchanged: while methods may evolve, the principle—the realization of the rule of law—must remain our goal. That principle should never change.

Lastly but not least, I would like to mention the activities of ICCLC. Next year marks the 30th anniversary of our founding, and we have continued to support legal technical cooperation throughout these years. I would like to thank all the related organizations and member companies for their understanding and cooperation. On December 14 next year, we will hold a commemorative ceremony at Keidanren Kaikan, along with an international symposium on the theme of business and human rights. We hope to welcome participants from all relevant organizations, and we will share further details once they are finalized.

With that, I would like to once again express my gratitude to everyone deeply involved in these cooperation efforts, and I will conclude my remarks here. Thank you for your dedicated work and commitment.

**【ICD, Mr. HIGUCHI】**

Thank you, Mr. Ono. Now it is time to close the annual conference.

# FY 2025 Japan-ASEAN Joint Study on Business and Human Rights for Young Leaders

**HIGUCHI Rui**

*Professor, International Cooperation Department*

## **I. Introduction**

The International Cooperation Department (hereinafter referred to as ‘ICD’) of the Research and Training Institute, Ministry of Justice, conducted a joint study programme on the ‘Business and Human Rights’ theme in fiscal year 2025, continued from the previous fiscal year. This Joint Study was held in a retreat style for approximately 10 days in early August 2025 at the International Justice Center in Akishima City, Tokyo, targeting international students studying in Japan.

This article reports on the overview of the Joint Study and aims to publish the outcomes of the students’ final presentations. It should be noted that any opinion expressed in this article is the author’s personal views and does not represent the views of any organisation to which the author belongs or has belonged<sup>1</sup>.

## **II. Overview of the Joint Study**

### 1. Purpose

Since the adoption of the “Guiding Principles on Business and Human Rights” by the UN Human Rights Council in 2011, National Action Plans (hereinafter referred to as ‘NAPs’) were formulated in Thailand in 2019, in Japan in 2020, ASEAN countries are also considering it. As such, “Business and Human Rights” issues are becoming increasingly important.

In response to this trend, the ICD held a public symposium on Business and Human Rights in July 2023, entitled “Protection of Business-related Human Rights and the Future of Legal Technical Assistance”, inviting domestic and foreign experts as well as top-runner Japanese and ASEAN private companies. The symposium discussed the challenges faced by each country, their advanced efforts, and the role that ICD’s legal technical cooperation should play in this field, especially focusing on “Access to Remedy”, which is the third pillar of the UN Guiding Principles (hereinafter referred to as ‘UNGPs’) on Business and Human Rights.

Based on the symposium held in July 2023, this Joint Study will be held mainly for

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<sup>1</sup> Japanese internship students (undergraduate and postgraduate students) also participated in most of this programme.

international students studying in Japanese universities, the young leaders of ASEAN countries, etc., who will shoulder the future of their countries. The purpose of the joint study is to seek how Business and Human Rights issues ASEAN countries face can be addressed through discussions with lecturers and other participants and by introducing Japan's efforts for Business and Human Rights, specifically with a focus on the promotion of Access to Remedy and the exercise of the State duty to protect human rights through legal technical cooperation.

## 2. Schedule

4th August to 14th August 2025.

The detailed schedule for the Joint Study is as per Appendix 1. Some parts of the Joint Study Programme were co-conducted with an internship programme for Japanese students held during the same period.

In the Joint Study, Ms. YAMADA Miwa of JETRO first delivered a general lecture on "Business and Human Rights". Subsequently, the ICD professors lectured on "Access to Remedy" as referenced in the UNGPs. Furthermore, as part of external visits, the first visit was to the Japan International Cooperation Agency (hereinafter referred to as 'JICA'), where Ms. IWAMA Nozomi delivered a lecture on JICA's initiatives concerning "Business and Human Rights". Secondly, we visited Nishimura & Asahi law firm, where the attorney Mr. YUKAWA Yusuke, lectured on "Business and Human Rights" initiatives from an attorney's perspective. Thirdly, fieldwork was conducted in Yokkaichi City, Mie Prefecture, visiting a museum operated by Yokkaichi City that addresses the topic of Yokkaichi pollution. Finally, a final presentation based on these programmes was delivered by all participants of the Joint Study.

Details of these curricula are described in Section III.

## 3. Participants

The participants in the Joint Study are listed in Appendix 2. Twenty participants from fifteen countries took part. While the participants were primarily from ASEAN countries, but also included participants from Central Asia, South Asia, East Asia, and the Pacific nations. Most were postgraduate students, though undergraduate students were also included. It should be noted that the previous fiscal year's Joint Study Programme had fifteen participants; however, this year saw a large number of applicants, increasing the number of participants to twenty.

### III. The Contents of Each Programme

#### 1. Lecture by Ms. YAMADA Miwa

Ms. YAMADA Miwa, affiliated with JETRO, is a leading authority on “Business and Human Rights” in Japan. She possesses outstanding expertise in this field. She has been collaborating on this Joint Study Programme since last year. This year, Ms. YAMADA again provided a comprehensive overview of the “Business and Human Rights” concept.

The lecture content included the historical background leading to the publication of the UNGPs, the necessity of the concept of “Business and Human Rights,” and the current status of NAPs formulation based on the UNGPs. Furthermore, Ms. YAMADA conducted the lecture emphasizing interactive communication with participants, making it a highly stimulating session for them.

#### 2. Lectures by ICD Professors

In the Joint Study, ICD professors delivered advanced lectures focusing specifically on the third pillar of the UNGPs “Access to Remedy”.

First, the author (HIGUCHI), a former Japanese judge, delivered a general lecture confirming the content of each principle established by the UNGPs on “Access to Remedy”. Here, it was explained that the UNGPs refer to three remedy mechanisms: State-based judicial mechanisms, State-based non-judicial mechanisms, and non-State-based non-judicial mechanisms. Furthermore, interactive discussions were held with participants on topics such as what constitutes an ‘effective’ remedy and what obstacles exist to “Access to Remedy.”

Subsequently, the discussion was narrowed down to focus specifically on State-based judicial mechanisms. Professor SHIMA Yusuke, a former Japanese judge, then delivered a lecture on practical examples of State-based judicial mechanisms in Japan. Specifically, topics such as so-called SLAPP lawsuits and employee inventions under intellectual property law were addressed, with discussions conducted in an interactive way with participants.

Furthermore, Professor SUZUKI Yudai, a former Japanese public prosecutor, conducted a case study based on the Yokkaichi pollution lawsuits (Tsu District Court, Yokkaichi Branch, 24 July 1972 Judgment), although participants were not informed that the case study was based on the Yokkaichi pollution lawsuits. Specifically, an anonymised summary of the case, the plaintiffs’ claims, and the points at issue were presented, and the lecturer raised the question of whether companies among the defendants, which discharged relatively small quantities of pollutants, could be held responsible for civil liability under the concept of ‘Liability of Joint Tortfeasors.’

Participants were given approximately two hours to address this question. They were

divided into six groups, including Japanese internship students, and group discussions were conducted. There were two Japanese-speaking groups and four English-speaking groups. Some joint study participants, showing initiative, joined the Japanese-speaking groups and conducted their discussions in Japanese. After the discussions, each group presented its findings. Interestingly, every group concluded that the above companies should bear joint tort liability.

### 3. Lecture by Ms. IWAMA Nozomi

Ms. IWAMA Nozomi is Deputy Director General of the Governance and Peacebuilding Department of JICA. She has continued to assist with the Joint Study since last year.

Ms. IWAMA provided an overview of JICA's organisation and explained why JICA should respect "Business and Human Rights". She then introduced specific examples of "Business and Human Rights" initiatives within JICA. This included particular examples relating to the first and third pillars of the UNGPs and also encompassed a more specific case study, for instance, an initiative addressing child labour issues in a particular country. Given that JICA's activities are well known in the participants' home countries, this lecture proved highly interesting for them.

### 4. Lecture by Mr. YUKAWA Yusuke

Mr. YUKAWA Yusuke is a partner at Nishimura & Asahi (representative of the Yangon office) law firm and Deputy Director General, Business and Human Rights Project Team, International Human Rights Committee, Japan Federation of Bar Association.

Mr. YUKAWA's lecture was characterised by an emphasis on ensuring interactivity, with considerable time allocated to group discussions among participants. The technique employed to stimulate the discussion was remarkable, using an electronic application to tally and visualise participants' opinions in real time. After introducing the history of the acceptance of human rights concepts in Japan, participants were asked to consider factors (not limited to legal ones) hindering the penetration of human rights concepts in their home countries. This provided an excellent opportunity for participants to focus on the "Business and Human Rights" situation in their own countries.

### 5. Fieldwork in Yokkaichi

The Joint Study Programme included a fieldwork trip to Yokkaichi City in Mie Prefecture, travelling approximately six hours by bus from Tokyo. This fieldwork programme was also included in the previous fiscal year's Joint Study, however, unfortunately, it had to be cancelled due to an approaching of a typhoon. Fortunately, this year we were blessed with favourable weather and were able to carry it out without any incident.

During the fieldwork, we visited the museum operated by Yokkaichi City, the “Yokkaichi *Kougai to Kankyou Mirai kan*” (Yokkaichi Pollution and Environmental Future Museum). This museum features exhibitions on “Yokkaichi *Zensoku*” (Yokkaichi Asthma) and the related Yokkaichi pollution lawsuit. The Yokkaichi pollution issue is a concrete example of “Business and Human Rights” issues within Japan’s history<sup>2</sup>.

This fieldwork was made possible thanks to the full cooperation of Yokkaichi City officials. The fieldwork commenced with preparatory learning through viewing video materials, covering the background leading to the Yokkaichi Pollution, the extent of the damage situation, and the circumstances leading to the lawsuit. Following this, participants toured the museum exhibitions, receiving explanations from the museum staff. Finally, follow-up learning was conducted via viewing another video material, covering the outcome of the Yokkaichi Pollution lawsuit and subsequent initiatives by Yokkaichi City, followed by a Q&A session.

While participants had previously studied “Business and Human Rights” issues in many lectures, these lacked experiential learning. This fieldwork proved highly significant, offering a vivid, visually and aurally immersive experience into a serious “Business and Human Rights” issue that actually occurred in Japan, and how Japanese citizens, businesses, and the government addressed the issue.

#### IV. Final Presentation

Based on the outcomes of the Joint Study, at the last session of the Programme, each participant presented on issues, challenges, and initiatives related to “Business and Human Rights” within their respective home countries, thereby concluding the Joint Study. The participants’ nationalities and summaries of their presentations are as follows (the author is responsible for the summarizing). For detailed presentation materials, please refer to Appendix 3<sup>3</sup>.

No.	Nationality	Summary of Topic
1	Cambodia (1)	Labour Issues in Cambodia
2	Sri Lanka	Protecting Sri Lanka’s Tea and Garment Workers
3	Mongolia	Mining and Human Rights in Mongolia
4	Uzbekistan (1)	Forced Labour in Cotton / Persecution of Muslims
5	India	Caste System in India
6	Uzbekistan (2)	Sea-Breeze Project of Uzbekistan

<sup>2</sup> For a detailed analysis of the relationship between the Yokkaichi pollution lawsuit and “Business and Human Rights”, please refer to TAKAHASHI Kazuaki, “RECONSIDERATION OF THE 1960’S POLLUTION LAWSUIT ~ FROM THE VIEW OF BHR”, ICD NEWS (March 2025), p 12.

<sup>3</sup> As the final presentations by Japanese internship student were conducted at that time, Appendix 3 also includes the presentation materials of them.

No.	Nationality	Summary of Topic
7	Philippines	Balancing Water Security and Indigenous Peoples' Rights in the Kaliwa Dam Project
8	Myanmar	Environmental Harm by Corporate Entities in Myanmar
9	Thailand	Role of Thailand's Administrative Courts relating to Environmental Disputes
10	Indonesia	Indigenous Papuan People in Indonesia
11	Papua New Guinea	Illegal Fishing and Labor Exploitation in PNG
12	Vietnam (1)	E-Commerce Consumer Rights Protection in Vietnam
13	Cambodia (2)	Dismissal Issues in Cambodia
14	China	Mental Disorders due to Workplace Sexual Assault Recognized as Work-related Injuries
15	Vietnam (2)	Persons with Disabilities in Vietnam
16	Laos	Business and Human Rights in Lao PDR
17	Bangladesh (1)	Ship-Breaking and Recycling Industry in Bangladesh
18	Nepal (1)	Corruption in Nepal
19	Bangladesh (2)	Environmental Pollution and Regulation in Bangladesh
20	Nepal (2)	Managing Cable-Car Projects in Indigenous Area

As an overall trend, many presentations of this year, like the previous year, addressed labour and environmental issues. Labour issues are typically cited in Japan as a prime example of “Business and Human Rights”. However, the specific content covered was highly varied, ranging from traditional problems concerning hazardous and poor working conditions to contemporary issues such as harassment within office environments. Meanwhile, environmental issues continued to attract significant participant interest, as in the previous year. However, how to construct such issues as legal claims of human rights violations will likely remain a subject of ongoing debates.

Presentations by some participants addressing the human rights issues of indigenous peoples were particularly interesting. Japanese legal professionals, given Japan’s domestic context, may have limited knowledge in this field. Many Japanese internship students were present at the venue, and these presentations would likely have been enlightening for them, too.

Additionally, several fascinating presentations offered unique perspectives – covering issues such as human rights issues related to the caste system in India, human rights issues for people with disabilities in Vietnam, and corruption issues in Nepal. Gathering individuals from diverse backgrounds across many states undoubtedly enriched the range of viewpoints considered.

## V. Conclusion

This year, participants once again skillfully applied the insights gained on “Business and Human Rights” through the Joint Study Programme, producing excellent presentations addressing “Business and Human Rights” issues within their own countries. Consequently, it can be concluded that the objectives of the Joint Study Programme have been fully achieved. Furthermore, the opportunity to interact with Japanese internship students stands as one of this year’s significant achievements. I hope the young leaders from sixteen countries including Japan, continue their close exchanges towards shaping the future of their respective countries.

Finally, I extend my deepest gratitude to all the lecturers who contributed to the Joint Study Programme and to the museum officials of Yokkaichi City for hosting our visit. I wish all participants every success in their future endeavours.



*8th August 2025, in Yokkaichi City*

**Schedule**  
**FY 2025 Japan-ASEAN Joint Study on Business and Human Rights for Young Leaders**

【Monday August 4 – Thursday August 14, 2025】

IC:International Justice Center

Date	AM	PM	Remarks		
8 / 4	M	13:30-14:00 Admission to Dormitory	14:30-15:30 Orientation Admin. Officer IJC	15:30-17:00 Explanaiton of ICD etc. by ICD Professor IJC	IJC
8 / 5	T	9:30-12:00 Lecture #1 "Business and Human Rights: Introduction" Lecture by YAMADA Miwa, IDE-JETRO IJC	14:00-17:00 Lecture #2 "Business and Human Rights: From Viewpoint of Judicial Remedy" Lecture by HIGUCHI Rui, SHIMA Yusuke IJC		IJC
8 / 6	W	10:00-12:00 Lecture #3 "Business and Human Rights: From Viewpoint of Legal System" Lecture by SUZUKI Yudai IJC	14:00-17:00 Group Discussion /Presentation IJC		IJC
8 / 7	Th	11:00-12:00 Lecture #4 "Initiatives of JICA on Business and Human Rights" Lecture by Deputy Director General and Group Director IWAMA Nozomu, Governance and Peacebuilding Dept, JICA JICA Headquarters	13:00-15:00 Lecture #5 "Initiatives/Challenges of BHR for Companies: From Viewpoint of Corporate Responsibility" Lecture by Attorney at Law YUKAWA Yusuke Nishimura & Asahi	15:10-21:00 Travel (bus)	Hotel
8 / 8	F	AM Fieldwork	14:00-20:00 Travel (bus) IJC		IJC
8 / 9	Sa	Symposium: Invitation to Legal Technical Cooperation			IJC
8 / 10	S				IJC
8 / 11	M				IJC
8 / 12	T	10:00-12:00 ICD Professors Exchange Opinions/Preparation for Presentation IJC	13:00-16:00 Preparation for Presentation IJC		IJC
8 / 13	W	10:00-12:00 Presentation IJC	14:00-17:00 Presentation/Q&As/Closing Ceremony IJC	Group Photo Session	TBD Dinner Party IJC
8 / 14	Th	10:00 Leave Dormitory			

※Japanese-English Interpretation Available

4/8/2025-14/8/2025

ICD Professor: Rui Higuchi, Yusuke Shima, Takuro Yamashita, Kohei Sasaki

ICD Secretariat: Tetsuo Kamiya

1	ラタナー サマナン	
	Ratana Samnang	Cambodia
	Nagoya University	
2	ドナ ティアラ アルカルシャ ベネラギヤマ	
	Dona Tiara Arkarsha Beneragama	Sri Lanka
	Nagoya University	
3	ノミン アリウナー	
	Nomin Ariunaa	Mongolia
	Nagoya University	
4	ジャボヒル ウリノフ	
	Javokhir Urinov	Uzbekistan
	Nagoya University	
5	アイアー アイシュヴァリヤ パラメシュワル	
	Iyer Aishvarya Parameswar	India
	Nagoya University	
6	イノヤトヴァ オイシャボヌ ファルホドヴナ	
	Inoyatova Oyshabonu Farkhodovna	Uzbekistan
	Nagoya University	
7	マーク ダリル カニバン	
	Mark Darryl Caniban	Philippines
	Kyushu University	
8	ニュントミン ハット	
	Nyunt Min Htet	Myanmar
	Kyushu University	
9	ウィッチャ ネドハドサナイ	
	Witcha Nedhadsanai	Thailand
	Kyushu University	
10	アイリーン アンドラルシア ジュリアナ シマンジュンタク	
	Irene Andralusia Juliana Simanjuntak	Indonesia
	Kyushu University	
11	ヤラパン リマワリ ミリアム イシュタ	
	Yalapan Limawali Miriam Ishtah	Papua New Guinea
	Kyushu University	
12	グエン スアン ホア	
	Nguen Xuan Hoa	Vietnam
	Kyushu University	

13	ペッチ ロンソニター		
	Pech Longsonita	Cambodia	
	Yokohama National University		
14	シュリン		
	Zhu Lin	China	
	Yokohama National University		
15	ブイ ニュン アン		
	Bui Nhung Anh	Vietnam	
	The University of Osaka		
16	チッタソン ドウアンディ		
	Chitthasone Douangdy	Laos	
	Keio University		
17	アブドウル アリム		
	Abdul Alim	Bangladesh	
	Keio University		
18	アンビカ ラグバンシ		
	Ambika Raghubanshi	Nepal	
	Keio University		
19	シャンパ		
	Sampa	Bangladesh	
	Keio University		
20	プラティマ ポカレル		
	Pratima Pokharel	Nepal	
	Keio University		



# Introduction

- Main exporting sector: garment, textile, and footwear industry [1]
- Manpower: 640,000 workers, the majority of whom are women [2]
- Highest rate of unionization [3]
- Presently, the only sector with a regulated minimum wage annually

1. SECTOR/#---TEXT-CAMBODIA'S%20THRIVING%20GARMENT%20SECTOR%20EMPLOYS,STRONGER%20FEMALE%20VOICES%20AND%20REPRESENTATION. THE CAMBODIAN GARMENT  
 2. SECTOR/#---TEXT-CAMBODIA'S%20THRIVING%20GARMENT%20SECTOR%20EMPLOYS,STRONGER%20FEMALE%20VOICES%20AND%20REPRESENTATION.  
 3. HTTPS://LIBRARY.FES.DE/PDF-FILES/BUEROS/SINGAPUR/07907.PDF

## Freedom of Association

Most garment factories employ fixed-duration contracts (FDCs). [4]

FDCs have an expiration date. To secure a contract renewal, workers on FDCs strive to avoid displeasing their employers.

Widespread use of FDCs, a silent trade union-busting tactic:

1. Undermines **independent trade unions** (yellow-dog contract in disguise) – not forming or joining a union; leaving a union.
2. affects workers' rights and benefits (forced overtime, pressure not to take sick leave, etc.) [5]



Yellow Union (pro-management union)

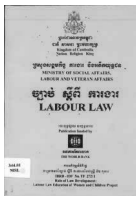
Independent Trade Union



4. CONSTITUTION OF CAMBODIA, ART. 31. HTTPS://WWW.ARBITRATIONCOUNCIL.ORG/  
 5. HTTPS://CLEANCLOTHES.ORG/FILE-REPOSITORY/RESOURCES-NATIONAL-CCCS-A-SHORT-TERM-SOLUTION/@@DOWNLOAD/FILE

# Cambodian Legal Framework (State Duty)

The Constitution of Cambodia recognizes and respects human rights as enshrined in the United Nations Charter, the Universal Declaration of Human Rights, and all treaties and conventions related to human rights, women's rights, and children's rights.[6]



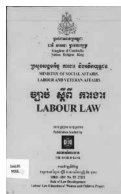
Labor Law and Trade Union Law acknowledge freedom of association and the right to collective bargaining.

Membership	International Instrument
✓	ILO Convention 87 & 98
✓	Universal Declaration of Human Rights
✓	Int. Covenant on Civil and Political Rights

Establishment of Labor Arbitration Council (AC): Collective and Labor Dispute Resolution Body. [7]

6. CONSTITUTION OF CAMBODIA, ART. 31.  
7. [HTTPS://WWW.ARBITRATIONCOUNCIL.ORG/](https://www.arbitrationcouncil.org/)

# Current Legal Loopholes



Labor Law: Lopsided protection between unspecified-duration contracts (UDCs) vs FDCs



Termination of UDCs requires justification – the worker's aptitude or behavior.[8]



FDCs have an expiry date  
**Non-renewal of FDCs is not a termination and requires no justification.**

- Filing for a trade union discrimination is hard to prove due to the lack of legal grounds.
- Factories can overcome allegations easily by not renewing contracts for other non-unionized workers along with the unionized ones.
- Absence of the Labor Court, the nonexistence of the "Stare Decisis" principle, and the limited publication of judicial precedents.

8. LABOR LAW, ART. 74.

# Recommendation

---

I. Amend the Labor Law, addressing the non-renewal of FDCs

- Do a comparative study with other jurisdictions

The Japanese Model: (Japanese Labor Contract Act, art. 19) [9]

II. Establish a Labor Specialized Court

III. Foster the publication of judicial precedents

IV. Promote social dialogue among stakeholders (brands, supplier factories– the employers, workers’ representatives, NGOs, and consumers)

V. Raise public awareness of the freedom of association

Thank you 🙏



**BUSINESS AND  
HUMAN RIGHTS**

**THREADS OF JUSTICE  
PROTECTING SRI LANKA'S TEA  
AND GARMENT WORKERS**

*DONA TIARA ARKARSHA BENERAGAMA,  
NAGOYA UNIVERSITY,  
FACULTY OF LAW UG3*



**TABLE OF CONTENT**

- 01. What are the Issues?**  
Context on Sri Lanka's Tea and Garment Sectors
- 02. Institutional & Policy Actions**  
What efforts have been made; what are evident hurdles?
- 03. State & Judiciary Actions**  
How has the State performed its' Duty to Protect and provide Access to Remedy?
- 04. Suggested Measures & Remedies (1)**  
In Institutional and Organization aspects
- 05. Suggested Measures & Remedies (2)**  
In potential Future State Action



# WHAT ARE THE ISSUES?



## TEA SECTOR

- Major export and employer, but plantation workers (largely from Tamil estate communities) face:

- Low pay and insecure housing.
- Harsh working conditions; limited access to sanitation and protective gear.
- Historic systemic inequality — many workers still in intergenerational poverty.



**WAGE HIKE 2024**  
LKR 1000 → 1,700/day  
**BUT**  
Raised production costs (~45%): MORE competition with Kenya/India

Labour costs now 60%+ of production costs; wages not tied to productivity.

## GARMENT SECTOR



- Employs mostly women --> widens gender disparity; key export earner.

→ **April 2024: Minimum wage raised 40% to Rs 21,000/month (~US\$70).**

**BUT**

Still below living wage. Inflation erodes gains

COVID-19: widespread wage theft, unpaid bonuses, unsafe conditions, union suppression.

### EXAMPLE



Vogue Tex (2025) bonus dispute → worker protests.

# SECTOR & POLICY ACTIONS: EFFORTS + HURDLES

### Tea Sector – Positive Models

#### Amba Estate:

- Protective gear, revenue - sharing (10% of sales)
- Premium niche market strategy proves ethical production can be profitable.

### Garment Sector – Positive Models

#### Better Work Sri Lanka:

ILO-IFC program → bipartite OSH committees in factories.

#### Next Manufacturing Ltd (2021):

Recognized factory union, signed collective bargaining agreement → better wages and bonuses.

### Hurdles

- Plantation wage hikes not paired with productivity reform → competitiveness risk.
- Weak enforcement of labour laws; few inspections.
- Resistance to unions; retaliation against organisers.
- Inflation outpaces wage rises.
- Ethical initiatives mostly voluntary → patchy coverage.



## STATE & JUDICIARY ACTIONS



### JUDICIAL & TRIBUNAL INTERVENTIONS

#### First Workers' Tribunal (2024):

- Heard testimonies of plantation workers--> described conditions as "bonded labour."
- Recommended full implementation of LKR 1,700 wage, protection of collective agreements, standards for hours, sanitation, housing, safety.
- Called for dedicated plantation workers' law.

#### Court of Appeal (2024):

Refused to stay wage increase despite plantation company challenges.



### ENFORCEMENT & JUDICIAL EFFICIENCY

- Labour inspectors legally empowered but under-resourced.
- New judicial reforms: Pre-trial timelines, small claims processes, arbitration options.
- Access to remedy hindered by delays and low enforcement reach.



### LABOUR LAW PROTECTIONS

#### Wages Boards Ordinance (1941):

Minimum wage setting in key sectors

#### Industrial Disputes Act (1950):

Collective bargaining, Labour Tribunals for wrongful termination, reinstatement/compensation



## SUGGESTED MEASURES & REMEDIES (1)



### WORKER VOICE & REMEDY

- Strengthen union protection laws; outlaw retaliation.
- Create fast-track judicial/labour tribunal processes for wage and rights disputes.
- Guarantee severance and notice periods in law.



### INNOVATIVE MODELS

- Expand revenue-sharing schemes (Amba model) to other plantations/factories.
- Link wages to productivity and quality, not just attendance.
- Offer tax/export incentives for fair trade and ethical certification.



### INSTITUTIONAL & ENFORCEMENT

- Increase number, independence, and powers of labour inspectors.
- Make participation in ethical labour programs (like Better Work) mandatory.
- Impose meaningful penalties for violations.

# SUGGESTED MEASURE & REMEDIES FUTURE STATE ACTION

01

## Dedicated Plantation Workers Protection Act:

Codify wage, housing, sanitation, safety, social security, and collective bargaining protections.

02

## Enforce Collective Agreements:

Ban abrupt termination; require judicial review before changes.

03

## Institutionalise Workers' Tribunals:

Regular hearings with worker testimony to shape policy.

04

## Targeted Inspections:

Priority focus on informal, casual, and high-risk labour sectors.

05

## Public Compliance Ratings:

Publish factory/estate labour rights scores to incentivise best practices.



*At the heart of every reform, law, and initiative, there is a human being whose dignity depends on our choices —let us ensure those choices are ones we can be proud of.*

THANK  
YOU

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# Yokkaichi Case Mongolian Version?

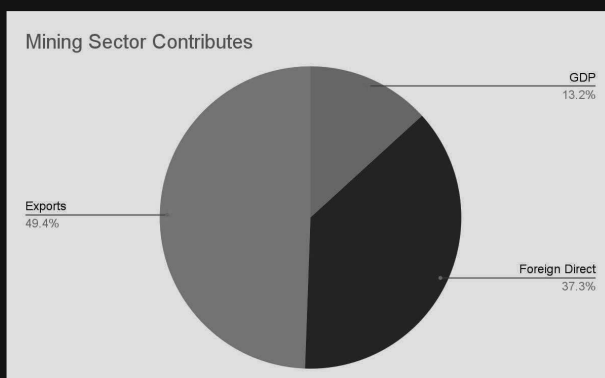
Mining and Human Rights in Mongolia

Nomin Ariunaa



## INTRODUCTION

Mining is central to Mongolia's economic growth and attracts major foreign investment. Mongolia has been labeled a "wolf economy" with mineral wealth estimated at USD 1 trillion.



Main resources include:

- Coal
- Fluorspar
- Copper
- Gold
- Silver
- Other types of ores

Currently: 2,562 licenses covering 3.8% of the country's territory



### Key Rights at Risk:

- Right to a healthy and safe environment
- Right to health in mining areas
- Right to livelihood and cultural heritage (especially for herders)

### Environmental Degradation

- Over-licensing → In some soums, over 40% of land under mining license
- Poor restoration → Hundreds of hectares left unreclaimed
- Transport damage → Thousands of heavy trucks on unpaved roads cause dust, pasture loss, and wildlife disappearance
- Gobi region mining in water-scarce areas
- Loss of 551 rivers, 483 lakes, 1,879 springs due to climate change and human activity
- Hazardous chemicals → mercury, cyanide, sulfuric acid contamination.

### What negative impacts does mining have?

Respiratory diseases rising sharply (doubled in Tsogttsetsii soum in one year).

Gaps in healthcare system of rural areas: Soum hospitals lack capacity, staff, and equipment

Workplace safety violations → Old machinery, poor lighting, lack of protective measures, overwork

Miners face mercury poisoning, musculoskeletal problems, hearing/vision damage

Case data:

2021 test: 17 of 30 people from one area had heavy metal exposure.

Common symptoms: asthma, allergies, throat irritation, chronic cough.



## Voices of herders

'We used to send livestock in four different directions to eat grass and graze, but now we can only send them in one direction, limiting the size of the pasture land.'

'Due to dust, there were many health damages to livestock. Eyes of livestock are damaged, contaminated, and infected. Newly born animals also have disabilities. Their reproductive holes are damaged, and some blind livestock have also been born. Therefore, lately, we cannot eat the inner organs because they are damaged and contaminated. We also cannot sell them which results in no money generated. Additionally, the quality of the cashmere is also lower because of the contamination, which results in lower household income.'

'Continuing this livelihood of nomadic herding is difficult because of the decrease in pasture land. Relocation to new places has also been a problem because there is no available land and if it is there, it is already taken by the mining companies.'



## Legal and Governance Gaps - Corporate Accountability Issues

### Weak laws →

- Too general, weak public participation requirements
- Environmental laws focus on plants/animals, not individual rights to land and safety
- International mining standards not implemented, domestic standards outdated

### Ambiguous provisions →

- "Dangerous" to health not defined; "strategic minerals" undefined

### Accountability failures →

- Few mechanisms to hold companies or state actors responsible
- Weak enforcement of court decisions
- Public awareness/education low

### Corporate Accountability Problems Include →

- Mining often starts before infrastructure is ready
- Lack of rehabilitation obligations enforced
- "Take the gold and leave the dirt" mentality extractive focus without social responsibility
- Herders and communities face threats and intimidation when opposing projects /SLAPP/

## Recommendation

### National Government Should:

- Uphold the Constitution (Articles 6 and 19) and enforce environmental laws
- Ensure resource benefits go to citizens (2019 Constitution Amendment, Art. 6.2)
- Guarantee public participation (Minerals Law Arts. 38, 29, 40)

### Local Governments Should:

- Engage communities and record violations
- Partner with NGOs for capacity building
- Monitor corruption of people in authority

### Mining Companies Should:

- Follow UN Guiding Principles on Business and Human Rights
- Rehabilitate land after mining (Law on Subsoil, Art. 41)
- Comply with environmental & human rights laws

### The Media Should:

- Monitor government & company activities
- Support NGOs in advocacy and awareness

#### Resources:

Asian Forum for Human Rights and Development & Centre for Human Rights and Development. (2023). From Dreams to Dust: Examining the Impact of Mining on Herder Communities in Mongolia.

Human Rights Osaka. (2014, September). Human rights in the mining industry of Mongolia. Focus, 77.

Office of the High Commissioner for Human Rights. (2019, September 24). Mongolia: Mining should serve to boost sustainable development and human rights - UN expert.

# Business & Human Rights in Uzbekistan

## Focus: Forced Labor in Cotton & Persecution of Muslims (2021-2025)

An examination of human rights challenges in Uzbekistan's business environment, focusing on systemic forced labor in cotton production and religious persecution affecting Muslim communities.

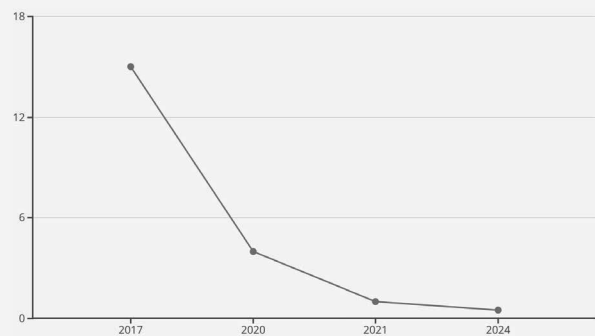


## Cotton Industry: Dramatic Reduction in Forced Labor

**2M**  
Annual Harvest Workers  
People mobilized each year during cotton harvests

**~364,000**  
Forced Workers (2017)  
~15% of harvest workforce coerced

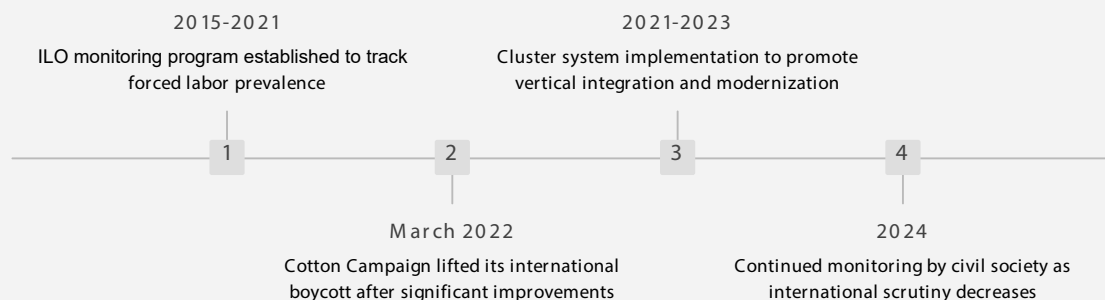
**<5%**  
Forced Labor (2021+)  
Systemic forced labor nearly eradicated



Sources: ILO, Cotton Campaign, World Bank

Made with **GRAMMA**

## Cotton Sector: Reform Milestones & Ongoing Challenges



### ⚠ Persistent Risks Requiring Vigilance

- Isolated coercion by local officials seeking to meet quotas
- Limited farmer autonomy in crop selection and business decisions
- Continued state control over land, pricing mechanisms, and production quotas

Made with GAMMA

## Persecution of Muslims: Legal Framework

"Uzbekistan's broad and vague 'extremism' laws continue to be weaponized against independent religious practice, despite constitutional guarantees of religious freedom."

### Criminal Code Article 244-1

Criminalizes production and distribution of materials containing "ideas of religious extremism" - broadly interpreted to include peaceful religious expression

### Criminal Code Article 244-2

Prohibits "establishing, directing or participating in religious extremist organizations" - applied to informal study groups and private worship

These laws provide authorities with extensive discretion to criminalize peaceful religious activities, creating an environment where Muslims practicing outside state-controlled institutions face significant legal risks.

University Student (2022) sentenced to 3 years imprisonment for sharing a link to a religious song deemed "extremist" on social media (Telegram group) despite no calls to violence or illegal activity

Made with GAMMA

# Emerging Threats to Religious Freedom

## Proposed Penalties for Religious Education

Government officials have proposed new regulations that would criminalize parents who provide religious education to their children outside state-approved institutions

- Would require all religious education to occur only in registered places
- Creates surveillance mechanisms for family religious practices
- Reinforces state control over religious expression

These emerging threats indicate a concerning trend of expanding restrictions on religious freedom rather than the liberalization promised in official rhetoric.

## Unofficial Discrimination Based on Appearance

Reports of increasing pressure on visibly religious Muslims in 2023-2025:

- Bearded individuals facing workplace discrimination and police harassment
- Women wearing hijab experiencing educational and employment barriers
- Proposals to formalize restrictions on religious attire in certain contexts

Made with **GAMMA**

# BUSINESS & HUMAN RIGHTS ISSUES IN INDIA

IYER Aishvarya Parameswar

Large & Diverse  
Country = Several  
Issues

Child Labour

Environmental Pollution

## CASTE SYSTEM AS A BUSINESS AND HUMAN RIGHTS ISSUE IN INDIA

Informal Labour

Religious Discrimination

## FEATURES OF CASTE SYSTEM

### 01 Hierarchical Structure

- Four main categories - Brahmins, Kshatriyas, Vaishyas and the Shudras
- Brahmins on top of hierarchy, Shudras at bottom
- Untouchability

### 03 Hereditary

- Child is "born into" the caste parents.
- Cannot change caste, leave it or choose not to join
- There are instances where person may be expelled from their caste.

### 02 Endogamy

- Caste groups are "endogamous", i.e. marriage is restricted to members of the group.

### 04 Occupational Rules

- Could only practice the occupation associated with that caste, so occupations were hereditary, i.e. passed on from generation to generation.

How does this play a role in Business and Human Rights?

### IMPORTANT TERMS:

- SC: SCHEDULED CASTE
- ST: SCHEDULED TRIBES
- OBC: OTHER BACKWARD CLASSES
- DALITS

Source: NCERT

# CASTE AS AN ISSUE

## 01 Unequal Access to Formal Employment

- **74%** of informal workforce SC/ST/OBC as of 2021
- *2018 India Human Development Survey* SC/ST candidates **40% less likely** to get jobs through social referrals compared to upper castes.
- **Screening bias** in hiring process based on surnames

## 02 Wage Discrimination & Poor Working Conditions

- 94% of informal workers made under **Rs. 10,000 (17,000 yen)** per month
- **Dangerous occupations like manual scavenging** prohibited by law, yet over **66,000 workers** identified in 2019—**90%+** from Dalit communities.
- Seasonal employment, no written contracts, no social security, poor living conditions



Too ill to work, too poor to get better: how debt traps families working at India's kilns

India: Whistleblower exposes forced labour, inhumane work conditions & other labour violations in major shrimp processing plant

## 03 Intersection with other social issues

- Increased incidents of child labour and bonded labour amongst Dalits.
- Dalit women disproportionately affected by sexual assault, harassment, and trafficking

**Source:**

- [Business & Human Rights Resource Centre](#)
- [Times of India](#)
- [Round Table India](#)
- [Guardian](#)
- [Academy of International Business \(AIB\)](#)

# JUDICIAL REMEDIES

- No single comprehensive legislation on discriminatory practices at the workplace
- Various laws to prohibit certain kinds of discriminatory practices, protect the interests of vulnerable communities

## 01 Constitutional Protections

- **Article 14:** Equality before law
- **Article 15:** Prohibition of discrimination based on religion, race, caste, sex or place of birth
- **Article 16:** Equality of opportunity in matters of public employment
- **Article 17:** Abolition of Untouchability

## 02 Statutory Remedies

- **SC/ST (Prevention of Atrocities) Act, 1989**
- **Reservation Policy:** Certain quota of government jobs and education opportunities reserved for SC/ST/OBC groups.

## 03 Case Law

- **Indra Sawhney v. Union of India (1992)** – Mandal Commission Case, upheld reservations for OBCs in public employment but capped total reservations at 50%
- **State of Karnataka v. Appa Balu Ingale (1993)** – reinforced abolition of untouchability
- **National Campaign on Dalit Human Rights v. Union of India (2017)**
  - strict implementation of 1989 SC/ST Act in employment

### Source

- [Anti-Discrimination Laws in India](#).
- [Reservation Policy India](#)
- [Indian Cases on Reservation](#)
- [Indra Sawhney v Union of India](#)
- [State of Karnataka v Appa Balu Ingale](#)
- [National Campaign on Dalit Human Rights v. Union of India](#)

# ANALYSIS OF REMEDIES

**01** Many of the safeguards are only applicable in the public sector. Equality of opportunity to work and reserved quotas for jobs is not enforceable in the private sector.

Expansion of affirmative action measures to the private sector as a part of NAP. Caste - discrimination audits for medium and large private companies.

**02** Subtle discrimination is hard to prove —often disguised as “merit - based” or “cultural fit.”

Strengthen grievance mechanisms within corporate policies. Mandatory DEI training, strong consequences for non - compliance.

**03** Fear of retaliation discourages victims from reporting.

Whistleblower protections for employees reporting caste bias.

## SPECIFIC TO JUDICIARY

- **Fast Track Courts to address Caste Based Discrimination cases**
- **Laws and guidelines for private sector hiring to eliminate caste bias**
- **Mandate anti - discrimination training and diversity audits for organisations**

## OTHERS

- **ADR with enforceable settlements in workplace discrimination cases**

# New concerns on Business and Human Rights: in the example of Uzbekistan

*Inoyatova Oyshabonu*

## 5bn \$ “Sea Breeze” Project

Uzbekistan is one of the double landlocked countries without access to sea. The only water resources is Amu Darya and Syr Darya river resources, and Charvak reservoir.

