

# ASIA PACIFIC REGIONAL ORGANISATIONS AND JAPANESE DOMESTIC LAW

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*This is the first part of a two part article on the impact of regionalisation on domestic legal systems with reference to Japan. Part I deals with international and regional organisations and their structure. Domestic legal issues in Japan under Asia Pacific regionalism will be examined in Part II, with particular reference to human rights issues and will be published in the next issue of the Yearbook.*

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## **I REGIONAL ORGANISATIONS IN ASIA PACIFIC AREA**

### **A International and Regional Organisations**

Historically and up until mid-1950, only the western nations have been in the centre of international organisations, creating leagues, organisations and pacts among themselves on the European continent. African and oriental nations, on the contrary, tended to be situated in and defined on the periphery of European organisations. However, after World War II and more conspicuously in 1960s and thereafter, Asian nations have started to establish their own associations and groups.

Among the several United Nations agencies established in Asia Pacific area since 1940s, most conspicuous organisation is the Economic and Social Commission for the Asia Pacific (ESCAP)<sup>1</sup>. The Commission was originally established in Shanghai, China, on 28 March

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1 The Commission was established in 1946 by the United Nations General Assembly resolution 46(I) of 11 December 1946. The terms of reference of ESCAP are reproduced in United Nations document, E/1994/81, incorporating all revisions and amendments as of 23 June 1994. See 1995 Asian Yearbook of Int'l L. 557. ESCAP website is <http://un.org/Depts/escap>.

1947 as the Economic and Social Commission for Asia and the Far East (ECAFE). The location of its headquarters relocated to Bangkok, Thailand in 1949, and the name was changed in 1977 to ESCAP, reflecting both economic and social aspects of development and the geographic location of its members. According to a UN press release, ESCAP has grown from 10 to 60 member and associate member countries, representing some 60 per cent of the world's population, or 3.5 billion people. Its membership ranges from small Pacific island countries such as Niue, to the most populous countries of the world, China and India.<sup>2</sup> In commemorating the Commission's fiftieth anniversary, the Shanghai Symposium was held from 18 to 20 March 1997. It is reported that the participants to the symposium, including Qian Qichen, China's Vice Premier and Foreign Minister and Adrianus Mooy, Executive Secretary of the Commission, unanimously agreed that ESCAP must continue to play a catalytic role in spreading the growth momentum more evenly, and play a multifaceted role as the only intergovernmental forum for the exchange of national economic and social development views and experiences.<sup>3</sup>

In addition to UN organisations, the Association of Southeast Asian Nations (ASEAN)<sup>4</sup> is perhaps the most important regional organisation, established in 1967 at Jakarta, Indonesia, and has been leading other regional organisations in Asia. Other regional organisations followed. Now, in alphabetical order, there is Asia Pacific Economic Cooperation (APEC), Asean Regional Forum (ARF), Asia-Europe Meeting (ASEM), Closer Economic Relations-Trade Agreement between Australia and New Zealand (CER), Indian Ocean Rim Association for Regional Cooperation (IORA), Korean Peninsula Energy Development Organisation (KEDO), and Pacific Economic Cooperation Council (PECC), to name a few. Each of these organisations has its own sub-groups either as expert or advisory groups. APEC, for instance, has advisory groups such as ABAC, EPG, and PBF, four committees of BAC, CTI, EC, PLG-SME, and several other working groups including TID, TP, IST, HRD, REC, MRC, TEL, TPT, TWG and FWG. ASEAN has similar sub-groups, committees and working groups. By looking at these groups and committees

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2 UN Press Release, REC/1 (1 April 1997) [UN Press Release]. Formerly, the press releases of ESCAP were issued under the symbol of ESCAP, but after 1997, they are issued under the consolidated symbol for all regional economic commissions, i.e. REC.

