

COURSE DESCRIPTIONS
Spring 2024

Term	Spring Quarter 2024
Course	Elective for <i>YLP, LL.M., JDS, JLTT, BiP</i>
Subject Name	Transnational Law and Policy (C) (A.L.)
Course Title	Introduction to EU Law
Credit	1
Lecturer	Mark Fenwick

Outline

This course will introduce students to some basic features of the law of the European Union, focusing in particular on international trade law and the legal and economic challenges associated with the creation of a single market within the EU. The course will seek to identify the distinctive features of the European Union, as well as asking what lessons the European experience offers for regional integration in other parts of the world, particularly in the context of ASEAN and SE Asia.

By the end of the first part of the course, students will have a solid grasp of some of the basic features of the EU institutional framework and various fundamental principles of EU Law.

The course will examine in some detail EU law as it pertains to the creation of a single market. In particular, the chain of decisions of the European Court of Justice related to the free movement of goods will be examined, as they highlight the complexities associated with removing barriers to trade, as well as the innovative approach that has been adopted in an EU context.

No textbook will be used for this course.

Please note the course name is different in MOODLE (Transnational Law and Policy (C)) and please refer to the 2024 version of the page (earlier versions may remain online).

Exchange students are welcome, although any student from an EU member state needs to offer some justification for taking this course.

Course Structure

The following topics will be covered in the seven sessions:

1. Course Overview
2. The Doctrines of Direct Effect and Supremacy
3. Free Movement of Goods I
4. Free Movement of Goods II
5. Free Movement of Capital
6. The Single Currency and Euro Crisis
7. Exam Preparation

Assessment

Students will be assessed according to the following criteria:

Class participation (20%) + a "24 hours take home" examination (80%).

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Spring Quarter 2024
Course	YLP/LL.M./JDS/JLTT/BiP
Subject Name	Law and Society (B) (A.L.)
Course Title	Mediation and Other Conflict Management Approaches
Credit	2
Lecturer	Hideaki Irie

Course Overview

This course will introduce students to the discussion on modern conflict management theories as well as practical skills of mediation. Mediation is considered to be the prototype method of modern conflict management systems to empower the parties to get satisfactory and sustainable solutions.

All students will be divided into groups which make the presentations on mediation skills and Alternative Dispute Resolution (ADR) literatures. Students will also have opportunities to play mock mediation scenarios.

Course Schedule

Will be distributed in the first class.

Course Material

1. The assigned textbook for mediation skills is following:
Beer, Jennifer E. & Packard, Caroline (2012) The Mediator's Handbook, 4th, New Society Publishers.
2. The other materials will be distributed in the first class.

Assessment

Will be made based on the followings:

1. Group Presentation: Participants will be divided into groups. Each of the groups will make a presentation on a topic. Peer evaluation will be taken. The detail information will be provided in the first class.
2. Take-home-exam: Two take-home-exams will be assigned.
3. Class participation

English Proficiency

*Please note that for non-LL.M./YLP/BiP/JDS/JLTT students, this class is for everyone who can command daily English, i.e. who can somehow express their thoughts in English.

Term	Spring Quarter 2024
Course	Elective for <i>YLP, LL.M., JDS, JLTT, BiP</i>
Subject Name	Law and Society (C) (A.L.)
Course Title	Introduction to Japanese Law, Historical Perspective (in Japanese)
Credit	1
Lecturer	Mariko IGIMI

Outline
<p>Japan has experienced a peculiarly rapid and successful transition of legal systems in Meiji Era. What was the historical background behind the success? What are the problems left until today? We will briefly look into Japanese Constitutional Law, Criminal Law, as well as Civil Law from the perspective of three receptions that Japan experienced in its history.</p> <p>THIS COURSE WILL BE HELD IN <u>JAPANESE</u></p> <p><Aims></p> <ul style="list-style-type: none"> • to know historical backgrounds of Japanese legal system • to have an acquaintance of an example of legal transition • to be able to analyze contemporary legal issues in Japan
Course Structure
<p>The content of this course will be the same as “Introduction to Japanese Law, Historical Perspective I” but lectured in Japanese.</p> <p>All class materials will be distributed via Moodle (the online course system of the university).</p>
Assessment
<p>To be announced.</p>

Linguistic Proficiency

*Please note that for LL.M./YLP/JDS/JLTT students, this class is for everyone who can command daily Japanese, i.e. who can somehow express their thoughts in Japanese

Term	Spring Quarter 2024
Course	Elective for <i>YLP, LL.M., JDS, JLTT & BiP</i>
Subject Name	Law and Contemporary Problem (A) (A.L.)
Course Title	Risk Management and the Law
Credit	2
Lecturer	Van Uytsel
Office	
e-mail	uytsel@law.kyushu-u.ac.jp

Outline

Europe is preparing the first comprehensive act to regulate artificial intelligence (AI), the Artificial Intelligence or AI Act. This act classifies AI into four categories and this based on the risks attached:

- Artificial intelligence with an unacceptable risk
- Artificial intelligence with a high risk
- Artificial intelligence with a limited risk
- Artificial intelligence with a minimal or low risk

Each of these categories are subject to different regulations. Of all these categories, the high risk category is probably regulated in the most peculiar way. Rather than setting up a regulatory framework with dos and don'ts, the European legislator has opted for risk management governance. Hence, for each high risk AI system a risk management plan has to be created.

This course will introduce the AI Act and the main principles of risk management. The students will then be guided to choose a high risk AI system for which they need to develop a risk management plan. This plan will have to be orally presented.