Charvak reservoir and its surroundings house for rare plants and animals.<sup>1</sup>

Despite of this, The Cabinet of Ministers has published a resolution on implementation of investment project. Project is worth \$5 billion, 577 allocated area.<sup>2</sup>



<sup>1</sup> Sadokat Jalolova, “#SaveChorvoq: Experts and Bloggers Demand Answers on Sea Breeze Uzbekistan Project,” *The Times of Central Asia*, July 5, 2025, <https://timesca.com/save-chorvoq-experts-and-bloggers-demand-answers-on-sea-breeze-uzbekistan-project/>

<sup>2</sup> UzDaily, “Uzbek Cabinet Approves US\$5 Billion Sea Breeze Uzbekistan Resort Project,” *UzDaily*, August 3, 2025, <https://www.uzdaily.uz/en/uzbek-cabinet-approves-us5-billion-sea-breeze-uzbekistan-resort-project-uzdaily.uz+14uzdaily.uz+14facebook.com+14>

## Business & Human Rights Risks – Sea Breeze Uzbekistan Project

Business & Human Rights	Risks
Right to Water	Threats to Charvak Reservoir, main source for 4million people.
Right to healthy environment	Biodiversity loss, pollution, climate risks.
Right to Participation	Petition suppression, lack of public consultation.
Right to Work	Job exclusion risk, displacement of traditional livelihoods.
Corporate Due Diligence/Human Rights due diligence	No independent ESIA, weak transparency.
Access to Remedy	Limited grievance mechanisms, lack of accountability.

3

### Government's prevention mechanism<sup>3</sup>

“One of the conditions imposed was a complete ban on discharging water into Charvak and the Chirchik River. The investor for this project is required to create a modern water treatment and reuse system, with all costs to be borne by the investor”.

“Discharge of wastewater into Charvak is prohibited. The investor is constructing a sewerage system at its own expense. The ring sewerage system will be connected to the treatment plant in Chirchik. The sewerage system will significantly improve the infrastructure potential of the surrounding areas” - if the rules are violated and even a single drop of water enters Charvak, construction will be halted, the investment contract will be cancelled, and the land plot will be confiscated.

<sup>3</sup> UzDaily, “Uzbek Authorities Announce Strict Oversight of the Sea Breeze Uzbekistan Project,”  
UzDaily, <https://www.uzdaily.uz/en/uzbek-authorities-announce-strict-oversight-of-the-sea-breeze-uzbekistan-project/>, eurasianstar.com+15uzdaily.uz+151.me+15

4

#SaveChorvoq

**A BREEZE**  
AROLAR FI

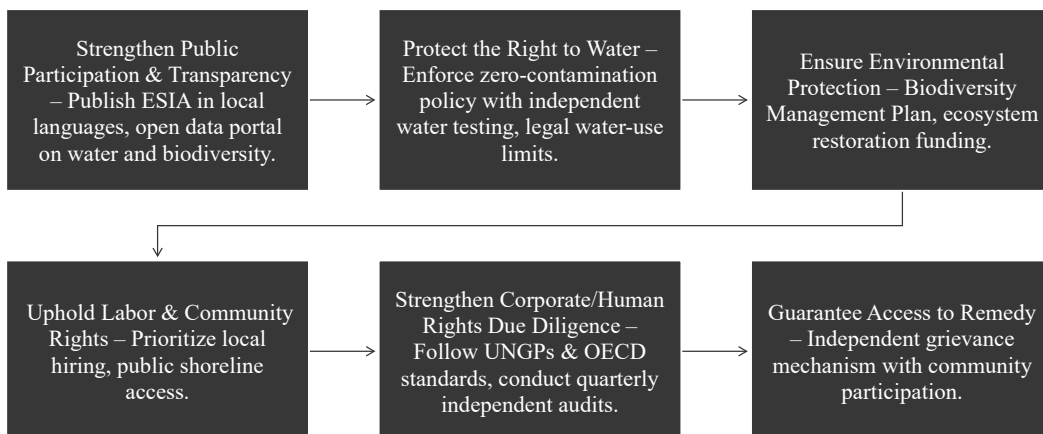
**A Breeze Uzbekistan: Qollar nimadan norozi?**

- Uzbekistan recognized the right of citizens to participate in environmentally important decisions by ratifying the Aarhus Convention in 2025, but in the case of Sea Breeze, the public has been effectively excluded from the discussion and has no access to data on the development project.
- The most important question: what will happen to our only source of drinking water? Who can guarantee that the same thing that happened to Aral sea won't happen to Charvak? – Urik Guli<sup>4</sup>

<sup>4</sup>Anhor.uz, "Public Discontent with the Sea Breeze Uzbekistan Project Intensifies — Petition Published Opposing Construction," *Anhor.uz*, July 17, 2025, <https://anhor.uz/society/sea-breeze-2/>.

5

## Recommendations:



6



# THIRST FOR CONTROL: Balancing Water Security and Indigenous Peoples' Rights in the Kaliwa Dam Project

Mark Darryl Caniban  
Kyushu University



## Metro Manila and its contradictions

**16 cities.**  
**1 metropolis.**  
**14 million people.**  
**a looming water shortage.**

90-95% of drinking water is supplied by the 55-year-old Angat Dam  
NCWS-Kaliwa Dam Project to avert a projected Metro Manila water shortage

## Sierra Madre Mountain Range

Ancestral domain of Indigenous Dumagat People

Home to sacred sites, including  
springs and burial grounds

Cultural and environmental  
significance





## The case FOR the Kaliwa Dam Project



**Water supply augmentation**



**Economic viability and least disruption**



**Job creation and economic opportunities**



**Government program integration**

## The case AGAINST the Kaliwa Dam Project



**Violation of indigenous peoples' rights**



**Forced displacement and loss of livelihood**



**Environmental and disaster risks**



**Economic and governance concerns**



### Free, prior, informed consent (FPIC)

Required process where Indigenous Cultural Communities grant or deny consent for projects affecting their ancestral domains, resources, or heritage.

### Just compensation for land taken

The compensation for the taking of land is the full and fair monetary equivalent of the property at the time it is taken.

### Relocation

Apprehension about being relocated to unfamiliar areas and losing traditional livelihoods and cultural ties to their ancestral lands

### Potential debt trap

Parallels to other countries who incurred significant debt burdens and a downgrade in national debt status.



## Legal Repercussions

## Recommendations for future actions



### Independent judicial review of the FPIC process

Challenge the validity of the consents allegedly obtained to ensure compliance with national laws on ancestral land protection

### Strengthen disaster risk preparedness and management

Dam monitoring, early warning systems, evacuation procedures, and provision of relief assistance

### Explore sustainable alternative water sources

Protect and rehabilitate existing watersheds, repair and dredge silted dams and fixing leaking water distribution systems, and explore other potential water sources

### Just compensation and implementation of Resettlement Action Plan

Full payment of compensation for lost assets at full replacement cost before physical resettlement commences, regardless of legal title

Thank you  
for listening!



# Environmental Harm by Corporate Entities in Myanmar

## Challenges and Pathways to Solutions

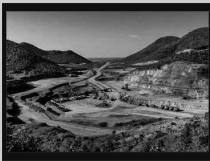
**Presented by:** Nyunt Min Htet

Kyushu University



### Environmental Concerns across Myanmar

#### 1. Letpadaung Copper Mine Project



- Contaminated waste risk in flood/earthquake-prone area.
- Farmland destruction and soil contamination killing crops.

#### 3. Shwe Gas Field Project



- Concerns for marine/coastal ecosystems and farmland.



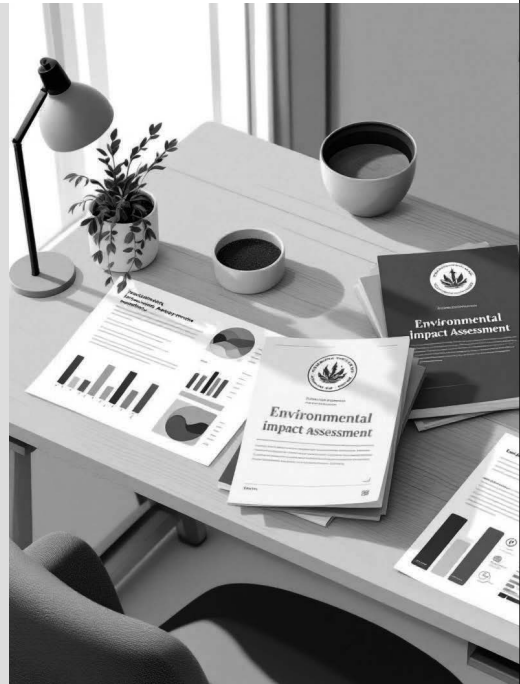
#### 2. Myitsone Dam Project and Extreme Mining



- Threatens fish stocks, water access, and livelihoods of Kachin communities.
- Water pollution from toxic chemicals and heavy metals.
- Large-scale deforestation and biodiversity loss.

## Government Actions to Address Environmental Damage

- Myanmar National Human Right Commission, 2011
- 2015 EIA Law – Requires environmental and social impact assessments.
- 2016 Investment Law – Requires investors to obtain an EIA and establishment of grievance mechanism.
- Due Diligence – Annual CSR and sustainability reports.
- Transparency – Reports published online.
- CSR Contribution Percentage – Portion of net income allocated to CSR activities.



## Challenges in Access to Remedies

- Criminal and Civil Remedies: Fail to adequately remedy, complex, costly, and slow; courts often inaccessible.
- Government Grievance Mechanisms: Inefficient and biased (especially when state-linked to abuses).
- Protests as Default: Communities resort to demonstrations due to lack of alternatives (e.g., Myitsone Dam success).



## Possible Solutions

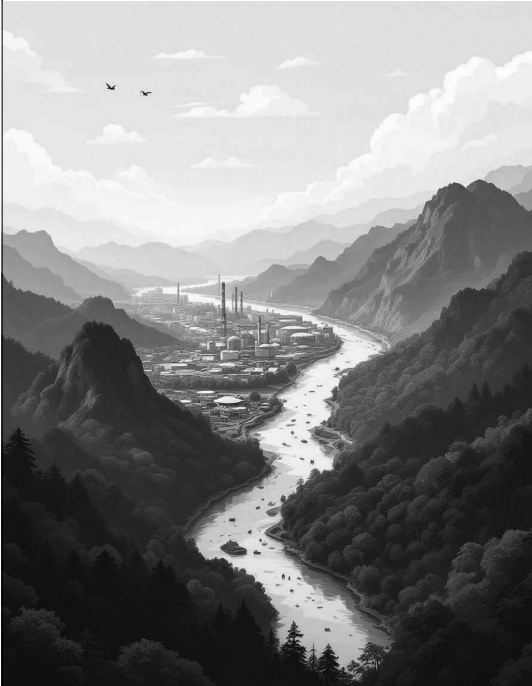
- State -Based:
- Enforce corporate environmental duties & CSR spending rules.
- Improve courts (e.g., lower costs, faster processes).
- Strengthen Myanmar National Human Rights Commission.
- Non -State -Based:
- Mandate company -level grievance mechanisms (UNGP Principle 31).
- Support sectoral oversight bodies & civil society watchdogs.
- International Technical Assistance



## Actions to Address Business & Human Rights Abuses Under Myanmar's Junta

- Publicly funded mechanisms to support legal action
- Expansion of pro bono legal networks
- Support for victims in filing cases abroad
- Funding for media outlets that cover human rights abuses
- Naming and shaming offending businesses
- Consumer and investor pressure through social media campaigns and Digital tools for rapid awareness and reporting





**Thank You for Your  
Attention.**



# THE ROLE OF THAILAND 'S ADMINISTRATIVE COURTS IN ENSURING ACCESS TO JUDICIAL REMEDIES IN ENVIRONMENTAL DISPUTES

From the Perspective of the  
"Right to Breathe Clean Air"



WITCHA NEDHADSANAI

Thailand – Kyushu University – 13.08.2025



## CONTENTS

- 01 PM<sub>2.5</sub> as the Core Environmental issue in Thailand
- 02 Right to Breathe Clean Air from the Perspective of Business and Human rights (BHR)
- 03 "Standing to Sue" as a Legal Barrier
- 04 Chiang Mai Haze Case as the Turning point
- 05 Recommendation



## PM<sub>2.5</sub> AS THE CORE ENVIRONMENTAL ISSUE IN THAILAND

- **Causes:** "haze season" driven by crop burning, forest fires, and stagnant weather
- **Impacts:**
  - Estimated 30,000 premature deaths/year; millions treated for respiratory disorders, eye infections, and skin inflammations.
  - Economic costs include hospitalizations and lost productivity.
- **Current situation:**
  - Early 2025 - hazardous spikes: **Bangkok hit over 75 µg/m<sup>3</sup>, Chiang Mai over 200 µg/m<sup>3</sup>** during haze episodes.
    - **Standard** = (37.5 µg/m<sup>3</sup>)
  - Rainy season brings cleaner air, but regional gaps remain –
    - the North is hardest-hit, the far South is often "good" air quality.

## RIGHT TO BREATHE CLEAN AIR FROM THE PERSPECTIVE OF BUSINESS AND HUMAN RIGHTS (BHR)

**Pillar 1: The State Duty to Protect Human Rights**

guarantee

←

**Pillar 3: Access to Remedy**

- State-Based Judicial Mechanism (Principle 31)
- Reduction of legal barriers that could lead to a denial of access to remedy
- These barriers can arise where "claimants face a denial of justice in a host State and cannot access home State courts regardless of the merits of the claim "

**Pillar 2: The Corporate Responsibility to Respect Human Rights**

←

feedback for improvement

Will be stipulated in the **Clean Air Act** (Coming soon!)

## “STANDING TO SUE” AS A LEGAL BARRIER



Act on Establishment of Administrative Courts and Administrative Court Procedure, B.E 2542 (1999)

### Section 42 paragraph one [Standing to Sue]

“Any person who is **aggrieved** or **injured** or who may inevitably be aggrieved or injured in consequence of an act or omission by an administrative agency or a State official [...] be entitled to file a case with the Administrative Courts.”

**In a very narrow sense:**  
addressee of an administrative disposition

**In a broader sense:**  
someone whose legally-protected interest has been harmed or is likely to be harmed by the disposition

**In a very broad sense:**  
actio popularis  
(everyone can sue !!!)



## CHIANG MAI HAZE CASE AS THE TURNING POINT ( 1 )



On 10 April 2023, Over 1,700 plaintiffs – including local villagers, doctors, academics, and environmental activists – joined together to lodge a complaint in the Chiang Mai Administrative Court. They named the Prime Minister, the National Environmental Board (NEB), and others as defendants, alleging **official inaction and negligence in tackling the seasonal PM<sub>2.5</sub> crisis**

With regard to the standing to sue, the Court found that the test for standing was satisfied by showing that the plaintiffs were part of a segment of the public **particularly affected** by the pollution (**standing to sue in a broader sense**)

In essence, the court **drew a line between the general population and those directly exposed to the environmental harm**: the latter have standing as “injured persons” because their injury, while shared with many, is **real and distinguishable** (in degree or extent) from someone not in the affected. The Chiang Mai haze plaintiffs clearly met that threshold.



## CHIANG MAI HAZE CASE AS THE TURNING POINT (2)



On that basis, the court proceeded to assess the merits and ultimately ordered the government to implement stronger measures, especially declaring **pollution control zones** and **emergency plans** within 90 days

On 1 August 2025, the Supreme Administrative Court of Thailand ordered the National Environment Board to designate Chiang Mai, Chiang Rai, Lamphun, and Mae Hong Son as **pollution control zones** during February to May each year, when PM<sub>2.5</sub> levels are dangerously high.

To balance public health with economic impacts, especially on tourism and investment, the Court **limited the pollution control designation to the months with the most severe haze**, avoiding broader year-round restrictions.



## CHALLENGES REMAIN!



In the Chiang Mai Haze Case, it was clear that the plaintiffs resided **near the source of air pollution** and was therefore **particularly affected by the harm**.

But in other cases, what **criteria** does the court use to determine who has the standing to file an administrative lawsuit?





## RECOMMENDATION:

### ENVIRONMENTAL PROTECTION ASSOCIATIONS AS A PLAINTIFF

#### Role Model

**Act Concerning Supplemental Provisions on Appeals in Environmental Matters (*Umwelt-Rechtsbehelfsgesetz*)**

- For the Implementation of the **EC Directive 2003/35/EC**
- allows environmental protection associations to **appeal against violations of environmental law**, requiring specific recognition to do so.
- Recognized associations can challenge public authority decisions **without showing that their own rights are affected**, as long as they demonstrate that the decision contradicts environmental legislation.

#### Implementation

By the Courts themselves, in the Courts' Guidelines, in the environmental laws (including the Clean Air Act)



## REFERENCES

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# THANK YOU

FOR YOUR ATTENTION

ありがとうございました。

ขอบคุณมากครับ



JAPAN - ASEAN JOINT STUDY ON BUSINESS AND HUMAN RIGHTS FOR YOUNG LEADERS



ALL EYES  
ON  
PAPUA

IRENE ANDRALUSIA JULIANA SIMANJUNTAK

AUGUST 13, 2025

INTRODUCTION



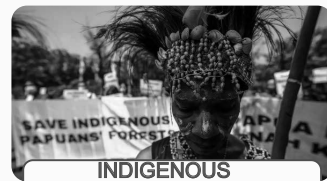
ENVIRONMENTAL  
POLLUTION

In 2016 and 2021 , communities in Indramayu, West Java, protested coal-fired power plant projects that caused severe air and water pollution, damaged farming and fisheries, harmed public health, and destroyed coastal ecosystems such as mangroves .



LABOR  
RIGHTS

In 2020 , the Omnibus Law on Job Creation triggered nationwide protests in Indonesia over fears it would weaken workers ' rights, increase job insecurity, and deepen industrial injustice .



INDIGENOUS  
PEOPLES

In 2023 , the Awyu tribe of Papua opposed palm oil projects that threatened to clear vast areas of their ancestral rainforest, erasing hunting grounds, sacred sites, and vital sources of food, water, and culture .

AUGUST 13, 2025

## INDONESIA'S LEGAL FRAMEWORK FOR INDIGENOUS PEOPLES



### INDONESIAN CONSTITUTION (1945)

The state recognizes and respects the unity of *indigenous communities* and their traditional rights.

### LAND LAW (1960)

The state recognizes individual and *communal land rights*, including customary claims.

### HUMAN RIGHTS LAW (1999)

The state protects the *cultural identity and customary territories* of indigenous communities.

### NATIONAL ACTION PLAN (2021)

The state directs national and regional agencies to plan, implement, and monitor annual human rights actions.

### NATIONAL STRATEGY ON BUSINESS AND HUMAN RIGHTS (2023)

The state requires government bodies to protect human rights in business, hold companies accountable, and ensure remedies for victims.



AUGUST 13, 2025

## CASE STUDY: #ALLEYESONPAPUA

2009

### THE BEGINNING

The government launched investment opportunities for palm oil plantations under the "*Tanah Merah Project*."

2021

### THE REALIZATION

An environmental permit was granted without consulting indigenous communities.

2023

### THE FIGHT

The Awyu Tribe challenged the permit, calling it a "*life-or-death*" fight to restore their ancestral land rights.

2024

### THE (IN)JUSTICE

Their case was dismissed by the district court, the high court, and ultimately the Supreme Court.



AUGUST 13, 2025

**BIG QUESTION**

# WHEN A STATE HAS ALREADY FAILED TO PROTECT, what remains?



AUGUST 13, 2025

**REMEDIES**

**1. NON-JUDICIAL PATHWAYS**

Mediation, administrative action, and engagement with human rights and environmental bodies.

**2. LEVERAGING GREENPEACE**

Partnership for conflict mediation, indigenous rights advocacy, and licensing transparency.

**3. CORPORATE ACCOUNTABILITY**

Mandatory due diligence, liability mechanisms, and transparency obligations to protect indigenous communities.



**4. POLICY AND LEGAL REFORM**

State - recognized mapping, certification, and community - driven compensation schemes for customary land.

**5. INDIGENOUS PEOPLES LAW**

Enactment of the 2003 Indigenous Peoples Bill as a framework for safeguarding customary rights.

AUGUST 13, 2025

## CONCLUSION



**The Awyu Tribe's case reveals a painful truth** : in Indonesia, the legal recognition of indigenous rights does not always translate into genuine protection .

**When judicial remedies fail, the state must be present** through non-judicial mechanisms, corporate accountability, and long-overdue legal reforms .

Unlike in superhero films where justice prevails "in a snap," like in *Avengers : Infinity War*, **real-life struggles demand persistence, political will, and systemic change** .

**For communities like the Awyu, the state is not just a legal entity —it is their final hope** . Without it, their land, heritage, and very identity risk disappearing .

AUGUST 13, 2025

## JAPAN -ASEAN JOINT STUDY ON BUSINESS AND HUMAN RIGHTS FOR YOUNG LEADERS

# THANK YOU



AUGUST 13, 2025

# The Labour Exploitation of Foreign Nationals in PNG



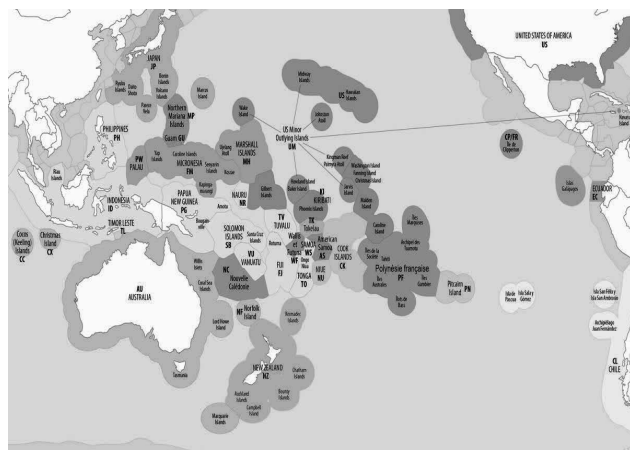
An overview  
of the difficulties of  
South East Asians  
illegally fishing for  
“Beech der Mer”  
within PNG’s EEZ and  
Territorial waters.



## Illegal Fishing and Labour Exploitation in PNG

### Key Concerns:

- Business & Human Rights aspect:**
- Fishing companies registered in ASEAN Countries are engaging in exploitative labour practices through targeted recruitment and labour extraction from males as fishermen, to illegally fish in PNG’s EEZ and Territorial waters.
- Illegal, Unreported and Unregulated (IUU) Fishing aspect:**
- Main catch is beech der mer, shark fin and highly migratory species
  - There was a 6-year Moratorium imposed on the harvesting of Beech der mer to prevent species ecological collapse. During that Moratorium timeframe, multiple vessels were caught illegally fishing, persons detained, prosecuted, incarcerated and returned to country of origin.
- Criminal Justice Aspect – Organized Crime & Migration Concerns:**
- Intentional and illegal facilitation of foreign nationals into PNG for the purposes of committing an offence against the State and against the concern foreign national.



Map source: [https://commons.wikimedia.org/wiki/File:Map\\_of\\_the\\_Exclusive\\_Economic\\_Zones\\_of\\_the\\_Pacific\\_Ocean.png](https://commons.wikimedia.org/wiki/File:Map_of_the_Exclusive_Economic_Zones_of_the_Pacific_Ocean.png)  
Sea-cucumber Picture source: <http://www.coralreefcp.org/sea-cucumbers.html>



## Case Data – 2015-2025

Year	Vessels	Persons Found Illegally Fishing	Nationality of Accused/Prisoners	Total Number of Cases in Court	Summary of Court Case/Legal Outcome
2015	1		Indonesian & Thai	1	<i>Silver Sea Case - Joint Cooperation and Investigation between Australia, Indonesia and PNG. Case was Prosecuted in Indonesia - trans-shipment in PNG.</i>
2016	14	79 (20+11+48)	Indonesian & Vietnamese	2	<i>Vietnamese sea cucumber illegal fishing case. The Waigani District Court sentenced 20 Vietnamese nationals to 4 years imprisonment with hard labor. The Daru District Court also sentenced 11 Indonesians for fishing in the Dog-leg area between PNG, Indonesia and Australia. Then another 48 Vietnamese were captured and jailed after being tried in Alotau District Court.</i>
2017	3	56	Vietnamese	1	<i>Vietnamese sea cucumber illegal fishing case. The Waigani District Court sentenced 56 Vietnamese nationals to 4 years imprisonment with hard labor. (captured on New Year's Day 2017.)</i>
2018	6	100 (50+50)	Vietnamese	2	<i>Vietnamese sea cucumber illegal fishing case. Case 1 in West Sepik Province, and Case 2 in New Ireland Province. The Vanimo District Court and Kavieng District Court sentenced the Vietnamese nationals in respective cases to 4 years imprisonment (as they were unable to pay the fine).</i>
2023	1	28	Indonesian	1	<i>28 Indonesians jailed for Illegal fishing</i>
2024	2	33 (24+ 9)	Indonesian	2	<i>24 Indonesians jailed for illegal fishing</i>
2025	1	24	Indonesia	1	<i>24 Indonesians jailed for illegal fishing</i>

The Three Pillars of the UNGPs	Actions taken in PNG by Government Agencies, NGO's, FBO's and INGO's
<p><b>Pillar 1</b> State Duty to Protect Human Rights</p> <ul style="list-style-type: none"> <li>Governments must prevent, investigate, punish, and redress human rights abuses by third parties, including businesses.</li> <li>This includes enacting laws, enforcing regulations, and providing access to remedies</li> </ul>	<ul style="list-style-type: none"> <li>The following are key indicators of Human Trafficking that have been identified as a common theme in almost all cases; <ul style="list-style-type: none"> <li>Coercive and controlling behavior from captains of vessels towards crew.</li> <li>Withholding of passports and identity documents by boat captains.</li> <li>Signs of physical abuse visible on many fishermen and crew members.</li> </ul> </li> <li>PNG Government with Support from Australian Border Force has use the "Follow the Money Model/Hypothesis for Organized/Syndicate Crime" to determine that source business engaged in HR Abuse are in South East Asia or China, through a Supply Chain for catch/fish that extends through PNG into the Pacific.</li> <li>Only mechanism is MOU's and Treaties with Australia and Indonesia for Joint border security and enforcement.</li> <li>PNG has ASEAN Observer status- not a party to any ASEAN Treaty - unable to address the corporate governance/human rights issues at source countries such as Vietnam.</li> </ul>
<p><b>Pillar 2</b> Corporate Responsibility to Respect Human Rights</p> <ul style="list-style-type: none"> <li>Businesses must avoid infringing on human rights and address adverse impacts they're involved in.</li> <li>This involves due diligence, impact assessments, and transparent reporting.</li> </ul>	<ul style="list-style-type: none"> <li>Difficult to establish accountability for Fishing Industry Companies in South East Asia.</li> <li>Vast number of reports of Fishing companies in South East Asia exploiting labour and depleting fish stock and engaging in IUU Fishing in the Indo-Pacific.</li> <li>PNG yet to establish a proper Policy and Administrative Mechanism with other ASEAN countries to create and enforce accountability measures for Fish Companies, and ensure good governance in Fish supply chains.</li> <li>To date no fishing companies have been fined or held liable by any PNG Court for the Illegal Fishing and labour exploitation of male South East Asian fisherman.</li> </ul>
<p><b>Pillar 3</b> Access to Remedy</p> <ul style="list-style-type: none"> <li>Victims of business-related human rights abuses must have access to effective judicial and non-judicial remedies.</li> <li>This includes state-based mechanisms (courts, ombudsmen) and company-level grievance processes.</li> </ul>	<p><u>Judicial and Administrative Support</u></p> <ul style="list-style-type: none"> <li>Provision of Lawyers and Interpreters for Foreign Nationals.</li> <li>Most persons found to be illegally fishing are victims of business-related human rights abuses such as labour exploitation.</li> <li>The majority of person caught illegally fishing are prosecuted for either illegal entry into PNG under the <i>Migration Act</i> or IUU Fishing under the <i>Fisheries Management Act</i>.</li> <li>Bench book on IUU Fishing used by District Courts for standardizing sentencing and for procedural fairness.</li> </ul> <p><u>Non-Judicial Support</u></p> <ul style="list-style-type: none"> <li>Language barrier impacts the adding of evidence – MOU with the Catholic Church and IOM to locate interpreters from South East Asian Countries to assist as Interpreters for Vietnamese.</li> <li>Basic skills program in Prisons- Part of the Melanesian Restorative Justice Program (DJAG &amp; Correctional Services) to support rehabilitation of prisoners. This program has been extended to foreign nationals. Basic English classes offered in Prisons.</li> <li>Repatriation process for prisoners to return to Country of Origin via Singapore or Philippines (Heavy burden on the government because ASEAN Countries do not support in return of Prisoners, or even in Re-integration)</li> </ul>

Thank you for your  
attention

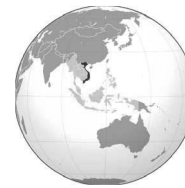
*Any questions?*

**References:**

- Slide 1 - Map source: [https://commons.wikimedia.org/wiki/File:Map\\_of\\_the\\_Exclusive\\_Economic\\_Zones\\_of\\_the\\_Pacific\\_Ocean.png](https://commons.wikimedia.org/wiki/File:Map_of_the_Exclusive_Economic_Zones_of_the_Pacific_Ocean.png)
- Slide 2 - Sea-cucumber Picture source: <http://www.coralreefcpr.org/sea-cucumbers.html>
- Slide 3 - Case data
  - 2015 - [https://www.seattletimes.com/nation-world/indonesia-navy-hubs-cargo-ship-loaded-with-slave-caught-fish/#:~:text=JAKARTA%2C%20Indonesia%20\(AP\)%20%E2%80%94,%2C%20but%20we%20did%20it.%E2%80%9D](https://www.seattletimes.com/nation-world/indonesia-navy-hubs-cargo-ship-loaded-with-slave-caught-fish/#:~:text=JAKARTA%2C%20Indonesia%20(AP)%20%E2%80%94,%2C%20but%20we%20did%20it.%E2%80%9D)
  - 2016 - <https://www.postcourier.com.pg/men-fined-for-illegal-fishing/> (11 Vietnamese)
  - 2017 - <https://www.postcourier.com.pg/gilgill-jail-overcrowded/> (48 Vietnamese caught and convicted 2016/ while 56 were caught on new year's day 2017 and waiting trial)
  - 2018 - unable to verify these cases with the newspaper article but I am certain that these were the numbers as I am a case officer.
  - 2023 - <https://islandsbusiness.com/news-break/28-indonesians-caught-illegally-fishing-in-png-waters/#:~:text=28%20Indonesians%20caught%20illegally%20in%20PNG%20waters>.
  - 2024 - <https://www.postcourier.com.pg/tag/illegally-fishing/#:~:text=Expatriates%20found%20guilty%20for%20illegal,to%20pay%20K90%2C000%20fine&text=A%20Total%20of%2024%20Indonesians,fine%20of%20K90%2C000%20each>. (24 Indonesians)
  - 2025 - <https://www.thenational.com.pg/24-illegal-indonesian-fishermen-jailed/> (24 Indonesians)



Market size USD24 billion in 2024, increasing 20% than 2023.



Third-largest e-commerce in ASEAN

## CONSUMER RIGHTS PROTECTION ON E-COMMERCE IN VIETNAM

From the Perspectives of Business and Human Rights



Rising concerns between online businesses and consumer rights

Big case 2025: "high-fibers" candy products by famous social media influencers turn out to be "high-sorbitol" (laxative)

Nguyen Xuan Hoa

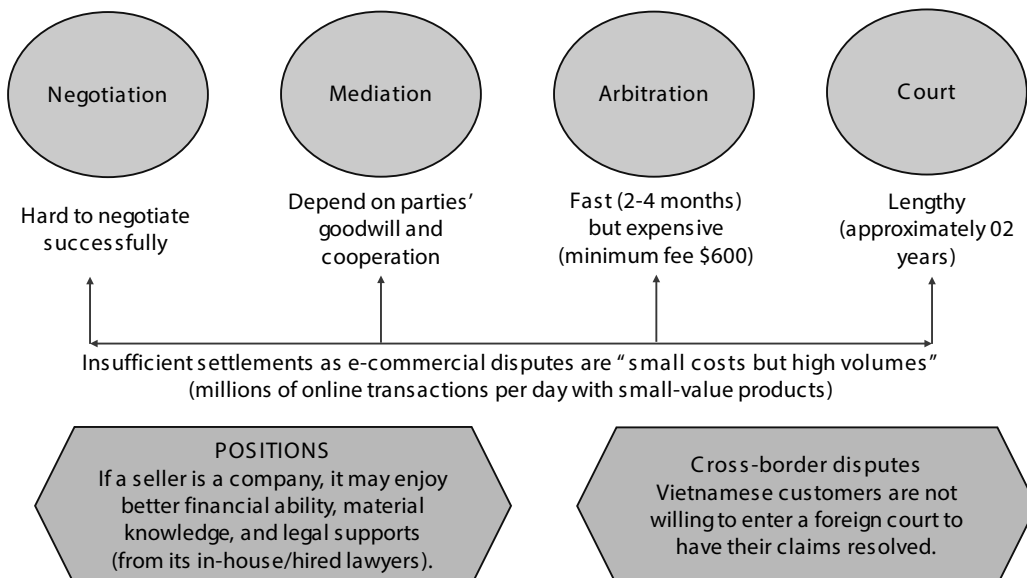
### STATE DUTY (SUBSTANTIAL PROGRESS)

LEGISLATION		REGULATION	
Law on Consumer Protection 2023	Draft Law on E-Commerce (expected in 2026)	Decree No.55/2024	NAP 2023
<ul style="list-style-type: none"> <li>- Principle (Art. 6): "Protecting consumer rights is responsibility of the State, organizations, individuals and entire society."</li> <li>- State policies (Art. 7): empower &amp; support, mobilize resources, promote ethics &amp; sustainability, foster cooperation.</li> <li>- Consumer Rights (Art. 4): safety &amp; protection, information &amp; choice, remedy &amp; participation, fair environment.</li> <li>- New concepts added: Onshore and offshore entities (Art 2.5); Remote/online transactions (Art. 37 to 40).</li> </ul>	<p>The MOIT is developing the Draft Law on E-commerce and collecting opinions from businesses with e-commerce activities in Vietnam.</p>	<p>Establish specific responsibilities for digital platforms and e-commerce businesses (Art. 23).</p>	<p>Consumer protection mentioned in "policy and law improvement", "improving the efficiency of law and policy implementation".</p>

## CORPORATE RESPONSIBILITY (INADEQUATE)

REQUIREMENTS		CURRENT STATUS	ALIGNMENT RATING
Policy commitment		- Major domestic platforms (Shopee VN, Sendo Vietnam, Tiki Fahasa, etc.) have consumer charters. - Many SMEs still lack explicit HR policies.	Medium
Due Diligence	Identify & assess risks	- Reactive (ex-post) risk management rather than proactive (ex-ante) risk management. - Neglect algorithmic bias, dark patterns, data harvesting practices as human rights risks. - Limited stakeholder engagement (especially vulnerable groups).	Low
	Prevent & mitigate	Rely on "notice-and-takedown" mechanisms rather than proactive prevention measures.	Low
	Track & communicate	Very few platforms publish annual sustainability or human rights reports detailing their consumer protection efforts.	Low
	Remediation	- Domestic platforms often have complaint windows (7-10 days) and facilitate refunds. - Vietnamese consumers struggle to obtain remedies from foreign platforms.	Medium

## ACCESS TO REMEDY (LIMITED)



## CONCLUSION #1 (RECOMMENDATIONS)

### CORPORATE RESPONSIBILITY

1. All businesses in Vietnam shall embed human-rights consumer policy based on the language of the OECD guidelines language into corporate governance.
2. Codify human rights due diligence into the forthcoming Law on E-Commerce:
  - Conduct consumer-rights impact assessment (CRIA) periodically.
  - Evaluate algorithmic design for manipulation or discrimination.
  - Protect vulnerable users.
  - Publish due diligence reports.

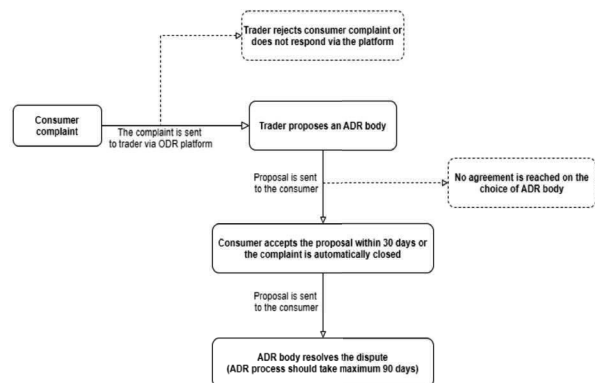
## CONCLUSION #2 (RECOMMENDATIONS)

### Access to remedy

Develop ODR/eADR – “a form of ADR which takes advantage of the speed and convenience of the Internet and information and communications technology (ICT).”

### Implementation:

- Establish a legal framework for ODR platforms: adding provisions that mandate/encourage the use of ODR to settle consumer disputes in the Law on Consumer Protection and other decrees.
- Create a national wide ODR platforms: should be under the management of the MIT.
- Adopt ODR by businesses: some business have set up their own ODR platforms like HIAC, VIAC Mediation Center.



(An EU model of ODR platform's working mechanism)

Benefits: Time and costs savings; Control over outcomes; Convenience; Document storage.

Thank you  
for listening

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# JAPAN-ASEAN JOINT STUDY ON BUSINESS AND HUMAN RIGHTS FOR YOUNG LEADERS

AUGUST 4<sup>TH</sup> - AUGUST 14<sup>TH</sup>

## PROBLEMS RELATED TO DISMISSAL IN CAMBODIA

AUGUST 13<sup>TH</sup> 2025  
PECH LONGSONITA

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## INTRODUCTION

Since the covid-19 pandemic, Cambodia's tourism, entertainment, and hospitality sectors have faced prolonged declines, leading many companies to reduce staff through suspensions, terminations, and collective layoffs. These issues, along with incorrect wage calculations, have persisted, with employers often citing covid-19 as the reason.



From the start of the covid-19 pandemic until now most of the cases of dismissal due to economic reasons.

As the result, there were protests from employees seeking justice.

## CONDITIONS FOR TERMINATION OF LABOR CONTRACTS OR DISMISSAL AND ISSUE

### Fixed Duration Contracts (FDCs) Art.73 of Labor Law

- Normally terminates on the specified end date.
- It may be terminated before the end date if both parties agree to the conditions.
- If there is no mutual agreement, FDCs can be terminated before its expiry only in cases of serious misconduct or force majeure (acts of God).

### Unspecified Duration Contracts (UDCs) Art.74 of Labor Law

- May be terminated at any time by mutual agreement of the parties.
- If an employer wishes to terminate a UDC, they must provide the employee with prior written notice and state a valid reason for the termination.
- However, no layoff can be taken without a valid reason relating to the worker's aptitude or behavior, based on the requirements of the operation of the enterprise, establishment or group.

However, the law does not clearly define the elements the validity of a dismissal, and lack of transparency in procedures and insufficient protection for workers remain concerns. In particular, in cases of mass layoffs for economic reasons, workers may not receive adequate compensation.

## PERSPECTIVE OF THE STATE

- The Arbitral Decision ordered the company to pay compensation, damages, and other entitlements in accordance with the provisions of the law.
- The Ministry of Labour and Vocational Training invited both parties to participate in face-to-face negotiations.
- The Ministry of Labour and Vocational Training issued a Instructions on requiring the company to pay compensation, damages, and other entitlements in accordance with the provisions of the law.
- Penalties may be imposed on the company if it fails to comply with the law.
- The Arbitration Council conducted seminars related to labor law, including the resolution of collective labor disputes and labor law
- In addition, the Ministry of Labour and Vocational Training organized a workshop on Strengthening the Implementation of the Labour Law etc.

## RECOMMENDATION

Cambodia maintains relatively low labor costs to attract investment, but this also tends to result in weaker protection for workers in cases of dismissal so :

- It is important to improve the transparency of dismissal procedures in order to balance economic growth with worker protection.
- Additionally, ensuring that workers have easy access to legal remedies through stronger labor courts and arbitration bodies is essential.
- Even in cases of dismissal due to economic reasons, it is necessary to confirm whether the doctrine of abuse of the right to dismiss applies.
- In the case of dismissal due to economic reasons, when the employee is not at fault, it is better to clearly define the validity of the elements of dismissal.

## REFERENCE

- Labor Law, Dated : March 13<sup>th</sup> 1997
- LAW On The Amendment of Article 87, Title "C", Section 3 of Chapter 4, Article 89, Article 90, Article 91, Article 94, Article 110, Article 120, and Article 122 of the Labour Law, hereby promulgated by the Royal Krom CS/RKM/0397/01, dated 13 March 1997 , Dated : June 28<sup>th</sup> 2018
- Decision of Arbitration Council Case No.012/21 Dated September 10<sup>th</sup> 2021
- Decision of Arbitration Council Case No.009/24 Dated August 8<sup>th</sup> 2024
- Business & Human Rights Resource Centre, [Cambodia: NagaWorld's Union Leaders Receive Dismissal Notices] dated: May 28<sup>th</sup> 2021, (Last access dated : August 12<sup>th</sup> 2025 <https://www.business-humanrights.org/en/latest-news/cambodia-nagaworlds-union-leaders-receive-dismissal-notice/> )



# Mental disorders caused by workplace sexual assault recognized as work-related injuries

## -An example of the first case recognized in China-



Presenter: Zhu Lin

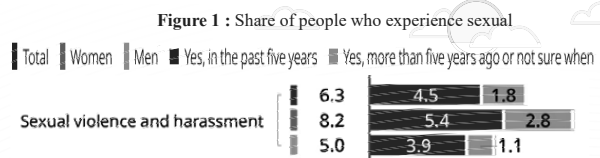


Date : August 12

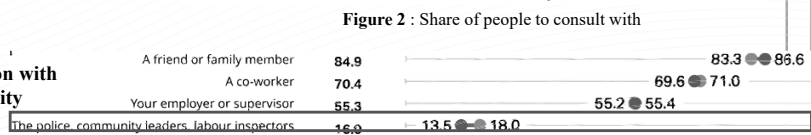
### 01 Sexual violence in the workplace

Male: 5 % Female: 8.2 %

**Figure 1** There is an overwhelming difference between men and women when it comes to sexual harassment in the workplace!



**Figure 2** Low rates of consultation with police officers, community leaders, superiors



One of the aftereffects of sexual violence—PTSD

**PTSD** : Post-traumatic stress

**Symptoms:** ① Re-experiencing: vivid recollections, flashbacks, nightmares, etc.

② Avoidance: Avoid places, avoid people,

③ Hyperarousal: High vigilance, tension

④ Negative changes: sadness, anxiety, inactivity, despair, etc.