3 UN Press Release, above n 2.

4 The Association was established in accordance with the Ten Principles adopted by the Asian-African Conference in Bandung on 25 April 1955; the Declaration of the Association signed in Bangkok on 8 August 1967, the Declaration signed in Kuala Lumpur on 27 November 1971, and the Treaty of Amity and Cooperation in Southeast Asia, in Indonesia on 24 February 1976. ASEAN website is <http://www.aseansec.org/>.

totally, one can be perplexed to see the multitude of organisational structures in the Asia Pacific.<sup>5</sup>

In addition to the above "official" and large international organisations, non-governmental and smaller organisations have been playing important role in international governance. The Charter of the United Nations, in article 71, stipulates that the benefit of NGO activities in economic and social matters can be utilised by Economic Social Council (ECOSOC) in its jurisdiction. According to Charnovitz, Director of Global Environment and Trade Study at Yale University, the decade of the 1990s has provided new opportunities for NGO participation, although NGOs have almost two centuries of experience since 1775.<sup>6</sup> Therefore, not only the official international organisations but also NGOs will have to be considered as important international organisations.

### ***B Regional Associations Relating to Law and Lawyers***

There are several regional associations relating to law and legal activities in the Asia Pacific area. In addition to the most active Law Association for Asia and the Pacific (LAWASIA), lawyers' organisations such as Asian-African Legal Consultative Committee (AALCC), Human Rights Watch Asia (HRWAsia), International Jurists Organisation, Asia (IJOA), and Inter-Pacific Bar Association (IPBA) focus their activities mostly in the Asia Pacific, while Amnesty International, International Association of Lawyers (IAL), International Bar Association (IBA), International Commission of Jurists (ICJ), and Lawyers Committee for Human Rights (LCHR) cover the region as part of their international activities.

In particular fields of law, United Nations Commission of International Trade Law (UNCITRAL, created in 1966) works mostly on trade and investment laws, while International Institute for the Unification of Private Law (UNIDROIT, created in 1926) has a long history for the unification of private laws, such as Principles of International Commercial Contracts (1994). Although mostly concerned with commercial activities, International Chamber of Commerce (ICC) works on International Commercial Terms (1990) and the Uniform Rules on Documentary Credits of 1993. ICC's new arbitration rules, adopted in April 1997 in Shanghai, China, will play an important role with the global increase in the use of arbitration as a mode of dispute resolution.<sup>7</sup> In 1980s, as a result of UN Conference on Contracts for the International Sale of Goods (UNCCISG), the

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5 For these and other abbreviations, see Appendix I: Abbreviations used in Asia Pacific Regional Organisations.

6 Charnovitz, "Two Centuries of Participation: NGOs and International Governance". (1997) 18 Mich J Int'l L 183.

7 See ICC Rules of Arbitration (1998), reprinted in (1997) 36 ILM 1604.

Convention on Contracts for the International Sale of Goods (CISG) entered into force in January 1988, thus providing several countries such as Australia, China, New Zealand and Singapore a common legal document for international contracts.<sup>8</sup>

In relation to international law, particularly on human rights, there has been no regional mechanism or machinery (such as human rights commission or human rights court) in the Asia Pacific region, unlike Europe, Americas, Africa and Arab nations. The matter has been the subject for the continued discussion at ESCAP and LAWASIA in recent years, and several proposals including the Pacific Charter of Human Rights<sup>9</sup> have been presented by participants to the ESCAP and LAWASIA seminars and by other NGOs. Currently, it seems that the only available means for referral to an international body by an individual is through communications from the complaining citizen directly to human rights committees such as under the International Covenant on Civil and Political Rights (ICCPR).

Along with ICC, the International Centre for Settlement of Investment Disputes (ICSID) functions as a tribunal for arbitration under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (Washington Convention).

