



**Gemeinsamer
Festakt und
Symposium**

Extra-judicial Dispute Resolution in Germany and Japan

ドイツと日本における裁判外紛争解決

Außergerichtliche Streitbeilegung in Deutschland und Japan

am **30. September 2021** (auf Deutsch) & **1 October 2021** (in English)



FernUniversität in Hagen

Institut für Internationale Rechtsbeziehungen
Abteilung Japanisches Recht

Extra-judicial Dispute Resolution in Germany and Japan

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Außergerichtliche Streitbeilegung in Deutschland und Japan

am **30. September 2021** (auf Deutsch) & **1 October 2021** (in English)

im Japanischen Kulturinstitut Köln | ケルン日本文化会館 (The Japan Foundation)
sowie online

aus Anlass der Jubiläen

30 Jahre Abteilung für Japanisches Recht an der FernUniversität in Hagen
sowie

160 Jahre Freundschaft Japan-Deutschland

Language | Sprache: German | Deutsch

Organisers | Veranstalter: Anna Suzuki-Klasen & Julius Weitzdörfer, *Department of Japanese Law, FernUniversität in Hagen* | Abteilung für Japanisches Recht, FernUniversität in Hagen; *in cooperation with German-Japanese Association of Jurists* | DJJV – Deutsch-Japanische Juristenvereinigung e.V.

Place | Ort: Japanisches Kulturinstitut in Köln
Universitätsstraße 98, 50674 Köln



Day 1: Ceremony on the afternoon and evening of 30 September 2021

Tag 1: Festveranstaltung am Nachmittag und Abend des 30. September 2021

16:00 DE | 23:00 JP

Arrival and registration | Anreise und Registrierung

16:30 DE | 23:30 JP

Address and introduction of the speakers by the Director of the Department of Japanese Law, FernUniversität in Hagen | Ansprache und Vorstellung der Redner vom Leiter der Abteilung für Japanisches Recht, FernUniversität in Hagen
Mr. | Herr Jun.-Prof. Dr. Julius WEITZDÖRFER

16:40 DE | 23:40 JP

Welcome by the President of the DJJV | Grußworte vom Präsidenten der DJJV
Mr. | Herr RA Hironaga KANEKO, Attorney and Partner Heuking Kühn Lüer Wojtek

16:45 DE | 23:45 JP

Welcome by the Consul General of Japan in Düsseldorf |
Grußworte vom Japanischen Generalkonsul in Düsseldorf
Mr. | Herr Kiminori IWAMA

16:50 DE | 23:50 JP

Welcome by the Director of the Japanese Cultural Institute Cologne |
Grußworte vom Direktor des Japanischen Kulturinstituts Köln
Mr. | Herr Prof. emeritus Dr. Kei'ichi AIZAWA

16:55 DE | 23:55 JP

Address by Representative of the FernUniversität in Hagen |

Ansprache eines Vertreters der FernUniversität in Hagen

Mr. | Herr Prof. emeritus Dr. jur. Dr. jur. h.c. Ulrich EISENHARDT

17:15 DE | 00:00 JP

Keynote Speech | Festrede

„Japan und Deutschland im Netz des internationalen Einheitsrechts“

Mr. | Herr Prof. Dr. Dr. h.c. mult. Jürgen BASEDOW, Director emeritus

Max Planck Institute for Comparative and Private International Law

18:00 DE | 01:00 JP

Transition to the place of the reception (1 minute on foot) | Ortswechsel

until | bis zum Empfang (1 Minute zu Fuß)