**Treatment methods:** Counseling, psychotherapy, and drug therapy

**Treatment period** : 1 month to 1 year (depending on the individual, it may take more than a year)

## 02 Statement of facts

### Summary of the facts

**Date of Incident:** 2023

**Parties Involved:** While on a business trip and after attending a business dinner, Ms. A, the Marketing Director (plaintiff), was sexually assaulted by her superior, Mr. B (defendant)

**Subsequent Developments:** After the incident, Ms. A suffered from severe depression and anxiety and was diagnosed with PTSD. She submitted a leave application along with a hospital medical certificate. However, Mr. B did not follow the company's leave regulations and, citing "unauthorized absence," not only removed Ms. A from her managerial position and work group but also fired her.

## 02 Statement of facts

### Judgment and Remedies

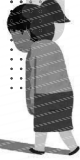
**Plaintiff's Claims:** Ms. A sought to hold Mr. B personally liable for the assault and also argued that the company should recognize the incident as a work-related injury (occupational accident).

**Court Judgment:** In April 2024, the court found Mr. B guilty of sexual assault and sentenced him to four years' imprisonment for rape, ordering him to pay 60,000 yen in compensation for mental health treatment.

**Work Injury Recognition (through Ms. A's own efforts):**

—In March 2025, the local Human Resources and Social Security Bureau cited Article 14, Paragraph 5 of the Work-Related Injury Insurance Regulations, which stipulates that "when a worker is injured while on a business trip for work purposes, the injury shall be recognized as work-related," and officially recognized Ms. A's injuries as a work-related injury.

—Labor Arbitration Award: The former employer was ordered to pay more than 22.2 million yen in compensation.

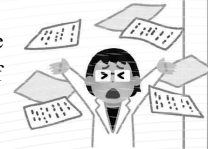


#### Weakness of Individual Power

- This is the first time a work-related mental disorder has been recognized as an industrial accident, so lawyers lack experience.
- The company refused to acknowledge the case as a work-related injury.

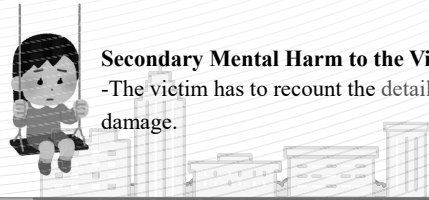
#### Cumbersome Procedures

- Mental disorder diagnosis: For conditions such as depression or PTSD, treatment must be received at a designated psychiatric medical institution at least 12 times or over a period of three months. Only a diagnosis from that institution is accepted.
- Proof of a direct causal link between PTSD and the sexual assault.



#### Secondary Mental Harm to the Victim

- The victim has to recount the details of the assault repeatedly, causing further psychological damage.



#### Article 75 of the Labor Standards Act (Medical Compensation)

When a worker suffers an injury or contracts a disease in the course of employment, the employer shall provide the necessary medical treatment at the employer's expense, or bear the cost of such necessary medical treatment.

#### Article 76 of the Labor Standards Act (Compensation for Absence from Work)

When a worker, due to medical treatment under the preceding Article, is unable to work and therefore does not receive wages, the employer shall provide compensation for absence from work equivalent to 60 percent of the worker's average wage during the period of medical treatment.

#### Article 35 of the Ordinance for Enforcement of the Labor Standards Act

The occupational diseases prescribed in paragraph 2 of [Article 75](#) of the Act shall be those listed in Appended Table 1-2.

#### Appended Table 1-2, Item 9:

Mental and behavioral disorders, or diseases incidental thereto, caused by work involving exposure to accidents threatening human life or other events imposing excessive psychological burden.



# Business and Human Rights: Focusing on Persons with Disabilities in Vietnam

● Osaka University BUI NHUNG ANH

2025/08/13

## ① Persons with Disabilities (PWD) in Vietnam

### "Business and Human Rights" – Relevance

伊藤(2022, p44) : 2 Perspectives

**Worker's Perspective**  
Points to consider when businesses (public/private) employ persons with disabilities

**Consumer's Perspective**  
Points to consider when businesses provide products or services to persons with disabilities

### Vietnam

Year	Treaty Related to Persons with Disabilities	Treaty's Purpose
Signed : 2007 Ratified : 2015	Convention on the Rights of Persons with Disabilities	伊藤(2022, p45) : Aims not to grant special rights to persons with disabilities, but to create a society where they can live like those without disabilities
Ratified : 2019	ILO Convention No. 159 – Vocational Rehabilitation and Employment (Disabled Persons)	Lien(2025, p64) : Promotes social participation and sustainable development by enabling persons with disabilities to use their abilities and find suitable employment

↳ Domestic Law (②)

### Current Situation

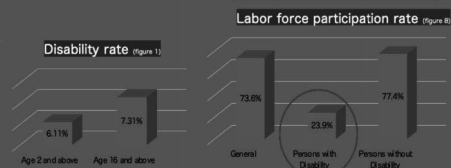
Buckup (2009, pp1-3):

- Economic losses related to disability are large and measurable
- Macroeconomic losses: Economic costs in Vietnam: 3 per cent of 2006 GDP, US\$ 1.8 billion for Viet Nam

Lien (2025, p33):

- Employment for persons with disabilities supports inclusive development and enables their contribution to socio-economic growth

General Statistics Office of Vietnam – 2023 Survey on Persons with Disabilities



## ② State Duty to Protect Human Rights & Cooperate Responsibility

**Current Situation:** Lien (2025, pp32-35), Thuy (2024, p45), Trang (2025, p66)

### Non-discrimination, equality of opportunity, and gender equality for workers with disabilities

- (indirectly) Recognized in the 2013 Constitution (Art. 35), Labor Codes (2012 & 2019), Law on PWDs (2010), Law on Gender Equality (2009)

### Access to Vocational Education and Training

- Law on Persons with Disabilities (2010, Arts. 32)

### Employment Support and Job Placement

- Law on Persons with Disabilities (2010, Arts. 33)

### Incentives for Employers Hiring PWDs

- Labor Code (2019, Clause 7 Art. 4; Art. 158)
- Law on Employment (2013, Arts. 11–14) & Decree No. 61/2015/Nb-CP (Arts. 24–27) & Decree No. 74/2019/Nb-CP (Art. 1): Preferential loans for enterprises employing ≥30% PWDs.

### State Duty



### Cooperate Responsibility



### Example of Current Problems

#### Incentives for Employers Hiring PWDs : LOW

- Thuy (2024, p46)
- Tax breaks (≥30% PWDs & ≥ 20 PWD staffs) have limited impact

- Lien (2025, pp36-38)
- Employers doubt PWDs' abilities → hiring discrimination
- Costs for accessibility & compliance ceter employers
- Laws are encouraging, not mandatory → hiring is optional
- Incentives based only on % of PWDs; ignore severity/size → inequity

#### Access to Vocational Education and Training

### Future Measures

Lien's suggestion (2025, p40):

#### Mandatory quota for trained PWDs + penalties

- International examples:
- Germany: ≥5% PWDs if ≥20 employees
  - UK: 3% quota
  - Japan: 1.8% quota if ≥56 employees



Quality Issues of PWD Workforce

## ③ Access to Remedy (State-based, Judicial Mechanisms)

**Current Situation:** Tran (2022, pp89-91, p97)

### Right to access judicial bodies

- 2013 Constitution (Art. 35)

### Right to a public and fair trial

- 2013 Constitution (Art. 31)
- 2015 Civil Procedure Code (Art. 15)

+ Supporting PWDs

### Right to procedural accommodations

- 2015 Civil Procedure Code (Art. 263; 70, 171, 173): Sign language interpretation, Braille documents, accessible notifications.

### Right to legal aid

- 2017 Law on Legal Aid (Art. 7): free legal aid, including participation in proceedings, legal advice, and representation, Early access to legal aid (criminal cases)

### Right to participate in the administration of justice

- 2014 Law on People's Courts (Art. 67); 2014 Law on People's Procuracies (Art. 75); Law on Lawyers (Art. 10): Persons with disabilities can serve as judges, prosecutors, lawyers, legal aid providers.

### ③ Access to Remedy (State-based, Judicial Mechanisms)

Current Problems: Tran (2022, pp92-94)

#### Legal barriers

- Legal Aid Law limits free legal aid to PWDs with financial hardship
- No legal provisions sanctioning indirect discrimination

#### Procedural barriers

- No specific criteria, formal training, or certification system for sign language interpreters; lack of professional standards
- No clear rules on accessible formats for legal notices

#### Physical barriers

- Courtrooms located on upper floors without ramps or lifts; difficult access for wheelchair users and persons with visual impairments
- Inadequate facilities in justice-related buildings



### ③ Access to Remedy (State-based, Judicial Mechanisms)

Future Measures Tran (2022, pp94-96)

#### Legal barriers

- Expand free legal aid to all PWDs, not only those with financial hardship

#### Procedural barriers

- Establish criteria, training, and certification for sign language and Braille interpreters
- Ensure interpreters and support persons are available in all investigation, evidence collection, and trial processes.

#### Physical barriers

- Provide physical access improvements: ground-floor courtrooms, accessible paths for wheelchair users and visually impaired persons



# References

1. 伊藤芳浩. (2022). 「障害者の権利」とビジネス. 部落解放/解放出版社 編, (825), 44-56.
  2. Backup, S. (2009). The price of exclusion: The economic consequences of excluding people with disabilities from the world of work. International Labour Organization.
  3. Liên, P. T. (2025). THỰC TIỄN THỰC THI PHÁP LUẬT VỀ BẢO ĐẢM QUYỀN VIỆC LÀM CHO NGƯỜI LAO ĐỘNG KHUYẾT TẬT VÀ HƯỚNG HOÀN THIỆN PHÁP LUẬT. Hue University Journal of Science: Social Sciences and Humanities, 134(6S-1), 31-42.
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  6. Trang, đ. T. Q. (2025). HOÀN THIỆN PHÁP LUẬT VIỆT NAM VỀ NGƯỜI LAO ĐỘNG KHUYẾT TẬT PHÙ HỢP VỚI CÔNG ƯỚC SỐ 159 CỦA TỔ CHỨC LAO ĐỘNG QUỐC TẾ. Hue University Journal of Science: Social Sciences and Humanities, 134(6S-2), 63-72.
-

# **BUSINESS AND HUMAN RIGHTS IN LAO PDR**

---

## **Understanding the Challenges in Laos:**

- Many businesses grow fast in Laos (e.g., mining, dams, farming)
- But some harm local people and the environment
- Human rights issues are rising
- Main focus:
  - Main problems
  - What the Lao government is doing
  - My opinion and ideas

# **I. WHAT ARE THE MAIN HUMAN RIGHTS PROBLEMS IN LAOS?**

---

## **Key Issues in Business and Human Rights:**

- Land grabbing and forced evictions
- Child labor in farms and small businesses
- Pollution and damage to nature
- No consultation with affected communities
- Difficult for people to access justice

## II. GOVERNMENT ACTIONS – WHAT IS BEING DONE IN LAOS?

---

### **State Duty to Protect Human Rights:**

- New laws to protect land and labor rights
- Environmental and Social Impact Assessments (ESIA)
- Work with the UN and other partners
- Village-level mediation systems
- Legal aid and complaint systems (but still weak)

## III. MY OPINION – CULTURE AND HUMAN RIGHTS PROTECTION

---

### **Personal Reflection: Culture Matters:**

- In Laos, culture and tradition affect how we see human rights
- Child labor is often accepted as normal in rural areas
- Many people think nature is part of everyday life, not something to protect legally
- This makes it hard to apply human rights laws

## IV. CONCLUSION AND RECOMMENDATIONS

### What Should Be Done?

---

#### Challenges

Child labor accepted in rural areas

Land grabbing and lack of consultation

Weak legal system and access to justice

Environmental damage from projects

Culture vs. legal human rights

#### Suggestions

Raise awareness and provide education about child rights

Involve local communities in decision-making before business projects start

Improve legal aid and make justice systems more accessible

Enforce stronger environmental protections and assessments

Respect local traditions but still promote human rights protection

## Japan-ASEAN Joint Study on BHRs-2025

### Presentation on Ship breaking and recycling industry in Bangladesh: An evaluation from the perspective of Business and Human Rights.

Abdul Alim  
Bangladesh

#### Ship breaking industry in Bangladesh at a glance

- ▶ Main Location: Chattogram's Sitakunda coast
- ▶ Supplies 60-70% of steel demand, worth USD 1.5-2 billion annually.
- ▶ 25,000+ direct and hundreds of thousands of indirect jobs.



### Economic benefit Vs. Human Rights.

- ▶ Unsafe working conditions: accidents, fires, toxic fumes.
- ▶ Labor rights violations: informal contracts, lack of social protection.
- ▶ Child labor: Boys aged 14-17 in hazardous tasks.
- ▶ Violations of ILO conventions (C155 - Occupational Safety, C138 - Minimum Age).



<b>FATALITIES AT SHIPBREAKING YARDS</b>	
<b>YEAR</b>	<b>DEATHS</b>
<b>2014</b>	<b>9</b>
<b>2015</b>	<b>16</b>
<b>2016</b>	<b>17</b>
<b>2017</b>	<b>15</b>
<b>2018</b>	<b>20</b>
<b>2019</b>	<b>22</b>
<b>2020</b>	<b>11</b>
<b>2021</b>	<b>14</b>
<b>2022</b>	<b>10</b>
<b>2023</b>	<b>5</b>

### Economic Benefit Vs. Environmental Protection

- ▶ Pollution: Oil spills, asbestos, heavy metals dumped on beaches.
- ▶ Ecosystem damage: Mangrove destruction, fish stock depletion.
- ▶ Community health: respiratory illness, skin disease, contaminated water.
- ▶ International standards breached: Basel Convention, UNCLOS Article 194.



# State Responsibility and Access to Remedy

## 1. State Duty:

- ▶ Constitutional Mandate: Articles 32, right to life, Article 18A, Environment and Bio-diversity,
- ▶ Legislations:
  - Ship Recycling Act, 2018: yard registration, safety training, environmental clearance
  - Bangladesh Labour Act, 2006, Bangladesh Environment Act, Policy, Department Court
  - UDHR, ICCPR, ICESCR, ILO

## 2. Access to Remedy:

- Specialized Labour Courts
- Higher Judiciary: BELA vs. Bangladesh & Others, 18 directives.

## 3. Corporate Social Responsibility:-----? (Capitalist Approach Vs. Human Rights)

### Proposals:

- ▶ Strict adherence to the Implementation of Laws: Domestic buyers-International Suppliers.
- ▶ Environmental safeguards: waste treatment, independent audits.
- ▶ International Cooperation: Technology Transfer. (Beaching Yard Vs Dock Yard)
- ▶ Corporate Accountability: Due Diligence Laws for Foreign Ship-owners.



*Thank you*



# Corruption in Nepal: A Human Right Perspective

Raghubanshi Ambika  
Keio University

## Table of content

Major Issues

States Measures

Institutional Mechanism

Problem and Challenges

Way Forward

## Major Sector wise Issues

- **Local Level**
  - Projects are selected on political party interest, demand bribe for service delivery
- **Education**
  - Illegal collection of money from students, Fake certificates, misuse of scholarship, political influence
- **Land**
  - Illegal registration of the government and public property in the name of person
- **Home Administration**
  - Citizenship certificate, local recommendation, driving license
- **Health**
  - Purchase of medical equipment, medicine issues
- **Tax evasion**
  - Maintain two sets of accounting records
- **Public Procurement**
  - Intentional variations to increase cost and time
- **Labor and Foreign Employment**
  - Creates fake contract and charge excessive charge
- **Agriculture**
  - Fertilizer, seeds distribution, subsidy

CPI: 117 among 180 countries  
Corruption Perception Index 2024

## State Measures to combat corruption Obligation to respect, protect and fulfill human rights

### Domestic Legal Provision

- Constitution of Nepal
- The Prevention of Corruption Act, 2002
- Commission for Investigation of Abuse of Authority Act, 1991
- National Human Rights Commission Act, 2012
- Judicial Council Act, 2017
- Anti Money Laundering Act, 2008
- Good Governance (Management and Operation) Act, 2008
- Special Court Act, 2002
- Public Procurement Act, 2007
- Right to Information Act, 2007

### International legal Instrument

- UN Guiding Principle on Business and Human Rights
- United Nations Convention against Corruption (UNCAC)
  - Uniting the World against Corruption
- The 2030 Agenda for Sustainable Development and Corruption
  - Goal 16 : peace, justice and strong institutions
  - Target 16.5 “substantially reduce corruption and bribery in all their form”

## Institutional Mechanism for access to remedy

Fifth Strategic Plan for  
2024/2025 to 2028/2029

1. Curative Strategy

2. Preventive Strategy

3. Promotional Strategy

4. Institutional Capacity Enhancement Strategy

### Commission for Investigation of Abuse of Authority (CIAA)

- Constitutional Body Art. 238
- Established in 1992
- Eight district office
- Head office has 47% complaints
- Complaint receive method: written letter (30%), email (22%), website, newspaper, online app
- In 2024/2025 total complain received: 36,186
- Complaint addressed: 27,714
- Total case registered in the Special Court: 201

#### Other

- National Human Rights Commission
- Department of Money Laundering
- Office of the Prime Minister and Council of Minister
- The Office of Auditor General
- The Office of Attorney General



## Problem and Challenges

- Lack of a Clear Legal Definition for Policy-Level Corruption
- Inadequate Regulation of Private Sector Corruption
- Perception that Anti-Corruption Efforts Delay Development
- Weak International Cooperation and Legal Frameworks
- Public Misconceptions and Growing Tolerance toward Corruption

# Way Forward








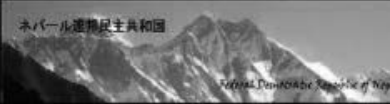





- ❖ Integrate Ethics and Accountability from the Ground level
- ❖ Expand and Strengthen the Legal Framework
- ❖ Empower Anti-Corruption Institutions CIAA
- ❖ Use of Information Technology in service delivery
- ❖ Strengthen International and Domestic Cooperation
- ❖ Zero Tolerance in corruption

#### References:

- Constitution of Nepal
- Annual Report of Commission of Investigation of Abuse of Authority
- The prevention of Corruption Act, 2002
- Human Rights Commission Nepal publications
- Strategic Plan of CIAA
- UNCTAD
- Sustainable Goal 2030
- Sixteenth Five Years development plan
- Publication of articles of CIAA

Thank You !

**SAMPA**  
FROM BANGLADESH

Presentation for Joint Study on Business and Human Rights  
{BHR} for Young Leaders



**ENVIRONMENTAL POLLUTION  
AND  
THE REGULATION OF  
BANGLADESH**



Bangladesh  
Constitution



**Article 18A-Protection and Improvement of Environment and Biodiversity.**

**Article-32: Right to Life**



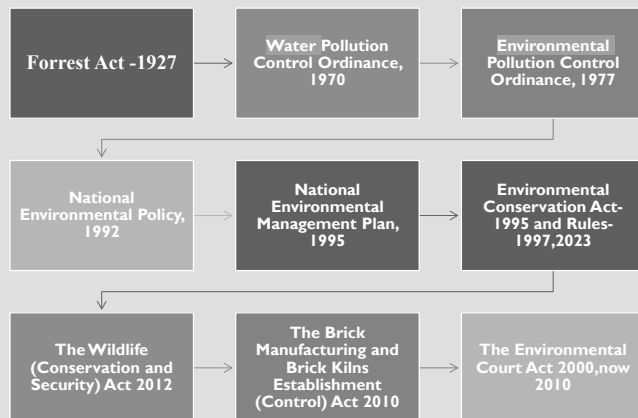
Article 32 -includes everything which is necessary to make it meaningful and a life worth living

“The State shall endeavor to protect and improve the environment and to preserve and safeguard the natural resources, bio-diversity, wetlands, forests and the wild life for the present and future citizens.”



(Article 18A was inserted by the Constitution (Fifteenth Amendment) Act, 2011 (Act XIV of 2011), section 12

**LEGAL  
FRAMEWORK-  
3-[A]-BHR-  
ENFORCEMENT**



## LEGAL FRAMEWORKS

The Bangladesh Water Act -2013

The Bangladesh Biodiversity Act -2017

International Convention Ratified by Bangladesh:

**Convention on Wetlands** of International Importance as Waterfowl Habitats (1971) RAMSAR is ratified by Bangladesh in 1992.

Convention Concerning the Protection of the World Cultural and Natural Heritage (1972) (World Heritage Convention) ratified by Bangladesh in 1983.

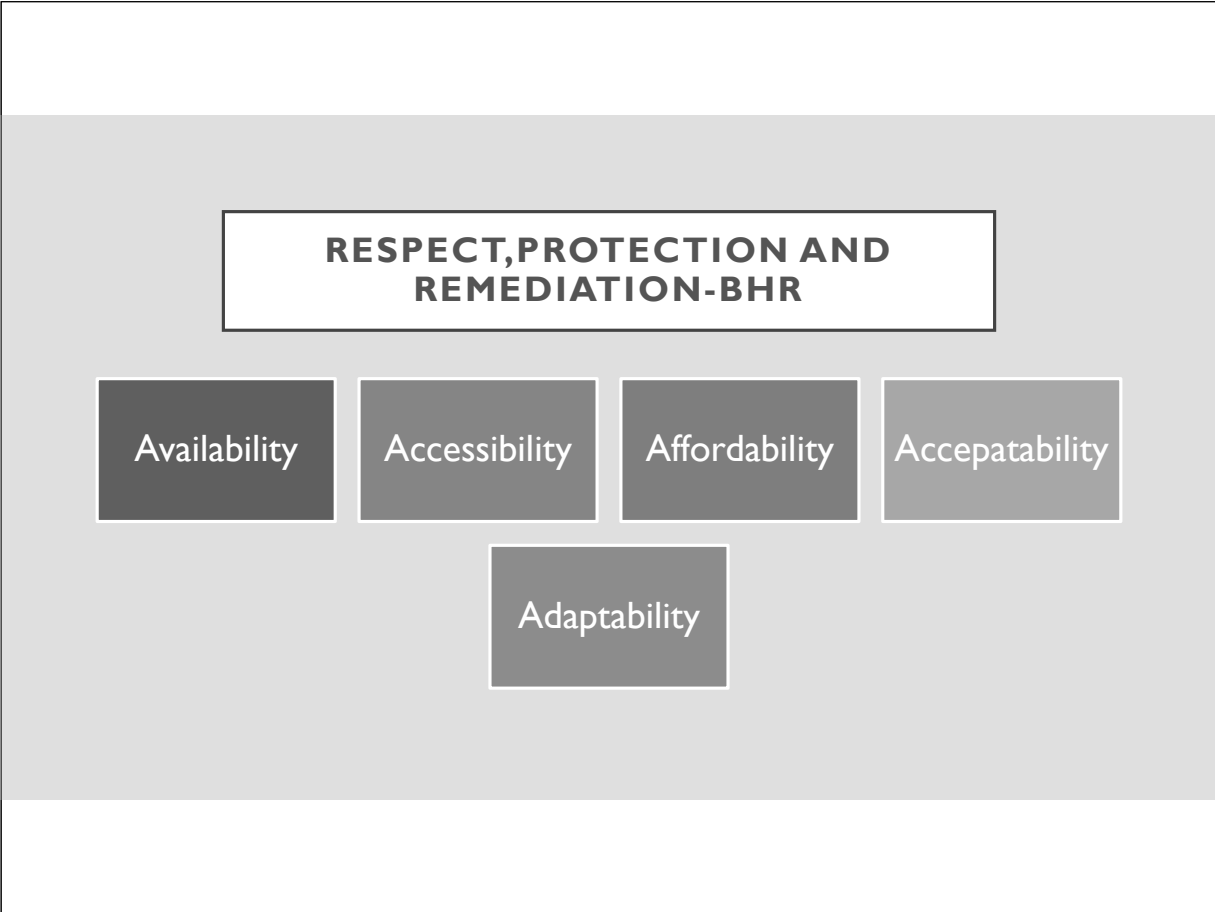
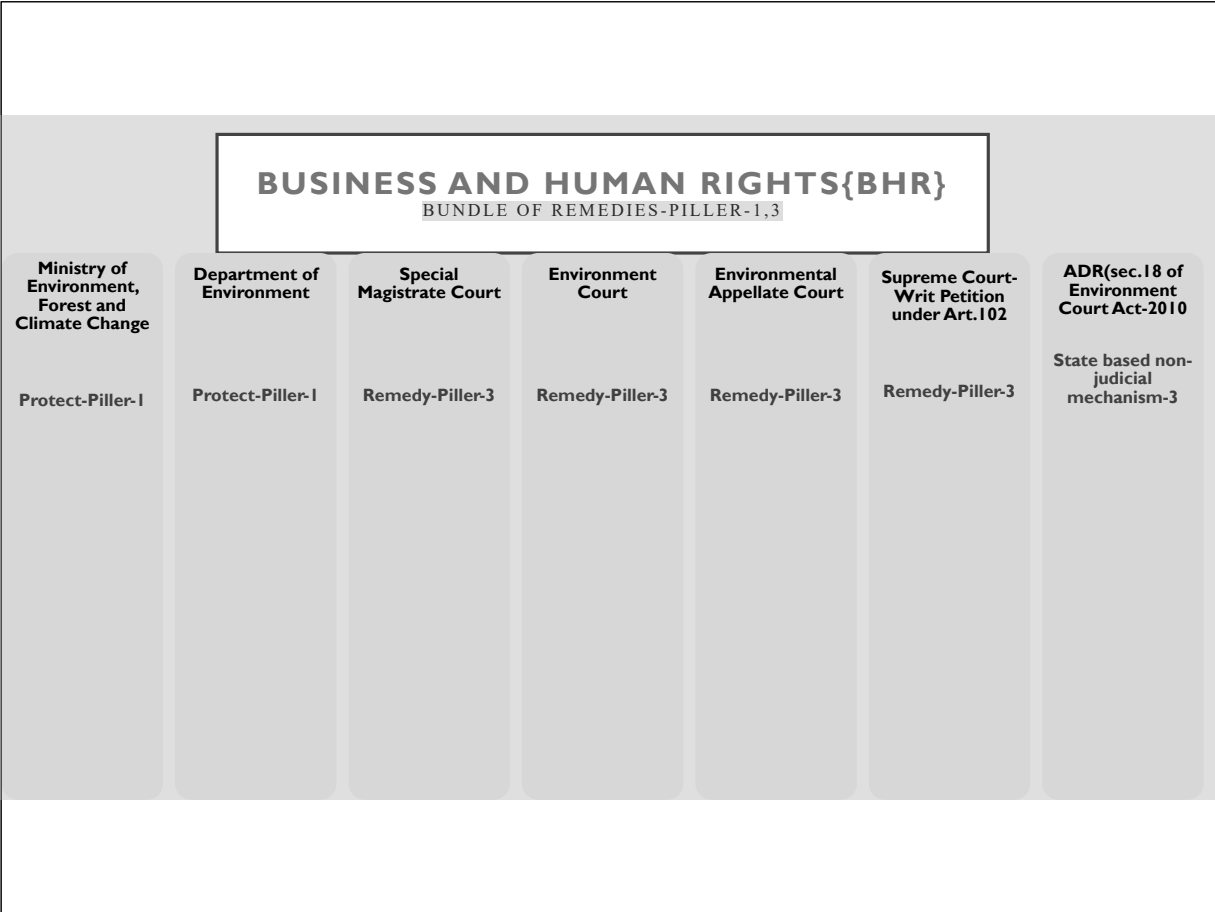
The Convention of Biological Diversity (1992) ,Ratified by bd 1994

ONE SUIT THAT  
PAVED THE WAY  
FOR  
ENVIRONMENTAL  
PROTECTION IN  
BANGLADESH –  
RESPECT- PILLER-2

**Dr. Mohiduddin Farooque vs Bangladesh-BELA-WP-890 of 1994-2001**

Public Interest Litigation For Environmental Safeguarding  
“The enterprise must be held **absolute liability** for **hazardous or inherently dangerous activity** in which it is engaged must be conducted with the **highest standards of safety** and if any harm results on account of such activity, the enterprise must be absolutely liable to compensate for such harm” and

“It should be **no answer to the enterprise to say that it had taken all reasonable care** and that the **harm occurred without any negligence on its part.**”



## **OWN THOUGHT**

- **Stricter Enforcement of Available Mechanism**
- **RRR-Reduction, Recycle, Reuse**
- **Green Supply Chains**
- **Technology Efficiency- Support**
- **Public and Private Partnership- Financial Support**
- **At last ,Sustainable Development**
- **Realization of Environmental Impact and Awareness**



# INDIGENOUS RIGHTS VS. DEVELOPMENT

Managing development projects in indigenous area

PRATIMA POKHAREL



## PROJECT OVERVIEW



- Project Overview: A cable-car project aimed at improving tourism access to Pathibhara Temple, also known as Mukkumlung by the Limbu people—an Indigenous sacred site.
- Business Human Rights Concern: Indigenous Limbu communities oppose the project, highlighting threats to their spiritual and cultural heritage and raising violations of FPIC (Free, Prior, and Informed Consent)

## NATIONAL ACTION & INSTITUTIONAL RESPONSE

- Limited Uptake of BHR Principles: Nepal lacks a robust National Action Plan on Business & Human Rights (BHR) or mechanisms to enforce corporate accountability in Indigenous areas.
- Judicial Intervention: Nepal's Supreme Court issued an interim stay on construction pending further review.
- Government Engagement: Ministry-level negotiation began with Indigenous communities, though stalled over project cancellation demands



COMPLIANCE

### Gaps in Governance & Accountability: Environmental Assessment Failures

- The project's Initial Environmental Examination omitted key ecological data and bypassed the mandatory Environmental Impact Assessment despite exceeding land thresholds
- Voices Weak Indigenous Consultations: FPIC protocols were ignored, raising violations of international standards like UNDRIP and ILO 169.ESC
- Human Rights Violations: The response to protests included excessive force, injuries, and arrests—prompting calls for independent actions

## TOWARDS REMEDIES & SAFEGUARDS

- **Mandatory Environmental and Social Impact Assessments:** Require comprehensive EIAs before approvals, especially in culturally sensitive and ecologically critical zones.
- **Institutionalize FPIC:** Embed legal mechanisms ensuring meaningful consultation and consent from Indigenous communities before any project commences
- **Strengthen Judicial Oversight:** Empower public interest litigation to hold state bodies and businesses accountable when human rights and environmental norms are breach



## PATH FORWARD – CORPORATE RESPONSIBILITY

- **Regulate Business Practices:** Apply BHR frameworks, mandating transparency, grievance mechanisms, and community benefit-sharing.

**Embed Culture and Sustainability in Development:** Prioritize projects respectful of sacred heritage, local livelihood (e.g., porters, local vendors), and forest ecosystems

**Global Human Rights Leverage:** Use activism, international pressure (e.g., ESCR-Net appeals), and media attention to reinforce accountability and justice



Final Presentation

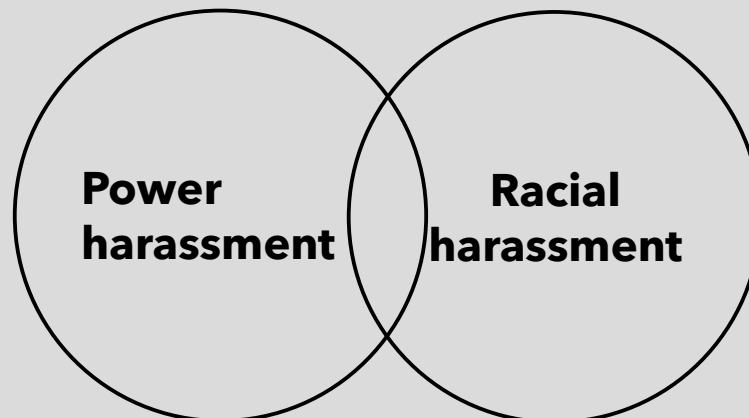
# “Harassment” issue

Team6: CAROLYN SI Kay Xin, NAKAO Chieko, YABE Yuki,  
NAKAYAMA Kyogo, DOI Akari, AIKAWA Misaki



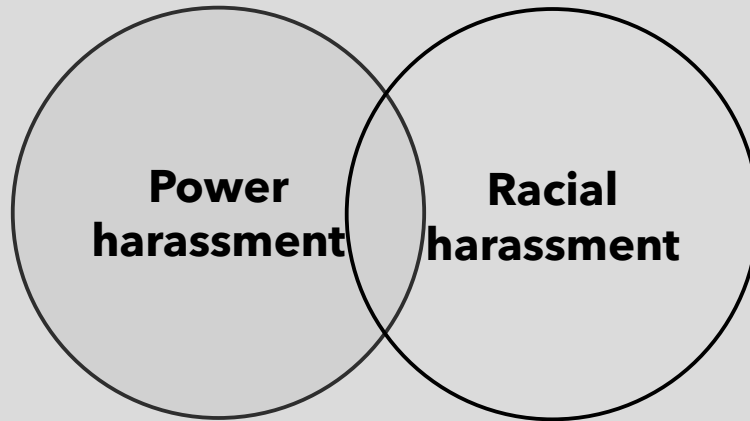
## Introduction

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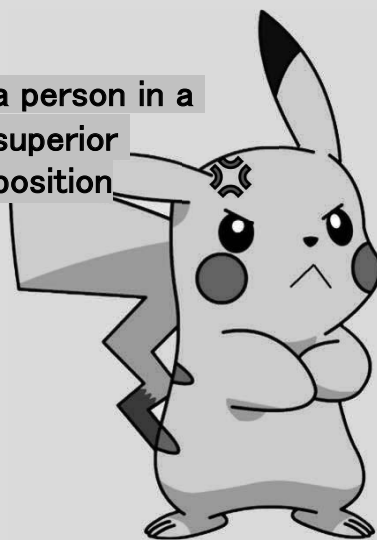
## Introduction



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## Introduction

a person in a superior position

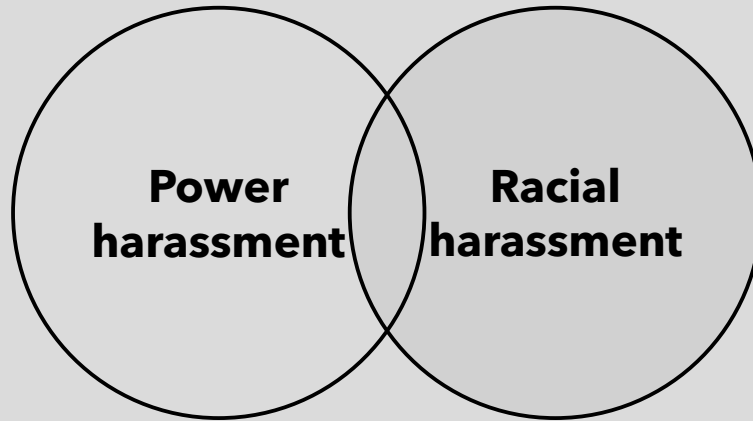


Power/  
authority



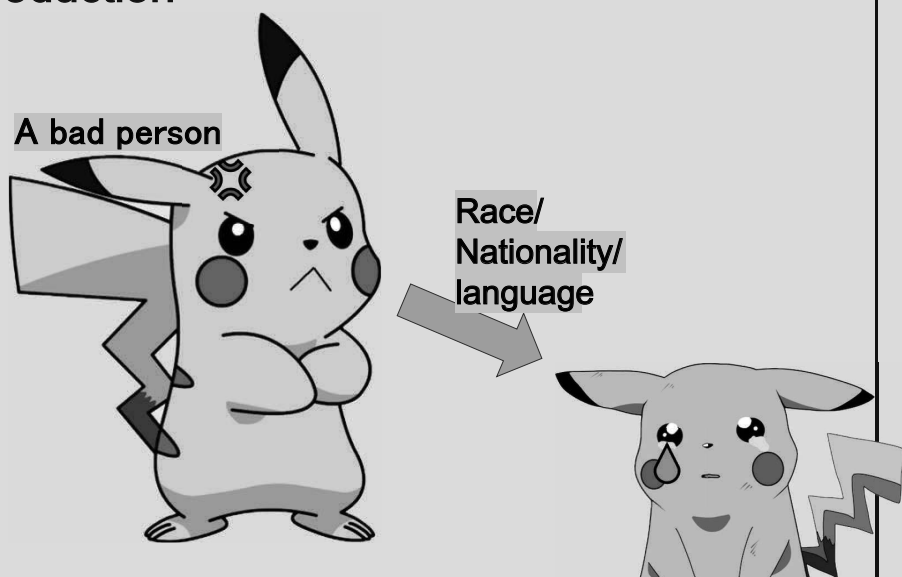
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## Introduction



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## Introduction

Any differences?  
How the  
government  
and corporation  
take measure to  
deal with these  
harassments?

**Power harassment**



**Racial harassment**



**Conclusion**

# Power Harassment



## Definition of Power Harassment

労働施策の総合的な推進並びに労働者の雇用の安定及び職業生活の充実等に関する法律  
Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers,  
and Enriching Workers' Vocational Lives  
(Hereinafter referred to as the **"The Power Harassment Prevention Law"**)

### 第三十条の二

① 事業主は、職場において行われる優越的な関係を背景とした言動であつて、業務上必要かつ相当な範囲を超えたものによりその雇用する労働者の就業環境が害されることのないよう、当該労働者からの相談に応じ、適切に対応するために必要な体制の整備その他の雇用管理上必要な措置を講じなければならない。

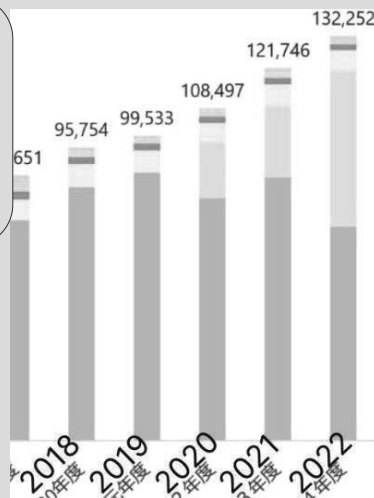
### Article 30-2

(1) In order for an employer to preclude **any behavior that is based on behavior that constitutes bullying in the workplace which exceeds the scope necessary and reasonable in the course of business** from **damaging the work environment of the employer's workers**, the employer must provide consultation to those workers and take measures necessary in terms of employment management, such as developing a necessary system for appropriately handling such behavior.

## Legislation and Number of Consultations

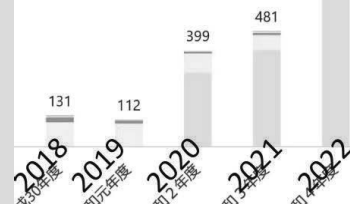
Number of consultations regarding harassment at prefectural labor bureaus

Power Harassment  
2020: **18,363**  
(**16.9%**)  
2021: **23,366**  
(**19.4%**)  
2022: **50,840**  
(**38.4%**)



Number of applications for dispute resolution assistance regarding harassment accepted by prefectural labor bureau directors

Power Harassment  
2020: **308** (**77.2%**)  
2021: **401** (**83.4%**)  
2022: **1,409**  
(**93.6%**)



※厚生労働省 雇用環境・均等局雇用機会均等課「雇用の分野における女性活躍推進に関する検討会」資料1より抜粋  
(efaidnbmnnnibpcajpcglclefindmkaj/https://www.mhlw.go.jp/content/11909000/001244070.pdf)

## Current Measures Against Power Harassment

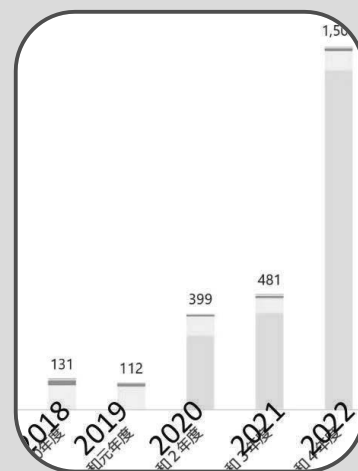
<p><b>Pillar 1:</b> States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms</p>	<p>Establishment of  <b>"The Power Harassment Prevention Law"</b>  <b>"Guidelines for Preventing Power Harassment"</b></p>
<p><b>Pillar 2:</b> The role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights</p>	<p>① to clarify and disseminate the business owner's policy,          ② establish a necessary system to appropriately respond to consultations          ③ provide quick and appropriate responses to harassment in the workplace afterwards          ④ prohibit disadvantageous treatment</p>
<p><b>Pillar 3:</b> The need for rights and obligations to be matched to appropriate and effective remedies when breached</p>	<ul style="list-style-type: none"> <li>• Claims for damages based on tortious acts under <b>Civil Code Articles 709 and 715</b></li> <li>• Industrial accident compensation <b>insurance</b></li> <li>• <b>Public disclosure</b> of companies that fail to comply with administrative corrective guidance (The Power Harassment Prevention Law)</li> </ul>

## Power Harassment gradually gets attention

• **Number of consultations or dispute resolution applications related to the power harassment ↗ attention ↑**

• **Gradual steps forward the establishment of the mechanism which prevents and resolves the power harassment**

• **Such as "The Power Harassment Prevention Law"**



Graph: see page 10



# Racial Harassment

## What is Racial Harassment?

(According to the Osaka Immigration Bureau)

- **Using abusive language, making insults, or harassing someone on the basis of their race, ethnicity, or nationality**
- **Separating Japanese and foreigners in carrying out works or in performance evaluations without any particular rational basis**
- **In various types of relationship**  
(not only from superiors to subordinates, but also in various other relationships)

Taking into account the rights of companies,

- ① **Harassment against costumers**
- ② **Harassment against employees**

※ **Migrant workers who holds [working visa] would be the main subject of discussion here**



## Cuttent situation & Problem

**NO statistical data**

→ little attention, research has not progressed

- **Physical assault**
- **Psychological attack**

Discriminatory remarks or behavior

- **Social isolation or exclusion from interpersonal relationships**

Forced repatriation against the individual's will

- **Undue demands**

Not allowing overtime work, Excluding from work due to insufficient Japanese skill,

Being made to engage in the employer's personal tasks outside of working hours

- **Infringement on the individual**

Disclosing someone's nationality or personal information to others without their consent



## Japan's Obligations as a State

**International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)**

→Japan: Ratified in 1995, and it came into effect by 1996.