Finally, ASEAN's Ministers of Law Meeting (ASLOM) should be mentioned. In April 1986, in Bali, ASEAN Ministers of Justice and Law, and Attorneys-General met for the first time, and agreed on the organisation arrangement for cooperation in legal field. Legal cooperation initially comprised the three aspects of exchange of legal materials, judicial cooperation, and legal education and research. In April 1993, in Kuala Lumpur, the Second ASEAN Ministers Meeting noted the desirability of judicial and legal cooperation and called upon the ASEAN legal fraternity to enhance the understanding of each other's legal systems, highlighted the need to disseminate reports of studies and research on law and recommended increased bilateral and regional cooperation in legal training, continuing legal education and exchange of study visits. A feasibility study for developing an ASEAN Legal Information System was considered. In September 1996, at the third ASLOM in Manila, study visits by law officials, continuing legal education programmes, exchange of teachers and experts in the field of law were also discussed and encouraged. The fourth meeting will be held in Singapore in 1999.

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8 See Winship "Changing Contract Practices in the Light of the United Nations Sales Convention" (1995) 29 Int'l Lawyer 525.

9 Draft Pacific Charter of Human Rights (1989), prepared under the auspices of LAWASIA, in May 1989, reprinted in *Essays and Documents on Human Rights in the Pacific* (1992) VUWLR Monograph 4, 145-159. [*Essays and Documents on Human Rights in the Pacific*]. For a brief history of human right in the Pacific, see Angelo, "Lo Bilong Yumi Yet" *Essays and Documents on Human Rights in the Pacific*, 33-47.

### C Problem

The problem here in terms of law is threefold: first, even though the activities of these regional organisations or regional functions of international organisations have direct or indirect impacts on Japanese domestic laws, these impacts have been under virtually no legal scrutiny by Japanese courts. Also, when interpreting international standards and legal norms, Japanese courts have faced difficulties in appreciating and evaluating the norms. This is conspicuously expressed in a Supreme Court decision in 1995. The majority opinion (10 to 5) in the Grand Bench decision on 5 July 1995, held that article 900 of the Civil Code, allowing discriminatory treatment against illegitimate children or children born out of wedlock, was not unconstitutional. Prior to this decision, the Human Rights Committee of ICCPR had specifically recommended that the article in question was against Article 24 of the Covenant, and that the Japanese Government should take measures necessary to remedy the situation in question.<sup>10</sup>

Second, the impacts of international and regional organisation on domestic laws should be explored more fully by practicing and academic lawyers. There are a couple of court decisions in Japan, citing international obligations under treaties and conventions. These and others reflected the efforts by attorneys for the particular cases, particularly from the Osaka Bar Association and the Japan Federation of Bar Associations, with assistance from academic lawyers. However, the study should be conducted more fully and systematically.<sup>11</sup>

Third, international and comparative legal studies in this field need more attention, such as by this NZACL special issue on regional impacts on the domestic legal system.<sup>12</sup> By a single inquiry on the internet by Yahoo, Alta Vista or Infoseek which the author tried in February 1998, "asia pacific and law" search produced 316,725 Alta Vista web pages for the words<sup>13</sup>, and 3,343,423 Infoseek pages containing at least one of these words.<sup>14</sup> These

10 Human Rights Committee (ICCPR), General Comment, adopted at its 1290th meeting (49th Session) on 4 November 1993. See Hotta "Human Rights Issues in U.S, Japan and Korea" (1997) 10 *Ritsumeikan J Int'l Studies* 11, 15.

11 *Asian Yearbook of International Law* has a special issue on the effectuation of international law in the municipal legal order. In relation to Japan, see Iwasawa "Effectuation of International Law in the Municipal Legal Order of Japan" (1995) 4 *Asian YB Int'l L.* 143.

12 And in the next 2 issues.

13 See <http://av.yahoo.com/bin/query?p=asia+pacific+and+law&b>.

14 See <http://www.infoseek.com/Titles?qt=asia+pacific+law&col>.

and other Web sites and related organisations should be orchestrated in this kind of research.<sup>15</sup>

As Professor Echols of the Howard University Law School suggests,<sup>16</sup> "[t]he increases in [regional] arrangements and in the numbers of countries involved, coupled with their expanded substantive scope, are creating new bodies of law and presenting new challenges to the multilateral system". The system of law and politics in the Asia Pacific region should not be ignored. This is true with regard not only to attorneys who counsel clients concerning international transactions, but also to citizens whose daily transactions are now more or less governed by these regional bodies of law and politics.