Depending on the number of students enrolling in the course, students may be divided into teams.

Course Structure

The course will be split into two main parts. The first part will introduce the main principles of the AI Act and risk management. The second part will be presentations of risk management plans. In order to provide time to the students to prepare the risk management plans, the first part of the course will be thought in the second (winter) quarter and the second part will be conducted in the third (spring) quarter.

Assessment

Assessment will be based on the following criteria:

- 1) Class attendance
- 2) A written risk management plan
- 3) Oral presentation of the risk management plan

Term	2024 Spring Quarter
Course	Elective for YLP, LL.M., JDS, JLTT, BiP
Subject Name	International Tax Law
Course Title	International Tax Law: Theory and Practice
Credit	2
Lecturer	Xiaorong Li

Outline

With the economic integration of world economies, how income arising from cross-border transactions should be taxed has become increasingly important. In recent years, the international society has been trying to fix “loopholes” in international tax legislation. Stakeholders have been debating heatedly on how to ensure that highly digitalised companies like GAFA (Google, Apple, Facebook and Amazon) pay a “fair amount of tax”.

This course will discuss the international tax legal system from a developmental perspective. During this course, participants can expect a structural study on the key aspects of international tax law, and the basic strategies in the international tax legal practice.

At the end of this course, participants are expected to be able to:

- Comprehend the principles and basic rules of the current international tax legal system and how they came about,
- Understand the recent developments of international tax law (in particular, taxing the digitalised economy),
- Know about the main strategies of international tax planning, and
- Solve cases by applying tax treaties.

The course will start with an introduction on the common features of domestic corporate tax law systems for those who have little exposure to the tax law of any jurisdiction.

Course Structure

The structure of the course is as follows:

1. Introduction
2. Jurisdiction to tax and double taxation
3. Relief of double taxation
4. Tax treaties
5. Transfer pricing
6. International tax dispute resolution
7. Addressing base erosion and profit shifting
8. Taxing the digitalised economy
9. International tax planning strategies

To foster better understanding, each section will be attached with reading materials on the relevant topics. Reading materials will be classified into “requested” and “recommended”. Participants are expected to read the ones labeled as “requested” before each lecture.

Reading materials and other reference materials will be distributed before the start of the course, and will mainly come from the following sources:

- Brian J Arnold, *International Tax Primer*, Fifth Edition (Kluwer Law International, 2023).
- Reuven S Avi-Yonah, *International Tax as International Law: An Analysis of the International Tax Regime* (Cambridge University Press, 2007).
- Jérôme Monsenego, *Introduction to Transfer Pricing*, Second Edition (Kluwer Law International, 2022).
- Michael Kobetsky, *International Taxation of Permanent Establishments: Principles and Policy* (Cambridge University Press, 2011).

- Victor Thuronyi, Kim Brooks, Borbala Kolozs, *Comparative Tax Law*, Second Edition (Kluwer Law International, 2022).
- OECD, Model Tax Convention on Income and on Capital: Condensed Version 2017 (<https://www.oecd.org/ctp/treaties/model-tax-convention-on-income-and-on-capital-condensed-version-20745419.htm>)
- OECD, Base Erosion and Profit Shifting Project (<https://www.oecd.org/tax/beps/>).
- PwC, Worldwide Tax Summaries Online (<https://taxsummaries.pwc.com/>).

The course will be conducted in the form of lectures, combined with seminars. As a part of the seminars, each participant is expected to give a short presentation (of no more than 15 minutes) once during the course, followed by intensive discussions in class. Topics will be chosen after the first lecture. Reference materials will be provided for each topic, but presenters do not need to summarize the reference materials. Your own thoughts (in particular, perspectives from your home countries) are highly welcome.

A full syllabus consisting of course structure, topics for seminars (along with reference materials), reading materials and other reference materials will be made available before the start of the course.

Assessment

Assessment will be based on the following:

- Class participation (presentations and discussions): 50%
- A 24-hour take home examination (case analysis): 50%

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Spring Quarter 2024
Course	Elective for YLP, LL.M., JDS, JLTT, BiP
Subject Name	Transnational Public Law (D) (A.L.)
Course Title	International Labor Law
Credit	1
Lecturer	Shinichi Ago

Outline

International labour law is international economic law in disguise. Sound industrial relations, hence higher productivity, can only be achieved if labour law is well understood and properly applied in practice. With a view to casting light on the social aspect of development, which is the other side of the coin of the economic development in general, a brief description of international labour standard-setting and its supervision is offered.

The “hard” labour law, while it still continues to be the center of the labour law regime, a “soft” means to achieve same goals is increasingly gaining importance over the past decades. Notions, such as CSR (corporate social responsibility) and Business and Human Rights will be explored and their significance highlighted in the light of SDGs and other international endeavours to achieve social justice.

Course Structure

1. Concept of international labour law - Background of the ILO
2. Standard-setting at the ILO, including obligations emanating from the adoption of international labour standards.
3. Supervision of the implementation of ILO standards (Regular and Special). Freedom of Association Procedure (a very special one)
4. Salient features of ILO Standards - Freedom of association, Forced Labour, Discrimination, Abolition of Child Labour, Occupational Safety and Health, and other Conventions - Governance, Special categories of workers, Specific sectors
5. Tripartite Declaration on Multinational Enterprises and other codes of conduct – Neither Conventions nor Recommendations, but still significantly influencing behaviour of social partners.
6. Social Clause - a cross road of trade and labour (a disguised international economic law)
7. Labour-related CSR (Corporate Social Responsibility) - Emerging soft law, "Business and Human Rights" discourse and its implication to the ILO standards.