**UN Guiding Principle 25-31**

→Both state and enterprises must take appropriate steps to ensure the access to effective remedy

**The Constitution of Japan - Article 14**

→All of the people are equal under the law and there shall be no discrimination...

**Labor Standards Act - Article 3**

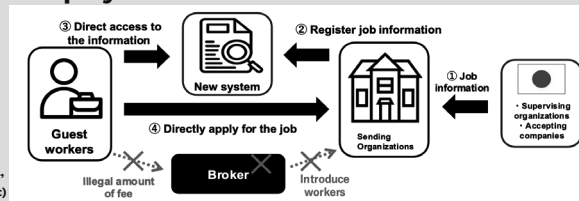
→An employer must not use a worker's nationality, creed, or social status as a basis for differential treatment...



# Japan's Efforts

## 1) JICA Project (2023) : Improve access to correct job information for Vietnamese Workers

### →Addressing indirect employment



※ Nozomi Iwama (JICA Deputy FDirector General, Governance and Peacebuilding Department)

## 2) Law Case Concerning Racial Harassment in Companies

A lawsuit filed by Mr. Wenping Xu (46), a second-generation **Japanese resident working under his real name** at major housing manufacturer Sekisui House (Kita-ku, Osaka City), seeking 3 million yen in compensation and the publication of an apology advertisement after being subjected to **discriminatory remarks by a customer** in Osaka Prefecture while on duty, was settled on 31 August 2007 at the Osaka District Court (Presiding Judge Keiichi Hirabayashi).



# MEASURES & REMEDY

### Immediate response:

- Applying the Power Harassment Prevention Law
- Adding the topic of racial harassment to the topic of power harassment (e.g., in-company training)

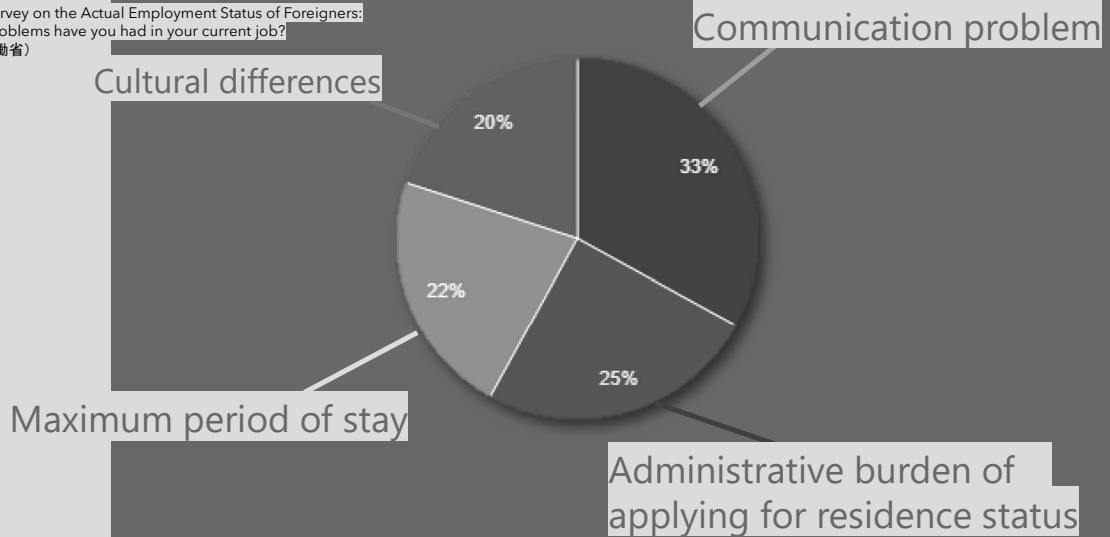
### Company's Responsibilities:

- Articles 709 and 715: Company Responsibility
- Publicise the guidelines and other regulations protocol
- Eliminating language barriers (e.g. Interpreting Guidelines in Multiple Languages, promoting Japanese Language Education)
- Focusing on Direct Employment (In the Future) (e.g. JICA's Activities in Vietnam)



# SURVEY

2023 Survey on the Actual Employment Status of Foreigners:  
What problems have you had in your current job?  
(厚生労働省)



## MEASURES & REMEDY

### Government Responsibilities:

- Improved Working Conditions → Request Form
- Adding Penalties in The Power Harassment Prevention Law ?
- Amendment of JLPT  
to close the gap between qualifications and required skills



日本語  
能力試験  
JLPT Japanese-Language  
Proficiency  
Test



## Power Harassment

### Legal framework

- Clearly defined and mandated by law  
The Power Harassment Prevention Law requires employers to take measures such as establishing consultation systems and implementing measures to prevent recurrence.

### Definition

- Three clear elements
  - (1) Behaviour based on a superior relationship
  - (2) Behaviour that exceeds what is necessary and appropriate for work
  - (3) Behaviour that harms the working environment of employees

### Corporate's Response

- Consultation desk establishment is mandatory  
Many companies have established dedicated consultation desks and have established response procedures.

## Racial Harassment

### Legal framework

- No direct legal regulations  
There are no specific laws, and disputes often arise over 'violations of the duty of care' or civil law torts.

### Definition

- Ambiguous definition and lack of awareness  
This term refers to all forms of harassment based on race, nationality, ethnicity, skin colour, cultural background, etc., but there is still little social awareness of it. It is often dismissed as a 'joke' or 'no offence intended.'

### Corporate's Response

- There are few specialised consultation services.  
In many cases, consultation services for power harassment also handle other issues, but staff may lack sufficient knowledge or sensitivity regarding racial issues, which can make it difficult for victims to consult them and may lead to secondary victimisation due to a lack of understanding.



# Comparison

## CONCLUSION



- **Harassment in business scene**
  - **Power harassment and Racial harassment**
- **Few legal precedents for plaintiff and invisible**
  - **Government and companies should take measures and providing proper avenues for redress.**



# THANK YOU

厚生労働省 (2024) 雇用環境・均等局雇用機会均等課『雇用の分野における女性活躍推進に関する検討会』資料1

([efaidnbmnnibpcjpcglclefindmkaj/https://www.mhlw.go.jp/content/11909000/001244070.pdf](https://www.mhlw.go.jp/content/11909000/001244070.pdf))

弁護士法人本部東大阪法律事務所. レイシャルハラスメントとは 定義と対策について弁護士が解説. <https://Osaka-immigration.com/racial-harassment>

板垣 竜太. 企業におけるレイシャル・ハラスメントに関する意見書. 評論・社会科学 = Social science review. (122):2017.9, p.129-164.

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<https://doi.org/10.14943/97163>

特定非営利活動法人「外国人労働者が遭遇するパワーハラスメントハラスメント (レイシャルハラスメント) 事例」example.pdf

厚生労働省「令和5年度外国人雇用実態調査の結果を公表します」[https://www.mhlw.go.jp/stf/newpage\\_46975.html](https://www.mhlw.go.jp/stf/newpage_46975.html)

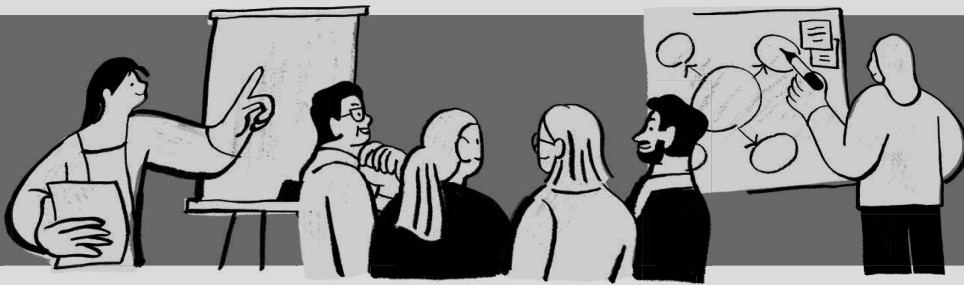
中窪祐也 (2020) 「ハラスメント法制の歩みと課題」法教1546号。

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Final Presentation

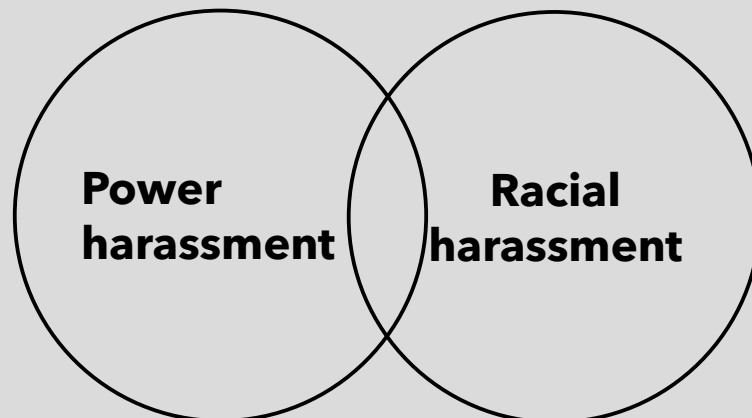
# “Harassment” issue

Team6: CAROLYN SI Kay Xin, NAKAO Chieko, YABE Yuki,  
NAKAYAMA Kyogo, DOI Akari, AIKAWA Misaki



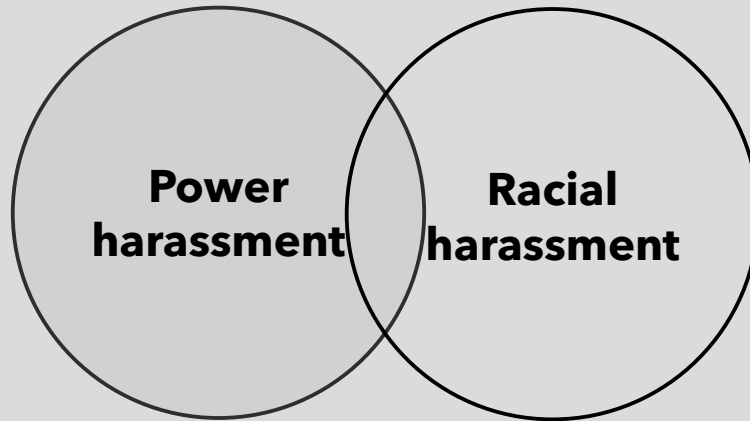
## Introduction

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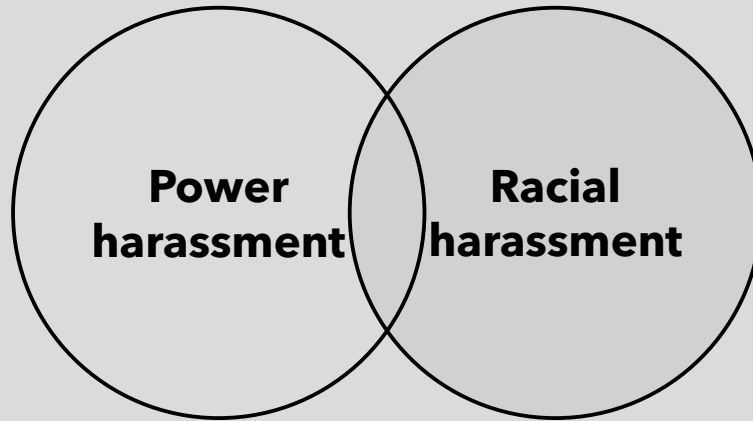
a person in a superior position

Power/ authority



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## Introduction



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## Introduction

A bad person

Race/  
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## Introduction

Any differences?  
How the  
government  
and corporation  
take measure to  
deal with these  
harassments?

**Power harassment**



**Racial harassment**



**Conclusion**

# Power Harassment



## Definition of Power Harassment

労働施策の総合的な推進並びに労働者の雇用の安定及び職業生活の充実等に関する法律  
Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers,  
and Enriching Workers' Vocational Lives  
(Hereinafter referred to as the **"The Power Harassment Prevention Law"**)

### 第三十条の二

① 事業主は、職場において行われる優越的な関係を背景とした言動であつて、業務上必要かつ相当な範囲を超えたものによりその雇用する労働者の就業環境が害されることのないよう、当該労働者からの相談に応じ、適切に対応するために必要な体制の整備その他の雇用管理上必要な措置を講じなければならない。

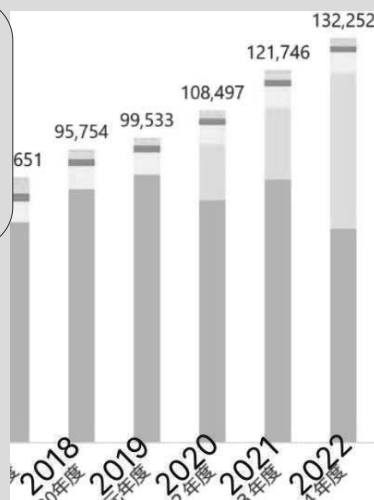
### Article 30-2

(1) In order for an employer to preclude **any behavior that is based on behavior that constitutes bullying in the workplace which exceeds the scope necessary and reasonable in the course of business** from **damaging the work environment of the employer's workers**, the employer must provide consultation to those workers and take measures necessary in terms of employment management, such as developing a necessary system for appropriately handling such behavior.

## Legislation and Number of Consultations

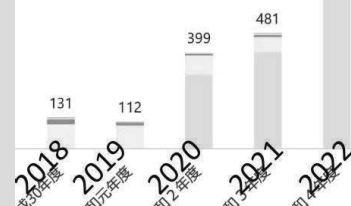
Number of consultations regarding harassment at prefectural labor bureaus

Power Harassment  
2020: **18,363**  
(**16.9%**)  
2021: **23,366**  
(**19.4%**)  
2022: **50,840**  
(**38.4%**)



Number of applications for dispute resolution assistance regarding harassment accepted by prefectural labor bureau directors

Power Harassment  
2020: **308** (**77.2%**)  
2021: **401** (**83.4%**)  
2022: **1,409**  
(**93.6%**)



※厚生労働省 雇用環境・均等局雇用機会均等課「雇用の分野における女性活躍推進に関する検討会」資料1より抜粋  
(efaidnbmnnnibpcajpcglclefindmkaj/https://www.mhlw.go.jp/content/11909000/001244070.pdf)

## Current Measures Against Power Harassment

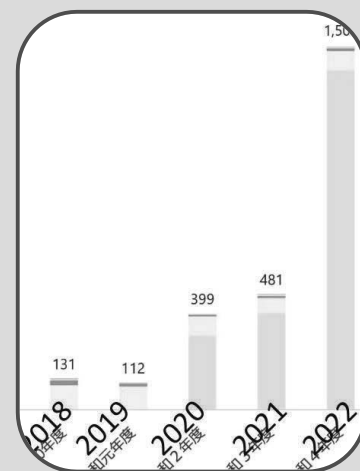
<p><b>Pillar 1:</b> States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms</p>	<p>Establishment of  <b>"The Power Harassment Prevention Law"</b>  <b>"Guidelines for Preventing Power Harassment"</b></p>
<p><b>Pillar 2:</b> The role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights</p>	<p>① to clarify and disseminate the business owner's policy,          ② establish a necessary system to appropriately respond to consultations          ③ provide quick and appropriate responses to harassment in the workplace afterwards          ④ prohibit disadvantageous treatment</p>
<p><b>Pillar 3:</b> The need for rights and obligations to be matched to appropriate and effective remedies when breached</p>	<ul style="list-style-type: none"> <li>• Claims for damages based on tortious acts under <b>Civil Code Articles 709 and 715</b></li> <li>• Industrial accident compensation <b>insurance</b></li> <li>• <b>Public disclosure</b> of companies that fail to comply with administrative corrective guidance (The Power Harassment Prevention Law)</li> </ul>

## Power Harassment gradually gets attention

- Number of consultations or dispute resolution applications related to the power harassment ↗ attention ↑

- Gradual steps forward the establishment of the mechanism which prevents and resolves the power harassment

- Such as "The Power Harassment Prevention Law"



Graph: see page 10



# Racial Harassment

## What is Racial Harassment?

(According to the Osaka Immigration Bureau)

- Using abusive language, making insults, or harassing someone on the basis of their race, ethnicity, or nationality
- Separating Japanese and foreigners in carrying out works or performance evaluations without any particular rational basis
- In various types of relationship  
(not only from superiors to subordinates, but also in various other relationships)

Taking into account the rights of companies,

- ① Harassment against costumers
- ② Harassment against employees

※ Migrant workers who holds [working visa] would be the main subject of discussion here



## Cuttent situation & Problem

**NO statistical data**

→ little attention, research has not progressed

- **Physical assault**
- **Psychological attack**
  - Discriminatory remarks or behavior
- **Social isolation or exclusion from interpersonal relationships**
  - Forced repatriation against the individual's will
- **Undue demands**
  - Not allowing overtime work, Excluding from work due to insufficient Japanese skill,
  - Being made to engage in the employer's personal tasks outside of working hours
- **Infringement on the individual**
  - Disclosing someone's nationality or personal information to others without their consent



## Japan's Obligations as a State

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

→Japan: Ratified in 1995, and it came into effect by 1996.

UN Guiding Principle 25 - 31

→Both state and enterprises must take appropriate steps to ensure the access to effective remedy

The Constitution of Japan - Article 14

→All of the people are equal under the law and there shall be no discrimination...

Labor Standards Act - Article 3

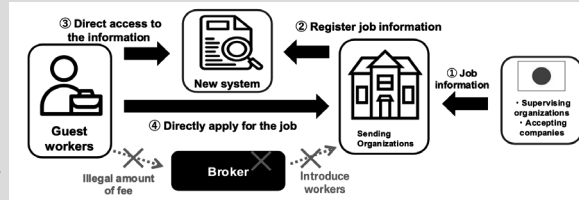
→An employer must not use a worker's nationality, creed, or social status as a basis for differential treatment...



# Japan's Efforts

## 1) JICA Project (2023) : Improve access to correct job information for Vietnamese Workers

→Addressing indirect employment



※ Nozomi Iwama (JICA Deputy FDirector General, Governance and Peacebuilding Department)

## 2) Law Case Concerning Racial Harassment in Companies

A lawsuit filed by Mr. Wenping Xu (46), a second-generation **Japanese resident working under his real name** at major housing manufacturer Sekisui House (Kita-ku, Osaka City), seeking 3 million yen in compensation and the publication of an apology advertisement after being subjected to **discriminatory remarks by a customer** in Osaka Prefecture while on duty, was settled on 31 August 2007 at the Osaka District Court (Presiding Judge Keiichi Hirabayashi).



# MEASURES & REMEDY

### Immediate response:

- Applying the Power Harassment Prevention Law
- Adding the topic of racial harassment to the topic of power harassment (e.g., in - company training)

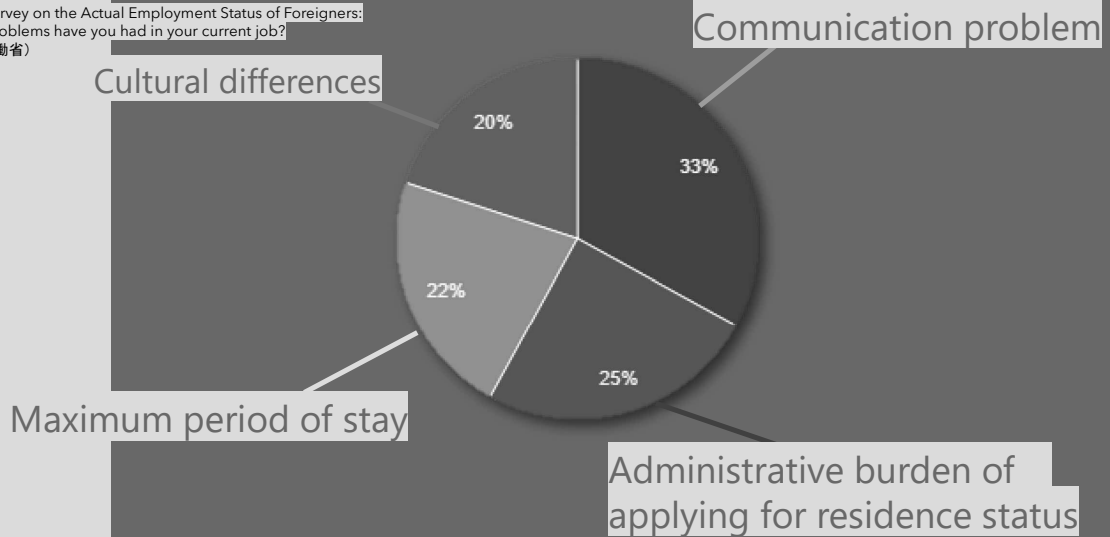
### Company's Responsibilities:

- Articles 709 and 715: Company Responsibility
- Publicise the guidelines and other regulations protocol
- Eliminating language barriers (e.g. Interpreting Guidelines in Multiple Languages, promoting Japanese Language Education)
- Focusing on Direct Employment (In the Future) (e.g. JICA's Activities in Vietnam)



# SURVEY

2023 Survey on the Actual Employment Status of Foreigners:  
What problems have you had in your current job?  
(厚生労働省)



## MEASURES & REMEDY

### Government Responsibilities:

- Improved Working Conditions → Request Form
- Adding Penalties in The Power Harassment Prevention Law ?
- Amendment of JLPT  
to close the gap between qualifications and required skills



日本語  
能力試験  
JLPT Japanese-Language  
Proficiency  
Test



## Power Harassment

### Legal framework

- Clearly defined and mandated by law  
The Power Harassment Prevention Law requires employers to take measures such as establishing consultation systems and implementing measures to prevent recurrence.

### Definition

- Three clear elements
  - (1) Behaviour based on a superior relationship
  - (2) Behaviour that exceeds what is necessary and appropriate for work
  - (3) Behaviour that harms the working environment of employees

### Corporate's Response

- Consultation desk establishment is mandatory  
Many companies have established dedicated consultation desks and have established response procedures.

## Racial Harassment

### Legal framework

- No direct legal regulations  
There are no specific laws, and disputes often arise over 'violations of the duty of care' or civil law torts.

### Definition

- Ambiguous definition and lack of awareness  
This term refers to all forms of harassment based on race, nationality, ethnicity, skin colour, cultural background, etc., but there is still little social awareness of it. It is often dismissed as a 'joke' or 'no offence intended.'

### Corporate's Response

- There are few specialised consultation services.  
In many cases, consultation services for power harassment also handle other issues, but staff may lack sufficient knowledge or sensitivity regarding racial issues, which can make it difficult for victims to consult them and may lead to secondary victimisation due to a lack of understanding.



# Comparison

## CONCLUSION



- Harassment in business scene
  - Power harassment and Racial harassment
- Few legal precedents for plaintiff and invisible
  - Government and companies should take measures and providing proper avenues for redress.



# THANK YOU

厚生労働省 (2024) 雇用環境・均等局雇用機会均等課『雇用の分野における女性活躍推進に関する検討会』資料1

([efaidnbmnnibpcajpcglclefindmkaj/https://www.mhlw.go.jp/content/11909000/001244070.pdf](https://www.mhlw.go.jp/content/11909000/001244070.pdf))

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原昌登 (2020) 「ハラスメントの定義と課題」法教1546号。

# Consideration of the Realization of Legal Protection in Accordance with the Principles of Business and Human Rights: Using Pollution Litigation as a Case Study

**Author: Yudai Suzuki**

*Professor, International Cooperation Department*

## 1. Purpose of this Lecture

In this lecture, we will examine the realization of legal protection in accordance with the principles of business and human rights, using pollution litigation as a case study.

As mentioned in yesterday's lecture, in 2011, the United Nations Human Rights Council adopted the "Guiding Principles on Business and Human Rights('BHR')."

These guiding principles establish three pillars as the principles of BHR.

- (a) States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms;
- (b) The role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights;
- (c) The need for rights and obligations to be matched to appropriate and effective remedies when breached.

Particular attention should be paid to pillar (c).

As clearly stated in paragraph 25 of the Guiding Principles, pillar (c) means that States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when business-related human rights abuses occur within their territory and/or jurisdiction those affected have access to effective remedy.

Access to effective remedies has both procedural and substantive aspects.

The terms of "Remedy" may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition.

The subjects implementing the remedies include both States and Non-States and the "States" means the judicial and non-judicial sectors.

Following the adoption of the Guiding Principles, the UN Human Rights Council published a report in 2021 on the implementation of the Guiding Principles.

Regarding judicial remedies based on the State, the report states, "A major report commissioned by the Working Group examined the reach and impact of the Guiding Principles on the decisions of regional and national judicial and quasi-judicial mechanisms across more than 50 jurisdictions. It found that such references were limited, as judicial bodies adjudicate claims on the basis of

domestic laws and the Guiding Principles do not take the form of domestic legislation.”

The report further states, “This current lack of reference to the Guiding Principles will probably change due to the emergence of legislation that makes explicit reference to them, such as the European Union’s upcoming regulations mentioned earlier, or legislation that expressly notes the Guiding Principles as part of their impetus, such as the French Law on the Duty of Vigilance of Parent and Outsourcing Companies.”

As the report points out, it is difficult to determine the extent to which the Guiding Principles are having an impact on the State-based Judicial remedy.

This is because, in general, judicial bodies make decisions based on domestic law, and unless enactments or amendments to their law refer to the Guiding Principle, the Judges are not able to mention the Guiding Principles.

However, the inability to reference the Guiding Principles does not mean that business-related human rights are ignored in judicial remedies provided by the state.

Judges can provide solutions that are substantially consistent with the Guiding Principles through the application of domestic law.

In Japan, although there is no direct reference to the Guiding Principles, there are court cases that have achieved remedies that are substantially consistent with the Guiding Principles.

After this, we will examine how judicial remedies by the state for human rights violations related to business can be achieved through actual court cases in Japan.

## **2. Overview and Issues of the Case**

### **(1) Overview of the Case**

This case arose in a certain region, Region I of Japan in the 1960s.

At that time, Japan was in a period of rapid economic growth, with real economic growth rates of around 10% per year.

Three types of home appliances—a television, washing machine, and refrigerator—are called the “three sacred treasures” and quickly became widespread in households.

While heavy chemical industries flourished, environmental pollution became serious, causing what we call “Kougai,” or public nuisance.

The plaintiffs are nine individuals, A1 through A9, all residents of Region I in Japan.

In Region I, respiratory diseases accompanied by asthma-like attacks began to occur frequently among residents in the 1960s.

Investigations revealed that these diseases were obstructive lung diseases caused by air pollution from sulfur oxides.

All of the plaintiffs were diagnosed with obstructive pulmonary disease and were forced to undergo hospitalization for treatment.

The defendants are six companies—W (Showa Oil), X (Chubu Electric Power), Y (Ishihara

Industries), and Z1 to Z3 (Mitsubishi Oil, Mitsubishi Chemical, and Mitsubishi Monsanto)—that operated factories in an industrial park near Region I.

The defendants' companies were located adjacent to the industrial park in the northern part of Region I where the plaintiffs reside.

W Company engaged in petroleum refining, X Company operated a thermal power plant, and Y Company, Z1–Z3 Companies each manufactured petrochemical products.

Z1–Z3 were affiliated companies, with Z1 supplying ethylene and other products to Z2 and Z3, which in turn produced secondary products such as vinyl chloride. Acetylene gas and other substances were supplied from Z2 to Z3, while caustic soda and other substances were supplied from Z3 to Z1 and Z2, and these were utilized in the production processes of each factory.

Additionally, Z1 supplied steam necessary for the manufacturing processes of Z2 and Z3.

Furthermore, much of the transfer of products, raw materials, and steam between Z1 and Z2 and Z3 was conducted via pipes connecting the factories.

Each factory emitted different amounts of sulfur oxides.

The sulfur oxides emitted by the defendants were treated in accordance with the laws and administrative standards in effect at the time, and the sulfur oxide emissions of each defendant were below the relevant laws and administrative standards.

In particular, the sulfur oxide emissions of Z2 and Z3 were quite low.

Furthermore, the amount of sulfur oxides emitted by each defendant individually was not sufficient to cause or exacerbate obstructive pulmonary disease in the plaintiffs, and no causal relationship was established between the individual emissions and the plaintiffs' disease.

However, a causal relationship was recognized between the total amount of sulfur oxides emitted by all defendants and the plaintiffs' disease.

The plaintiffs claimed that they had contracted obstructive pulmonary disease due to sulfur oxides emitted by the defendants and sought compensation for damages based on joint tort liability under Article 719(1) of the Civil Code.

## (2) Issues

The main issues are the following four points.

- ① The requirements for a finding of joint tortious conduct and its effects
- ② The causal relationship between sulfur oxides emitted by the defendants and the plaintiffs' diseases
- ③ The defendants' negligence
- ④ The extent of the damages

Here, we will focus primarily on issue 1, and address issues 2 and 3 to the extent necessary.

## (3) Prerequisites for the claim (requirements of Article 719(1) of the Civil Code)

Article 719(1) of the Civil Code provides that “If more than one person has inflicted damage on another person by a joint tort, each of them is jointly and severally liable to compensate for

the damage.”

At the time of the 1960 enactment, the interpretation of the phrase “more than one person has inflicted damage on another person by a joint tort” was considered to mean that each person independently fulfilled the requirements for a tortious act (under Article 709 of the Civil Code) and that the tortious acts of each person were related and collectively caused the damage.

Furthermore, this “related and collectively” was interpreted to mean that it was sufficient for the tortious acts to be objectively related, without requiring any subjective elements such as a connection of intent between the tortfeasors.

Under this interpretation, for joint tort liability to arise, each tortfeasor must satisfy the requirements of Article 709 of the Civil Code, which sets forth the general provisions on torts.

According to Article 709 of the Civil Code, for a tort to be established, the following four elements must be present: (A) a tortious act, (B) the occurrence of a consequence, (C) causation between (A) and (B), and (D) intention or negligence of the tortfeasor.

In addition, if the tortfeasor has justification, a tort will not be established.

#### (4) Arguments of the parties

The arguments of the parties regarding Issues are as follows.

The plaintiffs argued that the defendants mutually supplemented materials and fuel for product manufacturing within the industrial park, and that sulfur oxides were emitted under this complementary relationship.

The plaintiffs further argued that the six defendants had spatial, functional, technical, and capital-related connections, formed a single corporate group by clustering together to the extent that they could be distinguished from other nearby companies, and continued to emit sulfur oxides while being aware that other companies were also emitting sulfur oxides.

Based on these arguments, the plaintiffs claimed that the six defendants should be held liable for damages as joint tortfeasors.

On the other hand, the defendants argued that there was no causal relationship between the sulfur oxides emitted from their respective factories and the plaintiff’s illness.

Furthermore, the defendants argued that the quantities of sulfur oxides emitted from their respective factories complied with laws and administrative regulations, and therefore their actions were justified.

Based on these arguments, the defendants argued that the plaintiff’s claims should be dismissed.

### **3. Content of the Judgment Underlying the Case**

As some of you may already be aware, this case is based on the judgment in the so-called Yokkaichi Asthma Case (Tsu District Court Judgment of July 24, 1972).

We would like to examine the content of that judgment in light of this case.

The judgment concluded that the plaintiffs’ claims were upheld.

First, as a prerequisite, the Court found that the sulfur oxide emissions from the six defendant companies caused air pollution, which in turn caused the plaintiffs' obstructive lung disease, based on epidemiological evidence.

Second, the Court held that, for the establishment of a joint tort, it is necessary that each defendant's acts fulfill the tort requirements (709 of the Civil Code) and that there is a "related and collectively" among the tortfeasors.

At the point of the fulfillment of the requirements of Article 709, the court stated that the causation between an act and its consequence in the case of joint tort, is sufficient if the act of each tortfeasor, even if it does not cause the consequence by itself, causes the consequence in combination with other acts, and if it is found that the consequence would not have occurred without such act.

The reason for this is that if it were required that the act itself have the possibility of causing the consequence, the meaning which Civil Code stipulates Article 719 other than Article 709 would lose.

In terms of the "related and collectively" element, the judgment held that there are weak and strong forms.

In order for the weak "related and collectively" to be recognized, it is necessary and sufficient that the tortfeasors unite as a single act against the consequence from seeing the common sense and the norm of society.

As mentioned above, tortfeasors are liable for the damages to the extent of finding that the combination of other acts caused the consequence.

However, this judgment concluded that the consequence in such a case is caused by exceptional circumstances, so it requires the existence of other causative acts and the foreseen or foreseeable that they would cause the consequence in combination with such acts to be liable for the damages.

On the other hand, with regard to strong "related and collectively", the Court held that if a closer unity beyond the weak "related and collectively" is found, liability for the full of consequences may not be avoided even if the emissions of the plant in question are so small that no causation is established to exist between them.

The Court found that the defendants were weak "related and collectively", considering the fact that their plants were located close to Region I, and that they gathered sequentially adjacent to each other in a clustered arrangement, started operation at roughly the same time, and continued to emit sulfur oxides.

In addition, the Court stated that strong "related and collectively" was found among Z1, Z2, and Z3 since they shared each part of an integrated production technology system and received compositions necessary for production from other companies.

The Court evaluated that they connected functionally, technologically, and economically

that a change in the operations of one of the three companies would not be possible without considering the relationship with the other company.

Therefore, the Court held that Z1, Z2, and Z3 had strong “related and collectively”.

Given that strong interdependent relationships are recognized between the three companies, as well as the existence of capital ties, even if the sulfur oxide emissions of each company are small and no causal relationship between such emissions and the occurrence of the result can be established, the three companies cannot be exempted from liability for the result in relation to the sulfur oxide emissions of other companies.

Regarding the six defendant companies as a whole, since they are located adjacent to one another and operate as related factories, they are capable of recognizing the general content and scale of each other’s factory operations.

It is naturally foreseeable that other companies burn heavy oil, similar to their own operations, and emit sulfur oxides.

Considering the location of Region I and the factories of the six defendant companies, distance, etc., it was deemed foreseeable that sulfur oxides emitted by the defendant companies could combine with those of other companies and reach the plaintiffs’ residential areas, causing harm to the plaintiffs.

In this regard, Z2 and Z3 argued that it was not foreseeable because their emissions were small compared to the other defendants.

However, the Court dismissed the defendants’ plea because Z2 and Z3 had a strong “related and collectively” with Z1 and, at the very least, it was foreseeable for Z2 and Z3 that the sulfur oxide emissions of the Z1 would be caused the consequence combining with those of the other defendants’ emission.

Z2 and Z3 also argued that even if they were liable as joint tortfeasors, the scope of their liability would be limited to the share of the defendants’ emissions in the total amount of emissions.

However, the Court also dismissed their arguments since they had strong “related and collectively” with Z1, and that strong “related and collectively” made them liable for the entire damages with the other defendants.

Regarding the finding of negligence on the defendants, the Court distinguished between negligence in terms of location (location negligence) and negligence in terms of operation (operation negligence).

The Court mentioned the location negligence as follows; when a company like the defendants, which inevitably generates air pollutants such as sulfur oxides as a by-product of its process, intends to construct and start operation of a new plant which were located and gathered with several plants in an industrial complex, it must be aware of the possibility that the air pollution may have serious consequences on lives and bodies of the residents.

To prevent these serious consequences, the company has a duty of care to site its plants so as not to endanger the lives and bodies of nearby residents by comprehensively studying and researching in advance the “nature and quantity of emitted substances,” “the location and distance between the plants and residential areas,” and “meteorological conditions such as wind direction and velocity.”

Also, with regard to the operation negligence, the Court concluded as follows; keeping the operation of the plants continued to emit the sulfur oxides, the defendants have a duty to ensure not harm the lives and bodies of residents by their emission to investigate the effects of the emission (like sulfur oxide) on nearby residents.

In particular, it is understood that more stringent duties must be imposed on the defendants because they have gradually expanded their plants since they began operating.

As to the claim that the sulfur oxide emissions by the defendants were justified because they met the legal and administrative standards, the Court held that “illegality” in a tort case is found when detriment exceeds the limit of what the victim should be able to tolerate, comparing the circumstances of the victim with those of the tortfeasors in the view of common sense.

In addition, the Court ruled that the emission by the defendants was not justified because compliance with the law and administrative standards does not in itself mean that their detriments were within the tolerance of the victims.

Rather, the court stated that the serious detriments in this case led to the consequence that it exceeded the limit of the victims’ tolerance.

Therefore, the Court dismissed the defendants’ argument regarding the justification.

Now, let’s analyze this case from the perspective of business and human rights.

#### **4. Consideration**

(1) This case occurred in 1967, so the BHR Guiding Principles did not exist at the time.

However, the basis of this judgment shares several common elements with the Guiding Principles.

(2) First, regarding the attribution of responsibility for the result.

This case is characterized by the fact that a causal relationship between the emissions of each defendant and the plaintiffs’ illnesses cannot be established based on the emissions of each defendant alone.

In other words, if the Court had examined the liability of each defendant separately, it would have been unable to establish causation, and thus the defendants would have been able to avoid liability.

However, the Court emphasized the interconnection between the defendants’ factories and treated multiple defendants as a single liable entity.

In this context, the Court particularly focused on the supply chain between the defendants,

which aligns with the approach of paragraph 13 of the Guiding Principle.

The paragraph states that “The responsibility to respect human rights requires that business enterprises: (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.”

The explanation of this paragraph specifies that “business relationships” include relationships with business partners, entities in its value chain, and any other non-State or State entity directly linked to its business operations, products or services.

This approach, which focuses on business relationships between entities and attributes common responsibilities to multiple entities, is consistent with this judgement.

(3) Second, attention should also be paid to the concept of “foreseeability” mentioned by the Court.

The Court ruled that defendants are liable for the consequences not only when they foresee them but also when they are foreseeable.

This means that the defendants are liable for a broad range of consequences, even when there is a foreseeability.

This recognition of broad liability is consistent with paragraph 18 of the Guiding Principles.

The explanation of this paragraph state that “The initial step in conducting human rights due diligence is to identify and assess the nature of the actual and potential adverse human rights impacts with which a business enterprise may be involved.”

While the Guiding Principles use the term “potential,” this term is considered similar to the “foreseeability” referred to in this judgment in that it implies that companies bear broad responsibility for adverse human rights impacts.

Furthermore, the Court ruled that in cases where the strong “related and collectively” is recognized, a company may not be exempt from responsibility for the consequences if its sulfur oxide emissions, in and of themselves, are not recognized as having causation with the consequences.

The Court also recognized that the defendant has a responsibility to consider not only its own business activities but also those of other related defendants, and this approach also shares commonalities with the “potential” referred to in the Guiding Principles.

Paragraph 18 of the Guiding Principles states that when identifying and assessing the potential adverse human rights impacts, companies should not only identify and assess the impact arising from their own activities but also the impact that may arise from their business relationships.

This means that the Guiding Principles require companies to recognize the potential impact of human rights violations arising from business-related activities that are not their own.

(4) Finally, although not directly mentioned in the Guiding Principles, the Court’s reasoning

regarding the absence of illegality in this case is also worth considering.

The Court held that compliance with laws and administrative regulations doesn't "get-out-of-jail card" in front of the serious detriments.

It would seem to be a terrible judgment for the defendants that they could be liable for damages even if their business complies with the law and regulation.

However, this judgment matches the philosophy of the "rule of law".

It is difficult to define the rule of law.

But the essential of the rule of law is that this concept demands that acts of public authorities, to be lawful, must be authorized by a prior and proper legal norm and must comply with all superior norms in accordance with the hierarchy of norms set out in the national constitution.

This obviously goes beyond the idea of rule by law.

From the perspective of rule by law, the defendants in this case may not have fulfilled their liability, as they adhered to the laws and regulations in force at the time.

In this context, rule by law represents a fundamental criterion or component of the rule of law, yet it does not encompass all the requirements of the rule of law.

Rather, the perception of the rule by law in its formal sense implies that adherence to the written code is adequate, which diverges from the essence of the rule of law concept.

In this regard, the judgment can be deemed to appropriately reflect the principle of the rule of law, considering the enforcement of the defendant's liability in light of not just the statutory code but the comprehensive substantive legal system.

## **5. Conclusion**

What can we learn from this judgment?

One is that State-based judicial remedies can be pursued without the need for legislation that explicitly references the Guiding Principles.

It follows that the lack of such references in legislation does not justify the absence of protection for citizens from business-related human rights abuses.

As demonstrated in the case presented in the lecture, it is possible to address citizens' grievances arising from business-related human rights abuses by applying the existing laws and regulations that are interpreted considering the concept of Business and Human Rights.