#### *D Purpose of This Paper*

In Part I of this paper, I would like to see briefly the history and formation of international/regional organisations in the Asia Pacific region, and in Part II, I would like to analyse their impacts on law and legal system in Japan, particularly their impacts in the post war era. I have been editing teaching materials on "Japan in Asia Pacific", and was surprised to see how many regional organisations and agencies are involved in our daily life, yet most of them have been simply unnoticed by many of us. Without full or substantial analysis and consideration of their activities and products, we will perhaps be unable to see the position of Japan among nations of the Asia Pacific, not to mention the position of Japanese law in the globalising age.

## **II PROLIFERATION OF ORGANISATIONS AND TREATIES**

### *A Japan's Relation with the United States*

It may be of some assistance to look at Japan's international relations after 1945, first, and examine Japan's relations with Asia Pacific area.

Since 1945, Japan has been maintaining strong relations, both politically and economically, with the United States. Politically, Japan has been pursuing the dual purposes of the internationalism and globalism on one hand, and bilateralism, that is bilateral relations with the United States on the other. The former principle of internationalism or pacifism was introduced into the Japanese constitutional regime under the General Headquarters (GHQ) directives and later in accordance with the Peace Treaty Between the Allied Powers and Japan (1951), and was executed in the Ten Principles of the meeting of twenty-nine African-Asian nations in Bandung, Indonesia (1955).<sup>17</sup>

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<sup>15</sup> See Appendix II: Legal Institutions and Organisations in the Asian Pacific Area.

<sup>16</sup> Echols "Regional Economic Integration" in *International Legal Developments in Review, 1996: Business Regulation*, (1997) 31 Int'l Lawyer 453.

<sup>17</sup> This is the first Asian-African Meeting of twenty-nine countries, including India, Pakistan, Burma,

The latter regime was inaugurated by the security treaty between Japan and the United States of 1951, and has been maintained in 1954 by the Mutual Defense Assistance Agreement between the United States and Japan, and in 1960 and thereafter by the Treaty of Mutual Cooperation and Security between the United States and Japan. Since 1951, the security treaty, Anpo Joyaku, has become a catchword for both those for or against the Japanese Government's foreign policies, thus dividing sharply the political orientation of the people up until 1990s. Although the nature or characteristics of the US-Japan security treaty has substantially changed in the past 46 years, this nature is still maintained or reinforced in the late 1990s when Japan is trying to hold its political and military relations with the United States under the Joint Declaration on Security Alliance for the 21<sup>st</sup> Century.<sup>18</sup>

Economically, Japan's dependence on the United States continued until 1960s when Japan's annual growth rate was more than 10% every year. The economic growth of Japan developed out of Japan's international relations with and assistance from the United States, but it is important to see that it has been based not on bilateral but on multilateral base, that is GATT. Under GATT, it was not necessary for Japan to claim its position for open, liberal and free international trade before the international and regional fora, since GATT has been playing a foster parent role for Japan. Perhaps Japan has been one of the best beneficiaries of the GATT trading system, and even with its huge amount of economic gains Japan could still maintain its position of multilateralism or open regionalism under the GATT/WTO regime of international trade and commerce. This policy was made clear and is still maintained with the United States by the Japanese Government in its Joint Statement on Framework for a New Economic Partnership in 1993.<sup>19</sup>

#### ***B Japan's Relations with Asian Countries***

In the 1940-1950s, Japanese Government policy toward Asia was not so clear. Political relations with China, Korea and Soviet Union have prevented the Japanese Government from making its positions clearer for these important nations than its relations with Southeast Asian nations. However, one basic policy was clearly enhanced in relation to Asia as a whole: the policy of "dividing politics from economic activities", which successive LDP governments have taken primarily as a means of economic development of Japan. This is, in a sense, in contrast to the political-economic mix policy of the Japanese Government with relation to the United States.

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Japan, China.