There are no textbooks, as such, but students are advised to download the "Rules of the Game" from the ILO's website:

https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_672549.pdf

As this is too voluminous for printing, it is recommended to store it in each student's PC or smartphone and bring it to the class room for occasional reference. The Constitution, on the other hand, is not long, about 15 pages

https://www.ilo.org/dyn/normlex/en/f?p=1000:62:3068341389579::NO:62:P62_LIST_ENTRIE_ID:2453907:NO It is, therefore, strongly recommended to print it and have it always with you when you come to the class room.

Assessment

Students will be assessed according to the following criteria: Class participation (20%) + a “24 hours take home” examination (80%).

Every day, from the second day onwards, a brief Q&A session will be provided before the lecturing starts. Students are encouraged to ask questions from the topics dealt with in previous classes. Certain parts of the textbook may be asked every day to be read for the next day's class. The first 25 pages of the "Rules of the Game" must be read before coming to the classroom on the first day of the class.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Spring Quarter 2024
Course	Compulsory for YLP/LL.M./JDS/JLTT/BiP LL.D. 1st year (Compulsory)
Subject Name	Legal Research Methodology & Writing (C)(A.L.)
Course Title	Legal Research Methodology and Writing II
Credit	1
Lecturer	Steven Van Uytsel
e-mail	uytsel@law.kyushu-u.ac.jp

Outline
<p>This course will seek to familiarize the students with the technical aspects of writing a thesis. The main aspects covered in this course will be citation (footnotes, bibliography, avoidance of plagiarism), legal reasoning (argumentation techniques), and editing (introduction, chapter structuring, paragraphs, headings, conclusion).</p> <p>Students with experience of writing a thesis can apply for a waiver. Consult the lecturer prior to the start of the course.</p>

Course Structure
Lectures with Q&A on citation.

Assessment
Assignments re: bibliography

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Summer Quarter 2024
Course	Elective for YLP, LL.M., JDS, JLT & BiP
Subject Name	Corporate and Business Law (A) (A.L.)
Course Title	Comparative Corporate Law
Credit	2
Lecturer	Minoru Tokumoto

Outline
<p>This course aims to explore some important topics in the field of corporate law by making a comparison between the Japanese corporate law and the foreign regimes of corporate law in the world.</p> <p>This course will start with an introduction to Japanese corporate law for those who have had little exposure to it.</p> <p>Then, it will deal with several important topics as shown below.</p>
Course Structure
<p>Each student is expected to give an oral presentation at least once during the course.</p> <p>Part I “Introduction to Japanese corporate law: Basic framework of Japanese corporate law”</p> <ol style="list-style-type: none"> 1. Introduction. 2. What are corporations? 3. Types of corporations. 4. Shareholder and stakeholders of corporation. 5. Management and supervision. 6. Corporate takeovers and M&A. 7. Corporate governance. 8. Today’s other main issues in Japanese corporate law, etc. <p>Part II “Looking at corporate law from a comparative perspective”</p> <p>Foreign frameworks including students’ countries.</p>
Assessment
<p>(1) General class participation including a presentation: 50%</p> <p>(2) Report: 50%</p>

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Summer Quarter 2024
Course	Elective for YLP, LL.M., JDS, JLTT & BiP
Subject Name	Law and Governance (C) (A.L.)
Course Title	Platforms and the Law
Credit	1
Lecturer	Tomoumi NISHIMURA

Outline

In this class, we would like to examine legal issues related to platforms from an interdisciplinary approach.

In today's society, platforms play important roles. Especially global platforms such as Google, Amazon, Facebook, and Apple play very crucial roles as well as raise legal concerns such as competition and privacy. Recently many countries including the United States, European countries, and Japan try to introduce some kinds of regulations on platforms.

This class considers legal issues of platforms with a particular focus on information law issues of platforms, studying regulations, cases, and discussions of platforms in the United States, European countries, and Japan.

First of all, we introduce you to the field of platforms and the law, referring to the tentative definition of "platform", leading cases of the field, and topics of this class.

Next, we will study two topics surrounding platforms. One is information law issues of platforms, focusing on the free flow of information and its limitation through platforms as well as privacy and data protection of users of platforms. And the other is technological background of platforms, such as big data technologies, machine learning, cloud computing, etc.

To this end, students will be asked to make a presentation, referring to the related materials (please see below "Tentative Reading Materials").

This course is open for the European Union Studies Diploma Programmes (EU-DPs).

See more details here; <http://eu.kyushu-u.ac.jp/>

Course Structure

Participants in this class are required to read the materials beforehand, and actively participate in discussion in the class.

Tentative Reading Materials:

1. OECD, An Introduction to Online Platforms and Their Role in the Digital Transformation(2019), available at <https://www.oecd.org/publications/an-introduction-to-online-platforms-and-their-role-in-the-digital-transformation-53e5f593-en.htm>
2. Stigler Center Committee on Digital Platforms, "Final Report," available at <https://research.chicagobooth.edu/stigler/events/single-events/antitrust-competition-conference/digital-platforms-committee>
3. Ministry of Economy, Trade and Industry, GOVERNANCE INNOVATION Ver. 2: A Guide to Designing and Implementing Agile Governance, available at https://www.meti.go.jp/english/press/2021/0730_001.html
4. Big Data & Cloud Computing | IEEE Computer Society
<https://www.computer.org/publications/tech-news/trends/big-data-and-cloud-computing>
5. Chaowei Yang, Big Data and cloud computing: innovation opportunities and challenges, International Journal of Digital Earth 10(1), 2017.
<https://www.tandfonline.com/doi/full/10.1080/17538947.2016.1239771>