FY 2025

Japan-ASEAN Joint Study on Business and Human Rights for Young Leaders

## Consideration of the Realization of Legal Protection in Accordance with the Principles of Business and Human Rights

6<sup>th</sup> August, 2025

International Cooperation Department (ICD)

Research and Training Institute

Ministry of Justice, Japan

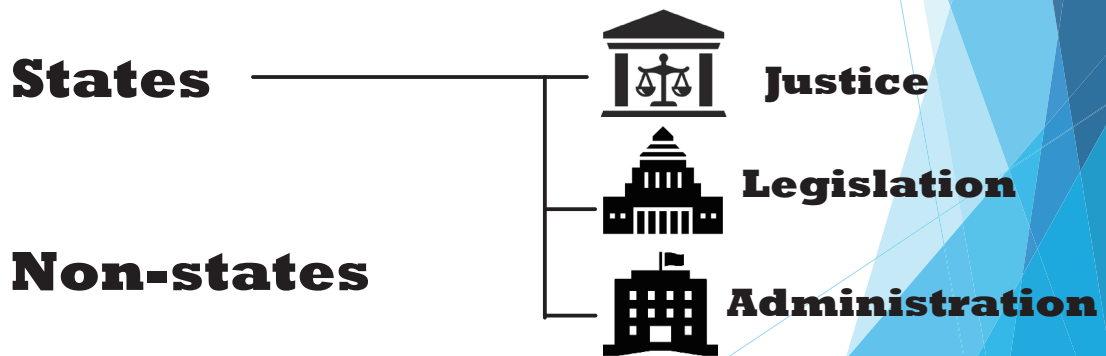
Professor(Public Prosecutor) SUZUKI Yudai

## Pillar(C)

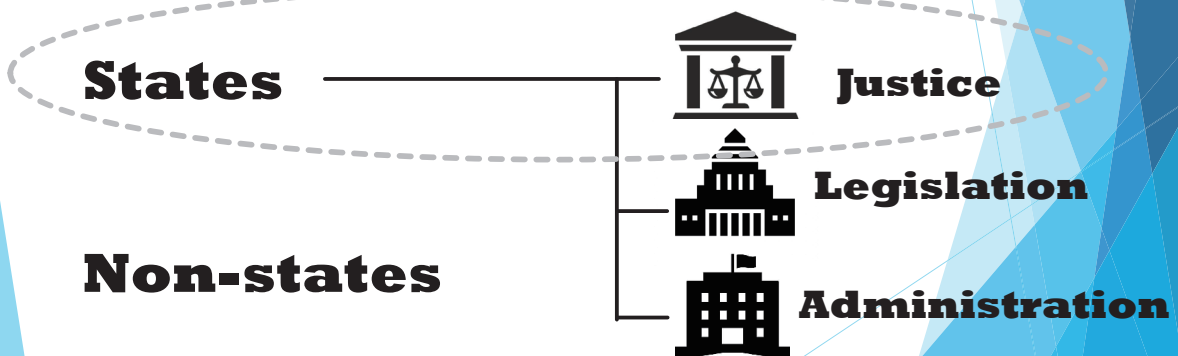


**The need for rights and obligations to be matched to appropriate and effective remedies when breached.**

# Entities owing obligations



# Entities owing obligations



# Case

This case arose in a certain region,  
Region I of Japan in the 1960s.

## Japanese Economic Miracle

**the high economic growth between  
1950 ~ 1970**



# The dark side of Economic Growth

**Kougai(公害); Public Nuisance**

## Parties of the Case

**Plaintiff**



**Nine individuals, A1 through A9, all residents of Region I in Japan.**



## Plaintiff's situation

**In Region I, respiratory diseases accompanied by asthma-like attacks began to occur frequently among residents in the 1960s.**

**Investigations revealed that these diseases were obstructive lung diseases caused by air pollution from sulfur oxides.**

**All of the plaintiffs were diagnosed with obstructive pulmonary disease and were forced to undergo hospitalization for treatment.**

## Defendants

**Six companies (W, X, Y, Z1, Z2, Z3) operated factories in an industrial park near Region I**



## Region I and surrounding areas



# Facts

## 1) Relationship between defendants

The six factories are located adjacent to an industrial park. W engaged in petroleum refining, X operated a thermal power plant, and Y, Z1, Z2, Z3 each manufactured petrochemical products.



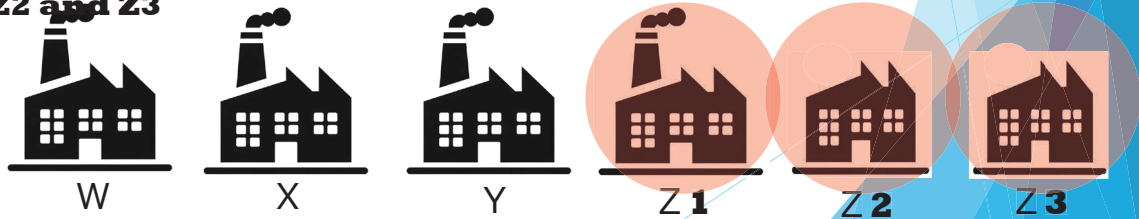
# 1) Relationship between defendants

• Z1, Z2 and Z3 were affiliated companies, with Z1 supplying ethylene and other products to Z2 and Z3, which in turn produced secondary products such as vinyl chloride

Acetylene gas and other substances were supplied from Z2 to Z3, while caustic soda and other substances were supplied from Z3 to Z1 and Z2, and these were utilized in the production

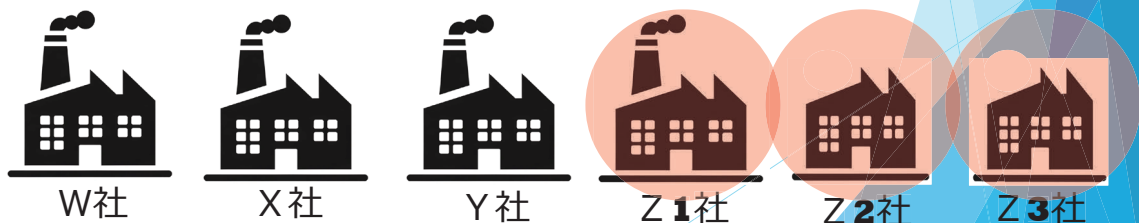
processes of each factory

• Z1 supplied steam necessary for the manufacturing processes of Z2 and Z3

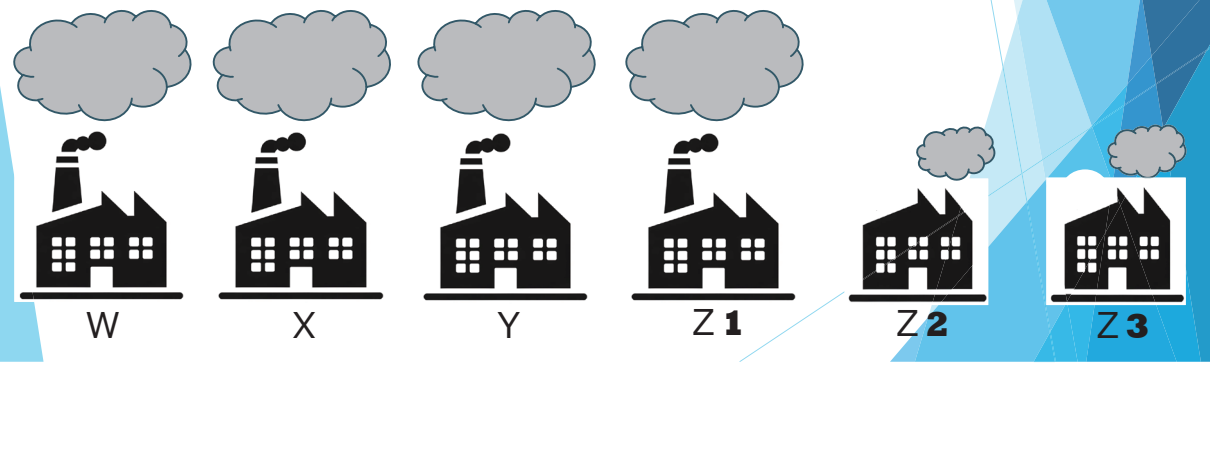


# 1) Relationship between defendants

• Much of the transfer of products, raw materials, and steam between Z1 and Z2 and Z3 was conducted via pipes connecting the factories



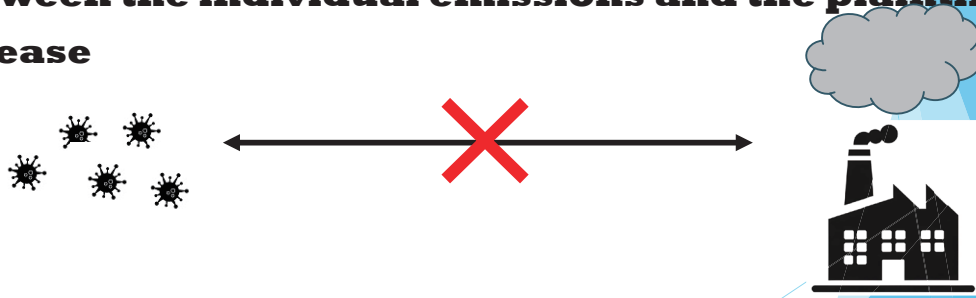
## 2) Each factory emitted different amounts of sulfur oxides



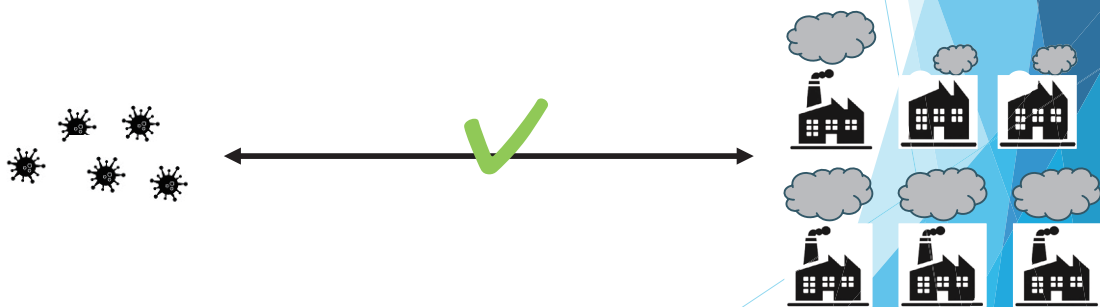
## 3) The sulfur oxides emitted by the defendants were treated in accordance with the laws and administrative standards in effect at the time, and the sulfur oxide emissions of each defendant were below the relevant laws and administrative standards



**3) The amount of sulfur oxides emitted by each defendant individually was not sufficient to cause or exacerbate obstructive pulmonary disease in the plaintiffs, and no causal relationship was established between the individual emissions and the plaintiffs' disease**



**4) A causal relationship was recognized between the total amount of sulfur oxides emitted by all defendants and the plaintiffs' disease**



# plaintiff's claim



**The plaintiffs claimed that they had contracted obstructive pulmonary disease due to sulfur oxides emitted by the defendants and sought compensation for damages based on joint tort liability under Article 719(1) of the Civil Code**

## Issues of the case

- 1. The requirements for a finding of joint tortious conduct and its effects**
- 2. The causation between the defendants' sulfur oxide emissions and the plaintiffs' disease**
- 3. The negligence of the defendants**
- 4. The amount of the damages**

## 5) Provision of Civil Code

Article 719(1) “If more than one person has inflicted damage on another person by a joint tort, each of them is jointly and severally liable to compensate for the damage.”

At that time, the interpretation of the phrase “more than one person has inflicted damage on another person by a joint tort” was considered to mean that each person independently fulfilled the requirements for a tortious act (under Article 709 of the Civil Code) and that the tortious acts of each person were related and collectively caused the damage.

## 5) Provision of Civil Code

**This “related and collectively” was interpreted to mean that it was sufficient for the tortious acts to be objectively related, without requiring any subjective elements such as a connection of intent between the tortfeasors**

## 5) Provision of Civil Code

Article 709 of the Civil Code, (A) a torturous act, (B) the occurrence of a consequence, (C) causation between (A) and (B), and (D) intention or negligence of the tortfeasor, are necessary for a tort to be established.

In addition, if the tortfeasor has justification, a tort will not be established.

# Arguments

## Plaintiffs

**The plaintiff argued that the defendants mutually supplemented materials and fuel for product manufacturing within the industrial park, and that sulfur oxides were emitted under this complementary relationship.**

**The plaintiff further argued that the six defendants had spatial, functional, technical, and capital-related connections, formed a single corporate group by clustering together to the extent that they could be distinguished from other nearby companies, and continued to emit sulfur oxides while being aware that other companies were also emitting sulfur oxides.**

**Based on these arguments, the plaintiff claimed that the six defendants should be held liable for damages as joint tortfeasors.**

# Arguments

## Defendants

**Defendants argued that there was no causal relationship between the sulfur oxides emitted from their respective factories and the plaintiff's illness.**

**Furthermore, the defendants argued that the quantities of sulfur oxides emitted from their respective factories complied with laws and administrative regulations, and therefore their actions were justified.**

**Based on these arguments, the defendants argued that the plaintiff's claims should be dismissed.**

# Questions

- 1. Whether should the claim be upheld or dismissed?**
- 2. How did the Court make its determination on each of the issues?**

# Questions

**3. If you think the judgment upheld the defendants' liability, which defendants did the Court deem liable?(all defendants or only some of them)**

# Judgements

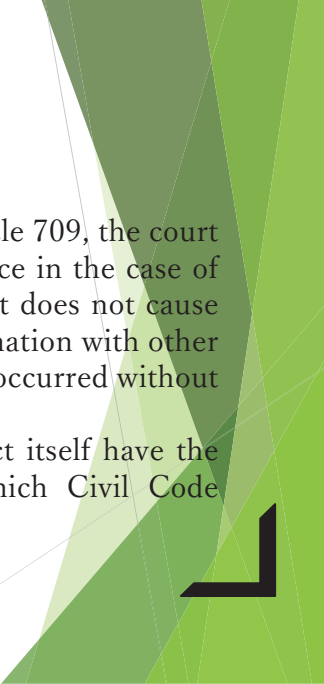
**upheld the plaintiff's claim**

## Rationale of the Judgement



As a prerequisite, the Court found that the sulfur oxide emissions from the six defendant companies caused air pollution, which in turn caused the plaintiffs' obstructive lung disease, based on epidemiological evidence.

The court held that, for the establishment of a joint tort, it is necessary that each defendant's acts fulfill the tort requirements (709 of the Civil Code) and that there is a “related and collectively” among the tortfeasors.



At the point of the fulfillment of the requirements of Article 709, the court stated that the causation between an act and its consequence in the case of joint tort, is sufficient if the act of each tortfeasor, even if it does not cause the consequence by itself, causes the consequence in combination with other acts, and if it is found that the consequence would not have occurred without such act.

The reason for this is that if it were required that the act itself have the possibility of causing the consequence, the meaning which Civil Code stipulates Article 719 other than Article 709 would lose.



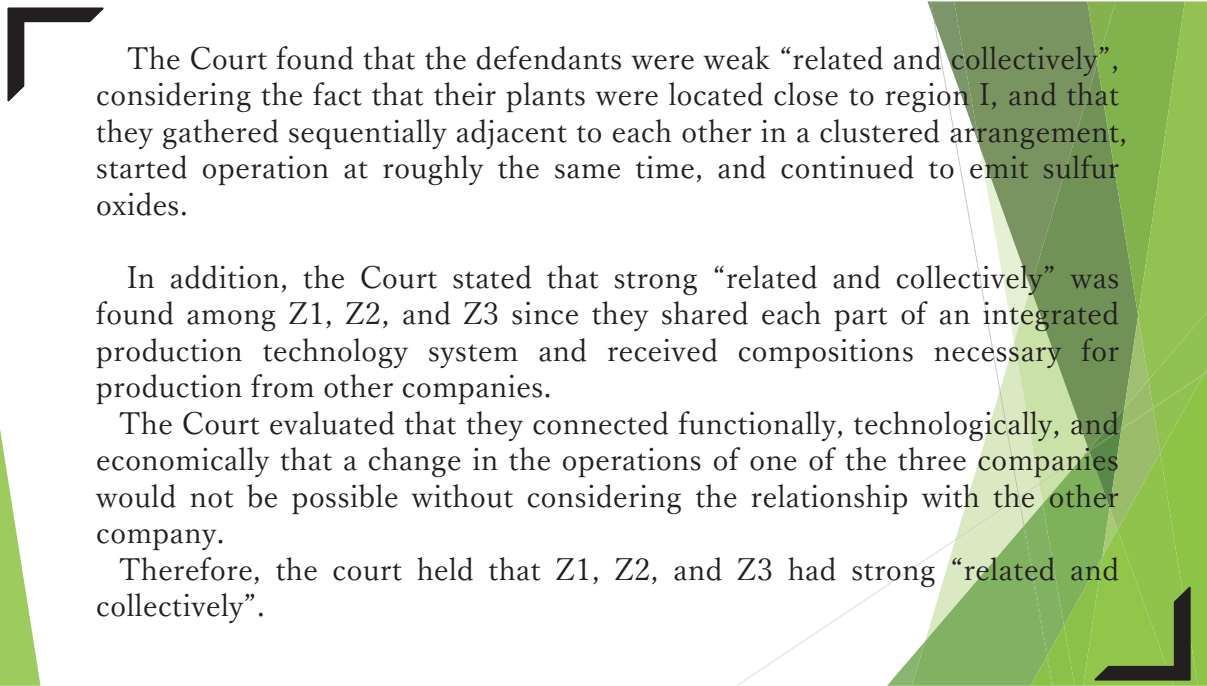
In terms of the “related and collectively” element, the judgment held that there are weak and strong forms.

In order for the weak “related and collectively” to be recognized, it is necessary and sufficient that the tortfeasors unite as a single act against the consequence from seeing the common sense and the norm of society.

As mentioned above, tortfeasors are liable for the damages to the extent of finding that the combination of other acts caused the consequence.

However, this judgment concluded that the consequence in such a case is caused by exceptional circumstances, so it requires the existence of other causative acts and the foreseen or foreseeable that they would cause the consequence in combination with such acts to be liable for the damages.

On the other hand, with regard to strong “related and collectively”, the court held that if a closer unity beyond the weak “related and collectively” is found, liability for the full of consequences may not be avoided even if the emissions of the plant in question are so small that no causation is established to exist between them.

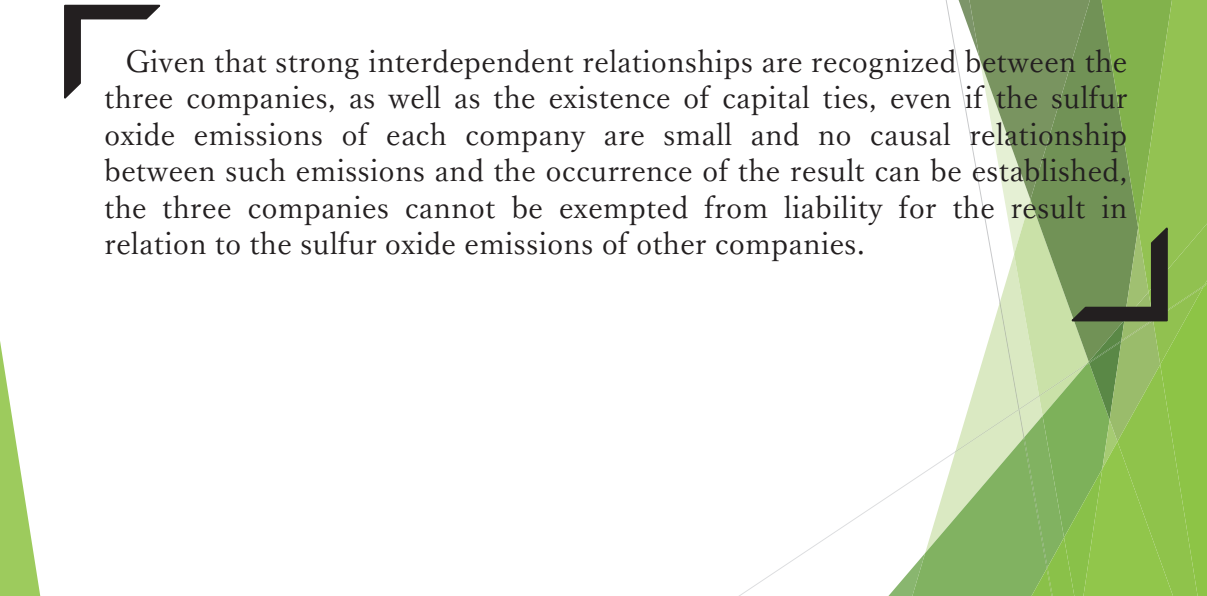


The Court found that the defendants were weak “related and collectively”, considering the fact that their plants were located close to region I, and that they gathered sequentially adjacent to each other in a clustered arrangement, started operation at roughly the same time, and continued to emit sulfur oxides.

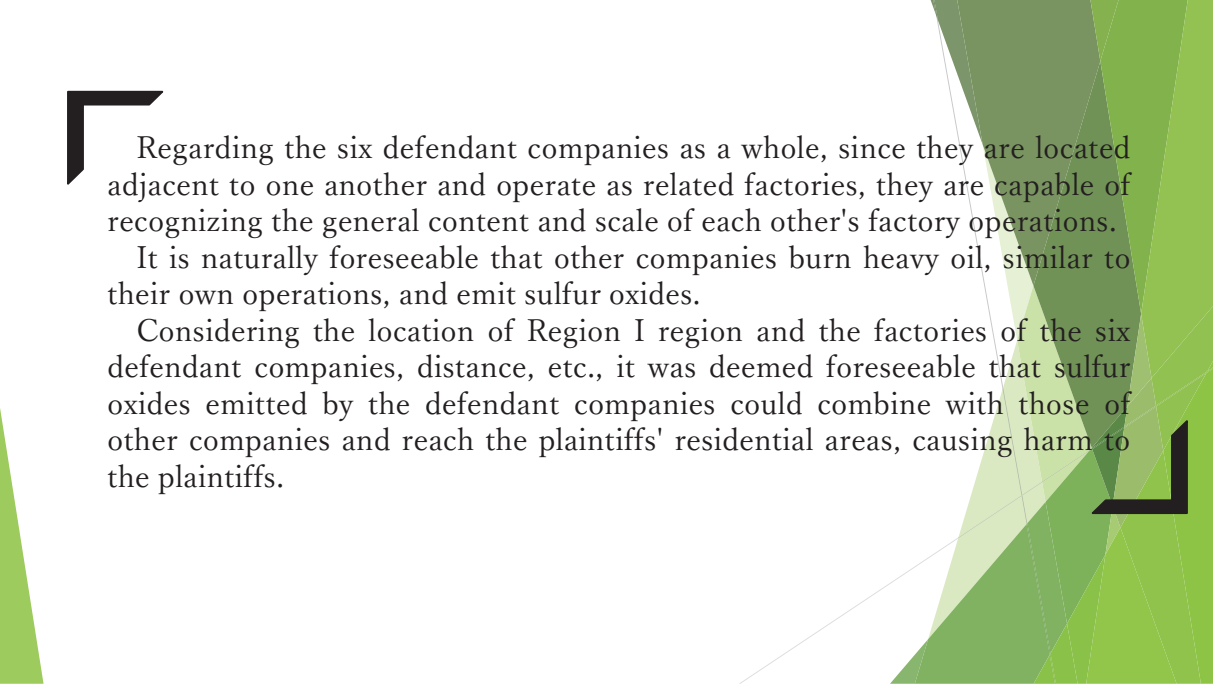
In addition, the Court stated that strong “related and collectively” was found among Z1, Z2, and Z3 since they shared each part of an integrated production technology system and received compositions necessary for production from other companies.

The Court evaluated that they connected functionally, technologically, and economically that a change in the operations of one of the three companies would not be possible without considering the relationship with the other company.

Therefore, the court held that Z1, Z2, and Z3 had strong “related and collectively”.



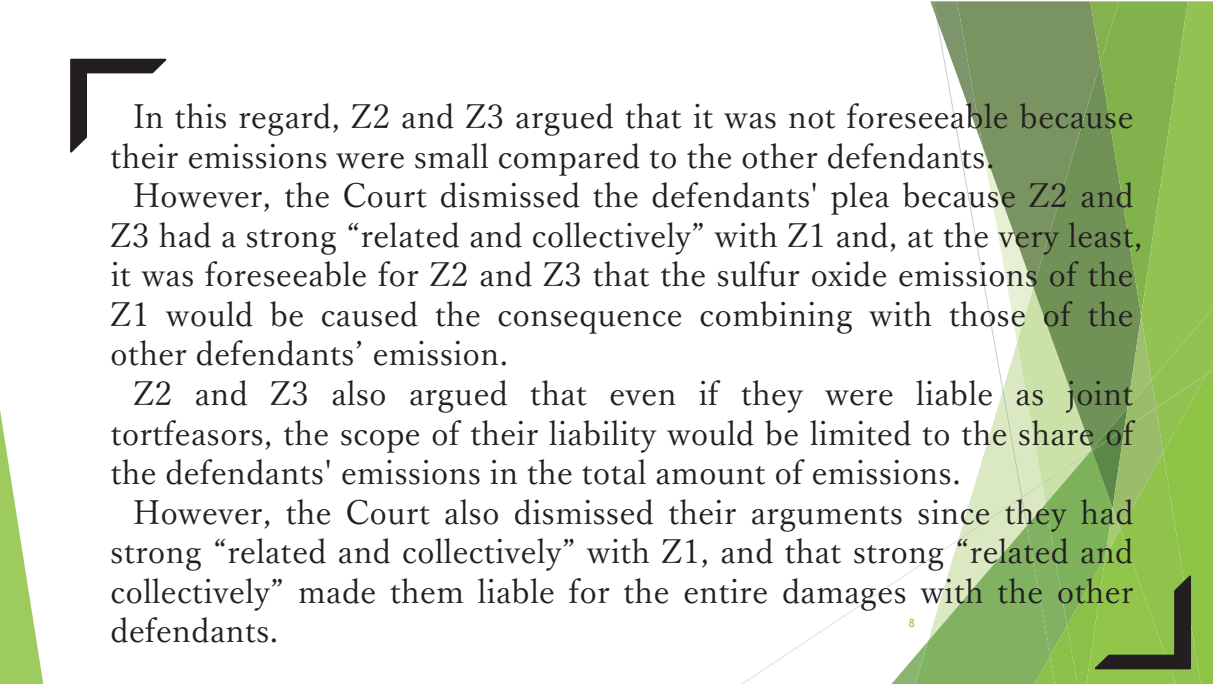
Given that strong interdependent relationships are recognized between the three companies, as well as the existence of capital ties, even if the sulfur oxide emissions of each company are small and no causal relationship between such emissions and the occurrence of the result can be established, the three companies cannot be exempted from liability for the result in relation to the sulfur oxide emissions of other companies.



Regarding the six defendant companies as a whole, since they are located adjacent to one another and operate as related factories, they are capable of recognizing the general content and scale of each other's factory operations.

It is naturally foreseeable that other companies burn heavy oil, similar to their own operations, and emit sulfur oxides.

Considering the location of Region I region and the factories of the six defendant companies, distance, etc., it was deemed foreseeable that sulfur oxides emitted by the defendant companies could combine with those of other companies and reach the plaintiffs' residential areas, causing harm to the plaintiffs.

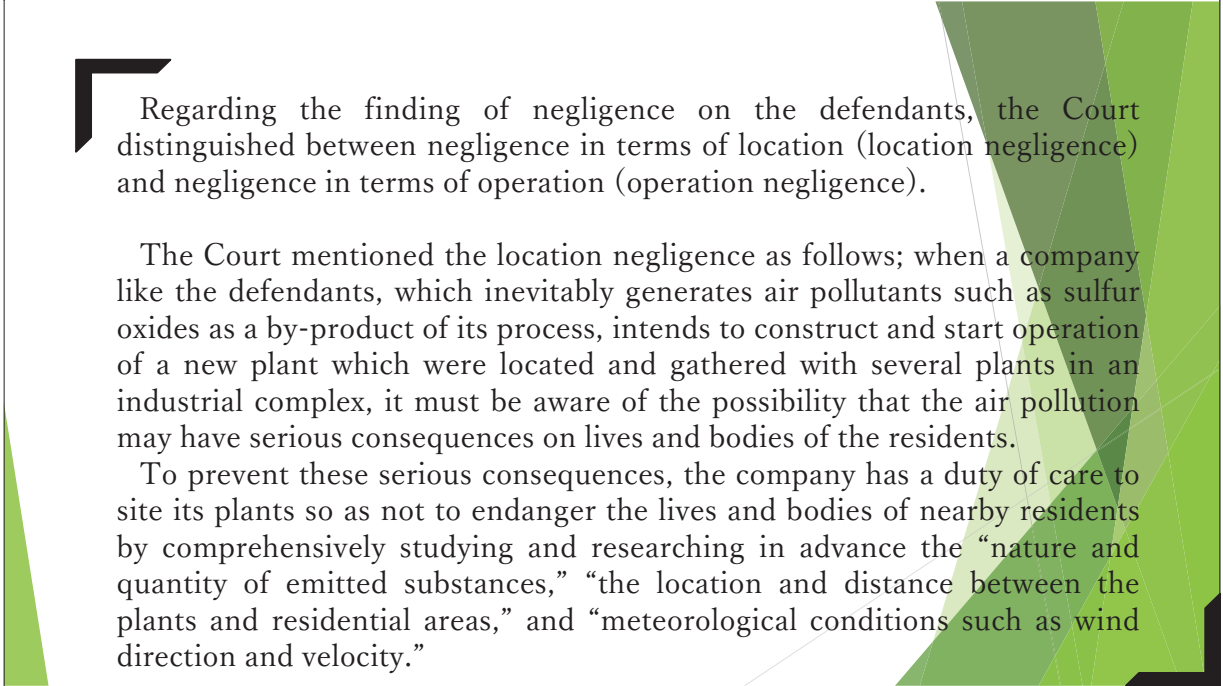


In this regard, Z2 and Z3 argued that it was not foreseeable because their emissions were small compared to the other defendants.

However, the Court dismissed the defendants' plea because Z2 and Z3 had a strong "related and collectively" with Z1 and, at the very least, it was foreseeable for Z2 and Z3 that the sulfur oxide emissions of the Z1 would be caused the consequence combining with those of the other defendants' emission.

Z2 and Z3 also argued that even if they were liable as joint tortfeasors, the scope of their liability would be limited to the share of the defendants' emissions in the total amount of emissions.

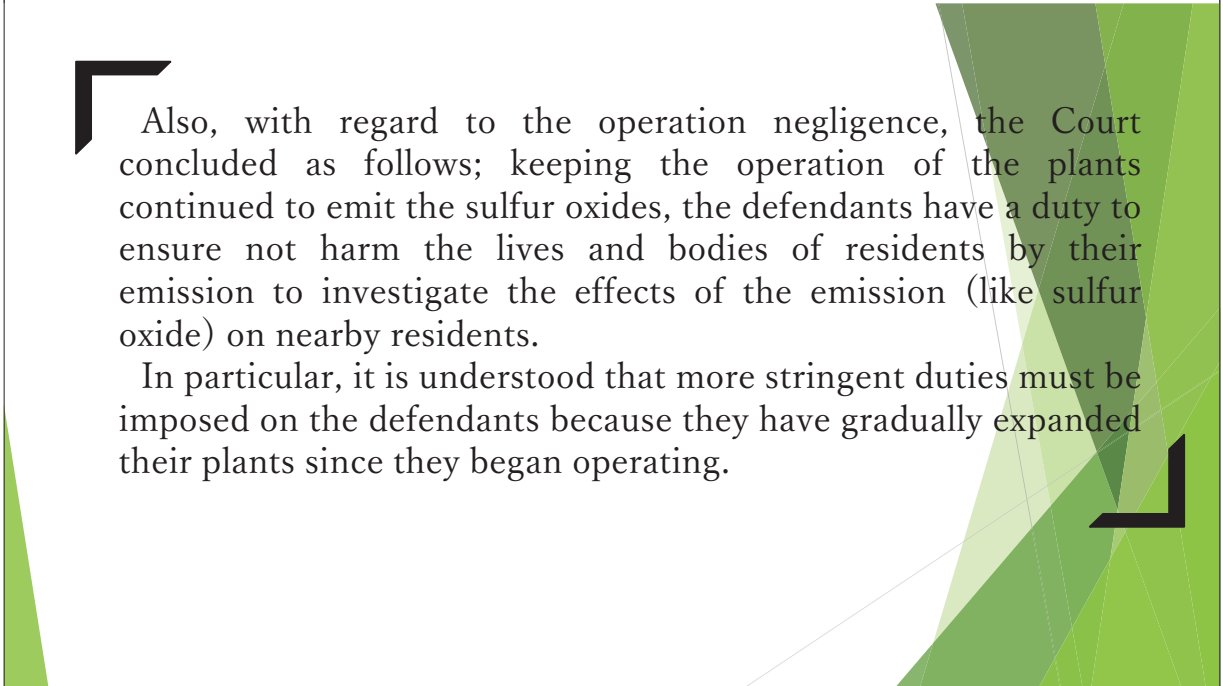
However, the Court also dismissed their arguments since they had strong "related and collectively" with Z1, and that strong "related and collectively" made them liable for the entire damages with the other defendants.



Regarding the finding of negligence on the defendants, the Court distinguished between negligence in terms of location (location negligence) and negligence in terms of operation (operation negligence).

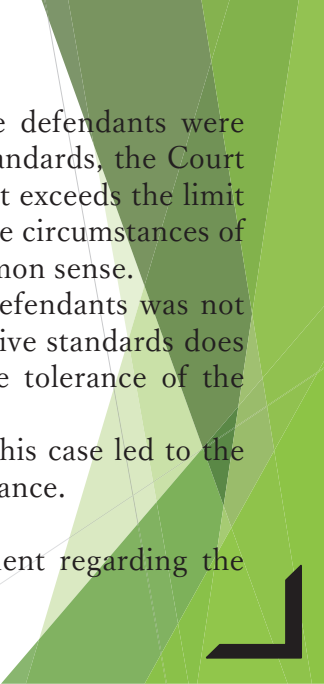
The Court mentioned the location negligence as follows; when a company like the defendants, which inevitably generates air pollutants such as sulfur oxides as a by-product of its process, intends to construct and start operation of a new plant which were located and gathered with several plants in an industrial complex, it must be aware of the possibility that the air pollution may have serious consequences on lives and bodies of the residents.

To prevent these serious consequences, the company has a duty of care to site its plants so as not to endanger the lives and bodies of nearby residents by comprehensively studying and researching in advance the “nature and quantity of emitted substances,” “the location and distance between the plants and residential areas,” and “meteorological conditions such as wind direction and velocity.”



Also, with regard to the operation negligence, the Court concluded as follows; keeping the operation of the plants continued to emit the sulfur oxides, the defendants have a duty to ensure not harm the lives and bodies of residents by their emission to investigate the effects of the emission (like sulfur oxide) on nearby residents.

In particular, it is understood that more stringent duties must be imposed on the defendants because they have gradually expanded their plants since they began operating.



As to the claim that the sulfur oxide emissions by the defendants were justified because they met the legal and administrative standards, the Court held that “illegality” in a tort case is found when detriment exceeds the limit of what the victim should be able to tolerate, comparing the circumstances of the victim with those of the tortfeasors in the view of common sense.

In addition, the Court ruled that the emission by the defendants was not justified because compliance with the law and administrative standards does not in itself mean that their detriments were within the tolerance of the victims.

Rather, the court stated that the serious detriments in this case led to the consequence that it exceeded the limit of the victims’ tolerance.

Therefore, the Court dismissed the defendants’ argument regarding the justification.



**Analyze thought BHR  
concept**

**The case occurred in 1967, the BHR Guiding Principle did not exist at that time.**

**However, the basis of this judgment shares several common elements with the Guiding Principles.**



**I**  
**Regarding the attribution of responsibility for the result**

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**In this context, the Court particularly focused on the supply chain between the defendants, which aligns with the approach of paragraph 13 of the**

**The paragraph states that “The responsibility to respect human rights requires that business enterprises:**

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**The explanation of this paragraph specifies that “business relationships” include relationships with business partners, entities in its value chain, and any other non-State or State entity directly linked to its business operations, products or services.**

**This approach, which focuses on business relationships between entities and attributes common responsibilities to multiple entities, is consistent with this judgement.**



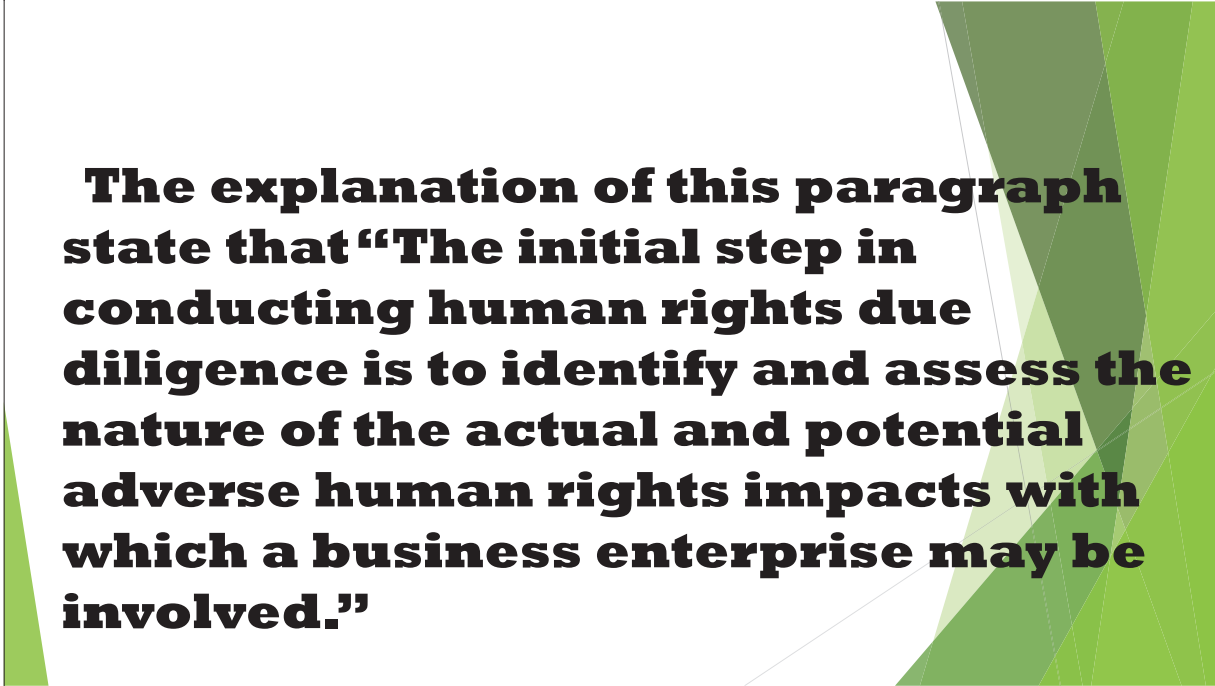
## II

**The concept of  
“foreseeability”**

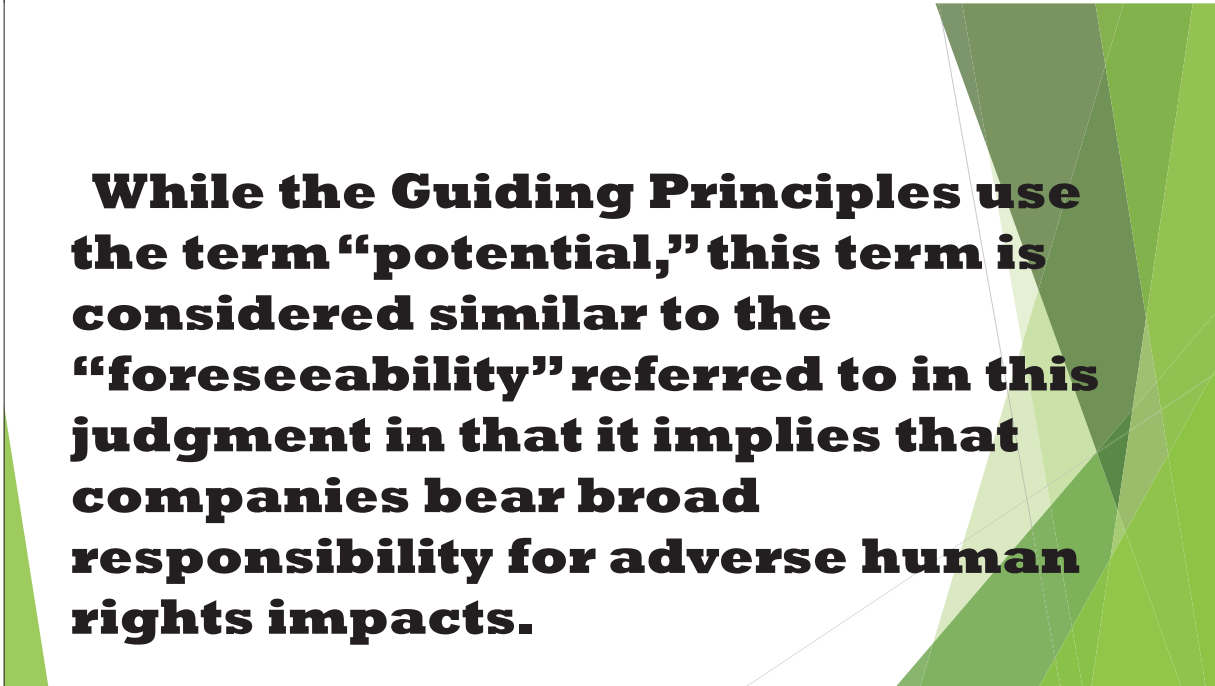
**The Court ruled that defendants are liable for the consequences not only when they foresee them but also when they are foreseeable.**

**This means that the defendants are liable for a broad range of consequences, even when there is a foreseeability.**

**This recognition of broad liability is consistent with paragraph 18 of the Guiding Principle**



**The explanation of this paragraph state that “The initial step in conducting human rights due diligence is to identify and assess the nature of the actual and potential adverse human rights impacts with which a business enterprise may be involved.”**



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**Paragraph 18 of the Guiding Principle states that when identifying and assessing the potential adverse human rights impacts, companies should not only identify and assess the impact arising from their own activities but also the impact that may arise from their business relationships.**

**This means that the Guiding Principles require companies to recognize the potential impact of human rights violations arising from business-related activities that**



### III

## **Reasoning regarding the absence of illegality**

**The Court held that compliance with laws and administrative regulations doesn't "get-out-of-jail card" in front of the serious detriments.**

**It would seem to be a terrible judgment for the defendants that they could be liable for damages even if their business complies with the law and regulation.**

**However, this judgment matches the philosophy of the “rule of law”.**

**It is difficult to define the rule of law.**

**But the essential of the rule of law is that this concept demands that acts of public authorities, to be lawful, must be authorized by a prior and proper legal norm and must comply with all superior norms in accordance with the hierarchy of norms set out in the national constitution.**

