

JAPANESE SOCIETY OF INTERNATIONAL LAW

PROGRAMME OF THE 124TH ANNUAL MEETING (2021)*

6 – 8 September 2021

**RETHINKING STATE SOVEREIGNTY
IN THE INTERNATIONAL SOCIETY WHERE MULTI-ENTITIES ACT****

SESSION 1: DEVELOPMENT OF INTERNATIONAL LAW REGARDING STATE SOVEREIGNTY

Monday, 6 September, 14:00-17:30 (JST) / 7:00-10:30 (CEST)

Chair: Masaharu YANAGIHARA, Professor, The Open University of Japan

1. “Sovereignty” in Treaties

Kinji AKASHI, Professor, Kyushu University

2. Evolving Sovereignty in the Field of Development and Its Regulation

Takanobu KIRIYAMA, Professor, Osaka City University

3. The Function of Sovereignty in Contemporary Diplomacy

——Focusing on Its Role in Addressing Cyber Operations

Tomohiro MIKANAGI, Deputy Director-General (Deputy Legal Advisor),
International Legal Affairs Bureau, Ministry of Foreign Affairs, Japan

4. National Law and Nationality

Kiyoshi AOKI, Professor, Nanzan University

MEETING OF THE BOARD OF COUNCILLORS

Monday, 6 September, 18:00-21:00 (JST) / 11:00-14:00 (CEST)

* All the presentations, except those of “Lectures Celebrating Valuable Contribution to International Law by Judge Shigeru Oda”, will be made in Japanese.

** This main theme applies to Sessions 1, 2, and 3. Each Session has its own common theme, which focuses on more concrete issues.

SESSION 2: PARALLEL THREE PANELS

Tuesday, 7 September, 13:00-16:00 (JST) / 6:00-9:00 (CEST)

PANEL 1: CHANGES OF THE FUNCTION OF TERRITORIAL SOVEREIGNTY

Chair: Tomoko FUKAMACHI, Professor, Fukuoka Women's University

1. Construction of Rights and Obligations Relations Between a State and a Person in the Context of the Personal or Spatial Application of Human Rights Treaties
——Based on Control by a State?

Shiho SUGIKI, Lecturer, Kagawa University

2. Spatial Scope of the Duty to Prevent Environmental Harm

Takeo Horiguchi, Professor, Sophia University

3. Jurisdiction to Tax in International Law and the Principle of Territoriality

Yoshinori ABE, Professor, Gakushuin University

4. An Assessment of International Legal Issues in Regulating Stateless Vessels on the High Seas

——Focusing on Reexamination of the United States Practice

Kenji SHIMOYAMA, Professor, Japan Coast Guard Academy

PANEL 2: RELATIONSHIP BETWEEN STATE RIGHTS AND INDIVIDUAL RIGHTS

Chair: Shuichi FURUYA, Professor, Waseda University

1. The Power of States to Dispose of Private Claims
——Theoretical Issues of War Reparation

Kentaro WANI, Associate Professor, Osaka University

2. Diplomatic Protection and the Position of the Individual

Tomoyuki YUYAMA, Professor, Ritsumeikan University

3. Flexibility of Norms in International Labour Law
——The Situatedness of States and Individuals in International Economic Relations

Satoshi KODERA, Professor, Seinan Gakuin University

4. “Targeted Sanctions” Against Serious Abuses of Human Rights with Special Reference to Discussions on International Constitutionalism

Hideaki SHINODA, Professor, Tokyo University of Foreign Studies

PANEL 3: BORDERLESS PHENOMENA IN DISPUTE RESOLUTION
——**ROLE OF STATES IN ALTERNATIVE DISPUTE RESOLUTION**

Chair: Shunichiro NAKANO, Professor, Kobe University

1. Enforceability of Mediation Settlement Agreement
——Panacea or Anathema?

Aya YAMADA, Professor, Kyoto University

2. The Cooperation Between ADR and Litigation

Hisashi ONOGI, Associate Professor, Osaka University of Economics and Law

3. The Recognition and Enforcement of Settlement Agreement Resulting from International Mediation

Beligh ELBALTI, Associate Professor, Osaka University

4. Globalization of ADR in Japan

Haruo OKADA, Vice-President, Japan Association of Arbitrators

GENERAL MEETING OF THE MEMBERS

Tuesday, 7 September, 16:30-17:00 (JST) / 9:30-10:00 (CEST)

SESSION 3: *THE HONOURABLE SHIGERU ODA COMMEMORATIVE LECTURES*
CHANGES AND EVOLUTION IN LEGAL DOCTRINES BASED UPON STATE
SOVEREIGNTY^{*}**

Tuesday, 7 September, 17:30-20:30 (JST) / 10:30-13:30 (CEST)

Chair: Masahiko ASADA, Professor, Doshisha University

1. On Different *Res*: *Res Judicata*, *Res Praescripta*, *Res Interpretata*, *Res Deliberata*

Jean-Marc THOUVENIN, Professor, Université Paris-Nanterre
Secretary-General of The Hague Academy of International Law

2. Absolute Sovereign Immunity as *Lex Lata* and as *Lex Ferenda*

Tomonori MIZUSHIMA, Professor, Nagoya University

3. Still Being Dominated? The Ongoing Relevance of Self-determination Inside Sovereign States

Kazuyori ITO, Professor, The University of Tokyo

^{***} This session will be held in English.

SESSION 4: OPEN THEME SESSION 1

Wednesday, 8 September, 10:00-13:00 (JST) / 3:00-6:00 (CEST)

PART 1

Chair: Mariko KAWANO, Professor, Waseda University

Sovereign Debt Dispute Settlement and International Law

Kei NAKAJIMA, Associate Professor, The University of Tokyo

PART 2

Chair: Masahito OMORI, Emeritus Professor, Keio University

The Significance of Scientific Knowledge in the Development Process of International Law

Hitoshi NISHITANI, Associate Professor, Kindai University

PART 3

Chair: Atsushi ISHIDA, Professor, The University of Tokyo

After the Post-Cold War Era

—Are We Seeing the Remodernizing World?

Masayuki TADOKORO, Professor, Keio University

SESSION 5: OPEN THEME SESSION 2

Wednesday, 8 September, 14:30-17:30 (JST) / 7:30-10:30 (CEST)

PART 1

Chair: Kohki ABE, Professor, Meiji Gakuin University

1. The Right to Food Revisited

—In Light of the Discussion of Extraterritorial Obligations in the Area of Economic, Social and Cultural Rights

Jun MATSUKUMA, Professor, Tokyo University of Foreign Studies

2. Immigration Detention in the European Court of Human Rights

—Developments and Challenges

Yuko OSAKADA, Professor, Chukyo University

PART 2

Chair: Akira MAYAMA, Professor, Osaka University

1. International Law in the Field of Nuclear Security
——Consideration for the Use of Soft Law

Yasuhito FUKUI, Japan Atomic Energy Agency

2. “Humanization” of Law of Naval Warfare
——Development in Economic Warfare at Sea

Kengo YASUI, Assistant Professor, Doshisha University