Assessment
Assessments will be based on the class participation (including presentation and discussion) and end-of-term report.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Summer Quarter 2024
Course	Elective for <i>YLP, LL.M., JDS, JLT & BiP</i>
Subject Name	Intellectual Property and Innovation (C) (A.L.)
Course Title	Creative Economy and Cultural Diversity
Credit	1
Lecturer	Prof. Ryu KOJIMA

Outline
<p>In this class, we would like to explore various issues related to “creative economy” (or “creative industries”) and “cultural diversity” from a normative point of view.</p> <p>In order to achieve diversification of cultural expressions in the society (hereinafter, “cultural diversity”), “creative economy” (or “creative industries”) plays very crucial role. According to the definition of DCMS (UK Government Department for Culture, Media and Sports), “creative industries” includes various creative sectors such as Advertising, Architecture, Arts and antique markets, Crafts, Design, Designer Fashion, Film, video and photography, Software, computer games and electronic publishing, Music and the visual and performing arts, Publishing, Television, and Radio. Without economic empowerment, sustainable development could not be possible in all developed/developing economies.</p> <p>At the same time, various other issues are closely related to the concept of “cultural diversity”, including language, education, religion, good governance, cultural diplomacy, etc. It would be meaningful to analyze how these concepts are related with economic aspect of culture. In other words, we would like to identify to what extent economic/industrial measures in cultural policy could function (or could not function) in pursuing cultural diversity.</p> <p>In this class, we would like to examine various challenging issues related to “creative economy”, “creative industries” and “cultural diversity”, adopting an interdisciplinary approach.</p>
Course Structure
<p><u>The following reading material may be subject to change.</u></p> <p><u>Reading Materials:</u></p> <p>OECD (2022), The Culture Fix: Creative People, Places and Industries, Local Economic and Employment Development (LEED), OECD Publishing, Paris, https://doi.org/10.1787/991bb520-en</p> <p>Table of Contents: Preface by the OECD Foreword Acknowledgements Executive summary Report in brief 1 Defining and measuring cultural and creative sectors 2 Cultural participation as a driver of social and economic impact Regional perspectives: 4 case studies 3 Cultural and creative jobs and skills: who, what, where, and why it matters Sectoral perspectives: Music and museums 4 Entrepreneurship and business development in cultural and creative sectors Regional perspectives: CCS as drivers of regional and local development 5 Public and private funding for cultural and creative sectors Regional Perspectives: Using culture and creativity to transform places Annex A. Sectors included in employment and business statistics by country Annex B. Glossary of terms</p>

Assessment

Assessment is based on the following **three** elements.

(1) Submission of the memo (30%)

Participants are expected to submit a short memo ***before the class*** (**the deadline is 7:00PM Monday evening**). **You do NOT need to submit a memo for the first class.** After reading the assigned part, please briefly present **a legal issue/legal issues and a solution/solutions to such an issue/issues**.

(2) Class Participation (20%)

(3) Final presentation (50%)

Participants are expected to make a presentation at the end of the class (hopefully a group presentation). The presentation should be **a short pitch** (maximum 5-10 minutes).

(Question)

As officials of City A, you are responsible for policy-making in the field of “Creative Industries” within your city.

One day, you received an order from your boss to create a proposal for improving City A’s “Creative Industries” and present it to your local residents. City A may implement excellent proposals as actual policies.

During your presentation, please address the following elements:

(1) You should specify which city you are working for as officials.

(2) Select one specific issue within the “Creative Industries” of [City Name].

(3) Your presentation should be a short pitch, lasting a maximum of 5-10 minutes. You are also allowed to distribute supplemental materials.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Summer Quarter 2024
Course	Elective for YLP, LL.M., JDS, JLTT & BiP
Subject Name	Transnational Civil Litigation (C) (A.L.)
Course Title	Implementation and Operation of the Hague Conventions
Credit	1
Lecturer	Ren Yatsunami and Peter Lee

Outline
<p>The course aims to introduce students to (i) some of the core Hague conventions on private international law (hereinafter, "HCCH Conventions") and (ii) the development of law and practice of various jurisdictions towards the implementation or/and operation of the HCCH Conventions. The students are expected to understand the significance of cross-border cooperation for legal harmonization in civil or commercial matters through some of the key HCCH Conventions on civil procedures and other particular subject matters. This process involves examining the legal environment surrounding those subject matters to assess possible barriers and opportunities in the adoption or/and implementation of the HCCH Conventions in various jurisdictions. For this reason, students' participation will be the key contribution to dynamic, enriching discussions. In the latter part of the course, each participant will be given an opportunity to introduce the legal landscape of its jurisdiction in relation to the subject matter or/and HCCH Convention. This is expected to help other participants understand the current situations or problems each jurisdiction has been facing in adopting or implementing the relevant HCCH Conventions, which will provide insights into the trend and importance of building international legal harmonization.</p> <p>This course takes full advantage of network and diversity. The course will be open to both LL.M. and LL.D. students to create another level of international forum by facilitating the discussion about HCCH Conventions and their implementation status. Lecturers are planning to invite experts from the HCCH, which has maintained its steady, cooperative relationship with Kyushu University, to some seminars for short lectures and quality discussions about the HCCH Conventions. Lecturers also intend to involve LL.M. graduates having practical experiences in relation to the relevant HCCH Conventions or subject matters covered by this course, which will be valuable input of the course.</p>
Course Structure
<p>In the first part of this course, participants are expected to take introductory lectures on recent implementation and operation of some of the core HCCH Conventions. In the latter part of this course, based on preparatory research on the adoption and implementation of the HCCH Conventions of their choice, the participants are expected to run a series of seminars with following, intensive discussion with other participants after each presentation.</p>
Assessment
<p>Assessment will be based on;</p> <ol style="list-style-type: none"> 1) Class Participation (in-class discussion) and 2) Seminar Participation (presentation and discussion) <p>The seminar/presentation will be scheduled after the class registration and the discussion with participants in the first class.</p>