**This obviously goes beyond the idea of rule by law.**

**From the perspective of rule by law, the defendants in this case may not have fulfilled their liability, as they adhered to the laws and regulations in force at the time.**

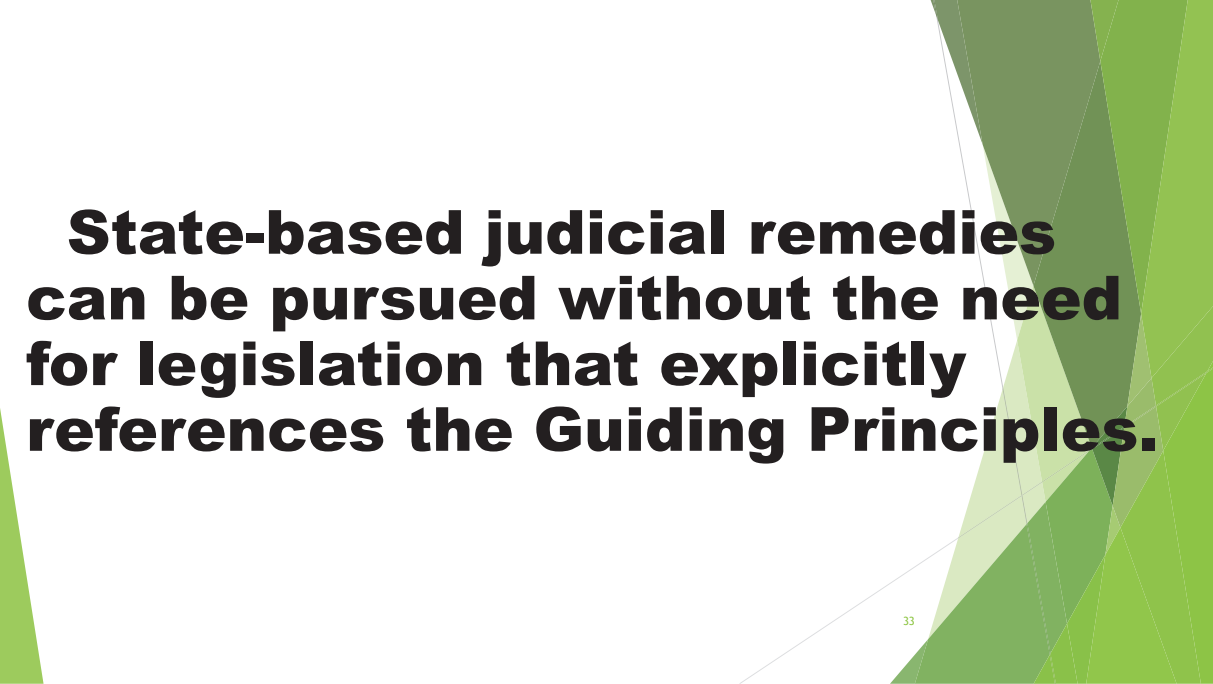
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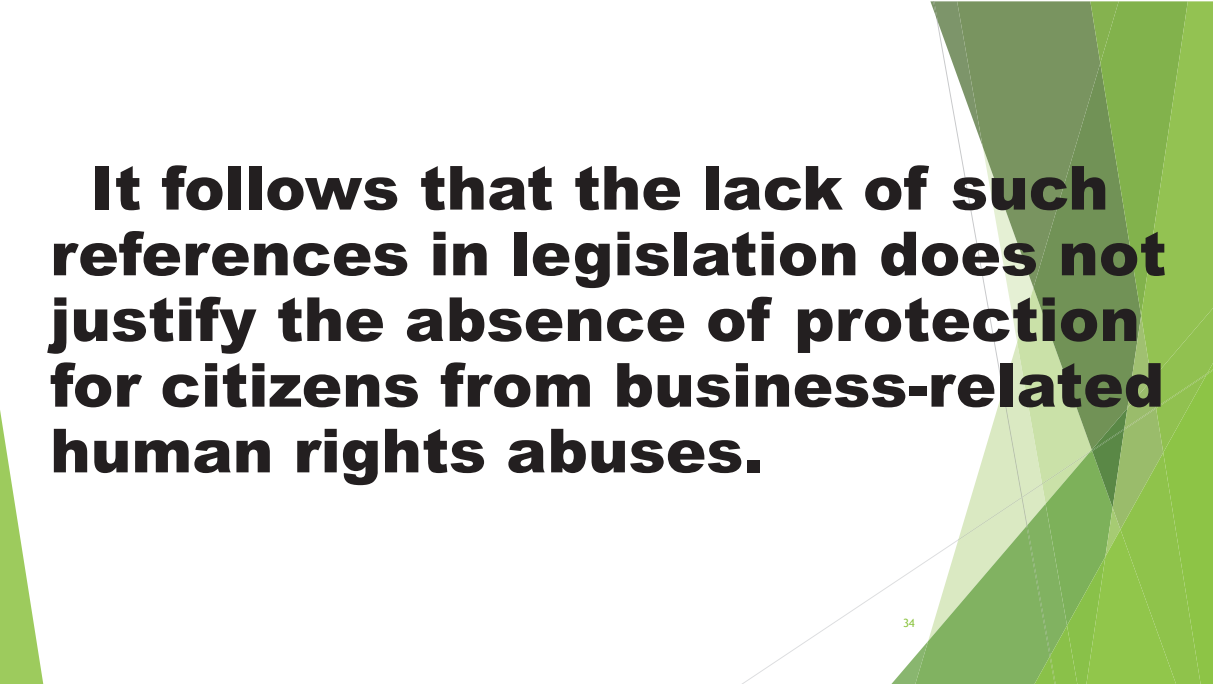
**What  
we  
learn**





**State-based judicial remedies can be pursued without the need for legislation that explicitly references the Guiding Principles.**

33



**It follows that the lack of such references in legislation does not justify the absence of protection for citizens from business-related human rights abuses.**

34

**As demonstrated in the case presented in the lecture, it is possible to address citizens' grievances arising from business-related human rights abuses by applying the existing laws and regulations that are interpreted considering the concept of Business and Human Rights.**

**- III. Chronology of Legal Technical Cooperation -**

Chronology of Legal Technical Cooperation  
(Main Chronology Known to RTI)

As of December 31, 2025

Year	Month	Vietnam
1991		The Minister of Justice of Vietnam requested assistance from the Ministry of Justice of Japan
1993		Prof. Akio Morishima of Nagoya Univ. (then) visited Vietnam to introduce Civil Code [CC] of Japan through cultural exchange project
1994	Oct.	Training course in Japan (on CC of Japan; etc.)
1995	Aug.	• “Survey on development policy to assist transition to market economy” (so-called Ishikawa Project)(1995 – 2001)
	Oct.	• Training course in Japan (on Nationality Act; etc.)
1996	Aug.	• Training course in Japan (on Penal Code and Criminal Procedure Code[CRPC])
	Sep.	• Training course in Japan (on Commercial Code; etc.)
	Dec.	• Cooperation Program in Legal Field, Phase I commenced
	Dec.	• Long-term expert (private attorney) was dispatched

1997	Jun. Oct.	<ul style="list-style-type: none"> <li>• Training course in Japan (on family register, registration, deposition)</li> <li>• Training course in Japan (on Civil Procedure Code [CPC] and Civil Execution Act)</li> </ul>
1998	Jun. Oct.	<ul style="list-style-type: none"> <li>• Local seminar</li> <li>• Training course in Japan (on Companies Act; etc.)</li> <li>• Training course in Japan (on intellectual property right)</li> </ul>
1999	Jun. Oct.  Nov.  Dec.	<ul style="list-style-type: none"> <li>• Local seminar</li> <li>• Training course in Japan (on criminal procedure)</li> <li>• Training course in Japan (on civil liability)</li> <li>• Training course (on criminal procedure and roles of prosecutors)(JICA and UNDP joint project)</li> <li>• Japan-Vietnam Civil and Commercial Law Seminar</li> <li>• Phase I of Above Project terminated</li> <li>• Cooperation Project in Legal Field, Phase II commenced <ul style="list-style-type: none"> <li>- Joint study to amend Civil Code (CC) of Vietnam</li> <li>- Formulation of a bird's-eye view of laws</li> <li>- Human resource development</li> </ul> </li> <li>• Supreme People's Court (SPC) and Supreme People's Procuracy (SPP) were added as counterpart organizations</li> <li>• Long-term expert (program coordinator) was dispatched</li> </ul>
2000	Jun. Jul. Sep. Oct. Nov.	<ul style="list-style-type: none"> <li>- Local seminar</li> <li>• Three long-term experts (public prosecutor, former judge and private attorney) were dispatched</li> <li>• Training course in Japan (on judicial system in Japan; etc.)</li> <li>• Joint study group to amend CC commenced</li> <li>• Training course in Japan (on lawyer system; etc.)</li> <li>• Training course in Japan (on criminal procedure; etc.)</li> <li>• Training course in Japan (on judiciary; etc. )</li> </ul>
2001	May Jun. Sep. Nov.	<ul style="list-style-type: none"> <li>• Two long-term experts (public prosecutor and private attorney) were dispatched</li> <li>• Local seminar</li> <li>• Training course in Japan (on legal training of prosecutors)</li> <li>• Training course in Japan (on capacity development)</li> <li>• Training course in Japan (on CPC)</li> <li>• Phase II of Above Project was extended until Mar. 2003</li> </ul>
2002	Feb. May  Jun. Sep.	<ul style="list-style-type: none"> <li>• Former Minister of Justice of Vietnam was invited to Japan by JICA</li> <li>• Long-term expert (former judge) was dispatched</li> <li>• Local seminar</li> <li>• Training course in Japan (on CC)</li> <li>• Training course in Japan (on penal provisions concerning economy for developing market-oriented economy)</li> <li>• Training course in Japan (on laws and rules concerning stock exchange; etc.)</li> <li>• Training course in Japan (on CPC)</li> </ul>
2003	Feb. Jun. Jul.       Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (on laws and rules concerning secured trading system)</li> <li>• Phase II of Above Project terminated</li> <li>• Phase III of Above Project commenced <ul style="list-style-type: none"> <li>- Joint study group to amend CC</li> <li>- Joint study group on CPC</li> <li>- Joint study group on legal training (composed of MOJ, Supreme Court [SC] and Japan Federation of Bar Associations [JFBA])</li> <li>- Joint study group (composed of MOJ, SC and JFBA) commenced to establish judgment-writing and judicial precedents</li> </ul> </li> <li>• Seminar to assist amendment of Bankruptcy Law</li> <li>• Long-term expert (public prosecutor) was dispatched</li> <li>• Local seminar (on CC, CPC, legal training)</li> <li>• Minister of Justice and other delegates were invited to Japan by Research and Training Institute (RTI) and JICA</li> </ul>

2004	Feb.    Jun. Jun.	<ul style="list-style-type: none"> <li>• Training course in Japan (on legal training)</li> <li>• Course on Japanese law at Vietnam National University commenced</li> <li>• Four long-term experts (public prosecutor, former judge, private attorney and program coordinator) were dispatched</li> <li>• Local seminar (on CC, CPC, legal training, judgment-writing/judicial precedents)</li> <li>• CPC was enacted</li> <li>• Amended Bankruptcy Law was enacted</li> </ul>
2005	Jan. Feb.   Jun. Sep.	<ul style="list-style-type: none"> <li>• Training course in Japan (on legal training)</li> <li>• Training course in Japan (on joint study to amend CC)</li> <li>• Long-term expert (former judge) was dispatched</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• Local seminar (on judgment-writing/judicial precedent, Judgment Execution Law, legal training)</li> <li>• Amended CC was enacted</li> <li>• Training course in Japan (on standardization of judgment-writing)</li> </ul>
2006	Feb. Jun.   Oct.	<ul style="list-style-type: none"> <li>• Training course in Japan (on legal training)</li> <li>• Phase III of Above Project was extended until Mar. 2007</li> <li>• Long-term expert (program coordinator) was dispatched</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• Local seminar (on judgment-writing/ judicial precedents)</li> <li>• Training course and joint study on Japan-Vietnam judicial systems (on judgment-writing/ judicial precedent, inviting four justices from SPC to Japan)</li> </ul>
2007	Mar. Apr.    Sep. Nov.	<ul style="list-style-type: none"> <li>• Phase III of Above Project terminated</li> <li>• Project for Legal and Judicial Reform commenced</li> <li>• Joint study group on CC commenced</li> <li>• Study group to improve court practices commenced</li> <li>• Four long-term experts (public prosecutor, former judge, private attorney, program coordinator) were dispatched</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• Research and Education Center for Japanese Law was established at Hanoi Univ. of Law by Nagoya Univ.</li> <li>• Local seminar (on State Compensation Law)</li> <li>• Training course in Japan (on drafting State Compensation Law)</li> </ul>
2008	  Jun. Aug.  Nov.	<ul style="list-style-type: none"> <li>• Joint study group on CC and study group to improve court practices</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• Training course in Japan (on criminology)</li> <li>• Training course in Japan (on improvement of court practices and measures for providing information of judicial precedent, etc. )</li> <li>• Civil Judgment Execution Law was enacted</li> </ul>
2009	Mar.   Jun. Aug.  Oct. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (on amendment of CRPC)</li> <li>• Joint study group on CC, study group to improve court practices</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• State Compensation Law was enacted</li> <li>• Training course in Japan (on drafting Immovable property registration Law and Secured Transaction Registration Law)</li> <li>• Training course in Japan (on organization and activities of JFBA)</li> <li>• Training course in Japan (on drafting amended CRPC and guidance on operation of Civil Judgment Execution Law)</li> <li>• Local seminar (on Administrative Procedure Law, organization and management of bar federation, etc.)</li> </ul>

2010	Feb.  Jun. Aug. Sep.  Oct. Nov. Nov. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (drafting Administrative Procedure Law)</li> <li>• JICA Survey Team was dispatched for project-end evaluation and project detailed planning survey</li> <li>• Joint study group on CC and study group to improve court practices</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• Joint study on Japan-Vietnam judicial systems</li> <li>• Local seminar</li> <li>• Training course in Japan (on attorney's business basic rules, roles of each bar association, etc. )</li> <li>• Vice-Minister of Justice was invited to Japan</li> <li>• Training course in Japan (on drafting Family Registration Law)</li> <li>• Administrative Procedure Law was enacted</li> <li>• Training course in Japan (on drafting amended CRPC )</li> </ul>
2011	Jan. Mar.  Apr.  Jun.	<ul style="list-style-type: none"> <li>• Training course in Japan (on drafting amended CPC)</li> <li>• Phase I of Above Project terminated</li> <li>• Amended CPC was enacted</li> <li>• Phase II of Above Project (2011 - 2015) commenced</li> <li>• Joint study group on CC and study group to improve court practices</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• Joint study on Japan-Vietnam judicial systems</li> </ul>
2012	Feb.  Mar.  Jun.	<ul style="list-style-type: none"> <li>• Training course in Japan (on organization of bar associations, strengthening capacity of attorneys, and countermeasures against depopulation of attorneys)</li> <li>• Training course in Japan (on amendment of Court Organization Law)</li> <li>• Joint study group on CC, and study group to improve court practices</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• Joint study on Japan-Vietnam judicial systems</li> <li>• JICA Survey Team was dispatched (survey for guidance on project management)</li> </ul>
2013	Feb.  Mar. May  Aug.  Oct.	<ul style="list-style-type: none"> <li>• Training course in Japan (on establishment of rights of defense counsel in criminal justice, amendment of CC )</li> <li>• Training course in Japan (on amendment of Court Organization Law)</li> <li>• JICA Survey Team (mid-term evaluation)</li> <li>• Joint study group on CC, and study group to improve court practices</li> <li>• Course on Japanese law at Vietnam National Univ.</li> <li>• Joint study on Japan-Vietnam judicial systems (Prosecutor General of SPP was invited to Japan at the same time)</li> <li>• Training course in Japan (on Bankruptcy Law; organization and management of bar associations and law firms in the province, and autonomy of private attorneys)</li> </ul>
2014	Feb. Mar.  Jun. Jul. Aug. Sep.  Nov. Dec. Dec.	<ul style="list-style-type: none"> <li>• JICA Survey Team (Joint Coordinating Committee [JCC] )</li> <li>• Training course in Japan (on amendment of CC - amendment of international-private related law)</li> <li>• Field survey by ICD (for preliminary survey to assist in amendment of Penal Code)</li> <li>• Joint study group on CC, and study group to improve court practices</li> <li>• Joint study on Japan-Vietnam judicial systems (on amendment of CC)</li> <li>• Joint study on Japan-Vietnam judicial systems (on training of prosecutors)</li> <li>• JICA survey team was dispatched (for project-end evaluation )</li> <li>• JICA survey team was dispatched (for pre-project detailed planning survey)</li> <li>• Local seminar (on summary procedure, appeal system, amendment of CPC, etc. )</li> <li>• JICA survey team was dispatched (for project detailed planning survey)</li> <li>• Training course in Japan (on training of prosecutors)</li> <li>• JICA survey team was dispatched (for 3rd project detailed planning survey)</li> </ul>

2015	Mar. Apr.  Jun. Sep. Oct. Nov. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (on amendment of CC)</li> <li>• Project for Harmonized, Practical Legislation and Uniform Application of Law Targeting Year 2020 commenced (2015 - 2020)</li> <li>• The Office of the Government (OOG) was added as a new counterpart in this project in addition to pre-existing four counterparts</li> <li>• Additional long-term expert (prosecutor) was dispatched in addition to pre-existing four long-term experts</li> <li>• Joint study group on CC, and study group to improve court practices</li> <li>• Joint study on Japan-Vietnam judicial systems (on criminal policy;etc.)</li> <li>• Training course in Japan (on enhancing consistency of legal normative documents)</li> <li>• JICA Survey Team was dispatched (for participating in JCC)</li> <li>• Training course in Japan (on enhancing consistency of legal normative documents)</li> <li>• Training course in Japan (on training of prosecutors)</li> </ul>
2016	Apr. Jul.  Sep. Nov. Nov. Nov.	<ul style="list-style-type: none"> <li>• JICA survey team was dispatched (for participating in JCC)</li> <li>• Training course in Japan (on enhancing consistency of legal normative documents and training of prosecutors)</li> <li>• Training course in Japan (on property registration act)</li> <li>• Training course in Japan (on training of judges)</li> <li>• Local survey(on Property Registration Act)</li> <li>• JICA survey team was dispatched (for survey for Property Registration Act)</li> </ul>
2017	Feb. Apr. May Sep. Sep. Oct. Nov.	<ul style="list-style-type: none"> <li>• Local seminar (on Property Registration Act, etc.)</li> <li>• Local survey(for Property Registration Act)</li> <li>• Training course in Japan (on judicial precedent)</li> <li>• Training course in Japan (on property registration act)</li> <li>• Local seminar (on judicial precedent)</li> <li>• Local seminar (on family court)</li> <li>• Training course in Japan (on civil execution system and registration system)</li> </ul>
2018	Jan. May Jun. Sep. Oct. Oct.	<ul style="list-style-type: none"> <li>• JICA survey team was dispatched (for Mid-term Review)</li> <li>• JICA survey team was dispatched (for participating in JCC)</li> <li>• Training course in Japan (on settlement and conciliation)</li> <li>• Local seminar (on judicial precedent)</li> <li>• Training course in Japan (on enhancing consistency of legal normative documents)</li> <li>• Local seminar (on family court)</li> </ul>
2019	Jan. Apr. Aug. Aug. Sep.  Oct.	<ul style="list-style-type: none"> <li>• JICA survey team was dispatched (for participating in JCC)</li> <li>• JICA survey team was dispatched (for participating in JCC)</li> <li>• Local seminar (on hearing from women and children victims)</li> <li>• Local workshop (on forensic interviews)</li> <li>• JICA survey team was dispatched (for project detailed planning survey)</li> <li>• Above Project was extended until Dec. 2020</li> <li>• Training courses in Japan (on adversarial principle in the criminal court practices)</li> </ul>
2020	Jan. Feb. - Mar. Jul. Dec.	<ul style="list-style-type: none"> <li>• JICA survey team was dispatched (for project detailed planning survey)</li> <li>• Training courses in Japan (on enhancing consistency of legal normative documents)</li> <li>• JCC</li> <li>• JCC and Launching Ceremony of the JICA Project in the period of 2021-2025</li> <li>• Above Project (2015 - 2020) terminated</li> </ul>
2021	Jan.  Apr.  Sep. Nov.	<ul style="list-style-type: none"> <li>• Project "Enhancing the Quality and Efficiency of Developing and Implementing Laws in Vietnam" commenced (2021 - 2025)</li> <li>• The Central Internal Affairs Committee (CIAC) was added as a new counterpart in this project in addition to pre-existing five counterparts</li> <li>• Four long-term experts (public prosecutor, private attorney, official of MOJ and program coordinator) were dispatched</li> <li>• Kick-off Meeting of the new project</li> <li>• JCC</li> <li>• Online workshop (on international experiences of juvenile justice)</li> </ul>

2022	Mar.  Apr. Jun.  Jul. Sep. Nov. Nov. - Dec. Dec.	<ul style="list-style-type: none"> <li>• Online workshop (on handover, access, disclosure of evidence and conciliation)</li> <li>• Online workshop (on people participating in judicial activities)</li> <li>• JCC</li> <li>• JCC</li> <li>• Online lecture for intern students from Education and Research Center for Japanese Law (Vietnam)</li> <li>• Local survey</li> <li>• Online workshop (on legal application)</li> <li>• Online workshop (on mediation)</li> <li>• Local seminar (on mutual legal assistance)</li> <li>• Local seminar (on improvement of judgement document)</li> </ul>
2023	Feb. Mar. Apr. Jul. Sep. Oct.  Nov.	<ul style="list-style-type: none"> <li>• Online workshop (on improvement of Judgement Document Handbook)</li> <li>• Local survey (on Business and Human Rights)</li> <li>• JCC</li> <li>• Local seminar</li> <li>• Training course in Japan (on Japanese legislative process (drafting, review, and completion))</li> <li>• Training course in Japan (on international experience in the prevention and perfecting of anti-corruption)</li> <li>• Training course in Japan (on Japanese legislative process (drafting, review, and completion), administrative procedures and decentralization)</li> <li>• Local survey</li> </ul>
2024	Apr.  Jun. Sep. Nov.  Dec.	<ul style="list-style-type: none"> <li>• High Level Forum</li> <li>• JCC</li> <li>• Online workshop (on improvement of Judgement Document Handbook)</li> <li>• Training course in Japan (on the civil legislation and digitalization of legal affairs)</li> <li>• Training course in Japan (on crime prevention in the field of the financial and banking transactions)</li> <li>• Local seminar</li> <li>• Local survey</li> </ul>
2025	through Dec.  Apr. Apr., early Jun., late Jun., Jul., and Sep. Nov.	<ul style="list-style-type: none"> <li>• Continued implementation of the JICA Project “Enhancing the Quality and Efficiency of Developing and Implementing Laws in Vietnam”</li> <li>• Training course in Japan (on judicial precedent, mediation, and specialized courts)</li> <li>• Local surveys</li> <li>• Local seminar (on judicial precedent)</li> <li>• JCC, Commemorative ceremony marking past JICA projects and a new era of cooperation between Japan and Vietnam in the field of law and justice</li> </ul>
Year	Month	Cambodia
1994		• Seminar "Actual Situation of, and Challenges for Judicial System in Cambodia" by JFBA
1996		• Joint organization of training course in Japan by MOJ, SC and JFBA (annually)
1997		• Continued Implementation of Joint organization of training course in Japan by MOJ, SC and JFBA
1998		<ul style="list-style-type: none"> <li>• Survey team was dispatched to JICA Office in Cambodia</li> <li>• Agreement on assistance in drafting Civil Code (CC) and Code of Civil Procedure (CCP)</li> </ul>
1999	Mar.	<ul style="list-style-type: none"> <li>• JICA Legal and Judicial Development Project, Phase I began</li> <li>• Two long-term experts (including a private attorney) were dispatched to MOJ of Cambodia</li> <li>• Workshops held by CC and CPC working groups in Japan and in Cambodia to assist drafting of the two codes</li> </ul>

2000	Apr. May Oct.	<ul style="list-style-type: none"> <li>• Training course in Japan for assistance in legislative drafting, mainly through discussions with working groups (twice)</li> <li>• Friendship agreement between JFBA and Cambodian Bar Association (CBA)</li> <li>• Judicial survey team was dispatched by JFBA</li> <li>• Judicial survey team was dispatched by JFBA</li> </ul>
2001		<ul style="list-style-type: none"> <li>• Judicial assistance project for CBA by JFBA (JICA small-scale development partnership project) commenced</li> <li>• Seminar on continuous education of attorneys (1st to 4th) organized by JFBA (joint project with Canadian Bar Association [which held seminar three times] and Lyon Bar Association [which held seminar once], and seminars were held eight times in total)</li> </ul>
2002		<ul style="list-style-type: none"> <li>• Commemorative seminar on completion of draft CC and CCP (speech given by Prime Minister Samdech Hun Sen)</li> <li>• Draft CC and CCP were completed</li> <li>• Judicial assistance project for CBA by JFBA (JICA Development Partnership Program) commenced (until 2005)</li> <li>• Training course in Japan (assistance in legislative drafting, legislative assistance)</li> </ul>
2003		<ul style="list-style-type: none"> <li>• Training seminar in Japan (legislative assistance)</li> <li>• JICA survey team was dispatched</li> <li>• JICA short-term expert was dispatched by MOJ of Japan to Royal School for Judges and Prosecutors (RSJP) of Cambodia</li> </ul>
2004		<ul style="list-style-type: none"> <li>• Phase II of above JICA Project commenced (until Apr. 2007) <ul style="list-style-type: none"> <li>- Legislative assistance</li> <li>- Drafting ancillary laws</li> </ul> </li> <li>• Two long-term experts (including one private attorney) were dispatched to MOJ of Cambodia</li> <li>• Training course on legal training for counterpart organizations</li> <li>• JICA short-term expert (public prosecutor) was dispatched to RSJP</li> </ul>
2005	Feb.       Oct.	<ul style="list-style-type: none"> <li>• Training course in Japan (CC, CCP)</li> <li>• Two long-term experts (including one private attorney) were dispatched to MOJ of Cambodia.</li> <li>• Local seminar (mock trial)</li> <li>• Study group on legal training was established</li> <li>• JICA Project for Improvement of Training on Civil Matters at RSJP (RSJP Project) commenced (until Mar. 2008)</li> <li>• Two long-term experts (including public prosecutor) were dispatched to RSJP</li> <li>• Judicial assistance project for CBA by JFBA (JICA Development Partnership Program) terminated</li> <li>• Training course in Japan (legal training)</li> </ul>
2006	Feb.   Apr. Jul. Aug. Aug. Aug. Dec. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (CC, CCP)</li> <li>• Two long-term experts (including private attorney) were dispatched to MOJ of Cambodia</li> <li>• Minister of Justice of Cambodia and other delegates were invited to Japan by RTI and International Civil and Commercial Law Centre Foundation (ICCLC)</li> <li>• JICA Legal Development Project, Phase II was extended (until Apr. 2008)</li> <li>• JICA-Net seminar</li> <li>• CPC was enacted</li> <li>• Short-term experts were dispatched</li> <li>• Local seminar (special lecture on CC)</li> <li>• Local seminar ( judgment-writing )</li> <li>• Remote seminar</li> <li>• JICA-Net seminar</li> </ul>

2007	Feb. Mar.  May Jul. Jul. Aug. Sep. Sep. Dec. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (legal training)</li> <li>• Local seminar (special lecture on CCP)</li> <li>• Additional long-term expert (private attorney) was dispatched to MOJ (three long-term experts in total)</li> <li>• JICA survey team was dispatched</li> <li>• JICA survey team was dispatched</li> <li>• JICA-Net seminar</li> <li>• Application of CCP commenced</li> <li>• Training course in Japan (legal training and CCP)</li> <li>• Remote seminar ( CCP )</li> <li>• JICA-Net seminar</li> <li>• Local seminar (CC)</li> <li>• CC was promulgated</li> <li>• Local seminar (civil mock trial)</li> </ul>
2008	Jan.     Sep. Oct. Dec. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (CCP)</li> <li>• JICA Judicial Assistance Project for CBA commenced</li> <li>• JICA Legal Development Project, Phase III commenced <ul style="list-style-type: none"> <li>- Drafting ancillary laws</li> </ul> </li> <li>• JICA survey team was dispatched</li> <li>• JICA RSJP Project, Phase II commenced</li> <li>• Advisory group on legal training was established</li> <li>• JICA-Net seminar</li> <li>• Training course in Japan</li> <li>• Remote seminar (CCP)</li> <li>• Local seminar</li> </ul>
2009	Feb. Feb. Mar. May Jun. Aug. Oct. Nov. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (Immovable property registration Law)</li> <li>• Local seminar</li> <li>• Training course in Japan</li> <li>• JICA-Net seminar</li> <li>• Local seminar</li> <li>• Local seminar</li> <li>• Training course in Japan</li> <li>• Training course in Japan</li> <li>• Local seminar (CCP)</li> </ul>
2010	Feb.  May May May Sep. Oct. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (on immovable property registration )</li> <li>• Dispatch of two long-term experts to RSJP continued, one long-term expert was added (two of total three were from MOJ)</li> <li>• JICA-Net seminar (CCP)</li> <li>• Field survey by RTI (needs assessment)</li> <li>• JICA Judicial Assistance Project for CPA completed.</li> <li>• Local seminar (CC)</li> <li>• Training course in Japan (legal training)</li> <li>• JICA-Net seminar (corporate registration)</li> </ul>
2011	Mar. Jun. Jun. Aug. Sep. Oct. Oct. Dec. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (CC)</li> <li>• Civil Code Application Law was promulgated</li> <li>• Training course in Japan (legal training)</li> <li>• Local seminar (on CC in Aug., Sep., Nov.)</li> <li>• JICA survey team was dispatched (for project-end evaluation)</li> <li>• Training course in Japan (legal training)</li> <li>• JICA survey team was dispatched (for project detailed planning)</li> <li>• Application of CC commenced; commemorative ceremony</li> <li>• Local seminar (dissemination of CC)</li> </ul>

2012	Jan. Feb. Mar. Apr.  Sep. Nov. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (CC)</li> <li>• Training course in Japan (corporate registration)</li> <li>• JICA Legal Development Project, Phase III completed.</li> <li>• JICA Project for Dissemination of CC and CCP commenced <ul style="list-style-type: none"> <li>- Assistance in drafting Joint Ministerial Ordinance on Immovable property registration</li> <li>- Personnel capacity-building of MOJ, RAJP, Bar Association of Kingdom of Cambodia (BAKC), and Royal University of Law and Economics</li> </ul> </li> <li>• Local seminar (immovable property registration)</li> <li>• JICA survey team was dispatched (to participate in JCC )</li> <li>• Local seminar (immovable property registration)</li> </ul>
2013	Feb. Feb.  Sep. Sep. Oct. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (Family Inheritance Law)</li> <li>• Training course in Japan (human resource development)</li> <li>• JICA Project for Assistance in legislative drafting completed</li> <li>• Dispatch of an expert (private attorney) ended</li> <li>• Local seminar (CCP)</li> <li>• JICA survey team was dispatched (for guidance on project management)</li> <li>• Training course in Japan (on human resource development)</li> <li>• JICA survey team was dispatched (to participate in JCC)</li> </ul>
2014	Feb. Mar. Jun. Aug. Sep. Oct. Dec. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (on human resource development)</li> <li>• Local seminar (CC)</li> <li>• Training courses in Japan</li> <li>• JICA survey team was dispatched (for mid-term review)</li> <li>• Long-term expert (prosecutor) was dispatched, dispatch of an expert ended</li> <li>• Training courses in Japan</li> <li>• JICA survey team was dispatched (to participate in JCC)</li> <li>• Local seminar (publication of judgments)</li> </ul>
2015	Feb. Mar. Jul. Sep. Dec.	<ul style="list-style-type: none"> <li>• Training courses in Japan</li> <li>• Local seminar (registration of immovables)</li> <li>• Local seminar (Joint Prakas on registration of immovables)</li> <li>• Training courses in Japan</li> <li>• JICA survey team was dispatched (to participate in JCC)</li> </ul>
2016	Jan. Mar. Oct. - May. Aug. Aug. Sep. Oct. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (civil provisional remedies)</li> <li>• Training courses in Japan</li> <li>• Dispatch of a short-term expert (public prosecutor)</li> <li>• Local seminar (Problems in practice in Aug.)</li> <li>• JICA survey team was dispatched (for project-end evaluation )</li> <li>• JICA survey team was dispatched (for project detailed planning in Sep.)</li> <li>• Training courses in Japan (Oct.)</li> <li>• JICA survey team was dispatched (to participate in JCC)</li> </ul>
2017	Jan. Feb. Mar. Apr. Aug. Aug.	<ul style="list-style-type: none"> <li>• Local seminar (problems in practice)</li> <li>• Local seminar (compulsory execution)</li> <li>• Above JICA Project continued completed</li> <li>• JICA Project "Legal and Judicial Development Project Phase V" commenced</li> <li>• Working groups on CC terminated</li> <li>• Local seminar (problems in practice)</li> <li>• Advisory group on immovable property registration was formed</li> </ul>
2018	Jan.  Mar. Mar. . Aug.	<ul style="list-style-type: none"> <li>• Japan Federation of Bar Association (JFBA) • Bar Association of Kingdom of Cambodia (BAKC) • ICD seminar (division of inheritance)</li> <li>• RULE • ICD seminar (divorce)</li> <li>• Japan Federation of Bar Association (JFBA) • Bar Association of Kingdom of Cambodia (BAKC) • ICD seminar (divorce)</li> <li>• JFBA • BAKC • ICD seminar (compulsory execution of real property)</li> </ul>

2019	Jan. Feb. Feb. Mar.	<ul style="list-style-type: none"> <li>• JICA survey team was dispatched (to participate in JCC)</li> <li>• Training courses in Japan</li> <li>• Workshop in Cambodia (immovable property registration)</li> <li>• JFBA • BAKC • ICD seminar (civil provisional remedies)</li> </ul>
2020	Jan. Jan. Jan. Jan. Mar.	<ul style="list-style-type: none"> <li>• JICA survey team was dispatched (to participate in JCC)</li> <li>• Training course in Japan</li> <li>• Workshop in Cambodia (Court Enforcement Officer Act)</li> <li>• Signing MOC between the Royal Academy for Judicial Professions of the Kingdom of Cambodia(RAJP) and RTI</li> <li>• Online workshop (immovable property registration)</li> </ul>
2021	Jan. Feb. Mar. Jul. Aug. Oct. Nov. Dec.	<ul style="list-style-type: none"> <li>• JCC</li> <li>• Online discussion about the joint study between ICD and RAJP</li> <li>• Online workshop (Court Enforcement Officer Act)</li> <li>• Online workshop (immovable property registration)</li> <li>• Online joint study between ICD and RAJP (on a loan case)</li> <li>• Online workshop (immovable property registration)</li> <li>• Online workshop (immovable property registration)</li> <li>• Online workshop (immovable property registration)</li> <li>• Online workshop (immovable property registration)</li> </ul>
2022	Feb. Feb. May. Oct. Nov. Nov. and Dec. Dec.	<ul style="list-style-type: none"> <li>• JCC</li> <li>• Online joint study between ICD and RAJP (on a sale contract and training for legal professionals in Japan)</li> <li>• Local survey</li> <li>• JICA Project "Legal and Judicial Development Project Phase V" completed</li> <li>• JICA Project "Legal and Judicial Development Project Phase VI" commenced</li> <li>• WG on Amendment of the Joint Ministerial Regulation on Real Estate Registration between the Ministry of Land and the ICD</li> <li>• Local seminar between RAJP and ICD (on Procedures in Actions relating to Personal Status, etc.)</li> </ul>
2023	Mar. May. Aug. Oct.	<ul style="list-style-type: none"> <li>• JCC</li> <li>• Local survey</li> <li>• Local seminar (Law School Education)</li> <li>• Local seminar (Law School Education)</li> </ul>
2024	Mar. Feb,-Mar. Jul. Oct.-Nov.	<ul style="list-style-type: none"> <li>• WG on Amendment of the Joint Ministerial Regulation on Real Estate Registration between the Ministry of Land and the ICD Resumed</li> <li>• Training course in Japan</li> <li>• Local seminar between RAJC and ICD (on Indirect Compulsory Execution)</li> <li>• Training course in Japan</li> </ul>
2025	Apr. May Jul. Aug. and Sep. Oct.	<ul style="list-style-type: none"> <li>• Continued implementation of the JICA Project "Legal and Judicial Development Project Phase VI"</li> <li>• Continued WG on the Amendment of the Joint Ministerial Regulation on Real Estate Registration between the Ministry of Land and the ICD</li> <li>• Joint Study (real estate registration-related matters)</li> <li>• Local survey</li> <li>• Local survey</li> <li>• Local seminars</li> <li>• Training course in Japan</li> </ul>
Year	Month	Laos
1996		Minister of Justice of Laos requested assistance during his visit to Japan
1998	Dec.	<ul style="list-style-type: none"> <li>• Training course held in Japan by Nagoya Univ. and RTI as commissioned organizations</li> <li>• Local seminar &amp; survey</li> </ul>
1999	Feb. Nov.	<ul style="list-style-type: none"> <li>Training course in Japan</li> <li>Training course in Japan</li> </ul>

2000	Feb. Jun. Nov. Dec.	<ul style="list-style-type: none"> <li>• Local seminar</li> <li>• Field survey on local judicial system (for 3 months)</li> <li>• Local seminar</li> <li>• Training course in Japan</li> <li>• JICA survey team was dispatched for project formulation</li> </ul>
2001	Apr. Oct.	<ul style="list-style-type: none"> <li>• Judicial system survey team was dispatched by JFBA</li> <li>• Judicial advisor-style short-term expert was dispatched (8 months in total)</li> <li>• Training course in Japan</li> <li>• Local seminar (twice)</li> </ul>
2002	Mar. Oct.	<ul style="list-style-type: none"> <li>• Training course in Japan</li> <li>• Long-term expert (public prosecutor) was dispatched</li> <li>• Local seminar (four times)</li> <li>• Training course in Japan</li> </ul>
2003	Mar. May. Nov.	<ul style="list-style-type: none"> <li>• Training course in Japan</li> <li>• JICA Project commenced <ul style="list-style-type: none"> <li>- Creation of law database</li> <li>- Assistance in publication of statute book</li> <li>- Assistance in drafting of law textbooks and dictionary</li> <li>- Assistance in drafting of prosecutor's manual</li> <li>- Training of trainers</li> </ul> </li> <li>• Long-term expert (public prosecutor) was dispatched</li> <li>• Training course in Japan</li> </ul>
2004	Feb. Jul.	<ul style="list-style-type: none"> <li>• Training course in Japan</li> <li>• Two long-term experts (public prosecutor, private attorney) were dispatched</li> <li>• Training course in Japan (twice)</li> <li>• Local seminar</li> </ul>
2005		<ul style="list-style-type: none"> <li>• Two long-term experts (public prosecutor, private attorney) were dispatched</li> <li>• Training course in Japan (twice)</li> <li>• Local seminar (on civil law textbook, judgment-writing manual, prosecutor's manual)</li> <li>• Prosecutor's manual and judgment-writing manual completed</li> </ul>
2006	Nov.	<ul style="list-style-type: none"> <li>• Local dissemination seminar (on judgment-writing manual, prosecutor's manual, civil and commercial law textbook)</li> <li>• Training course in Japan (on project wrap-up, distribution of deliverables, new judicial reform master plan)</li> </ul>
2007	May. May. - Dec.	<ul style="list-style-type: none"> <li>• Extension of above project terminated</li> <li>• Follow-up dissemination workshop by each local counterpart organization, monitoring by JICA local office</li> </ul>
2008	Sep. Nov. Dec.	<ul style="list-style-type: none"> <li>• Legal technical assistance simulation workshop held jointly with Nagoya Univ.</li> <li>• Above workshop held jointly with Nagoya Univ.</li> <li>• Above workshop held jointly with Nagoya Univ.</li> </ul>
2009	Jan. May May Jun. Sep. Sep. Nov.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• Legal technical assistance simulation workshop held jointly with Nagoya Univ.</li> <li>• Field survey</li> <li>• Above workshop held jointly with Nagoya Univ.</li> <li>• Local seminar (Sep.)</li> <li>• Field survey</li> <li>• Above workshop held jointly with Nagoya Univ.</li> </ul>

2010	Feb. Mar. May. Jul. Jul.  Jul.  Aug. Oct. Dec.	<ul style="list-style-type: none"> <li>• Legal technical assistance simulation workshop held jointly with Nagoya Univ.</li> <li>• Field survey</li> <li>• JICA-Net seminar (on CC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• Field survey by RTI (on judicial system)</li> <li>• Project for Human Resource Development in Legal Sector (Phase I) commenced</li> <li>• Three long-term experts (prosecutor, private attorney, program coordinator) were dispatched</li> <li>• Advisory groups were formed in Japan (on CC, CPC, CRPC)</li> <li>• Field survey by RTI (on judicial system)</li> <li>• JICA-Net seminar (on CC)</li> <li>• JICA-Net seminar (on CC)</li> </ul>
2011	Feb. Mar. Jun. Jul. Aug. Sep. Oct.	<ul style="list-style-type: none"> <li>• Local seminar</li> <li>• Training course in Japan (on CC)</li> <li>• JICA-Net seminar (on CRPC)</li> <li>• JICA-Net seminar (on CC and CPC)</li> <li>• Local seminar (on CC)</li> <li>• Local seminar (on CPC)</li> <li>• Training course in Japan (on CRPC)</li> <li>• Vice-minister level officials from each counterpart organization (MOJ, People's Supreme Court, Supreme People's Prosecutor Office, National Univ. of Laos) were invited to Japan by JICA</li> </ul>
2012	Jan. Mar. Jun. Jul.  Aug. Oct. Oct. Nov.	<ul style="list-style-type: none"> <li>• Training course in Japan (on CPC)</li> <li>• Local seminar (on CRPC)</li> <li>• Local seminar (on CC)</li> <li>• JICA survey team was dispatched (for mid-term evaluation)</li> <li>* Assistance in drafting CC was added to project</li> <li>• Local seminar (on CC)</li> <li>• Training course in Japan (on CRPC)</li> <li>• JICA-Net seminar (on CRPC)</li> <li>• Training course in Japan (on CPC)</li> </ul>
2013	Feb. Feb. Mar. Mar. Apr. May May Jul. Jul. Aug. Oct. Nov. Nov. Dec. Dec.	<ul style="list-style-type: none"> <li>• Additional long-term expert (prosecutor) was dispatched (four experts in total: two prosecutors, private attorney, program coordinator)</li> <li>• Local seminar (on CPC and CRPC)</li> <li>• Training course in Japan (on CC)</li> <li>• Local seminar (on CC)</li> <li>• Training course in Japan (on CC)</li> <li>• JICA-Net seminar (on CRPC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• JICA survey team was dispatched (for guidance on project management)</li> <li>• JICA-Net seminar (on CRPC and CC)</li> <li>• Training course in Japan (on CRPC)</li> <li>• Local seminar (on CC)</li> <li>• Training course in Japan (on CCP)</li> <li>• JICA-Net seminar (on CRPC and CC)</li> <li>• Local seminar (on CC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• Local seminar (on CRPC)</li> </ul>