18:00 DE | n/a until | bis 21:00 DE | n/a

Reception & Japanese Buffet | Empfang & japanisches Büfett

Museum für Ostasiatische Kunst Köln

Universitätsstraße 100, 50674 Köln

Day 2: Symposium on 1 October 2021

Tag 2: Symposium am 1. Oktober 2021

Extra-judicial Dispute Resolution in Germany and Japan

ドイツと日本における裁判外紛争解決

Außergerichtliche Streitbeilegung in Deutschland und Japan

08:30 DE | 15:30 JP

Arrival and registration | Anreise und Registrierung

09:00 DE | 16:00 JP

Welcome by the President of the DJJV | Grußworte vom Präsidenten der DJJV

Mr. | Herr RA Hironaga KANEKO, *Attorney and Partner* Heuking Kühn Lüer Wojtek

09:05 DE | 16:05 JP

Welcome by the Consul General of Japan in Düsseldorf |

Grußworte vom Japanischen Generalkonsul in Düsseldorf

Mr. | Herr Kiminori IWAMA

09:10 DE | 16:10 JP

Welcome by the Director of the Department of Japanese Law of the FernUniversität in Hagen | Grußworte vom Leiter der Abteilung für Japanisches Recht an der Fern-Universität in Hagen

Mr. | Herr Jun.-Prof. Dr. Julius WEITZDÖRFER

09:15 DE | 16:15 JP

Welcome by the Director of the Japanese Cultural Institute Cologne |

Grußworte vom Direktor des Japanischen Kulturinstituts Köln

Mr. | Herr Prof. emeritus Dr. Kei'ichi AIZAWA

Session 1

Commercial Arbitration | Handelsschiedsverfahren

09:25 DE | 16:25 JP

Commercial Arbitration in Germany | Handelsschiedsverfahren in Deutschland

*Speaker | Referent: Mr. | Herr RA Dr. Christian STRASSER, Attorney and Partner
Heuking Kühn Lüer Wojtek*

09:45 DE | 16:45 JP

Commercial Arbitration in Japan | Handelsschiedsverfahren in Japan

*Speaker | Referent: Ms. | Frau RAin Yoshimi OHARA, Attorney and Partner
Nagashima Ohno & Tsunematsu*

10:05 DE | 17:05 JP

Q&A and Discussion | Publikumsfragen und Diskussion

*Moderator | Moderation: Mr. | Herr Prof. Dr Luke R. NOTTAGE,
Professor University of Sydney, Special Counsel Williams Trade Law*

10:35 DE | 17:35 JP

Break | Pause

until | bis

11:00 DE | 18:00 JP

Session 2

Investment Arbitration | Investitionsschiedsverfahren

11:00 DE | 18:00 JP

Investment Arbitration in Germany | Investitionsschiedsverfahren in Deutschland

Speaker | Referent: Mr. | Herr Jun.-Prof. Dr. Julian SCHEU, Junior Professor and General Manager International Investment Law Centre Cologne

11:20 DE | 18:20 JP

Investment Arbitration in Japan | Investitionsschiedsverfahren in Japan

Speaker | Referent: Mr. | Herr RA Dr. Lars MARKERT, Attorney and Partner Nishimura & Asahi

11:40 DE | 18:40 JP

Q&A and Discussion | Publikumsfragen und Diskussion

Moderator | Moderation: Ms. | Frau Dr. Ruth EFFINOWICZ, Senior Research Fellow Max Planck Institute for Comparative and International Private Law

12:10 DE | 19:10 JP

Lunchbreak | Mittagspause

until | bis

13:30 DE | 20:30 JP

Session 3

Mediation | Mediationsverfahren

13:30 DE | 20:30 JP

Mediation in Germany | Mediationsverfahren in Deutschland

Speaker | Referent: Ms. | Frau Judith WOLLSTÄDTER, Mediator, Research Assistant FernUniversität in Hagen

13:50 DE | 20:50 JP

Mediation in Japan | Mediationsverfahren in Japan

Speaker | Referent: Ms. | Frau Prof. Aya YAMADA, Professor Kyoto University

14:10 DE | 21:10 JP

Q&A and Discussion | Publikumsfragen und Podiumsdiskussion
Moderator | Moderation: *Mrs.* | Frau Dr. RAin Notarin Eva SCHWITTEK,
Mediator, Notary, Attorney and Partner Kanzlei Rittershaus