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Summer Quarter 2024
Course	Elective for YLP, LL.M., JDS, BiP JLTT
Subject Name	Law & Technology (C) (A.L.)
Course Title	Bioethics & the Law
Credit	1
Lecturer	Mark Fenwick

Outline

Medical technology has developed rapidly in the early part of the 21st Century with significant advances in the provision of health care that has revolutionized the practice of medicine, as well as clinical research.

However, whereas previous technological advances occurred slowly enough to be accommodated into existing ethical views, the speed of recent technological advances means that modern medicine has created complex ethical questions that radically challenge accepted ways of thinking. Basic concepts such as “life”, “death”, “man/woman” & “mother/father” have been problematized and new definitions and distinctions constructed and debated. Scientists, physicians, theologians, & philosophers have become involved in debates on the ethical dilemmas raised by new technologies in medicine.

The recent pandemic has merely added an extra layer of complexity to these discussions.

Moreover, new technologies have challenged existing laws and raised new legal questions that were previously unimaginable or unlikely ever to come before courts. And yet, although there is an obvious need for a regulatory response to recent scientific developments, it is increasingly difficult in pluralistic societies for policy makers to formulate a morally justifiable legal regime that accommodates the diverse range of moral perspectives found within civil society.

This course aims to provide students with the analytic resources to negotiate this complex field by examining some key debates in the field of medical law, as well as exploring the associated moral and philosophical debate that surrounds recent advances in medical knowledge and technology.

Class Format

All class materials (PPT slides and readings) will be distributed via MOODLE.

On MOODLE, the course is called: **Law & Technology (C) (A.L.)**

The first class will provide a general introduction and overview, so please attend to see if you are interested in the content.

Exchange students are welcome to take this course.

Course Structure

Bioethics is a broad inter-disciplinary field that engages with many topics that raise interesting & important legal issues. The approach of this course will be to focus selectively on various contemporary & controversial issues in medical law that raise fundamental issues of life, death & human rights. The following is an indicative list of topics to be discussed:

- The beginning of life & IVF
- Transsexual identities and the law
- Transplants, post-human cyborg identities & law

- The changing meaning of death
- Sensors, the wellness industry, & personal data
- Biometric control & the future of the law

A final list of topics will be confirmed in the orientation class. In addition, there will be an exam preparation class in the final week of the semester.

Assessment

Students will be assessed according to the following criteria:

Class attendance / participation (30%) + 24 hours take home examination (70%).

Further details on assessment will be provided in the orientation class.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Summer Quarter 2024
Course	YLP/LL.M./JDS/JLTT/BiP
Subject Name	Legal Research Methodology & Writing (C)(A.L.)
Course Title	Legal Research Methodology and Writing III
Credit	1
Lecturer	Steven Van Uytsel
e-mail	uytsel@law.kyushu-u.ac.jp

Outline

This course focuses on plagiarism. Plagiarism exists when students copy text, data, figures, ideas of other people without giving appropriate reference. Whether the taking of text, data, etc. is inadvertent is not important for constituting a plagiarism infringement.

In order to prevent students from submitting a thesis that contains sections or sentences that are plagiarized, a final draft of the thesis is submitted to iThenticate. iThenticate is a software that detects plagiarism. The submitted drafts will be checked and plagiarism will be identified.

Student's whose draft contains plagiarism will be contacted. Students will receive guidance on how to rectify the plagiarized parts either in class form, in an individual guidance session, or through email.

Course Structure

The course will be conducted in class form, individual sessions, or e-learning.

Assessment

iThenticate check of thesis draft

Term	Year-Length, 2023 Fall & 2024 Spring
Course	Only for Risk Society LL.M. (Compulsory)
Subject Name	Legal Research Methodology & Writing (C) (A.L.)(Fall Semester) Legal Research Methodology & Writing (D) (A.L.)(Spring Semester)
Course Title	Research Workshop on Risk Society & the Law
Credit	2 (Fall Semester 1 + Spring Semester 1)
Lecturer	Mark Fenwick & Steven Van Uytsel

Outline

In December 2021, Kyushu University's LL.M. and LL.D. programs were selected as recipients of Japanese government scholarships. Seven scholarships are now available each year for the LL.M program and one scholarship per year for the LL.D.

The theme of the accepted proposal to the Japanese government was law in a "risk society." A risk society is characterized by fast-paced technological innovation, social disruption, and normative uncertainty.

This class – the Research Workshop on Risk Society & the Law – is one of the required courses offered within the framework of this program. The class is designed to help students in their thesis preparation.

Please note that the credit for this class cannot be counted towards the 20 coursework credits necessary for graduation.

This class is conceptualized as part of the 10 thesis credits.

Please take care when calculating your coursework credits.