2014	Jan. Feb. Feb. Mar. Mar. Mar. Apr. May. Jun. Jul. Jul. Jul. Jul. Aug. Sep. Oct. Oct. Oct. Nov.	<ul style="list-style-type: none"> <li>• JICA-Net seminar (on CC)</li> <li>• JICA survey team was dispatched (project-end evaluation)</li> <li>• Training course in Japan (on CC)</li> <li>• Training course in Japan (on CC)</li> <li>• Local seminar (on CCP)</li> <li>• JICA-Net seminar (on CRPC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• Above Project, Phase I terminated</li> <li>• Above Project, Phase II commenced</li> <li>• JICA-Net seminar (on CC)</li> <li>• Local seminar (on human resource development)</li> <li>• Local seminar (on CC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• Additional long-term expert (private attorney) was dispatched</li> <li>• JICA survey team was dispatched (in Oct. to participate in 1st JCC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• Training course in Japan (on CC)</li> </ul>
2015	Jan. Feb. Feb. Mar. Mar. Apr. Aug. Sep. Nov. Dec.	<ul style="list-style-type: none"> <li>• JICA-Net seminar (on CC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• Training course in Japan (on CC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• Local seminar (on CRPC)</li> <li>• JICA-Net seminar (on CC)</li> <li>• Minister of Justice was invited to Japan</li> <li>• Training course in Japan (on human resource development)</li> <li>• Training course in Japan (on CRPC)</li> <li>• Training course in Japan (on Civil and Economic Law)</li> </ul>
2016	Feb. Mar. May. Sep. Nov. Nov. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (on CRPC)</li> <li>• Local seminar (on human resource development)</li> <li>• JICA survey team was dispatched (to participate in 1st JCC)</li> <li>• Training course in Japan (on Civil and Economic Law)</li> <li>• JICA survey team was dispatched (to participate in 2nd JCC)</li> <li>• Training course in Japan (on CRPC)</li> <li>• Local seminar (on human resource development)</li> </ul>
2017	Feb. Feb. Feb. Mar. May. Jun. Aug. Aug. Nov. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (on human resource development)</li> <li>• Local seminar (on CRPC)</li> <li>• Japan-Laos joint study (CC), Symposium "Enactment of Civil Code of Laos and Challenges in Practice" held</li> <li>• Local seminar (on Civil and Economic Law)</li> <li>• JICA survey team was dispatched (to participate in JCC)</li> <li>• Local seminar (on human resource development)</li> <li>• Local seminar (on CC)</li> <li>• Training course in Japan (on Civil and Economic Law)</li> <li>• JICA survey team was dispatched (Project detailed planning survey)</li> <li>• Training course in Japan (on human resource development)</li> </ul>

2018	Jan.	• JICA survey team was dispatched (Project detailed planning survey)
	Jan.	• Training Course on the Enforcement of Intellectual Property Rights for Judges in Lao P.D.R
	Feb.	• Local seminar (on CRPC)
	Mar.	• Advisor for Law Committee, National Assembly and the other two people were invited to Japan, Symposium "New Civil Code of Laos and Legislation Procedure" held
	Mar.	• Training course in Japan (on CC)
	Jun.	• Local seminar (on human resource development)
	Jul.	• Above Project Phase II terminated
	Jul.	• The project for promoting development and strengthening of the rule of law in the legal sector of Lao P.D.R commenced
	Jul.	• JICA survey team was dispatched (to participate in JCC)
	Aug.	• Local seminar (on CC)
	Aug.	• Local survey and Local seminar on Legislation Procedure and real property registration
	Nov.	• Local seminar (on human resource development)
	Dec.	• Training course in Japan (on human resource development)
	Dec.	• Civil Code was approved at the 6th Lao National Assembly consideration
Dec.	• RTI and NIJ exchanged a memorandum of cooperation in the field of legal and judicial training	
2019	Mar.	• Training course in Japan (on CC)
	May.	• Training courses in Japan (on CRPC)
		• Local survey (to Jul.)
	Jun.	• Local seminars (on civil judgment)
	Aug.	• Local seminars (on CC)
	Sep.	• Criminal Law forum with Vietnam and Japan
	Oct.	• Criminal Code joint seminar with NIJ
Dec.	• Training courses in Japan (on human resource development)	
2020	Jan.	• Joint seminar with the Prime Minister's Office
		• JCC
	Feb.	• Local seminars (on CC and civil related law)
	Feb.	• Local seminars (on CRPC)
	Mar.	• Training courses in Japan (on CC)
	Nov.	• Civil Law joint seminar of fact finding
Dec.	• JCC	
2021	Feb.	• Joint retreat seminar (on criminal and civil education )
	Mar.	• Criminal Code joint seminar with NIJ (online)
	Jun.	• Joint seminar with NIJ (on Penal Code and legal training)
	Jul.	• JCC
	Sep.	• Joint seminar with NIJ (on Penal Code)
	Oct.	• Penal Code seminar
	Dec.	• Joint seminar with NIJ (on training for court rnfocement officer and notary)
2022	Jan.	• Seminar (on improvement of Civil Judgement Document Handbook)
	Feb.	• JCC
	Mar.	• Joint seminar with NIJ (on Penal Code)
	Jun.	• Joint seminar with NIJ (on objective elements of crime)
	Jul. - Aug.	• Local survey
	Aug.	• Civil Law joint seminar
	Sep.	• Joint seminar with NIJ (on objective elements of crime)
	Oct.	• JCC
	Oct.	• JCC
	Dec.	• Local survey

2023	Jan. Jan. Mar. Apr. Jun.  Jun.  Jul. Jul. Sep. Nov.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• Joint seminar with NIJ (on crimes of robbery and other property)</li> <li>• Joint seminar with NIJ(on crimes of robbery and other properly / sexual crimes)</li> <li>• Training courses in Japan (on human resource development)</li> <li>• Local seminar(on human resource development and CC), Joint seminar with NIJ(on sexual crimes)</li> <li>• JCC</li> <li>• The project for promoting development and strengthening of the rule of law in the legal sector of Lao P.D.R terminated</li> <li>• Above Project Phase II commenced</li> <li>• Joint seminar with NIJ (on Intellectual Property Law)</li> <li>• JCC, Joint seminar with NIJ (on Crimes of Unlawful Capture and Confinement)</li> </ul>
2024	May.-Jun. Jul.  Sep.	<ul style="list-style-type: none"> <li>• Training courses in Japan (on Criminal Law)</li> <li>• JCC</li> <li>• Joint seminar with NIJ</li> <li>• Local seminar(on Civil Law)</li> <li>• Local seminar(NIJ)</li> <li>• Joint seminar with NIJ</li> </ul>
2025	Mar. Apr. May.   Sep.  Oct. Dec.	<ul style="list-style-type: none"> <li>• Continued implementation of “The project for promoting development and strengthening of the rule of law in the legal sector of Lao P.D.R (Phase2)”</li> <li>• Joint seminar with NIJ</li> <li>• Joint seminar with NIJ</li> <li>• Local survey</li> <li>• Event commemorating the 70th anniversary of the establishment of diplomatic relations between Japan and Laos</li> <li>• NIJ-ICD Joint Study</li> <li>• Training course in Japan (on civil law education)</li> <li>• Joint seminar with NIJ</li> <li>• Training course in Japan (on criminal law)</li> <li>• Invitation of JCC members to Japan</li> <li>• Local seminar (NIJ)</li> </ul>
Year	Month	Indonesia
1998	Oct. Nov.	Seminar on Economic Law
2000	Jun. Oct.	<ul style="list-style-type: none"> <li>• Study group on Antimonopoly Law of Indonesia organized by Japan External Trade Organization (JETRO)</li> <li>• Symposium on APEC Economic Law System held by JETRO, etc.</li> </ul>
2001	Feb.	• JICA Survey Team was dispatched
2002	Jan. Jul. Jul.	<ul style="list-style-type: none"> <li>• JICA Survey Team was dispatched</li> <li>• Training course in Japan</li> <li>• Symposium on APEC Economic Law System held by JETRO, etc.</li> </ul>
2003	Jan. Mar.  Jun. Sep. Oct.	<ul style="list-style-type: none"> <li>• JICA Survey Team was dispatched</li> <li>• Chief Justice of Supreme Court of Indonesia was invited to Japan by Ministry of Foreign Affairs and JICA</li> <li>• Training course in Japan</li> <li>• JICA long-term planning researcher was dispatched (private attorney)</li> <li>• Japan-Indonesia ADR Comparative Study Seminar (training course in Japan)</li> </ul>
2004	Jun. Jul.  Sep.	<ul style="list-style-type: none"> <li>• Training course in Japan</li> <li>• Project on competition policy and deregulation in Indonesia commenced (by Fair Trade Commission)</li> <li>• JICA planning researcher was dispatched</li> </ul>
2005	Dec.	• Training course in Japan

2006	Mar. Mar. Jul. Sep. Oct.	<ul style="list-style-type: none"> <li>• ADR local seminar in Aceh (by JICA and JFBA)</li> <li>• Remote seminar on ADR in Aceh (five times in total) (by JICA and JFBA)</li> <li>• Training course in Japan</li> <li>• JICA Survey Team was dispatched and Minutes of Meeting was signed</li> <li>• Project on competition policy and deregulation in Indonesia terminated (by Fair Trade Commission)</li> </ul>
2007	Mar.  Jun. Aug. Oct.	<ul style="list-style-type: none"> <li>• JICA Project on Improvement of Mediation System commenced, long-term expert (private attorney) was dispatched</li> <li>• Advisory group was formed in Japan</li> <li>• Local seminar</li> <li>• Training course in Japan</li> </ul>
2008	Mar. Jul. Jul.  Nov. Nov.	<ul style="list-style-type: none"> <li>• Local seminar</li> <li>• 2nd training course in Japan</li> <li>• amended regulation of Supreme Court of Indonesia, PERMA No.1, 2008 was enforced (on court-annexed mediation and rules on mediation procedure)</li> <li>• Local seminar</li> <li>• JICA Survey Team was dispatched for project-end evaluation</li> </ul>
2009	Mar. Sep. Nov.	<ul style="list-style-type: none"> <li>• JICA Project on Improvement of Mediation System terminated</li> <li>• Field survey</li> <li>• JICA Country-focused training course (on court-annexed mediation)</li> </ul>
2010	Mar. Aug. Nov. Dec.	<ul style="list-style-type: none"> <li>• Discussion meeting with Supreme Court of Indonesia on future cooperation</li> <li>• Field survey by RTI</li> <li>• Judges of Supreme Court were invited to Japan by RTI</li> <li>• Deputy Chief Justice and others of Supreme Court were invited to Japan by RTI</li> <li>• RTI cooperated in JICA Project on Intellectual Property Rights</li> </ul>
2011	Aug. Nov.	<ul style="list-style-type: none"> <li>• Field survey on dissemination of mediation system and actual judicial system</li> <li>• Joint study in Japan for strengthening judicial training in Indonesia</li> </ul>
2012	Aug. Nov.	<ul style="list-style-type: none"> <li>• Field survey</li> <li>• 2nd joint study in Japan for strengthening judicial training system in Indonesia</li> </ul>
2013	May. Nov.	<ul style="list-style-type: none"> <li>• Field survey</li> <li>• JICA survey for information collection and confirmation in legal and judicial field</li> </ul>
2014	Feb. Apr. Oct. Dec.	<ul style="list-style-type: none"> <li>• 3rd joint study in Japan for strengthening judicial training in Indonesia</li> <li>• Local survey</li> <li>• Project-end evaluation survey of JICA Project on Intellectual Property Rights</li> <li>• Study on small-claims system with Supreme Court of Indonesia</li> </ul>
2015	Feb. Feb.  Jul. - Aug. Dec.  Dec.	<ul style="list-style-type: none"> <li>• JICA survey team is to be dispatched</li> <li>• 4th joint study in Japan for strengthening judicial training in Indonesia</li> <li>• JICA signed memorandum on cooperation with the Supreme Court in Indonesia (Jul.) and the Ministry of Justice and Human Rights (Aug.)</li> <li>• JICA Project on Intellectual Property Rights Protection and Consistency for Improving Business Environment commenced</li> <li>• JICA survey team was dispatched</li> <li>• Two long-term experts (prosecutor, judge) were dispatched</li> </ul>
2016	Mar. Apr. - May May May Jun., Oct., Feb. Jul. Jul. - Aug.  Oct.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• Local survey</li> <li>• Minister of Justice of Japan visited Indonesia for the Ceremony</li> <li>• Joint study with the Ministry of Justice and the Human Rights</li> <li>• Advisory group meeting</li> <li>• Training course in Japan</li> <li>• JICA survey team was dispatched (in Jun. to participate in the International Conference in Aug., to participate in JCC)</li> <li>• Training courses in Japan</li> </ul>

2017	Feb. Mar. Apr. Jun. Jul. Sep. Nov. Nov.	<ul style="list-style-type: none"> <li>• Training course in Japan</li> <li>• Local seminar</li> <li>• JICA survey team was dispatched</li> <li>• Local seminar</li> <li>• Training course in Japan</li> <li>• Minister of Justice of Japan visited Indonesia</li> <li>• Training course in Japan</li> <li>• Advisory group meeting</li> </ul>
2018	Jun. Feb. May, Aug.  Jul. Oct. Nov. Dec.	<ul style="list-style-type: none"> <li>• Local seminar</li> <li>• Training course in Japan</li> <li>• JICA survey team was dispatched (to attend the JCC in May, to attend the International Conference in Aug.)</li> <li>• Local seminar</li> <li>• Training course in Japan</li> <li>• Casebook (vol.1 Intellectual Property Law) completed</li> <li>• Advisory group meeting</li> </ul>
2019	Jan. - Feb. Feb. Apr. Jun.  Jun. Jul., Sep. Nov.	<ul style="list-style-type: none"> <li>• Training courses in Japan</li> <li>• Local seminar</li> <li>• Advisory group meeting</li> <li>• JICA survey teams were dispatched (to attend the JCC, to attend the International Conference)</li> <li>• Local seminars</li> <li>• Training courses in Japan</li> <li>• Advisory group meeting</li> </ul>
2020	Jan. Jan. Nov.	<ul style="list-style-type: none"> <li>• Local seminar</li> <li>• Training course in Japan</li> <li>• JCC (online)</li> </ul>
2021	Aug. Sep. Oct.	<ul style="list-style-type: none"> <li>• JCC (online)</li> <li>• Online seminar (on ensuring consistency among laws and regulations)</li> <li>• Project "The Project for Efficient and Fair Disputes Resolution Mechanism and Legislative Drafting Capacity Development for Improving Business Environment " commenced (October 2021 – September 2025)</li> </ul>
2022	Jan. Mar. Jul.  Aug.  Oct.	<ul style="list-style-type: none"> <li>• Online seminar (on ensuring consistency among laws and regulations)</li> <li>• Casebook (vol.2 Trademark Law) completion ceremony</li> <li>• "Question and Answer Books for Local Ordinance and Local Leaders Regulations" completion ceremony</li> <li>• Online seminar (on legislation and ordinance)</li> <li>• Local survey and local seminar (on precedent system, criminal IPRs, legislation making process and drafting of local ordinance)</li> <li>• JCC</li> <li>• Online seminar (on drafting of local ordinance)</li> </ul>
2023	Feb. Mar. May. Jul. Aug. Sep. Dec.	<ul style="list-style-type: none"> <li>• Online seminar (on ensuring consistency among laws and regulations)</li> <li>• Local survey (on Business and Human Rights)</li> <li>• Training course in Japan</li> <li>• Local survey</li> <li>• JCC</li> <li>• Training course in Japan</li> <li>• Local seminar (local government system)</li> </ul>
2024	Mar. Jul. Sep. Oct. Dec.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• JCC</li> <li>• Training course in Japan</li> <li>• Training course in Japan</li> <li>• Local survey</li> </ul>

2025	May Jun. Jul. Sep. Oct.	<ul style="list-style-type: none"> <li>• Training course in Japan</li> <li>• Local seminar</li> <li>• Local survey</li> <li>• Training course in Japan</li> <li>• JCC</li> <li>• JICA Project "The Project for Efficient and Fair Disputes Resolution Mechanism and Legislative Drafting Capacity Development for Improving Business Environment " completed</li> <li>• JICA Project "The Project for Legal and Judicial Reforms to Improve the Business Climate" commenced</li> </ul>
Year	Month	Mongolia
1994		• Prof. Akio Morishima was dispatched as JICA short-term expert to give advice on amendment of Civil Code
1996		• Assistance regarding registration system by Japan Federation of Shiho-Shoshi Lawyer's Associations
1998		• Seminar on registration for registrars of Immovable property registration Agency of Mongolia (held by judicial scriveners as JICA short-term experts)
1999		• Same as previous year
2001	Aug. - Sep. Oct. - Nov.	<ul style="list-style-type: none"> <li>• Preliminary survey on legal technical assistance to Mongolia</li> <li>• Seminar on Japan-Mongolia comparative judicial systems held in Japan by RTI</li> <li>• Assistance regarding registration system in Mongolia by Japan Federation of Shiho-Shoshi Lawyer's Associations</li> </ul>
2002	Feb.	• Training course for Mongolia held in Japan by Nagoya Univ.
2003	Mar.	• Short-term experts were dispatched to Mongolia (from Nagoya Univ., private attorney)
2004	Mar. Sep.	<ul style="list-style-type: none"> <li>• Long-term expert (private attorney) was dispatched to Ministry of Justice and Home Affairs of Mongolia (2004 - 2006)</li> <li>• International symposium held in Mongolia by Nagoya Univ.</li> </ul>
2005	Sep.	<ul style="list-style-type: none"> <li>• International symposium held in Mongolia by Nagoya Univ.</li> <li>• Sociology of law study project on land law system in Mongolia commenced (by Nagoya Univ.)</li> </ul>
2006	Sep.	<ul style="list-style-type: none"> <li>• Project for Strengthening Mongolian Advocates Association commenced (2006 - 2008)</li> <li>• Long-term expert (private attorney) was dispatched (from JFBA)</li> <li>• Research and Education Center for Japanese Law was established at National Univ. of Mongolia by Nagoya Univ.</li> </ul>
2007		• Continued implementation of Project for Strengthening Mongolian Advocates Association
2008	Nov.	• Above Project terminated
2009	Jun. Sep.	<ul style="list-style-type: none"> <li>• Survey team was dispatched for project detailed planning for strengthening mediation system in Mongolia</li> <li>• 3rd-year Celebration Event of Research and Education Center for Japanese Law in Mongolia by Nagoya Univ.</li> </ul>
2010	May	<ul style="list-style-type: none"> <li>• Project for Strengthening Mediation System commenced (2010 - 2012)</li> <li>• Long-term expert (private attorney) was dispatched from JFBA</li> </ul>
2011		• Continued implementation of Project for Strengthening Mediation System
2012	Oct. Nov.	<ul style="list-style-type: none"> <li>• Survey team was dispatched for detailed planning of Above Project, Phase II</li> <li>• Above Project terminated</li> </ul>
2013	Apr. Jul.	<ul style="list-style-type: none"> <li>• Above Project, Phase II commenced (2013 - 2015)</li> <li>• Long-term expert (private attorney) was dispatched (from JFBA)</li> <li>• Short-term experts (private attorney, ICD Prof.) were dispatched to Mongolia</li> </ul>
2014		• Continued implementation of Above Project, Phase II
2015	Dec.	• Above Project, Phase II terminated

2017	Mar. Sep.	<ul style="list-style-type: none"> <li>• Field survey by ICD</li> <li>• Field survey by ICD</li> </ul>
2018	Aug.	<ul style="list-style-type: none"> <li>• Field survey by ICD</li> <li>• Joint study (on Trade Laws)</li> </ul>
2019	Jun. Sep. Oct.	<ul style="list-style-type: none"> <li>• Field survey by ICD</li> <li>• Field survey by ICD</li> <li>• Joint study (on Trade Laws 2nd)</li> </ul>
2021	May Aug. Oct.	<ul style="list-style-type: none"> <li>• Online Seminar on Trade Laws</li> <li>• Signing MOC between the National Legal Institute of Mongolia (NLI) and RTI</li> <li>• Online workshop (on comparison of the criminal justice system in Mongolia and Japan)</li> </ul>
2022	Feb.  Oct. Dec.	<ul style="list-style-type: none"> <li>• Online Seminar on Trade Laws</li> <li>• Online workshop (on comparative study of prosecution -roles of public prosecutors in Mongolia and Japan-)</li> <li>• Local survey and local seminar (on criminal procedure for juveniles and drafting of Commercial Law)</li> <li>• Lectures commemorating the 50th anniversary of Japan-Mongolia diplomatic relations</li> </ul>
2023	Feb. Sep.	<ul style="list-style-type: none"> <li>• Joint study (on Crime Statistics)</li> <li>• Joint study (on Commercial Laws 3rd)</li> </ul>
2024	Jan. Sep.	<ul style="list-style-type: none"> <li>• Local seminar(on Crime against Children)</li> <li>• Local seminar(on White Paper on Crime and drafting of Commercial Law)</li> <li>• Joint study (on Commercial Laws 4th)</li> </ul>
2025	Mar. Jun. Sep.	<ul style="list-style-type: none"> <li>• NLI-ICD Joint study</li> <li>• Local survey on the amendment of the Civil Code</li> <li>• Participation in a local conference (International Academic Research Conference)</li> </ul>
Year	Month	Central Asia
2000	Jul. Aug.	<p>[Uzbekistan]</p> <ul style="list-style-type: none"> <li>• Local seminar held by Cabinet Legislation Bureau</li> <li>• Academic exchange agreement was signed between Nagoya Univ. and three univ. in Uzbekistan</li> </ul>
2001	Sep.	<p>[Uzbekistan]</p> <ul style="list-style-type: none"> <li>• JICA Survey Team was dispatched</li> </ul>
2002	Feb. Mar. Apr. Sep. Oct. Oct. Oct.	<p>[Uzbekistan]</p> <ul style="list-style-type: none"> <li>• Symposium held by Nagoya Univ. inviting legal experts from three Central Asian countries</li> <li>• Expert was dispatched to Tashkent State Institute of Law by Nagoya Univ.</li> <li>• Training course in Japan</li> <li>• JICA Survey Team was dispatched</li> <li>• Local symposium by Nagoya Univ.</li> <li>• Local survey by JFBA</li> <li>• Local seminar (by RTI and Nagoya Univ.)</li> </ul>
2003	Mar. Mar. Sep. Oct. Dec.	<p>[Uzbekistan]</p> <ul style="list-style-type: none"> <li>• JICA Survey Team was dispatched</li> <li>• Field survey and local symposium (by Nagoya Univ.)</li> <li>• Expert was dispatched (by Hokkai Gakuen Univ.)</li> <li>• Training course in Japan</li> <li>• Minister of Justice of Uzbekistan was invited to Japan by MOJ and Nagoya Univ. and symposium was held by Nagoya Univ.</li> <li>• Two experts were dispatched (from MOJ and Waseda Univ.) to hold local follow-up seminar of training course held in Japan</li> </ul>

2004	Jun. Jul. Jul. Oct.  Oct.	[Uzbekistan] <ul style="list-style-type: none"> <li>• Expert was dispatched to MOJ of Uzbekistan (by Mie Univ.)</li> <li>• JICA Survey Team was dispatched</li> <li>Minutes of Meeting was signed (on assistance in drafting commentary on Bankruptcy Law)</li> <li>• Training course in Japan (on commentary on Bankruptcy Law)</li> <li>• Assistance in drafting Civil and Commercial Code continued (by Nagoya Univ.)</li> <li>• Deputy Chief Justice of Supreme Economic Court was invited to Japan (by MOJ)</li> <li>• Local symposium (by Nagoya Univ.)</li> <li>• Local follow-up seminar (by MOJ)</li> </ul>
2005	May., Nov. May.  Aug. Nov.  Oct.  Oct.	[Uzbekistan] <ul style="list-style-type: none"> <li>• Training course in Japan (commentary on Bankruptcy Law)</li> <li>• Research and Education Center for Japanese Law was established at Tashkent State Institute of Law (by Nagoya Univ.)</li> <li>• Short-term experts were dispatched (from MOJ, Osaka Univ., etc.)</li> <li>• Project for Drafting Commentary on Bankruptcy Law commenced (by MOJ, until Sep. 2007)</li> <li>• Project to improve civil-related and administrative-related laws for development of corporate activities commenced (by Nagoya Univ.)</li> <li>• Long-term expert was dispatched (by Nagoya Univ.)</li> <li>• Local symposium (by Nagoya Univ.)</li> </ul> [Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan] <ul style="list-style-type: none"> <li>• Comparative Study Project on Constitutional Courts in Central Asia commenced (by Nagoya Univ.)</li> </ul>
2006	Apr. May.  Aug., Sep., Nov.	[Uzbekistan] <ul style="list-style-type: none"> <li>• Project for Drafting Commentary on Bankruptcy Law continued (by MOJ until Sep. 2007)</li> <li>• Long-term expert (private attorney) was dispatched through Above Project (by MOJ, until Sep. 2007)</li> </ul> <ul style="list-style-type: none"> <li>• Training course in Japan on commentary on Bankruptcy Law</li> <li>• Additional long-term expert was dispatched (by Nagoya Univ.)</li> </ul>
2007	Jun, - Feb. Mar. Jul., Dec. Sep Sep Sep.	[Uzbekistan] <ul style="list-style-type: none"> <li>• Short-term experts were dispatched (from MOJ, Osaka Univ., etc.)</li> <li>• Commentary on Bankruptcy Law, Russian version was published</li> <li>• Seminar on dissemination of commentary in Uzbekistan</li> <li>• Workshop to promote use of commentary</li> <li>• Commentary, Japanese and Uzbek versions were published</li> <li>• Project for Drafting Commentary ended</li> </ul>
2008	Jun. Mar. Dec.  Dec.	[Uzbekistan] <ul style="list-style-type: none"> <li>• Presentation ceremony to commemorate publication of commentary in Uzbekistan</li> <li>• Commentary, English version was published</li> <li>• Project to improve civil-related and administrative-related laws for development of corporate activities terminated (by Nagoya Univ.)</li> </ul> [Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan] <ul style="list-style-type: none"> <li>• Seminar on Central Asia Comparative Legal System Study</li> </ul>
2009	Nov.  Dec.	• Cooperation preliminary survey team was dispatched for Project to Improve Civil-related and Administrative-related Laws for Development of Corporate Activities (Phase II) [Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan] <ul style="list-style-type: none"> <li>• Seminar on Central Asia Comparative Legal System Study</li> </ul>
2010	Dec.	[Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan] <ul style="list-style-type: none"> <li>• Seminar on Central Asia Comparative Legal System Study</li> </ul>
2011	Dec.	[Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan] <ul style="list-style-type: none"> <li>• Seminar on Central Asia Comparative Legal System Study</li> </ul>
2012	Nov.	[Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan] <ul style="list-style-type: none"> <li>• Seminar on Central Asia Comparative Legal System Study</li> </ul>
2013	Nov.	[Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan] <ul style="list-style-type: none"> <li>• Seminar on Central Asia Comparative Legal System Study</li> </ul>

2018	Mar. Sep.	[Uzbekistan] • Seminar on administrative laws • Seminar on administrative laws in Tashkent
2019	Feb. Mar. Jul. Jul.	[Uzbekistan] • Seminar on administrative laws in Tashkent • Japan-Uzbekistan joint study in Tokyo • Signing MOC between the Academy of the General Prosecutor's Office of Uzbekistan and Research and Training Institute • Seminar on administrative laws in Tashkent
2020	Apr. Jun.	[Uzbekistan] • JICA Project for Enhancement of Judicial Ability of the Protection of Rights and Liberalization of Economy commenced • Joint Project for Uzbekistan White Paper commenced
2021	Mar. May. Jun. Aug. Oct. Nov. Dec.	[Uzbekistan] • JICA Project for Enhancement of Judicial Ability of the Protection of Rights and Liberalization of Economy Online Seminar • Online seminar (on White Paper (1)) • Online seminar (on White Paper (2)) • JICA Project for Enhancement of Judicial Ability of the Protection of Rights and Liberalization of Economy Online Training Seminar • Joint Project for Uzbekistan White Paper and Crime Prevention Research commenced • Online seminar (on crime prevention (1)) • Online seminar (on crime prevention (2)) • Cooperation with the Lawyers' Training Center under the Ministry of Justice of the Republic of Uzbekistan commenced • Online seminar (on White Paper (3)) • Online seminar with the Lawyers' Training Center titled "The reforms in the judicial and legal sphere - the experience of the CIS countries and Japan"
2022	Jan. Mar. May. Jul. Aug. Sep. Oct. Nov. Dec.	[Uzbekistan] • JICA Project on Contracts in Digital Era Online Seminar • JICA Project on Contracts and Electronic Contracts Online Seminar • Joint study (on administrative laws) • Online seminar (on White Paper) • Joint study (on administrative laws) • Joint study (on administrative laws) • Local survey and local seminar (on White Paper and administrative laws) • Joint study (on administrative laws) • Joint study (on administrative laws) • Joint study (on administrative laws)

2023	<p>Jan. Feb.</p> <p>Mar.</p> <p>Apr. May.</p> <p>Jun. Aug. Sep. Oct. Nov.</p> <p>Dec.</p>	<p>[Uzbekistan]</p> <ul style="list-style-type: none"> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• JICA Project on strengthen judicial capacity for rights protection and economic liberalization Online Seminar</li> <li>• Joint study (on administrative laws)</li> <li>• Online seminar (on Interpretation and application of the arbitration system and third-party protection provisions)</li> <li>• Joint study (on administrative laws)</li> <li>• Signing a cooperation plan with the Lawyers' Training Center</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• The Visit to RTI of MOJ by Training Center under the Ministry of Justice of the Republic of Uzbekistan commenced</li> <li>• Joint study (on administrative laws)</li> <li>• Training course in Japan (JICA country-focused training on strengthen judicial capacity for rights protection and economic liberalization)</li> <li>• Joint study (on administrative laws)</li> </ul>
2024	<p>Apr. May. Jun. Jul. Aug. Sep. Oct.</p> <p>Nov.</p> <p>Dec.</p> <p>Jul. Dec.</p>	<p>[Uzbekistan]</p> <ul style="list-style-type: none"> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Ceremony to commemorate the publication of the first volume of a commentary (on the Administrative Procedure Law)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws)</li> <li>• Joint study (on administrative laws) (conducted in Japan)</li> <li>• The Visit to RTI of MOJ by Training Center under the Ministry of Justice of the Republic of Uzbekistan commenced</li> <li>• Joint study (on administrative laws)</li> </ul> <p>[Kyrgyz]</p> <ul style="list-style-type: none"> <li>• Local survey</li> <li>• Local survey</li> </ul>
2025	<p>Feb.</p> <p>Apr., May, Jun., Jul., Aug., Oct., and Nov.</p> <p>Apr. and Oct. May Jun. Oct.</p> <p>Nov.-Dec. Dec.</p> <p>Feb. Dec.</p>	<p>[Uzbekistan]</p> <ul style="list-style-type: none"> <li>• Training course in Japan (JICA country-focused training on strengthen judicial capacity for rights protection and economic liberalization)</li> <li>• Joint study (on administrative laws)</li> </ul> <p>[Kyrgyz Republic]</p> <ul style="list-style-type: none"> <li>• Seminars on the Administrative Litigation Act of Uzbekistan (online)</li> <li>• Local forum (Tashkent Law Spring Forum)</li> <li>• Criminal Law Forum of the Law Enforcement Academy (online)</li> <li>• Anti-Corruption Forum of the Anti-Corruption Agency (online)</li> <li>• Joint study (on administrative laws) (conducted in Japan)</li> <li>• The Visit to RTI of MOJ by Training Center under the Ministry of Justice of the Republic of Uzbekistan</li> <li>• Local survey</li> </ul> <p>[Kyrgyz Republic]</p> <ul style="list-style-type: none"> <li>• Joint Study</li> <li>• Local survey</li> </ul>

Year	Month	China
1996	Nov.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
1997	Oct.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
1998	Nov.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
1999	Jun.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
2000	Nov.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
2001	Sep.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
2002	Sep.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
2003	Nov.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
2004	Sep.	• Legal technical assistance to China on Economic Law by Ministry of Economy, Trade and Industry (METI), etc. • Japan-China Civil and Commercial Law Seminar held by RTI and ICCLC • Lecture presentation on Japan-China intellectual property legal systems held in Tokyo and Osaka by RTI and ICCLC
2005	Sep.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
2006	Sep.	• Japan-China Civil and Commercial Law Seminar held by ICCLC (annually)
2007	Jun. Sep. Nov. Nov. Nov.	• JICA Survey Team was dispatched • Japan-China Civil and Commercial Law Seminar held by RTI, ICCLC and JETRO • Record of Discussions (R/R) was signed on JICA Project for Improving Civil Procedure Law (CPL) and Arbitration Law of China • Training course in Japan • Study group was established in Japan
2008	Mar. May., Nov. Oct.	• Local seminar • Training course in Japan • Japan-China Civil and Commercial Law Seminar held by RTI and ICCLC • Long-term expert (private attorney) was dispatched by JICA (for two years)
2009	May., Jul.  Sep. Nov. Dec.	• Local seminar • Lecture on International Private Law and International CPL of China (inviting prof. from Tsinghua University) • Japan-China Civil and Commercial Law Seminar held by RTI, ICCLC and JETRO • Training course in Japan • Tort Law was enacted
2010	Mar. May. Jul. Jul. Oct. Oct. Nov.	• Local seminar • Project-end evaluation of Project for Improving CPL and Arbitration Law • Country-focused training course in Japan on "CPL and Civil-related Laws" • Country-focused training course in Japan on "Judicial personnel training" • Training course in Japan on Project for Improving CPL and Arbitration Law • Law on Application of International Private Law was enacted • Local seminar on Administrative Procedure Law in China
2011	Jan. Mar., Oct. Nov. Nov.	• Long-term expert (private attorney) was dispatched • Japan-China Civil and Commercial Law Seminar held by RTI and ICCLC • Training course in Japan (on judicial personnel training) • Local seminar (on CPL)
2012	Jan. Jun. Jul.  Jul.  Aug. Oct.	• Training course in Japan (on CPL and civil-related laws) • Local seminar on Inheritance Law in China • Country-focused Training Program on "Administrative Procedure Law and administrative-related laws" commenced • Training course in Japan (on Administrative Procedure Law and administrative-related laws in Jul. • CPL was amended • Japan-China Civil and Commercial Law Seminar held by RTI and ICCLC

2013	Jan. May., Oct.  Aug. Oct. Oct. Dec. Dec.	<ul style="list-style-type: none"> <li>• Training course in Japan (on CPL and civil-related laws(Consumer Rights Protection Law))</li> <li>• Training course in Japan (on CPL and civil-related laws (Consumer Rights Protection Law) in May, (Copyright Law) in Oct.)</li> <li>• Local seminar on Inheritance Law in China</li> <li>• Country-focused training program on "CPL and civil-related laws" completed</li> <li>• Consumer Rights Protection Law was amended</li> <li>• Japan-China Civil and Commercial Law Seminar held by RTI, ICCLC and JETRO</li> <li>• JICA Survey Team was dispatched for project detailed project planning.</li> </ul>
2014	May Jun. Jun.	<ul style="list-style-type: none"> <li>• JICA survey team was dispatched to participate in JCC</li> <li>• Project for Legal Development for Imarket Economy and People's Wellbeing commenced</li> <li>• Long-term expert (private attorney) was dispatched (from JFBA)</li> </ul>
2015	Jun, Oct. - Nov. Oct. Feb.	<ul style="list-style-type: none"> <li>• Training course in Japan (on Crime Victim's Rights Protection Act in Oct. and Nov., on Industrial Accident Compensation Insurance Act etc in Jun.)</li> <li>• JICA survey team was dispatched to participate in JCC</li> <li>• Japan-China Civil and Commercial Law Seminar held by RTI and ICCLC</li> </ul>
2016	Jan. Apr. Sep., Nov.  Nov.	<ul style="list-style-type: none"> <li>• Japan-China Civil and Commercial Law Seminar held by RTI and ICCLC</li> <li>• JICA survey team was dispatched to participate in JCC</li> <li>• Training course in Japan (on Patent Act in Sep., on CC in Sep. on Administrative Procedure Act in Nov.)</li> <li>• Japan-China Civil and Commercial Law Seminar held by RTI and ICCLC</li> </ul>
2017	Jun. Nov.	<ul style="list-style-type: none"> <li>• JICA survey team was dispatched to participate in JCC</li> <li>• Local seminar on CC</li> </ul>
2018	Apr., Sep. May Jul., Nov.	<ul style="list-style-type: none"> <li>• Training course in Japan (on CC in Apr., on Patent Act in Sep.)</li> <li>• JCC</li> <li>• Japan-China Civil and Commercial Law Seminar held by RTI, ICCLC and Japan-China Economic Association</li> </ul>
2019	Jan. May Jun., Nov. Sep. Nov.	<ul style="list-style-type: none"> <li>• Local seminar on CC</li> <li>• JCC</li> <li>• Training courses in Japan (on CC in Jun., on Patent act in Nov.)</li> <li>• Local seminar on CC</li> <li>• Japan-China Civil and Commercial Law Seminar held by RTI, ICCLC and Japan-China Economic Association</li> </ul>
2020	May Oct.	<ul style="list-style-type: none"> <li>• Civil Code was enacted.</li> <li>• the fourth amended Patent Law was enacted</li> </ul>
2021	Jan. Mar.  Nov.	<ul style="list-style-type: none"> <li>• Online seminar (on Civil Code and amended Patent Law)</li> <li>• Project for Legal Development for Improvement of Market Economy and People's Wellbeing completed</li> <li>• Online seminar (on Companies Act)</li> </ul>
2022	Jul.	<ul style="list-style-type: none"> <li>• Online meeting (on criminal record)</li> </ul>
2023	Feb. Sep. Oct.	<ul style="list-style-type: none"> <li>• Online meeting (on Criminal Detention Facilities Act)</li> <li>• Online meeting (on Disaster Countermeasures Act)</li> <li>• Exchange visits to Japan and meeting (on Pre-school education, etc.)</li> </ul>
2024	Aug.	<ul style="list-style-type: none"> <li>• The Visit to ICD by the member of the National People's Congress</li> </ul>
2025	Oct.	<ul style="list-style-type: none"> <li>• Japan visit exchange program on recent developments in legislative procedures</li> </ul>
Year	Month	Nepal
2008		<ul style="list-style-type: none"> <li>• Local seminar (on criminal-related law comparative study (twice))</li> </ul>
2009	Jul. Oct.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• Local seminar (on criminal-related law comparative study)</li> </ul>
2010	Jul.  Jul. Aug.	<ul style="list-style-type: none"> <li>• Country-focused training course in Japan (on "Comparative Study of Criminal Justice System and Criminal Procedure")</li> <li>• Legal technical assistance advisory long-term expert (private attorney) was dispatched</li> <li>• Country-focused training course in Japan (on "Civil Code and related laws")</li> </ul>

