ARTICLES

"CRIMINALIZATION" OF INTERNATIONAL LAW: IMPACTS OF INTERNATIONAL CRIMINAL JUSTICE ON OTHER FIELDS OF INTERNATIONAL LAW

The "Criminalization" of International Law: A Critical Overview
................................................................................ Shuichi Furuya 1

Immunity in the Era of "Criminalisation":
The African Union, the ICC, and International Law .............. Dite Tladi 17

International Human Rights Law and "Criminalization"
........................................................................ Michael O'Flaherty and Noelle Higgins 45

Human Rights in Fancy Dress? The Use of International Criminal Law by Human Rights Council Commissions of Inquiry in Pursuit of Accountability
........................................................................ Catherine Harwood 71

Criminalization of the Security Council ......................... Kyo Arai 101

........................................................................ Yutaka Arai-Takahashi 129

PARTY AUTONOMY IN CONTEMPORARY PRIVATE INTERNATIONAL LAW

Party Autonomy in Global Context:
The Political Economy of a Self-Constituting Regime
................................................................................ Horatia Muir Watt 175

Critical Analysis of Party Autonomy: From a Theoretical Perspective
................................................................................ Keisuke Takeshita 196

Party Autonomy in Dispute Resolution:
Implied Choices and Waiver in the Context of Jurisdiction
................................................................................ Mary Keyes 223
ICJ JUDGMENT ON WHALING IN THE ANTARCTIC: ITS SIGNIFICANCE AND IMPLICATIONS

The Whaling in the Antarctic Case from a Japanese Perspective .......................................................... Shigeki Sakamoto 247

The Legal Nature of Resolutions of Intergovernmental Organizations: The Contribution of the Whaling in the Antarctic Case ........................ Eris Fransker 275

ICRW as an Evolving Instrument: Potential Broader Implications of the Whaling Judgment ........................................... Akiba Shibata 298

NOTE

The Sui Generis Nature of Flag State Jurisdiction ........ Sondre Torp Helmersen 319

State Jurisdiction and Immunity of Warships in the ARA Libertad Case .............................................. Massimo Landi 336

JAPANESE DIGEST OF INTERNATIONAL LAW

Criminal Jurisdiction Under the Japan-US SOFA ................ Tonomori Mizusabima 356


Implementing International Norms to Fight Against Terrorism
— The 2014 Amendment of the Act on the Punishment of Financing of Offences of Public Intimidation —


CASES AND ISSUES IN JAPANESE PRIVATE INTERNATIONAL LAW

Law Applicable to Choice-of-Court Agreements ................ Koji Takabashi 384

BOOK REVIEWS

Yuka Fukunaga, Kobuzaizuketobi no Jitsuyou Kakuto to Fumagyori — WTO Fukugoryori to Tobusshinzuiseido no Igi to Genki [Securing Compliance with International Economic Agreements and Dispute Settlement: Achievements and Limits of the WTO Dispute Settlement System and the Investment Arbitration System], Tokyo: Yuhikaku, 2013. ................ Taro Hamada 397


JUDICIAL DECISIONS IN JAPAN ......................................................... 436

I. Public International Law

Tokyo High Court, Judgment, November 27, 2013 ........................................ 457
  Tax and Customs Invasion — Direct Applicability of WTO Agreement —
  Validity of Domestic Act Conflicting with International Treaty — Article 98(2) of
  the Constitution — Discretion of Legislative and Administrative Powers

Tokyo High Court, Judgment, December 18, 2013 ....................................... 440
  Conformity of the Act on Punishment of Piracy to the Constitution of Japan —
  Articles 100 and 105 of the UNCLOS and the Universal Jurisdiction — Exercise of
  Jurisdiction over the Pirates by a State Other Than theSeizing State — Surrender
  of the Accused and Alleged Infringement of Article 6(1) of the ICCPR — Normative
  Value of the View Taken by the Human Rights Committee

Osaka High Court, Judgment, July 8, 2014 .................................................. 450
  Hate Speech — Tort — Racial Discrimination — Articles 1(1), 2(1), and 6 of the
  International Convention on the Elimination of All Forms of Racial Discrimination

Tokyo District Court, Judgment, April 25, 2013 .......................................... 455
  Deportation — Violation of the Stimulants Control Act — Conditions to Grant
  Special Permission to Stay in Japan — Separation from Children — Article 10(1)
  ICESCR — Article 23(1) ICCPR — Article 9(1) CRC

II. Private International Law

Supreme Court (1st Petty Bench), Judgment, April 24, 2014 ......................... 463
  Action for Enforcement of Judgment — Recognition of Foreign Judgments —
  Indirect Jurisdiction Based on Place of Tort — Unauthorized Use of Trade Secrets

Osaka High Court, Judgment, February 20, 2014 ...................................... 466
  Exclusive Jurisdiction Clause — Formal Validity of Exclusive Jurisdiction Clause —
  Reasonableness of Exclusive Jurisdiction Clause — Public Policy Considerations

Tokyo District Court, Judgment, December 20, 2013 .................................. 470
  Damages for Copyright Infringement — Third-Party Standing — Law Applicable to
  Copyright Transfer

CHRONOLOGY OF JAPANESE FOREIGN AFFAIRS IN 2014 .......................... 474

CHRONOLOGICAL LIST OF TREATIES AND OTHER INTERNATIONAL
AGREEMENTS CONCLUDED BY JAPAN IN 2014 ....................................... 488

DOCUMENTS

I. National Legislation

  Act on Facilitation of Exhibition of Overseas Works of Art in Japan ............. 492

II. Other Documents

  1. The Three Principles on Transfer of Defense Equipment and Technology.. 494
  2. Amicus Curiae Brief of the Ministry of Economy, Trade and Industry
     of Japan Regarding the United States Extraterritorial Application of
     Competition Law .................................................................................. 498
  Correction ......................................................................................... 518

ACTIVITIES

I. Activities of the International Law Association of Japan ......................... 519

II. Activities of Related Academic Associations in Japan ......................... 528

  1. Kokusaiho Gakkai (Japanese Society of International Law, JSIL) ............ 528
  2. Kokusai Shihou Gakkai (Japanese Society of International Law) ........... 535
  3. Aikaiho Gakkai (Japanese Association of World Law) .......................... 538

III. Others

  International Symposium on the Law of the Sea hosted by the Ministry of
  Foreign Affairs of Japan ....................................................................... 540
INSTRUCTIONS FOR SUBMISSIONS TO THE JYIL ............................................. 551

TABLE OF CASES .................................................................................. 554

TABLE OF TREATIES AND OTHER INSTRUMENTS ................................ 560