Course Structure

This course is split into four parts spread over the academic year. Completion of all parts is necessary to receive the 2 credits:

1. Please attend **the first four sessions of the Legal Research Methodology & Writing I** taught by Prof. Van Uytsel in Fall Quarter. These sessions will help students in project design and the preparation of a thesis proposal.
2. An additional 3-4 sessions will be organized in Winter Quarter taught by Prof. Fenwick. **The exact schedule will be confirmed at a later date.** At these sessions, students are expected to make a 20-minute presentation of their thesis plan.
3. In the Spring semester, students should attend the first four sessions of **Legal Research Methodology & Writing II** taught by Prof. Van Uytsel in the Spring Quarter (i.e. the first half of the Spring Semester 2024).
4. **Legal Research Methodology & Writing III** offered in the Summer Quarter (i.e., the second half of the Spring Semester 2024). This course comprises the anti-plagiarism check and is a requirement for the submission of the thesis.
5. An additional 3-4 sessions will be organized in the Summer Quarter by Prof. Fenwick. **The exact schedule will be confirmed at a later date.** At these sessions, students are expected to make a 10-minute presentation of their thesis and hold a Q&A session as a rehearsal of the final presentation.

Assessment
Students will be graded based on their in-class performance, thesis proposal and in-class presentation of their thesis plan.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Semester-Length, 2024 Spring
Course	Elective for YLP, LL.M., JDS, JLT & BiP
Subject Name	Law and Development (A) (A.L.)
Course Title	Borders and Development in Asia
Credit	2
Lecturer	Edward Boyle

Outline
<p>[COURSE GOALS] To introduce the complexity of contemporary border spaces and their value for thinking about the politics of security, development and international relations in an Asian age.</p> <p>[AIMS] This course shall introduce border studies in an Asian context. It shall help explain why borders have retained their significance in a globalized world, and the utility of analyzing them from an interdisciplinary perspective. This course will provide a range of perspectives on the development and role of borders in contemporary Asia.</p> <p>[OBJECTIVES] This course shall:</p> <ol style="list-style-type: none"> (1) offer a theoretical background to the development of border studies as a distinct interdisciplinary field of study; (2) introduce a range of empirical examples of border phenomenon from across Asia; and (3) provide a series of analytical lenses with which to further your own research.
Course Structure
<p>Further details, and a reading list, will be given in the first session on Monday 1st April. It is expected that students intending to take the course will attend this first session.</p> <p>[RECOMMENDED READING]</p> <ul style="list-style-type: none"> • Alexander Diener & Joshua Hagen (2012) <i>Borders: a very short introduction</i>, New York: Oxford University Press (e-book available: Kyushu University Library website). • Akihiro Iwashita (2016) <i>Japan's Border Issues: Pitfalls and Prospects</i>, Abingdon, Oxon: Routledge.
Assessment
<p>Class Attendance: 30%</p> <p>Participation: 30%</p> <p>Presentations: 40%</p> <p>Everyone is expected to come to each class having read the compulsory reading, as well as any additional readings they have been assigned. Many of the classes involve presentations and group discussions; some presentations will be collaborative, which will require you to coordinate your responsibilities outside of class.</p> <p>One compulsory research essay that should demonstrate an engagement with the theoretical and practical content of this course. The essay is not required to be on Asia.</p>

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Semester-Length, 2024 Spring
Course	JDS 1 st and 2 nd year (Compulsory)
Subject Name	Law and Development (C) (A.L.)
Course Title	JDS Forum
Credit	2
Lecturer	Steven Van Uytsel & Shinichi Ago

Outline

The course is compromised out of two parts.

The first part of the course is “International Labor Law” taught by Prof. Ago (see course description ‘International Labor Law’).

The second part of the course relates to the thesis research progress of the JDS students. This part is divided into two parts:

- 1) The first year students will present how they have developed the concept of their thesis. This can be done by presenting either the provisional thesis outline, a written part of the thesis or a combination of both
- 2) The second year students will be guided towards the submission of their thesis. This will include a check of the content, the footnotes and the bibliography of the thesis. Students are supposed to present the final thesis. After exercise, the second year students will submit the thesis to iThenticate and native check.

Course Structure

First part: see course description ‘International Labor Law’.

Second part: interactive classes whereby students present and respond to questions.

Assessment

First part: see course description ‘International Labor Law’.

Second part: presentations and class participation.

For the final grade, an average will be taken of the combined grades of the first and second part.

Term	Semester-Length, 2024 Spring
Course	YLP/LL.M./JDS/JLTT/BiP
Subject Name	Business Law (A) (A.L.)
Course Title	Creative Thinking
Credit	2
Lecturer	Van Uytsel, Vargas

Outline

This course will introduce computer language to lawyers. The course will be organized together with the Faculty of Engineering.

If possible, the lectures in the engineering faculty will be supplemented by courses explaining how to structure law in code language.

Course Structure

The course will cover:

- 1) Foundations of programming
- 2) Data structures, Loop and Conditionals
- 3) Object oriented programming
- 4) Libraries, files, command line, argv
- 5) Optimization + code, time, profiling, how to present
- 6) Presentation
- 7) Network, multi-process, bash, threads
- 8) App development, learn to search
- 9) (Un)supervised, black box view of AI
- 10) Agile, scrum, mythical man-month
- 11) Presentation

Assessment

Class attendance and presentations

No prior knowledge of coding is required.

Classes will be held at the Engineering Building

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Semester-Length
Course	LL.D. 1st & 2nd year (Compulsory)
Subject Name	Legal Research Training (A)
Course Title	Legal Research Training
Credit	2
Lecturer	Steven Van Uytsel
Office	
e-mail	uytsel@law.kyushu-u.ac.jp

Outline

This course seeks to train students in different skills necessary for successfully completing an LL.D. course: legal academic writing, critical reading, public presenting and acquiring broader theoretical knowledge.

