

# The Japanese Yearbook of International Law (Vol. 61, 2018)

The forthcoming volume of the Japanese Yearbook of International Law (Vol. 61, 2018) will feature the following articles and case notes relating to private international law:

## Articles

### INTERNATIONAL DEVELOPMENT OF CONSUMER COLLECTIVE REDRESS

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*Kazuhiko Yamamoto*, Special Proceedings for the Collective Redress for Property Damage Incurred by Consumers – About So-Called “Japanese Class Action” – (169)

*Dai Yokomizo*, Consumer Collective Redress and Japanese Conflict of Laws (190)

*Stefaan Voet*, Europe’s Collective Redress Conundrum (205)

*Catherine Piché & Geneviève Saumier*, Consumer Collective Redress in Canada (231)

### PRIVATE INTERNATIONAL LAW

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### JUDICIAL DECISIONS IN JAPAN (369ss)

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*Hate Speech – The International Convention on the Elimination*

*of All Forms of Racial Discrimination – Relevance of the Convention in Interpreting Domestic Laws*

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*Eligibility for Refugee Status – Burden and Degree of Proof – Situation in Nepal – Article 1 of the Convention Relating to the Status of Refugees – Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status*

Nagoya High Court, Judgment, November 30, 2016

*Factors to be Taken into Consideration in Determination of Special Permission to Stay – Continuous De Facto Marriage and Family Life – Criminal Offence and Extenuating Circumstances*

Naha District Court (Okinawa Branch), Judgment, February 9, 2017

*State Immunity – Activities of Foreign Armed Forces Stationing in the Forum State with Its Consent – Tort Exception – Relationship Between the United Nations Convention on Jurisdictional Immunities of States and Customary Rules on State Immunity*

### **Private International Law**

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*Challenge to Arbitral Award – Arbitrator Conflict of Interest – Disclosure of Conflict of Interest*

Supreme Court (3rd Petty Bench), Judgment, 12 December 2017

*Japanese Anti-Monopoly Act – Extraterritorial Application – Price-Fixing Cartel*

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*International Child Abduction – Modification of the Order to Return*

Tokyo High Court, Judgment, November 25, 2015

*Enforcement of Judgment – Defamation – Reciprocity*

Tokyo District Court, Judgment, January 17, 2017

*International Adjudicatory Jurisdiction over Consumer Contracts – Rescindment of Contracts by Fraud – Overriding Mandatory Provision*

Tokyo High Court, Judgment, October 25, 2017

*Exclusive Jurisdiction Clauses Commercial Contracts – Public Policy – Civil Remedy– International Private Law – Limitation of Party Autonomy by Mandatory Rules – Abuse of Superior Bargaining Position – Article 24 of the Antimonopoly Act – Article 709 of the Civil Code*

More information on the Yearbook (former Annual) and the content of its past volumes is available at <http://www.ilajapan.org/jyil/>.