18 Issued jointly by US President Clinton and Japanese PM Hashimoto on 17 April 1996, in Tokyo.

19 US President Clinton and Japanese PM Miyazawa agreed to establish the framework in this statement issued on 10 July 1993.

In the 1950-1980s, by a series of voluntary reductions of exports, ranging from apparel to machinery products and later from automobile to computer chips, from Japan to the United States, Japanese companies have actually shifted their location of production and consumption of products to Southeast Asian countries since 1960s. In other words, the economic problems of Japan with the United States have been solved by political measures, while political problems with Asian countries have tried to be avoided or have been settled by the economic means of ODA assistance and overseas production. Normalization of diplomatic and political relations with Korea under the Korea-Japan Basic Treaty in June 1965 and with China under the Joint Statement of China and Japan in September 1972 and the resulting Peace and Friendship Treaty between China and Japan in August 1978 added further economic opportunities to the Japanese economy. However, a peace treaty with Soviet Union, now the Russian Federation, has never been concluded.

It was only after the APEC Summit meeting in Blake Island, Seattle, USA in November 1993 when the Japanese Government seemed to have clearly recognised the situation that the host country of the Summit, the United States, was actually interested in the Asia-Pacific region in economic terms, and that Japan needed its clear policy, political or otherwise, for the Asia-Pacific. There was a precedent for this: Nixon's recognition in 1972 of China without any prior consultation with the Japanese Government. In 1972, Japanese Government followed the unilateral practice of the United States for China in political terms; and again in 1993, the both governments published their Joint Statement on Framework for a New Economic Partnership in 1993 in economic terms as mentioned above, this time particularly for Asia Pacific and generally for the rest of the world. However, as long as APEC continues to be a forum of independent nations rather than involving multilateral institutions, coupled with its history based on initiatives of Australia and Japan, the United States will not be able to exert its political powers over APEC.

### *C Japan's Policy for Asia and the Pacific*

According to Kagami, Consul General to the Consulate General of Japan in Detroit, Michigan, the Pacific Rim area still: (1) has some de-stabilising elements politically; (2) is economically interdependent in trade and investment, (3) is characterised by diversity in population, income, culture, religion and ethnic make-up, (4) has the problem of Chinese reform and opening of its economy; and (5) greatly depends on the economic and political presence of the United States.<sup>20</sup> He also cites economic cooperation and ODA, and concludes that regional cooperation should not result in regional blocs, and that three pillars of trade and investment liberalisation, their facilitation and economic and technical

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<sup>20</sup> T Kagami in Murphy "Japan and the Future of the Pacific Rim" (1996) 5 *Detr. Col. L J Int'l L. & Prac* 3 6-7. ["Japan and the Future of the Pacific Rim"].



cooperation should be enhanced as agreed in Osaka in 1995.<sup>21</sup> These and other views verify the Japanese government attitude against such a regional grouping as East Asian Economic Group (EAEG).

Under these circumstances, Japan considers APEC the most important forum for economic cooperation in the Asia Pacific. "Furthermore, it strongly supports the APEC commitment to open regionalism, which contributes to regional and global economic growth in a manner that complements and reinforces the multilateral free trade system."<sup>22</sup>

Japan stresses the following key functions and responsibilities for APEC: (1) promoting and liberalizing trade and investment; (2) acting as a forum for consultation on economic cooperation; (3) monitoring regional economic trends; (4) ensuring its consistency with GATT, and seeking to complement and strengthen GATT; (5) striving to enhance understanding with non-members, international organisations and others.<sup>23</sup>

#### *D History of Regional Organisations in Asia Pacific*

In the 1960s, a concept of a Pacific Free Trade Area (PAFTA) was advanced by Professor Kiyoshi Kojima, a Japanese economist, as a regional economic cooperation for the United States, Japan, Canada, Australia and New Zealand in 1965.<sup>24</sup> The idea later developed into a series of regional conferences, called the Pacific Trade and Development Conference (PAFTAD). In April 1966, the first Southeast Asian Ministerial Conference for Economic Development was held. In August 1967, ASEAN was established. In May, 1968, the Pacific Basin Economic Council (PBEC) was formed.<sup>25</sup> PBEC has national conferences, and PBEC (US), for instance, had the annual policy conference in February 1998 in Washington, DC under the theme of "Riding Out the Storm", examining the impact of the recent Asian financial crisis on business around the Pacific Rim and holding a symposium under the co-sponsorship of PBEC committees of Canada, Mexico and the United States.