The course will critically assess the written progress of each LL.D. student's research. For this purpose, the students are required to submit a chapter during the semester which will be analyzed on different aspects, such as the logical development of the argument, the chapter structure within the whole thesis, paragraph structure, or footnoting. The other students will be involved as respondents.

For acquiring broader theoretical knowledge, the students will be given texts on broader theoretical perspectives within their respective field of research. These texts have to be presented and will be followed by a discussion on the topic itself.

Another aim of the course is to prepare the students for the Comprehensive Research Seminars. The preparation will be orientated mainly towards presentation techniques and PowerPoint issues. The thesis content may be addressed as well.

This course is compulsory for the first and second year LL.D. students and recommended for the third year LL.D. students. Besides, the first year LL.D. students are required to attend the Legal Writing and Research Methodology course.

Course Structure

The course will be taught every two weeks over two semesters. Each semester will be divided into three parts:

1) **A critical assessment of a thesis chapter:** Students will be asked to submit a chapter, which they have written in the previous semester. For each chapter, another student will be appointed as a respondent. The respondent has to critically read the chapter and comment on the different elements contributing to the logical structure of the chapter.

2) **Research related theoretical perspectives:** students will be divided into groups according major theoretical themes underlying their research. Texts will be chosen in function of these major themes. All students are required to read the text in order to contribute to the discussion after the presentation.

3) **CRS preparation:** These sessions will focus on presentation techniques, PowerPoint issues, and thesis content.

Assessment

Presentations and class participation

Term	Spring 2024 Intensive
Course	YLP/LL.M./JDS/JLTT/BiP (Compulsory for Risk Society LL.M.)
Subject Name	Introduction to Legal and Political Studies (D) (A.L.)
Course Title	Risk Society Camp
Credit	1
Lecturer	Vermeulen, Kojima

Outline

In today's digital age, cybersecurity is more important than ever before. Cyber threats such as hacking, phishing, malware, and ransomware are becoming increasingly common and sophisticated, posing a significant risk to organizations and individuals alike. Cyber-attacks can result in the theft of sensitive data, financial losses, damage to reputation, and even the disruption of critical infrastructure. With the rise of remote work and increased reliance on digital systems, cybersecurity has become a top priority for businesses and governments worldwide. It is essential that organizations take proactive measures to safeguard their systems, educate their employees about cyber threats, and stay up to date on the latest cybersecurity trends, regulations, and best practices.

The Cybersecurity Hackathon provides a unique opportunity for students to come together and address these pressing issues, making our digital world a safer place for all.

Course Structure

Students will work in groups in a hackathon-style setting. During the first class, students will be introduced to their corporate client and their cybersecurity problems.

"A hackathon is a competition where teams come together to collaborate, build, and propose innovations aimed at solving a particular problem. They usually work in small groups over a couple of days. Students will work in teams. The goal is to come up with a prototype, proposal, or solution at the end of the hackathon to present in front of a panel of judges."

Assessment

Students will be graded based on the final presentations of their solutions.

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Spring 2024 Intensive
Course	Elective for <i>YLP, LL.M., JDS, JLTT, BiP</i>
Subject Name	Transnational Law & Policy (D) (A.L.)
Course Title	Secured Transaction Law: International Standards and Domestic Reforms
Credit	1
Lecturer	Megumi Hara, Professor, Chuo University

Outline

This course focuses on one of the most essential devices that facilitate commercial credit, the security interests in goods and receivables. In recent years, many states have undertaken reforms in this field. The vast influence of soft law devices created by international organisations and the existence of a successful convention has emerged what we can refer to as modern principles of secured transactions. In this course, we will examine the content of the principles as well as how states are incentivized to adopt these principles (or the instruments that reflect these principles). We will also discuss the challenges the state faces in reforming the secured transaction law in their respective jurisdictions and the deviations from modern principles. Japan is a prime example for consideration as the government has taken on a project to reform its security interests against goods and receivables with consideration to modern principles but has (at least from a global perspective) a peculiar financial environment that may result in deviation from modern principles.

Course Structure

The topics covered in the course are the following:

1. Introduction to secured transaction law: Financing environment in Japan and ongoing reform project
2. International modern principles of secured transactions (Part 1): UNCITRAL Model Law on Secured Transactions/ UNIDROIT Factoring Model Law
We will focus on the content of Modern Principles on secured transactions and the process of reaching consensus in international organisations.
3. International modern principles of secured transaction (Part 2): The Cape Town Convention (CTC)
We will focus on the different nature of international instruments and the uniqueness of the CTC.
4. International standards for a modern secured transaction system and challenges to the Civil law tradition
5. Recent developments of secured transactions law: Creating security interests against digital assets (crypto assets, VCC)

Assessment

Students will be assessed according to the following criteria:

1. Class attendance/participation (40%)
Students will be asked to actively participate in the class, including analyses or a short presentation on modern principles compared to local reforms.
2. 24 hours take-home examination (60%).

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Spring 2024 Intensive
Course	Elective for <i>YLP, LL.M., JDS, JLT & BiP</i>
Subject Name	Law and Regulation (A) (A.L.)
Course Title	Big Tech and Competition Law
Credit	2
Lecturer	Simon VANDE WALLE

Outline

Big Tech and Competition Law

Google, Amazon, Meta, Apple and Microsoft play an important role in the digital economy and in our daily lives. Probably you are reading this text via a product or service offered by one of these companies. How convenient! But the rapid growth and enormous power of these companies has also raised concerns. Have these companies become digital monopolies that threaten competition? Have they abused their market power to exclude smaller competitors? Have they engaged in “killer acquisitions”?