14:40 DE | 21:40 JP

Break | Pause
until | bis

15:00 DE | 22:00 JP

Session 4

System Design for the Settlement of Consumer and Mass Disputes |
Systemdesign für die Beilegung von Verbraucher- und Masseschadensfällen

15:00 DE | 22:00 JP

ADR in Germany | Außergerichtliche Streitbeilegung in Deutschland
Speaker | Referent: *Mr.* | Herr RA Dr. Christof BERLIN,
Head of the Conciliation Body for Public Transport
(söp_Schlichtungsstelle für den öffentlichen Personenverkehr e.V.)

15:20 DE | 22:20 JP

ADR in Japan | Außergerichtliche Streitbeilegung in Japan
Speaker | Referent: *Mr.* | Herr Assoc. Prof. Dr. Hideaki IRIE,
Associate Professor Kyushu University Graduate School of Law

15:40 DE | 22:40 JP

Q&A and Discussion | Publikumsfragen und Podiumsdiskussion
Moderator | Moderation: *Mr.* | Herr Prof. Dr. Moritz BÄLZ,
Professor Goethe-Universität Frankfurt a.M.

16:10 DE | 23:10 JP

Closing remarks | Schlusswort
Mr. | Herr Prof. em. Dr. Hans-Peter MARUTSCHKE, *Professor emeritus* Doshisha
University

16:30 DE | 23:30 JP

End of the symposium | Ende des Symposiums

Online and Offline Networking Opportunities | Informelles Anschlussprogramm

16:45 DE | n/a

Networking "on the go" – stroll around Hiroshima-Nagasaki-Park, Cologne

Moderator | Moderator: Herr Jun.-Prof. Dr. Julius WEITZDÖRFER,

Junior Professor FernUniversität in Hagen

17:30 DE | 24:00 JP

Online Japanese Law Early-Career Networking and Alumni-Reunion

Online "Get-together" für junge Berufstätige mit Interesse am japanischen Recht und Alumni des Japanrechtsprogramms der FernUniversität:

<https://spatial.chat/s/fuhjaplawnetworking> (Password: iiEnM)

Moderator | Moderator: Mrs. | Frau Dr. Anna Katharina SUZUKI-KLASSEN

Research Assistant | Wiss. Mitarbeiterin (Postdoc) FernUniversität in Hagen

Further information | Weitere Informationen

Please direct any further enquiries to | Bitte richten Sie Fragen an
japanrecht@fernuni-hagen.de

Aufgrund der anhaltenden Pandemie sind besondere Maßnahmen bei Veranstaltungen mit Personenkontakt notwendig. Bitte halten Sie sich an die allgemeinen Verhaltensempfehlungen und tragen Sie im Japanischen Kulturinstitut und im Museum für Ostasiatische Kunst eine medizinische oder eine FFP2-Maske. Es gilt zudem die 3G-Regel (geimpft, genesen oder getestet). Das nächstgelegene Corona-Testzentrum befindet sich in der Dürener Str. 236 (ca. 15 Minuten zu Fuß, vgl. www.covid19center.de/indenthal). Zu verfolgungszwecken hatten wir Sie gebeten, sich vor Ihrer Ankunft mit Ihrem Namen und einer Telefonnummer oder E-Mail-Adresse anzumelden.



Japanisches Kulturinstitut Köln

Universitätsstraße 98, 50674 Köln,
Fon: +49 (0)221 9405580
jfco@jki.de

Ein Parkplatz ist vorhanden.



Museum für Ostasiatische Kunst (nur für Festempfang und Pausen)

Universitätsstraße 100, 50674 Köln

Fon: +49 (0)221 22128608

MOK@MuseenKoeln.de

Ein Parkplatz befindet sich am Museum. Es gilt eine maximale Parkdauer von drei Stunden.

