

GMAP in Law

Kobe University
Graduate School
of Law



MAY 2015

GMAP in Law NEWSLETTER



GMAP in Law Course's Internship Programme

The GMAP in Law course has been sailing along smoothly into its second month with the month of April filled with lectures on Legal English, the Japanese Legal System, Business Economics and International Investment Law.

As mentioned in the previous issue, part of the GMAP in Law course requires students to participate in an internship, which would contribute to 2 of their overall credits for the programme.

Students will be given the option of choosing between certain selected institutions for their internship stint, which should generally be between one to three months.

The selected institutions include law firms in South East Asia and arbitration institutions as follows:

Inside

Test your vocabulary

Expand your English vocabulary by taking this simple quiz!

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An introduction to space law [vol. 1] by Yuri Takaya

Have you ever been curious on the activities happening beyond our atmosphere? Are there any laws governing such activities? Read on to find out!

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An Introduction to Space Law [Vol. 1]

By Dr. Yuri Takaya

Space – The unexplored frontier; what activities happen in space and are there any laws regulating the activities occurring outside of our atmosphere?

Space Law is an area of law, which could be considered new and hasn't been widely explored; we therefore have Dr. Yuri Takaya GMAPs research fellow and lecturer at Kobe University specialising in Space Law to introduce us to the basics of Space Law. For more information on Dr. Takaya please refer to www.spacelawnotebook.com (in Japanese only)

Have you ever heard about “space law”? Most likely the answer is no. Even though Japan is listed as one of the space-advanced countries with full launch capabilities the existing laws that apply to space activities are still not well known. Since October 2014, the Department of Law of Kobe University has been holding classes on space law with the aim of deepening the understanding of space law as well as critical issues relating to outer space activities. A brief introduction of space law is given pursuant to the Q&A, quoted from the website of the United Nations Office for Outer Space Affairs. [See, <http://www.unoosa.org/oosa/en/FAQ/splawfaq.html#Q1> for the Q&A].

1. What is space law?

Space law can be described as the body of law applicable to and governing space-related activities. The term "space law" is most often associated with the rules, principles and standards of international law appearing in the five international treaties and five sets of principles governing outer space, which have been elaborated under the auspices of the United Nations Office for Outer Space Affairs. However, space law also includes international agreements, treaties, conventions, rules and regulations of international organizations (e.g. the International Telecommunications Union), national laws, rules and regulations, executive and administrative orders, and judicial decisions.

Countries that have enacted national legislations governing space-related activities include *inter alia* Argentina, Australia, Canada, Finland, France, Germany, Hungary, Indonesia, Japan, New Zealand, Philippines, the Republic of Korea, Russian Federation, Slovakia, Sweden, South Africa, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

2. Why do we need laws for outer space?

Outer space is an exciting and highly important region, which because of its unique nature, holds the potential for both significant benefits and dangers. The primary goals of space law are to ensure a rational, responsible approach to the exploration and use of outer space for the benefit and interests of all humankind. To this end, space law addresses a variety of diverse matters, such as military activities in outer space, preservation of the space and Earth environment, liability for damages caused by space objects, settlement of disputes, protection of national interests, rescue of astronauts, sharing of information about potential dangers in outer space, use of space-related technologies, and international cooperation.

3. Can any State claim a part of outer space as its own?

No. Article 2 of the Outer Space Treaty of 1967 states that outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means. The Treaty establishes the exploration and use of outer space as the "province of all mankind". The Moon Agreement, although not ratified by many states, expands on these provisions by stating that neither the surface nor the subsurface of the Moon (or other celestial bodies in the solar system), nor any part thereof or natural resources in place, shall become the property of any State, international intergovernmental or non-governmental organization, national organization or non-governmental entity or of any natural person.