This course will examine how competition law has dealt with these questions. No prior knowledge of competition law is required. The course will first cover the fundamentals of competition law (known in Japan and China as antimonopoly law, and in the United States as antitrust law). Next, we will discuss the various cases that have been brought against Big Tech. What has the impact of these cases been? Why are competition authorities criticized for "doing too little, too late"?

Course Structure

Since no prior knowledge of competition law is required, we will spend the first few classes exploring the core rules of competition law. Students will become familiar with concepts such as market power, dominance, market definition, cartels, horizontal agreements and various types of mergers.

Next, we will discuss the various cases that have been brought against Big Tech by competition authorities or private plaintiffs. Students will be asked to pick a specific case and make a presentation about it, which will then be discussed by the entire group. The focus of the class is on the EU, the United States and Japan, but cases in other jurisdictions can also be discussed.

Assessment

Class participation (60%) + take home exam (40%)

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Spring 2024 Intensive
Course	Elective for <i>YLP, LL.M., JDS, JLTT & BiP</i>
Subject Name	Transnational Public Law (C) (A.L.)
Course Title	International Criminal Law
Credit	1
Lecturer	Ozaki

Outline

This course deals with international criminal law (ICL) and its application in Japan, focusing on the specific features of the Japanese perspectives. The course starts with a brief description of the definition and characteristics of ICL. It then proceeds on to the two basic sets of rules of ICL, namely, criminal jurisdiction and international cooperation in criminal matters (extradition and mutual legal assistance). Specific international crimes will be discussed, such as drug offenses, transnational organized crime, money laundering, and terrorism, together with related Japanese legislation. The latter half of this course will be devoted to core crimes (genocide, crimes against humanity, war crimes and crime of aggression) and the responses of the international community to those crimes. This covers the history of international criminal tribunals including the Tokyo Tribunal. The International Criminal Court (ICC) and crimes under its jurisdiction will be considered along with the Japanese response.

Course Structure

1. Overview
- 2-3. Jurisdiction and international cooperation in criminal matters. Organized crime, terrorism and money laundering
- 4-6. Core crimes and the history of international criminal tribunals
7. Wrap-up

Assessment

Term Paper (50%), Attendance (30%), Class participation (20%)

Term	Intensive, 2024 Spring
Course	Elective for <i>YLP, LL.M., JDS, JLTT & BiP</i>
Subject Name	Law and Contemporary Problems (B) (A.L.)
Course Title	Introduction to EU Technology Law
Credit	2
Lecturer	Van Uytsel, Blockx

Outline
<p>This course provides an overview of how digital technologies have transformed the economy and how regulation has responded to this. The course starts with a brief introduction of the advent of digital technologies and of the impact they have had on the economy. It then covers key legislative initiatives (mainly by the European Union) to foster the use of these digital technologies by businesses but also to tackle disfunctions resulting therefrom. These include the overall legal framework for digital services, rules protecting consumers online, platform regulation, regulation of digital competitiveness, and an introduction to (upcoming) rules on smart contracts and artificial intelligence.</p>
Course Structure
<ol style="list-style-type: none"> 1) Introduction to EU Technology Law 2) The Digital Economy 3) Consumer Protection Rules 4) Platform Regulation 5) Antitrust Enforcement 6) Artificial Intelligence 7) Smart Contracts
Assessment
<p>Take home exam</p>

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Intensive, 2024 Spring
Course	YLP/LL.M./JDS/JLTT/BiP
Subject Name	Law and Contemporary Problems (D) (A.L.)
Course Title	Algorithms and the Law
Credit	1
Lecturer	Karni Chagal-Feferkorn

Outline

The deployment of Artificial Intelligence (“AI”) systems in multiple domains of society raises fundamental challenges and concerns, such as accountability, liability, fairness, transparency and privacy. The dynamic nature of AI systems requires a new set of skills informed by ethics, law, and policy to be applied throughout the life cycle of such systems: design, development and deployment.

The course will present the challenges associated with the responsible use of AI systems and the different approaches chosen by different jurisdictions in order to address them. It will consist of theoretical discussions, as well as hands on activities.

Course Structure

The course may touch upon the following topics:

The course will cover the following topics:

- Intro to AI
- Intro to Responsible AI
 - o What could go wrong?
 - o What values and principles need to be maintained
 - o Overview of current legislation / practices
- The Inherent Trade-offs of AI
 - o Hands on activity
- Fairness
- Transparency / Explainability
- Legal Liability
- Privacy

Assessment

Class participation and an exam (hands on activity).

English Proficiency

*Note that for students not currently enrolled on an international program, this course requires sufficient English proficiency equivalent to about 92 pts. (Internet-based) in TOEFL.

Term	Spring 2024 Intensive
Course	JDS/JLTT
Subject Name	Law and Development (D) (A.L.)
Course Title	JICA Internship
Credit	1
Lecturer	Van Uytsel
Office	
e-mail	

Outline

JICA offers the possibility to do internships in Japanese companies. The aim of these internships is twofold. First, the internship would like to generate a generation that could practically contribute to industry or government back in the home country. Second, the internship would like to foster a deeper understanding of Japanese society and Japanese business culture.

Course Structure

Practical training at a company selected from a list provided by JICA.

Assessment

Internship participation (60%) and a report of 5 pages describing a specific issue of Japanese business culture experienced during the internship. Deadline to be announced.