Photos | Bildnachweise

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The Speakers and Moderators | Die Redner und Moderatoren

Prof. em. Dr. Kei'ichi AIZAWA is director of the Japanische Kulturinstitut Köln (Japan Foundation) and, since 2021, Professor emeritus of Tsukuba University. He has been teaching and researching in the field of German Studies at Japanese universities since 1985.

Prof. Dr. Moritz BÄLZ holds the chair of Japanese Law and its Cultural Foundations at Goethe University Frankfurt. His research focuses on Japanese business law, general issues of comparative law with Japan as well as alternative dispute resolution and judicial reform.

Prof. Dr. Dr. h.c. mult. Jürgen BASEDOW, LL.M. (Harvard Univ.) is director emeritus of the Max Planck Institute for Comparative and Private International Law as well as Professor of Law at the University of Hamburg. Among others he holds an honorary doctorate of Kyushu University and is a member of the Institut de Droit international.

Dr. Christof BERLIN is head of söp, one of Europe's leading Consumer ADR schemes. His team settles disputes between passengers/travellers and the respective companies (more than 40,000 cases in 2020). He is an attorney and trained mediator.

Dr. Ruth EFFINOWICZ is a senior research fellow at the Max Planck Institute for Comparative and International Private Law and head of the Centre of Expertise on Japan. Additionally, she is the managing editor of the Journal of Japanese Law.

Prof. em. Dr. jur. Dr. jur. h. c. Ulrich EISENHARDT is Professor emeritus, as well as a former member of the Executive Board of the Japanese Law Institute and of the Kurt-Haertel-Institute for Intellectual Property at the FernUniversität in Hagen. Ulrich Eisenhardt was a professor at Bonn University and a visiting lecturer at Saarbrücken University and Munich University, co-founder of the Law Faculty of Düsseldorf University and a member of the DAAD-Commission for scholarships in Asia. His publications range from civil law, commercial and corporate law, legal history including history of constitutional law, and he has held lectures and seminars in Japan and other parts of Asia among others.

Assoc. Prof. Dr. Hideaki IRIE is Associate Professor of Conflict Management at the Kyushu University Graduate School of Law. Hideaki has conducted empirical research on ADR and has also provided training on mediation skills to various institutions including bar associations. He is a board member of the Japan Association of the Law of Arbitration and Alternative Dispute Resolution and of the Japanese Association of Sociology of Law. He is also a member of the research committee of the Japan ADR Association and a mediator and a board member of the Japan International Mediation Center (JIMC).

Kiminori IWAMA is Consul General of Japan in Düsseldorf since February 2020 and started his career at the Foreign Ministry of Japan in 1986. He has held several posts in Tokyo, in the permanent mission of Japan in Geneva, as Minister in charge of Economic Affairs at the Embassy of Japan in Thailand, as a minister at the Embassy of Japan in Germany, and as Chief of Protocol in Tokyo. His current position is his fourth assignment in Germany.

Hironaga KANEKO is president of the Deutsch-Japanische Juristenvereinigung e.V. (DJJV) and a partner at the Düsseldorf office of Heuking Kühn Lüer Wojtek. Hironaga specialises in the field of general corporate, commercial and labour law and deals with Japanese companies from various branches of industry and of all sizes. He joined the firm in 1988 and was the second Japanese to be admitted to the German bar after the end of WWII.

Dr. Lars MARKERT is a partner in the international dispute resolution department of Japan's largest law firm, Nishimura & Asahi. He specialises in international arbitration and has advised foreign investors and sovereign states on issues of foreign direct investment and public international law, including related negotiations and investorstate disputes.

Prof. em. Dr. Hans-Peter MARUTSCHKE is Professor emeritus of Doshisha University and specialises in Japanese law, comparative law, German civil law and Japanese legal and social history. His academic career in Japan includes positions funded by Monbusho and the DAAD at Tokyo University, Kobe University, Osaka University and Osaka City University. He was in charge of Japanese Law at the FernUniversität in Hagen until 2004, when he followed a call for professorship in Comparative Legal Culture and European Law at the newly founded Law School of Doshisha University.