Then, in the 1970s, came the idea of an Organisation for Pacific Trade and Development (OPTAD), similar to OECD in Europe. The idea is credited to Sir John Crawford of Australia and Dr. Saburo Okita of Japan. Although the concept was never

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21 "Japan and the Future of the Pacific Rim" above n 20.

22 Ministry of Foreign Affairs Japan, "Japan's Basic Approach to APEC and Close Relations with Member Economies", in APEC Information, from the internet source ["Japan's Basic Approach to APEC..."].

23 "Japan's Basic Approach to APEC..." above n 22.

24 The following descriptions partly rely on internet sources of each organizations and partly on the following: Linnan, "Current Development: APEC Quo Vadis?" (1995) 89 AJIL 824.

25 Currently PBEC International Secretariat is in Honolulu, Hawaii. Mr. Gary Tooker, Motorola Inc., is the Chair, and Mr. Robert Lees is the Secretary General.

realised, in 1979, the then Japanese PM, Masayoshi Ohira, proposed the Pacific Basin Cooperation Concept as a common policy for the Asia Pacific. In 1980, the Pacific Community Seminar was held in Canberra, Australia. Eleven Pacific basin countries participated,<sup>26</sup> leading to the establishment of the current Pacific Economic Cooperation Council (PECC), the name of which was formally adopted at its Honolulu meeting in January 1992.<sup>27</sup>

PECC also has national committees. The Japan National Committee for Pacific Economic Cooperation (JANPECC), for instance, has its secretariat at Japan Institute of International Affairs (JIIA) in Tokyo, consisting of 100 members and advisors from industry, government and academia.<sup>28</sup> JANPECC has nine sub-committees on Pacific Economic Outlook (PEO), Transportation/Telecommunication/Tourism (TTT), Trade Policy forum (TPF), Food and Agriculture Forum (F&A), Minerals and Energy Forum (MEF), Fisheries Development, Pacific Island Nations (PIN), Science and Technology (S&T), and Human Resources Development (HRD).

In the 1980s, there were concurrent movements in North America and in the Asia Pacific for the formation of regional trade areas. In North America, the pros and cons for free trade area agreements with Taiwan, Republic of Korea and ASEAN, or the Pacific Rim region were examined by the International Trade Commission (ITC) of the US Federal Government.<sup>29</sup> In North America, the Canada-US Free Trade Agreement and its extension to North American Free Trade Agreement (NAFTA) came to be implemented. In the Pacific, also in January 1989, Australian PM Robert Hawke proposed the formation of a consultative system for the Asia Pacific region. In November 1989, APEC was established at its first Ministerial Meeting in Canberra, Australia.<sup>30</sup> Member economies have their own office at each government. Japan, for instance, has its responsible office in the Ministry of Foreign Affairs (MOFA).

In the 1990s, APEC's second Ministerial Meeting was held in Singapore in July 1990, third Meeting in Seoul, South Korea in November 1991, fourth Meeting in Bangkok, Thailand in September 1992, fifth in Blake Island, Seattle, USA in November 1993 (where

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26 They are Japan, United States, Canada, Australia, New Zealand, South Korea and five ASEAN countries. A delegation from the Pacific Island nations also attended.

27 PECC has twenty-two member countries, and its headquarters are in Singapore.

28 Chair of JANPECC is Ambassador Nobuo Matsunaga, President and Director, JIIA, who succeeded Dr Okita.

29 ITC "The Pros and Cons of Entering Into Negotiations on Free Trade Area Agreements with Taiwan, The Republic of Korea, and ASEAN, or the Pacific Rim Region in General" (1989) ITC Pub No. 2166.