Vocabulary Corner

Test your legal vocabulary! Pick the correct answer:

1 Consideration

A: Remuneration; B: Reasoning; C: Require; or D: Convey

2 Assignee

A: A person to whom a gift is made; B: A person to whom property is transferred by sale or gift; or C: A person who holds interest in property

3 Clause

A: Contract; B: Concrete; C: Position; or D: Condition

(1) A - a payment or reward - e.g. I agreed to do the work for a small consideration.
 (2) B - e.g. the privity of contract followed the estate, so that the assignee of the reversion could sue the person then holding the term.
 (3) D - term in a contract - e.g. the clause in this agreement is vague.

Answers:

Continued from page 1

Law Firms

- Jeff Leong, Poon & Wong, Kuala Lumpur, Malaysia (“JLPW”).
- JLPW Vinh An Legal, Ho Chi Minh City, Vietnam.
- Rajah & Tann LCT Lawyers, Ho Chi Minh City, Vietnam.

Arbitration Institutions

- Korean Commercial Arbitration Board, Seoul, Korea.
- UNICTRAL Regional Centre for Asia and the Pacific, Seoul, Korea.

The University is currently looking into placements in law firms in Myanmar and Tokyo, which details will be announced at a later date.

Whilst the GMAPs in Law course is relatively new, the internship programme has been on-going since 2009, especially with JLPW and the University’s graduate School of Law, with at least 84 students having participated as of to date. Students can therefore rest assured that the University will use its best endeavours in assisting students applying for their respective internship.

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Please refer to Page 6 on the application details for the GMAP in Law Course



**Places to go:
Arima Hot Spring**

One of the highlights of visiting Japan has always been its hot springs, also known as onsen / 温泉.

Most foreigners are adverse to stripping down and joining other naked people in a bath, but if you are up to it, Kobe city does have a hot spring tucked within it's vicinity which one could make a day trip to for a dip.

Known as Arima Hot Springs / 有馬温泉 which is located on the other side of Mt Rokko, one can find quaint old styled shops squeezed into alleys and enjoy a dip in either the Kin Sen / 金泉 (gold water) or Gin Sen 銀泉 (silver water) hot springs.

As the name suggests, the Kin Sen's water has a gold tinge to it while the Gin Sen has a clearer hue. Both have been reported to be beneficial for amongst others muscle and skin ailments.

Arima is also known as one of the oldest hot springs spa in Japan and is definitely worth a visit.

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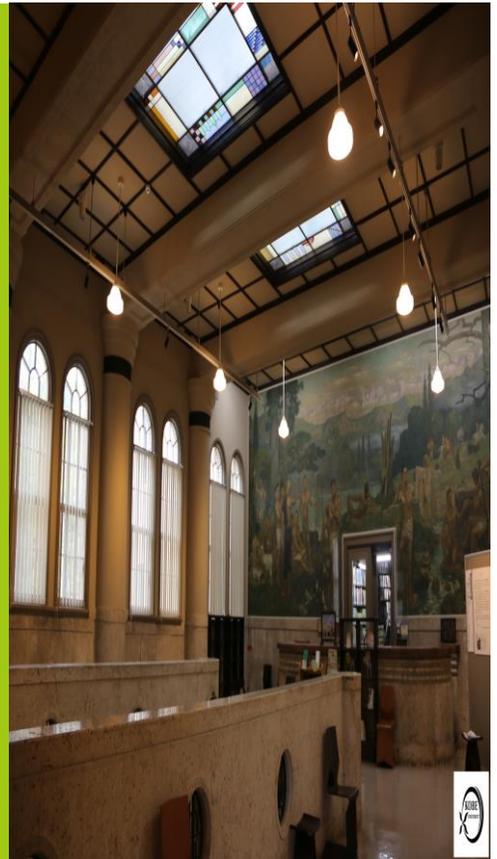
Application for the GMAP in Law Course

Students wishing to apply for the GMAP in Law Course, may find the details for the course and application procedures on the Kobe University Graduate School of Law & Faculty of Law website at

http://www.law.kobe-u.ac.jp/kobe_univ_global/english/admission/graduate.html.

Admission requirements include the submission of your test score for an English proficiency test (e.g. TOEIC, TOEFL, IELTS etc.); a research plan of 1,500 words; and an interview (via Skype for foreign students).

Foreign students are welcome to apply for this programme!



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