Prof. Dr. Luke R. NOTTAGE (LLM, Kyoto) is founding director of the Australian Network for Japanese Law (anjel.com.au) and Japanese Law Pty Limited, Special Counsel with Williams Trade Law, and ACICA Arbitration Rules Committee member since 2004. Luke focuses on Asia-Pacific dispute resolution, investment treaties, corporate governance, contract and consumer law. His 18 books include *International Commercial and Investor-State Arbitration: Australia and Japan in Regional and Global Contexts* (Elgar, 2021).

Yoshimi OHARA is a partner at Nagashima Ohno & Tsunematsu. Yoshimi served as counsel and arbitrator in international arbitration in various seats under the rules of major institutions and the UNITRAL. She is a member of the ICCA Governing Board and former vice president of the ICC Court and the LCIA Court.

Jun.-Prof. Dr. Julian SCHEU is Junior Professor of Public Law, International Law, and International Investment Law at the University of Cologne and head of management at the International Investment Law Centre Cologne (IILCC). His research focuses on international economic law, European law, international dispute settlement, and comparative administrative law. Prior to joining the IILCC, Julian worked as legal assistant with the German Arbitration Institute (DIS).

Dr. Eva SCHWITTEK is a mediator, notary and attorney at Rittershaus Rechtsanwälte in Frankfurt/Main. Eva has lived in Japan, the USA and Pakistan and wrote her comparative law doctoral thesis on Japanese law at the Max Planck Institute for Comparative and Private International Law. In the mediator group at Rittershaus, she has gained extensive mediation experience with family businesses, in succession processes and in international conflicts involving parents and children. She has led mediation workshops at the University of Osaka and online.

Dr. Christian STRASSER is a partner at the Munich office of Heuking Kühn Lüer Wojtek and co-head of the firm's Practice Group Dispute Resolution. Christian has ample experience in cross-border litigation and arbitration and is a lecturer at Augsburg University. He has written many articles and given lectures on international procedural law issues.

Dr. Anna Katharina SUZUKI-KLASSEN is a postdoctoral research assistant in the Department of Japanese Law at the FernUniversität in Hagen. Anna specialises in English, German, and Japanese contract law. She was a research associate at the Max Planck Institute for Comparative and International Private Law and a visiting researcher at Kyoto University, as well as a visiting fellow at the University of Pisa. She has led seminars and given lectures on comparative contract law and EU consumer law.

Jun.-Prof. Dr. Julius WEITZDÖRFER is Junior Professor of East Asian Law and director of the Department of Japanese Law at the FernUniversität in Hagen. Julius has a background in Journalism and Japanology and specialises in Japanese law, disaster law, nuclear law, and technology regulation. He was an affiliated lecturer at the Faculty of Law and Director of Studies in Law at Darwin College of the University of Cambridge and former Stanton Nuclear Junior Faculty Fellow in the International Security Program/Project on Managing the Atom of the Harvard Kennedy School of Government.

Judith WOLLSTÄDTER is a jurist and holds master degrees in management of theatres and orchestras as well as in mediation. After serving in the capacity of directrix of administration in several different theatres and orchestras, she has taken a position as a research assistant to Prof. Dr. Katharina Gräfin von Schlieffen at the FernUniversität in Hagen as of 2020, where she supervises Mediation Studies and the Master programme in Mediation. She also works as a freelance Mediatix.

Aya YAMADA is a professor at Kyoto University and teaches civil procedural law, including the regulation of ADR and arbitration. Aya is a member of the Japanese Legislative Council, discussing the enforceability of mediated settlement agreements, and a member of an advisory committee under the Ministry of Justice, discussing how to promote online dispute resolution (ODR) in Japan. She attended WG II of UNCITRAL to discuss the „Singapore Convention on Mediation“ between 2014 and 2018.



Gemeinsamer Festakt und Symposium

Kontakt

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Abteilung Japanisches Recht