2011	Feb. Sep. Nov.	<ul style="list-style-type: none"> <li>• Field survey in Nepal</li> <li>• Japan-Nepal joint study on investigation and prosecution practice</li> <li>• Local survey</li> </ul>
2012	Jul. Aug. Sep. Nov.	<ul style="list-style-type: none"> <li>• Japan-Nepal joint study (on criminal justice)</li> <li>• Training course in Japan (on drafting of commentary on Civil Code)</li> <li>• Training course in Japan (on case management)</li> <li>• Local survey</li> </ul>
2013	Aug. Sep.  Sep. Dec.	<ul style="list-style-type: none"> <li>• Japan-Nepal joint comparative study (on judicial system)</li> <li>• Project for Court Capacity-building for Expeditious and Fair Dispute Resolution in Nepal commenced</li> <li>• Long-term expert (private attorney) was dispatched for above project</li> <li>• 1st training course in Japan for above project</li> </ul>
2014	Mar. Jun. Sep. Sep. Nov. Dec.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• JICA survey team was dispatched (survey for guidance on project management)</li> <li>• Japan-Nepal joint comparative study (on judicial system)</li> <li>• 2nd training course in Japan for above project</li> <li>• Local survey &amp; seminar</li> <li>• 3rd training course in Japan for above project</li> </ul>
2015	Feb. Oct. Dec. Nov.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• Local seminar</li> <li>• 4th training course in Japan for above project</li> <li>• Local survey</li> </ul>
2016	Feb. Mar.  Jul. Sep. Nov. Dec.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• Japan-Nepal joint comparative study on judicial system</li> <li>• Invitation to support for enacting, disseminating and enforcing Civil Code</li> <li>• 5th course in Japan for above project</li> <li>• JICA survey team was dispatched (for project-end evaluation)</li> <li>• 6th training course in Japan for above project</li> <li>• Local survey</li> </ul>
2017	Mar. Nov.	<ul style="list-style-type: none"> <li>• Japan-Nepal joint comparative study (on judicial system)</li> <li>• Local survey</li> </ul>
2018	Feb. Mar. Mar. May Aug. Dec.	<ul style="list-style-type: none"> <li>• Wrap-up seminar for above project</li> <li>• Japan-Nepal joint comparative study (on judicial system)</li> <li>• Above project terminated</li> <li>• Local seminar (on Code of Criminal Procedure)</li> <li>• Local seminar (on Code of Criminal Procedure and Civil Code)</li> <li>• Local survey</li> </ul>
2019	Mar. Aug. Nov. Dec.	<ul style="list-style-type: none"> <li>• Japan-Nepal joint comparative study (on judicial system)</li> <li>• Local seminar (on contract law, tort law, private international law and pre-trial conference)</li> <li>• Local survey</li> <li>• Local seminar (on property law, tort law and private international law)</li> </ul>
2020	Feb. Dec.	<ul style="list-style-type: none"> <li>• Japan-Nepal joint comparative study on judicial system</li> <li>• Online seminar (on tort law, private international law and pre-trial conference)</li> </ul>
2021	Mar. Sep. Dec.	<ul style="list-style-type: none"> <li>• Online seminar (on tort law, private international law and criminal procedure)</li> <li>• Online seminar (on tort law, private international law)</li> <li>• Online seminar (on probation and parole)</li> </ul>
2022	Jan. - Mar. (five days) Apr. Jun.	<ul style="list-style-type: none"> <li>• JICA Virtual Program (country-focused training course) on the Civil Code Reform of Nepal</li> <li>• Local survey and local seminar (on drafting legislative bills, tort law and family law)</li> <li>• High Level Discussion on Civil Code Reform</li> </ul>

2023	Jan. Mar. Apr. Dec.	<ul style="list-style-type: none"> <li>• Local survey and local seminar</li> <li>• Country-focused Training course in Japan</li> <li>• Local survey</li> <li>• Country-focused Training course in Japan (on Civil Code Reform and Improvement of Operation)</li> <li>• Local workshop</li> </ul>
2024	Nov. Dec.	<ul style="list-style-type: none"> <li>• JICA Survey Team was dispatched</li> <li>• Local survey and local seminar</li> </ul>
2025	Oct. Nov.	<ul style="list-style-type: none"> <li>• Project for Enhancing Implementation of the National Civil Code commenced</li> <li>• JICA Survey Team was dispatched (JCC, AB)</li> </ul>
Year	Month	Timor-Leste
2009	Mar. Jul.	<ul style="list-style-type: none"> <li>• Training course in Japan for legislative drafting capacity-building</li> <li>• Training course in Japan for legislative drafting capacity-building</li> </ul>
2010	Aug.	<ul style="list-style-type: none"> <li>• Training course in Japan for legislative drafting capacity-building (Phase 2)</li> </ul>
2011	Mar.	<ul style="list-style-type: none"> <li>• Local survey</li> </ul>
2012	Mar. Sep. Dec.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• Joint study on legal system of Timor-Leste</li> <li>• Local seminar and local survey</li> </ul>
2013	Apr.- Mar.2014 Jun. Sep. Dec.	<ul style="list-style-type: none"> <li>• Advice on legal system of Timor-Leste (for legislative-drafting capacity-building)</li> <li>• Local survey and local seminar (on mediation law)</li> <li>• Local seminar (on mediation law)</li> <li>• JICA-Net seminar (on mediation law)</li> </ul>
2014	Mar. Jul. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (on mediation law)</li> <li>• Local survey</li> <li>• Joint study on legal system of Timor-Leste (on juvenile law)</li> </ul>
2015	Mar. Jul. Dec.	<ul style="list-style-type: none"> <li>• Local seminar and local survey (on juvenile law)</li> <li>• Joint study on legal system of Timor-Leste (on mediation law and marriage law)</li> <li>• Local seminar and local survey (on mediation law)</li> </ul>
2016	Mar. Aug.	<ul style="list-style-type: none"> <li>• Joint study on legal system of Timor-Leste (on mediation law and nationality law)</li> <li>• Local survey</li> </ul>
2017	Feb. Mar. Aug. Nov.	<ul style="list-style-type: none"> <li>• Joint study on legal system of Timor-Leste (on civil registration law and marriage law)</li> <li>• Local seminar and local survey (on juvenile law)</li> <li>• Local survey</li> <li>• Local seminar and local survey (on immovable property registration law)</li> </ul>
2018	Jan. Mar. Jul. Nov. Dec.	<ul style="list-style-type: none"> <li>• Joint study on legal system of Timor-Leste (on land related law)</li> <li>• Local survey</li> <li>• Local seminar and local survey (on immovable property registration law)</li> <li>• Local seminar and local survey (on correction system)</li> <li>• Joint study on legal system of Timor-Leste (on immovable property registration law)</li> </ul>
2019	Mar. Jul. Nov.	<ul style="list-style-type: none"> <li>• Local seminar (on judicial system)</li> <li>• Local seminar and local survey (on immovable property registration law and judicial system)</li> <li>• Local survey (on immovable property registration law)</li> </ul>
2020	Feb. Nov.	<ul style="list-style-type: none"> <li>• Joint study on legal system of Timor-Leste (on immovable property registration law and judicial system)</li> <li>• Online seminar (on immovable property registration law)</li> </ul>

2021	Jan. Feb. Mar. Apr. Jun. Jul. Sep. Nov. Dec.	<ul style="list-style-type: none"> <li>• Online seminar (on immovable property registration law and land dispute resolution)</li> <li>• Online seminar (on immovable property registration law and land dispute resolution)</li> <li>• Online seminar (on land related law)</li> <li>• Online seminar (on cadastral law)</li> <li>• Online seminar (on land related law and cadastral law)</li> <li>• Online seminar (on civil registration law)</li> <li>• Online seminar (on civil registration law)</li> <li>• Online seminar (on immovable property registration law and land dispute resolution)</li> <li>• Online seminar (on immovable property registration law and civil registration law)</li> </ul>
2022	Jan. Sep.	<ul style="list-style-type: none"> <li>• Online seminar (on immovable property registration law and civil registration law)</li> <li>• Local seminar and local survey (on land related laws, nationality law, dispute resolution etc.)</li> </ul>
2023	Jan. Feb.	<ul style="list-style-type: none"> <li>• Online seminar (on nationality law)</li> <li>• Local seminar and local survey (on immovable property registration law and dispute resolution etc.)</li> </ul>
2024	Feb. Jul.-Aug.	<ul style="list-style-type: none"> <li>• Local seminar and local survey (on civil registration law commercial registration law etc.)</li> <li>• Local seminar and local survey (on family registration law)</li> </ul>
2025	Jan. May. Oct.	<ul style="list-style-type: none"> <li>• Joint study on legal system of Timor-Leste (on immovable property registration law and judicial system)</li> <li>• Local seminar and local survey (on commercial registration law, etc.)</li> <li>• Local survey</li> </ul>
Year	Month	Myanmar
2012	Jul. Aug. Aug. Nov. Dec.	<ul style="list-style-type: none"> <li>• Joint comparative study of legal systems in Japan and Myanmar, inviting former Dean of Faculty of Law of Yangon Univ. and former Director of Research and International Relation Department of Supreme Court of Union (SC) (by RTI)</li> <li>• Policy Research Institute of Ministry of Finance and Central Bank of Myanmar signed memorandum on cooperation for development of capital market</li> <li>• Local seminar on Legal System of Public Companies and Corporate Governance Reform (by JICA and Union Attorney General's Office (UAGO))</li> <li>• Joint comparative study of judicial systems in Japan and Myanmar inviting five judges including Chief Justice of SC (by RTI and Keio Univ.)</li> <li>• Local seminar on Legal Aspects in Privatizing State Companies (by JICA and UAGO)</li> </ul>
2013	Feb. Apr. Jun. Jul. Jul. Aug. Sep. Oct. Nov. Nov.	<ul style="list-style-type: none"> <li>• Meetings with UAGO and SC (by RTI and JICA)</li> <li>• Local seminar on Commercial Arbitration (by JICA and UAGO)</li> <li>• Joint comparative study of legal systems in Japan and Myanmar inviting six officers including Attorney General and Chairman of Drafting Committee on Bills in Hluttaws (by RTI, JICA and ICCLC)</li> <li>• Small-scale local seminar on Intellectual Property (IP) Law and Legal Training (by RTI and JICA)</li> <li>• Securities Transaction Law of Myanmar was established with assistance from Policy Research Institute of Ministry of Finance</li> <li>• Agreement on "Project for Capacity-Development of Legal, Judicial and Relevant Sectors in Myanmar (The Project Phase 1)" was signed between JICA and UAGO/SC on Aug.22</li> <li>• Small-scale local seminar on IP Law, Bankruptcy Law and Legal Training (by RTI and JICA)</li> <li>• Local survey on Correction (by RTI and JICA)</li> <li>• Small-scale local seminar on IP Law (by RTI, JICA and Japan Patent Office)</li> <li>• The Project Phase 1 commenced on Nov. 20</li> </ul>

2014	<p>Jan. Feb. Feb. Mar.</p> <p>Apr. May May May</p> <p>May Jun. Jul. Jul. Aug. Oct. Nov.</p>	<ul style="list-style-type: none"> <li>• Long-term expert (Attorney at Law) was dispatched</li> <li>• Small-scale local seminar on Companies Act several times in and after Feb.</li> <li>• Small-scale local seminar on Copyright Law</li> <li>• Local survey and small-scale local seminar on Handling of Electromagnetic Records in Criminal Procedure and Investigation Methods of Intellectual Property Cases (by RTI)</li> <li>• Small-scale local seminar on Handling of Electromagnetic Evidence in Civil Procedure</li> <li>• Long-term expert (Program coordinator) was dispatched</li> <li>• Long-term expert (Prosecutor) was dispatched</li> <li>• Small-scale local seminar on Outline of Securities Market and Capital Market, etc. (by Japan Securities Exchange)</li> <li>• 1st Study Tour in Japan on Judicial System of Japan</li> <li>• Working group activities held on an ad-hoc basis in and after Jun.</li> <li>• 1st Joint Coordinating Committee (JCC)</li> <li>• Local seminar on IP Law (by JICA and Japan Patent Office)</li> <li>• Local seminar on Arbitration Law</li> <li>• Meeting of Advisory Group on Companies Act</li> <li>• 2nd Study Tour in Japan on Human Resource Development</li> </ul>
2015	<p>Feb. Feb. Jun. Jul. Nov. Nov.</p>	<ul style="list-style-type: none"> <li>• 2nd JCC</li> <li>• 3rd Study Tour in Japan on Legislative Procedure</li> <li>• 4th Study Tour in Japan on Companies Act</li> <li>• Mid-term evaluation and 3rd JCC</li> <li>• 5th Study Tour in Japan on Techniques of Training and IP</li> <li>• Local seminar on IP System</li> </ul>
2016	<p>Feb.</p> <p>Feb. Mar.</p> <p>May Jun. Jul. Aug. Oct. Nov. Nov. Dec.</p>	<ul style="list-style-type: none"> <li>• Local seminar on IP System (jointly hosted by Japan Federal Bar Associations and IP-Net etc. )</li> <li>• 6th Study Tour in Japan on IP System</li> <li>• 4th JCC</li> <li>• Small-scale seminar on IP System (jointly hosted by IP-Net etc.)</li> <li>• 7th Study Tour in Japan on Bankruptcy Code.</li> <li>• Local seminar on Dispute Resolution including Arbitration and Mediation</li> <li>• Local seminar on Drafting Policy Document of IP System</li> <li>• Survey of management &amp; instruction / Discussion on next project with JICA</li> <li>• Small-scale seminar on Bankruptcy Code</li> <li>• 8th Study Tour in Japan on Dispute Resolution including Arbitration and Mediation</li> <li>• Change of Long-term expert (Prosecutor)</li> </ul>
2017	<p>Feb. Feb. Mar. Mar. May Jun. Jun. Aug. Oct. Oct.</p>	<ul style="list-style-type: none"> <li>• Local seminar on IP system</li> <li>• 9th Study Tour in Japan on Bankruptcy Code</li> <li>• 5th JCC</li> <li>• Local seminar on Mediation System</li> <li>• Change of Long-term expert (Attorney at Law)</li> <li>• Local survey on Legal System of Estate (by RTI)</li> <li>• 10th Study Tour in Japan on Legislation and Training System of Legal Professionals</li> <li>• Joint study on Legal System of Estate (by RTI)</li> <li>• Local seminar on Drafting Textbook of IP Law for Judges (newly appointed)</li> <li>• 11th Study Tour in Japan on IP System</li> </ul>

2018	Feb. Feb. Mar. May Jun.  Jul. Aug. Sep. Sep.  Nov. Dec.	<ul style="list-style-type: none"> <li>• Local survey on Legal System of Estate (by RTI)</li> <li>• Local seminar on IP System</li> <li>• 12th Study Tour in Japan on New Types of Evidences</li> <li>• The Project Phase 1 terminated on May 31</li> <li>• "The Project for Capacity Development of Legal, Judicial and Relevant Sectors in Myanmar Phase2" commenced on Jun. 1</li> <li>• 13th Study Tour in Japan on Efficient Dispute Resolutions</li> <li>• Local Seminar on IP Law System</li> <li>• Local Seminar on Mediation System</li> <li>• Local survey and Local Seminar on Immovable property registration-related Legal System (by RTI)</li> <li>• 14th Study Tour in Japan on Improvement of Training of Legal Professions</li> <li>• Local Seminar on IP Law System</li> </ul>
2019	Jan. Jan. Jun. Jul. Jul. Sep.  Oct. Oct. Nov. Dec. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (on Textbook of Business-related Laws for Judges)</li> <li>• Joint study (on immovable property registration-related legal system (by RTI))</li> <li>• Local seminar (on IP law system)</li> <li>• 6th JCC</li> <li>• 16th study tour in Japan (on legislative process)</li> <li>• Local survey and local seminar (on immovable property registration-related legal system (by RTI))</li> <li>• Local seminar (on IP law system)</li> <li>• 17th Study Tour in Japan (on mediation system)</li> <li>• Joint study (on immovable property registration-related legal system (by RTI))</li> <li>• Local seminar (on Textbook of Business-related Laws for Judges)</li> <li>• Local seminar (on IP law system)</li> </ul>
2020	Jan. Jan. Jan. Feb. Mar. Jun.  Jul. Aug. Dec.	<ul style="list-style-type: none"> <li>• Local seminar (on Textbook of Business-related Laws for Judges)</li> <li>• Small-scale local seminar (on Copyright Law)</li> <li>• Local seminar (on Mediation (Mediator Training))</li> <li>• Local survey (on immovable property registration-related legal system (by RTI))</li> <li>• 18th study Tour in Japan (on actual practice of IP law) (canceled halfway due to COVID-19)</li> <li>• 7th JCC (UAGO)</li> <li>• 7th JCC (SC)</li> <li>• Online seminar (on effective enforcement of Trademark Law)</li> <li>• Online seminar (on immovable property registration-related legal system (by RTI))</li> <li>• Online joint study (on immovable property registration-related legal system)</li> </ul>
2021	Jan.  Feb.	<ul style="list-style-type: none"> <li>• Online seminar (on mediation)</li> <li>• Online seminar (on effective enforcement of Trademark Law)</li> <li>• Suspend all activities considering political situations</li> </ul>
2023		• Above Project terminated
Year	Month	Bangladesh
2015	Jun.	• Local survey in Dhaka
2016	Mar. Oct.	<ul style="list-style-type: none"> <li>• Preliminary tour for joint study</li> <li>• Joint study (on court proceedings and ADR)</li> </ul>
2017	Jul. Dec.	<ul style="list-style-type: none"> <li>• Local survey in Dhaka</li> <li>• 1st study trip to Japan of country-focused training course for "Capacity Building of the Members of the Subordinate Judiciary" (mainly on ADR)</li> </ul>
2018	Jul. Nov.	<ul style="list-style-type: none"> <li>• Local seminar in Dhaka</li> <li>• 2nd study trip to Japan (mainly on mediator training)</li> </ul>
2019	Mar. Jul. Nov. - Dec.	<ul style="list-style-type: none"> <li>• Local survey in Dhaka and Narsingdi</li> <li>• Local seminar in Dhaka</li> <li>• 3rd study trip to Japan (mainly on mediator training and case management)</li> </ul>
2020	Oct. Nov.	<ul style="list-style-type: none"> <li>• Online seminar (on mediation)</li> <li>• 1st online seminar (on case management)</li> </ul>

2021	Mar. Jul. Nov.	<ul style="list-style-type: none"> <li>• 2nd online seminar (on case management)</li> <li>• Online seminar (on mediation)</li> <li>• 3rd online seminar (on case management)</li> </ul>
2022	July.	<ul style="list-style-type: none"> <li>• Discussion with a Bangladesh judge (JDS student in Keio Univ.)</li> </ul>
2023	Feb. May. Aug. Sep.	<ul style="list-style-type: none"> <li>• Local survey</li> <li>• Local survey</li> <li>• Meeting with international students from Keio University Graduate School</li> <li>• Local survey</li> </ul>
2024	May. Dec.	<ul style="list-style-type: none"> <li>• Launching Ceremony of JICA Project and Local survey</li> <li>• Training course in Japan</li> </ul>
2025	Feb. Jul. Oct. Dec.	<ul style="list-style-type: none"> <li>• Dispatch of a JICA study team (local seminar)</li> <li>• Dispatch of a JICA study team (local seminar)</li> <li>• Training course in Japan</li> <li>• Dispatch of a JICA study team (local seminar)</li> </ul>
Year	Month	Sri Lanka
2019	Aug.	<ul style="list-style-type: none"> <li>• Local survey and local seminar in Colombo</li> </ul>
2020	Jan. Jan. - Feb.	<ul style="list-style-type: none"> <li>• Preliminary local seminar in Colombo for 1st study trip</li> <li>• 1st study trip to Japan of Country-focused training course for "Improvement of the Practice of Criminal Justice Proceedings in Sri Lanka"</li> </ul>
2021	Mar. - Apr.  Aug  Dec	<ul style="list-style-type: none"> <li>• 2nd Country-focused training course for "Improvement of the Practice of Criminal Justice Proceedings in Sri Lanka" (online)</li> <li>• 3rd Country-focused training course for "Improvement of the Practice of Criminal Justice Proceedings in Sri Lanka" (online)</li> <li>• 4th Country-focused training course for "Improvement of the Practice of Criminal Justice Proceedings in Sri Lanka" (online)</li> </ul>
2022	Aug. - Sep.	<ul style="list-style-type: none"> <li>• Local survey and local seminar (on improvement of the practice of criminal justice proceedings)</li> </ul>
2023	Nov.	<ul style="list-style-type: none"> <li>• Local survey</li> </ul>
2024	Mar.  Jul. Dec.	<ul style="list-style-type: none"> <li>• 5th study trip to Japan of Country-focused training course for "Improvement of the Practice of Criminal Justice Proceedings in Sri Lanka"</li> <li>• Local seminar(on Improvement of the Practice of Criminal Justice Proceedings)</li> <li>• Local seminar(on Improvement of the Practice of Criminal Justice Proceedings)</li> </ul>
2025	Mar.	<ul style="list-style-type: none"> <li>• 6th study trip to Japan of Country-focused training course for "Improvement of the Practice of Criminal Justice Proceedings in Sri Lanka"</li> </ul>
Year	Month	Africa
2025	Mar.  Jul. Aug.  Sep.	<ul style="list-style-type: none"> <li>• Commissioned survey on Tanzania</li> <li>• Local survey in Ghana (AfCFTA)</li> <li>• Local survey in Tanzania</li> <li>• Local surveys in Tanzania and Ghana</li> <li>• TICAD 9 thematic event (symposium "Strengthening Future Cooperation between African Countries and Japan in the Field of Law and Justice")</li> <li>• Invitation of the Permanent Secretary of the Ministry of Constitutional and Legal Affairs of Tanzania to Japan</li> <li>• Conclusion of a Memorandum of Cooperation between the Ministry of Justice of Japan and the Ministry of Constitutional and Legal Affairs of Tanzania</li> <li>• JICA "Business Law Seminar for English Speaking African Countries" (Insolvency Law)</li> </ul>
Year	Month	Fiji

2024	Jan. Jul. Oct.	<ul style="list-style-type: none"> <li>• Agreement between the Ministry of Justice of Japan and the Attorney-General and Minister for Justice of Fiji to establish the “Fiji-Japan Strategic Dialogue on Law and Justice”</li> <li>• Discussions held on the theme of “Promotion of the Rule of Law and International Cooperation” at a commemorative event of the 10th Pacific Islands Leaders Meeting (PALM10)</li> <li>• Bilateral meeting with the Ministry of Justice of Fiji</li> <li>• Local survey</li> </ul>
2025	Mar. Jul. Nov.	<ul style="list-style-type: none"> <li>• First joint study (on measures to address prolonged civil proceedings and the digitalization and efficiency enhancement of judicial and administrative procedures)</li> <li>• Conclusion of a Memorandum of Cooperation between the Ministry of Justice of Japan and the Ministry of Justice of Fiji</li> <li>• The 1st Fiji-Japan Strategic Dialogue on Law and Justice</li> <li>• Local survey</li> </ul>
Year	Month	Ukraine
2024	Aug. Dec.	<ul style="list-style-type: none"> <li>• Conclusion of a Memorandum of Cooperation between the Ministry of Justice of Japan and the Ministry of Justice of Ukraine</li> <li>• Keynote address by Deputy Minister of Justice Liudmyla Suhak at the Annual Conference on Technical Assistance in the Legal Field</li> </ul>
2025	Mar. and Sep. Jul. Dec.	<ul style="list-style-type: none"> <li>• Local surveys</li> <li>• The 1st joint study (on judicial interviews, etc.)</li> <li>• The 1st country-focused training (on forensic investigation in corruption cases, etc.)</li> </ul>
Year	Month	Others
1996		<ul style="list-style-type: none"> <li>• International Civil and Commercial Law Centre Foundation (ICCLC) was established</li> <li>• International Civil and Commercial Law Symposium held by ICCLC (twice)</li> </ul>
1997	Feb. - Mar. Nov.	<ul style="list-style-type: none"> <li>• Region-focused training course held by RTI (with participation from Mongolia, Myanmar, Vietnam)</li> <li>• International Civil and Commercial Law Symposium (on bankruptcy law system) held by RTI, ICCLC and Study Group on Comparative Legal Systems in Asia-Pacific Region</li> </ul>
1998	Feb. - Mar.	<ul style="list-style-type: none"> <li>• Region-focused training course continued (with participation from Cambodia, China, Laos, Mongolia, Myanmar, Vietnam)</li> </ul>
1999	Feb. Feb. - Mar. Sep.	<ul style="list-style-type: none"> <li>• 2nd International Civil and Commercial Law Symposium (on corporate bankruptcy, mortgage law system)</li> <li>• Region-focused training course continued (with participation from same countries as in previous year)</li> <li>• Japan-Korea Partnership Program held by RTI (with focus on comparative study of registration system)</li> </ul>
2000	Jan. - Feb. Jan., Oct. May. - Jul. May., Sep.	<ul style="list-style-type: none"> <li>• Region-focused training course continued (with participation from same countries as in previous year)</li> <li>• 1st and 2nd Annual Conference on Technical Assistance in Legal Field</li> <li>• Global Conference on Legal Technical Assistance held by World Bank</li> <li>• Region-focused training course held jointly by RTI and ADB</li> <li>• 2nd Japan-Korea Partnership Program held by RTI</li> </ul>
2001	Jan. - Feb. Apr., Nov Sep. Jul. Jun., Sep.	<ul style="list-style-type: none"> <li>• Region-focused training course continued (with participation from same countries as in previous year)</li> <li>• International Cooperation Department (ICD) was established within RTI (Apr.), and relocated to Osaka (Nov.)</li> <li>• Participation in ADB Conference (in the Philippines)</li> <li>• 3rd Annual Conference on Technical Assistance in Legal Field</li> <li>• 2nd Global Conference on Legal Technical Assistance by World Bank</li> <li>• 3rd Japan-Korea Partnership Program held by RTI</li> </ul>

2002	Feb. Feb. - Mar.  Jun., Oct.	<ul style="list-style-type: none"> <li>• 3rd International Civil and Commercial Law Symposium (on ADR)</li> <li>• Region-focused training course continued (with participation from same countries as in previous year)</li> <li>• International workshop "Changes in Law, Development, Economy and Society in Asia" held by Institute of Developing Economies (IDE-JETRO)</li> <li>• Training course for the Philippines held in Japan jointly by RTI and ADB</li> <li>• 4th Japan-Korea Partnership Program held by RTI</li> </ul>
2003	Jan. Jan. - Feb.  Jun., Oct.	<ul style="list-style-type: none"> <li>• Lecture presentation on Japan-Korea Intellectual Property Rights lawsuit held by RTI and ICCLC (Tokyo and Osaka)</li> <li>• General meeting on "legal technical assistance to Asia" held by Nagoya Univ.</li> <li>• Study Council for Promoting Translation of Japanese Laws and Regulations into Foreign Languages</li> <li>• Legal technical assistance requested from Iran</li> <li>• 4th Annual Conference on Legal Technical Assistance in Legal Field</li> <li>• Symposium on Legal Systems of Intellectual Property Rights in Asia</li> <li>• Region-focused training course continued (with participation from Cambodia, China, Kazakhstan, Laos, Mongolia, Myanmar, Thailand)</li> <li>• 5th Japan-Korea Partnership Program held by RTI</li> </ul>
2004	Jan. Feb. - Mar.  Mar.  Jun., Oct.	<ul style="list-style-type: none"> <li>• General meeting on "legal technical assistance to Asia" by Nagoya Univ.</li> <li>• Legal technical assistance (training course in Japan) to Iran begun by Nagoya Univ.</li> <li>• 5th Annual Conference on Technical Assistance in Legal Field</li> <li>• Region-focused training course in Japan on international civil and commercial law (for Cambodia, Laos, Vietnam).</li> <li>• 4th International Civil and Commercial Law Symposium (on intellectual property rights) held by RTI, ICCLC and JETRO</li> <li>• 6th Japan-Korea Partnership Program held by RTI</li> </ul>
2005	Jan. Feb. - Mar.  Jun., Oct.	<ul style="list-style-type: none"> <li>• 6th Annual Conference on Technical Assistance in Legal Field</li> <li>• Region-focused training course in Japan on International Civil and Commercial Law (for Cambodia, Laos, Myanmar, Vietnam)</li> <li>• 7th Japan-Korea Partnership Program held by RTI</li> </ul>
2006	Feb.  Feb. - Mar.  Mar.  Jun., Oct.	<ul style="list-style-type: none"> <li>• 5th International Symposium on Civil and Commercial Law (on international corporate law) held by RTI, ICCLC and JETRO</li> <li>• Region-focused training course in Japan on International Civil and Commercial Law (for Cambodia, Laos, Myanmar, Vietnam)</li> <li>• General meeting on "Legal Technical Assistance to Asia" held by Nagoya Univ.</li> <li>• 7th Annual Conference on Technical Assistance in Legal Field</li> <li>• 8th Japan-Korea Partnership Program held by RTI</li> </ul>
2007	Jan.  Feb. - Mar.  Jun., Oct.	<ul style="list-style-type: none"> <li>• General meeting on "Study of Legal Technical Assistance Strategies" held by Nagoya Univ.</li> <li>• 8th Annual Conference on Technical Assistance in Legal Field</li> <li>• Region-focused training course in Japan on International Civil and Commercial Law (for Cambodia, Laos, Myanmar, Vietnam)</li> <li>• 9th Japan-Korea Partnership Program held by RTI</li> </ul>
2008	Jan. Feb. - Mar.  Feb.  Dec. Jun., Oct.	<ul style="list-style-type: none"> <li>• 9th Annual Conference on Technical Assistance in Legal Field</li> <li>• Region-focused training course in Japan on International Civil and Commercial Law (for Cambodia, Laos, Myanmar, Vietnam)</li> <li>• "Seminar on Derivative Action in Asia" held by RTI and ICCLC</li> <li>• "Kanazawa Seminar" held by Ishikawa International Civil and Commercial Law Center</li> <li>• General meeting on "Study of Legal Technical Assistance Strategies" held by Nagoya Univ.</li> <li>• 10th Japan-Korea Partnership Program held by RTI</li> </ul>

2009	Jan. Mar.  Dec. Aug.  Jun., Oct.	<ul style="list-style-type: none"> <li>• 10th Annual Conference on Technical Assistance in Legal Field.</li> <li>• 6th International Civil and Commercial Law Symposium on Derivative Action in Asia held by RTI, ICCLC and JETRO</li> <li>• "Kanazawa Seminar" by Ishikawa International Civil and Commercial Law Center</li> <li>• General meeting on "Study of Legal Technical Assistance Strategies" held by Nagoya Univ.</li> <li>• Symposium, "Our Legal Technical Assistance - Let's Think Together about International Cooperation in Legal Field" held jointly by RTI, ICCLC and JICA</li> <li>• 11th Japan-Korea Partnership Program held by RTI</li> </ul>
2010	Jan. Mar. Aug.  Sep.  Jun., Oct.	<ul style="list-style-type: none"> <li>• 11th Annual Conference on Technical Assistance in Legal Field</li> <li>• "Kanazawa Seminar" held by Ishikawa International Civil and Commercial Law Center</li> <li>• Internship by MOJ</li> <li>• Seminar on "Audit System in Asia" held jointly by RTI and ICCLC</li> <li>• Summer Symposium "Our Legal Technical Assistance 2010" held jointly by RTI, ICCLC and Nagoya Univ.</li> <li>• 12th Japan-Korea Partnership Program held by RTI</li> </ul>
2011	Jan. Mar.  Aug. Sep.	<ul style="list-style-type: none"> <li>• 12th Annual Conference on Technical Assistance in Legal Field.</li> <li>• Internship for law school students by National Personnel Authority</li> <li>• "Kanazawa Seminar" held by Ishikawa International Civil and Commercial Law Center</li> <li>• Mini-symposium to study Japan-Korea cooperation in legal technical assistance</li> <li>• Internship by MOJ</li> <li>• Summer Symposium "Our Legal Technical Assistance 2011" held jointly by RTI, ICCLC, Nagoya Univ., Keio Univ., Kobe Univ. and ITP</li> <li>• 7th International Civil and Commercial Law Symposium on "Audit System in Asia" held jointly by RTI and ICCLC</li> </ul>
2012	Jan. Mar.  Aug. Nov.  Jun., Oct.	<ul style="list-style-type: none"> <li>• 13th Annual Conference on Technical Assistance in Legal Field</li> <li>• Internship for law school students by National Personnel Authority</li> <li>• "Kanazawa Seminar" held by Ishikawa International Civil and Commercial Law Center</li> <li>• Internship by MOJ</li> <li>• "Our symposium 'Access to Justice' in Asia" held jointly by RTI, ICCLC, Nagoya Univ., Keio Univ., Kobe Univ. and others</li> <li>• 13th Japan-Korea Partnership Program held by RTI</li> </ul>
2013	Jan. Feb. Mar. Nov.  Jun., Oct.	<ul style="list-style-type: none"> <li>• 14th Annual Conference on Technical Assistance in Legal Field.</li> <li>• Internship for law school students by National Personnel Authority</li> <li>• "Kanazawa Seminar" by Ishikawa International Civil and Commercial Law Center</li> <li>• "Collaborative Project 'International Cooperation for Asia in the Legal Field'" held jointly by RTI, ICCLC, Nagoya Univ., Keio Univ. and others</li> <li>• 14th Japan-Korea Partnership Program held by RTI</li> </ul>
2014	Jan. Feb. Mar. Nov.  Sep.  Jun., Oct	<ul style="list-style-type: none"> <li>• 15th Annual Conference on Technical Assistance in Legal Field.</li> <li>• Internship for law school students by National Personnel Authority</li> <li>• "Kanazawa Seminar" held by Ishikawa International Civil and Commercial Law Center</li> <li>• "Collaborative Project 'International Cooperation for Asia in the Legal Field'" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• 8th International Civil and Commercial Law Symposium on "Information providing system" held jointly by RTI and ICCLC</li> <li>• 15th Japan-Korea Partnership Program held by RTI</li> </ul>
2015	Jan. Feb. Mar. May., Aug., Nov. Sep. - Oct.	<ul style="list-style-type: none"> <li>• 16th Annual Conference on Technical Assistance in Legal Field</li> <li>• Internship for law school students by National Personnel Authority</li> <li>• "Kanazawa Seminar" held by Ishikawa International Civil and Commercial Law Center</li> <li>• "Collaborative Project 'International Cooperation for Asia in the Legal Field'" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• 16th Japan-Korea Partnership Program held by RTI</li> </ul>

2016	Jan. Mar. Jun., Aug., Dec. Jun., Oct	<ul style="list-style-type: none"> <li>• 17th Annual Conference on Technical Assistance in Legal Field</li> <li>• "Kanazawa Seminar" held by Ishikawa International Civil and Commercial Law Center</li> <li>• "Collaborative Project 'International Cooperation for Asia in the Legal Field'" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• 17th Japan-Korea Partnership Program held by RTI</li> </ul>
2017	Jan. Jun., Aug., Dec. Jun. Jun., Nov. Aug. Sep. Oct. - Nov. Nov.	<ul style="list-style-type: none"> <li>• 18th Annual Conference on Technical Assistance in Legal Field</li> <li>• "Collaborative Project 'International Cooperation for Asia in the Legal Field'" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• "Kanazawa Seminar" held jointly by Ishikawa International Civil and Commercial Law Center</li> <li>• 18th Japan-Korea Partnership Program held by RTI</li> <li>• Internship for law school students by National Personnel Authority</li> <li>• 9th International Civil and Commercial Law Symposium on "Corporate-Governance in Four Southeast Asian Countries" held jointly by RTI and ICCLC</li> <li>• Judicial Symposium on Intellectual Property 2017 ~IP Dispute Resolution in ASEAN+3 (Japan-China-Republic of Korea)~</li> <li>• "Japan-Korean Judicial Partnership / Immovable property registration Seminar" held by RTI and ICCLC</li> </ul>
2018	Jan. Jun., Aug., Dec. Jun., Oct. Jul. Nov.	<ul style="list-style-type: none"> <li>• 19th Annual Conference on Technical Assistance in Legal Field</li> <li>• "Collaborative Project 'International Cooperation for Asia in the Legal Field'" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• 19th Japan-Korea Partnership Program held by RTI</li> <li>• "Kanazawa Seminar" held jointly by Ishikawa International Civil and Commercial Law Center</li> <li>• Judicial Symposium on Intellectual Property Advanced Seminar for ASEAN+3 2018</li> </ul>
2019	Feb. Jun., Aug., Dec. Jun., Oct. Jun. Aug. Sep. Nov.	<ul style="list-style-type: none"> <li>• 20th Annual Conference on Technical Assistance in Legal Field</li> <li>• "Collaborative Project 'International Cooperation for Asia in the Legal Field'" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• 20th Japan-Korea Partnership Program held by RTI</li> <li>• "Japan-Korean Judicial Partnership 20th Memorial International Academic Conference" held by KTICO and RTI</li> <li>• "Kanazawa Seminar" held jointly by Ishikawa International Civil and Commercial Law Center</li> <li>• Internship for law school students by National Personnel Authority</li> <li>• Judicial Symposium on Intellectual Property 2019~IP Dispute Resolution in Asia - Pacific Region~</li> <li>• Selection-based practical training for 72nd legal apprentices</li> </ul>
2020	Feb. Nov. - Dec.	<ul style="list-style-type: none"> <li>• 21st Annual Conference on Technical Assistance in Legal Field</li> <li>• "Collaborative Project 'International Cooperation for Asia in the Legal Field'" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> </ul>

2021	<p>Jan. Feb.</p> <p>Mar.</p> <p>June. Aug. - Sep. Sep. Oct.</p> <p>Aug., Sep., Nov. Nov.</p> <p>Nov. - Dec.</p>	<ul style="list-style-type: none"> <li>• JSIP Follow-Up Seminar (Laos, Myanmar)</li> <li>• Youth Forum for The Fourteenth United Nations Congress on Crime Prevention and Criminal Justice</li> <li>• 10th International Civil and Commercial Law Symposium on "Laws and Practices of Joint Venture in Four Southeast Asian Countries" held jointly by RTI and ICCLC</li> <li>• The Fourteenth United Nations Congress on Crime Prevention and Criminal Justice Ancillary Meeting</li> <li>• 22nd Annual Conference on Technical Assistance in Legal Field</li> <li>• Internship for law school students by National Personnel Authority</li> <li>• Internship for university students by MOJ</li> <li>• The 1st Global Youth Forum for a Culture of Lawfulness</li> <li>• Judicial Symposium on Intellectual Property 2021 ~IP Dispute Resolution in Asia - Pacific Region~</li> <li>• "Collaborative Project of Legal Technical Assistance" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• "Kanazawa Seminar" held jointly by Ishikawa International Civil and Commercial Law Center</li> <li>• 22nd Japan-Korea Partnership Program (online)</li> </ul>
2022	<p>Feb.</p> <p>May., Aug., Sep.</p> <p>Jun.</p> <p>Aug. - Sep. Sep.</p> <p>Oct. - Nov. Dec.</p>	<ul style="list-style-type: none"> <li>• Online Seminar on Business and Human Rights held by UNDP - ICD</li> <li>• "Collaborative Project of Legal Technical Assistance" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• 23rd Annual Conference on Technical Assistance in Legal Field</li> <li>• Selection-based practical training for legal apprentices</li> <li>• Internship for law school students by National Personnel Authority; and for university students by MOJ</li> <li>• Japan-Singapore Partnership Programme for the 21st Century</li> <li>• "Kanazawa Seminar" held jointly by Ishikawa International Civil and Commercial Law Center</li> <li>• Center for Asian Legal Exchange (CALE)'s 20th Anniversary Inaugural Ceremony &amp; Symposium</li> <li>• 23rd Japan-Korea Partnership Program</li> <li>• JSIP Follow-Up Seminar (online)</li> <li>• The 2nd Global Youth Forum for a Culture of Lawfulness</li> </ul>
2023	<p>Feb.</p> <p>May. , Aug., Sep.</p> <p>Jun. Jul.</p> <p>Aug. - Sep. Sep.</p> <p>Oct.</p> <p>Dec.</p>	<ul style="list-style-type: none"> <li>• Joint study (on Justice-Related Statistics)</li> <li>• "Collaborative Project of Legal Technical Assistance" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• 24th Japan-Korea Partnership Program</li> <li>• Symposium "Protection of Business-Related Human Rights and Legal Technical Assistance: Grievance and Dispute Resolution in Japan and ASEAN" (special event for the ASEAN-Japan Special Meeting of Justice Ministers)</li> <li>• Selection-based practical training for legal apprentices</li> <li>• 24th Japan-Korea Partnership Program</li> <li>• Internship for law school students by National Personnel Authority; and for university students by MOJ</li> <li>• "Kanazawa Seminar" held jointly by Ishikawa International Civil and Commercial Law Center</li> <li>• Judicial Symposium on Intellectual Property 2023 ~IP Dispute Resolution in Asia - Pacific Region~</li> <li>• 11th International Civil and Commercial Law Symposium on "Real Estate Legislation and Practical Response in Four Southeast Asian Countries" held jointly by RTI and ICCLC</li> <li>• 24th Annual Conference on Technical Assistance in Legal Field</li> </ul>

2024	<p>May., Aug., Sep. Jun. Jul. Aug.</p> <p>Aug.-Sep., Oct.</p> <p>Dec.</p>	<ul style="list-style-type: none"> <li>• "Collaborative Project of Legal Technical Cooperation" held jointly by RTI, ICCLC, Nagoya Univ. and Keio Univ.</li> <li>• 25th Japan-Korea Partnership Program</li> <li>• Bilateral talks with the Ministry of Justice, Fiji</li> <li>• Internship for law school students by National Personnel Authority; and for university students by MOJ</li> <li>• Joint Study on Business and Human Rights for Young Leaders</li> <li>• 25th Japan-Korea Partnership Program</li> <li>• Judicial Symposium on Intellectual Property 2024~IP Dispute Resolution in Asia - Pacific Region~</li> <li>• 25th Annual Conference on Technical Cooperation in Legal Field</li> <li>• Bilateral talks with Ukraine for Legal Technical Cooperation.</li> <li>• JSIP Follow-Up Seminar</li> <li>• Asian Law and Legal Assistance Lecture Series</li> </ul>
2025	<p>Jan.-Feb. Mar. Jun. Aug.</p> <p>Oct.</p> <p>Nov. Dec.</p>	<ul style="list-style-type: none"> <li>• Asian Law and Legal Assistance Lecture Series</li> <li>• The 3rd Global Youth Forum for a Culture of Lawfulness</li> <li>• 26th Japan-Korea Partnership Program</li> <li>• Joint Study on Business and Human Rights for Young Leaders</li> <li>• Internship for law school students by National Personnel Authority; and for university students by MOJ</li> <li>• "Invitation to Legal Technical Cooperation" program</li> <li>• 12th International Civil and Commercial Law Symposium on "Labor Law Systems and Practical Responses in Four Southeast Asian Countries: Indonesia, the Philippines, Vietnam, and Malaysia" held jointly by RTI and ICCLC</li> <li>• Japan-ASEAN Intellectual Property Good Practices Seminar</li> <li>• Judicial Symposium on Intellectual Property 2025</li> <li>• 26th Japan-Korea Partnership Program</li> <li>• International cooperation human resource development training</li> <li>• 26th Annual Conference on Technical Cooperation in Legal Field</li> </ul>

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Edited by the International Cooperation Department

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Ministry of Justice, Japan

Published in March 2026