30 APEC secretariat is in Singapore. Its website is <http://www.apecsec.org.sg/>.

the first Economic Leaders Summit was held), sixth in Jakarta, Indonesia in November 1994, seventh in Osaka, Japan in November 1995, eighth in Subic, the Philippines in November 1996, and ninth in Vancouver, Canada in November 1997.

In the 1990s also, a concept of an East Asian Economic Group (EAEG) was advanced (but not implemented) in December 1990, and in October 1991, ASEAN reached agreement on creating the East Asian Economic Caucus (EAEC). In January 1992, ASEAN determined to establish the ASEAN Free Trade Area (AFTA), while in North America negotiations over NAFTA reached a settlement.

### *E Orchestrating Legal Implications of Asia Pacific Organisations*

A brief examination of organisations and associations in the Asia Pacific will lead to one immediate concern: orchestrating the system for the analysis of legal implications of them in each country. Although certain groupings of the regional organisations and associations may be made in three large categories such as ESCAP (UN), ASEAN, and APEC, or according to subjects such as contract law or human rights, what is required for legal analysis today is to untie the legal ramifications of complex and overlapping institutional outputs and practices.

Taking the law of contract, for instance, three levels of study will be necessary: (1) legal institutional such as AALCC, UNCITRAL, UNIDROIT and ICC along with UCC and European Code of Contract, (2) non-legal institutional such as APEC's BMN, CTI, IPR, PBF, TP and similar sub-groups of ASEAN, PECC and SPF; (3) traditional doctrinal study with new contract patterns or forms in mind, such as 1997 UN report on Consumer Guidelines of 1985,<sup>31</sup> or contract of new services including services for telecommunications and financial services.

As John Barton suggests, it is important to maintain "sensitivity to potential inter-cultural issues," when implications of international legal integration are to be examined.<sup>32</sup> Therefore, socio-cultural and inter-cultural studies should supplement the relevant study of law in the Asia Pacific area.

#### **APPENDIX I: ABBREVIATIONS USED IN ASIA-PACIFIC REGIONAL ORGANISATIONS**

AALCC	Asian-African Legal Consultative Committee
ABAC	APEC Business Advisory Council

31 See ECOSOC Reports "Conclusions and Recommendations of Subsidiary Bodies: Economic and Environmental Questions: Consumer Protection", E/1997/61, 13 May 1997.

32 John Barton "Implications of International Legal Integration for Law Teaching" in P Lewis (ed), *Law and Technology in the Pacific Community* (1994) 317, at 319.

ACCSM	ASEAN Conference on Civil Services Matters
ACCSQ	ASEAN Coordinating Committee on Standards and Quality
ADB	Asian Development Bank
AEGDM	ASEAN Expert Group on Disaster Management
AEM	ASEAN Economic (Ministers) Meeting
AFMM	ASEAN Finance Ministers Meeting
AFSRB	ASEAN Food Security Reserve Board Meeting
AFTA	ASEAN Free-Trade Area (agreement in 1992)
ALMM	ASEAN Labour Ministers' Meeting
AMAF	ASEAN Ministers for Agriculture and Forestry
AMEM	ASEAN Ministers of Energy Meeting
AMM	ASEAN Ministerial Meeting
AMMH	ASEAN Ministerial Meeting on Haze
AMRI	ASEAN Ministers Responsible for Information
ANSC	Korea APEC National Study Center
APEC	Asia Pacific Economic Cooperation (established in 1989)
APECEF	APEC Education Foundation
APT	Asia Pacific Telecommunity
ARF	ASEAN Regional Forum
ASC	APEC Study Center; ASEAN Standing Committee
ASCH&N	ASEAN Sub-Committee on Health and Nutrition
ASCOE	ASEAN Sub-Committee on Education
ASEAN	Association of South East Asian Nations (est in 1967).
ASEM	Asia-Europe Meeting
ASFOM	ASEAN Senior Finance Officials Meeting
ASLOM	ASEAN Senior Law Officials Meeting
ASOD	ASEAN Senior Officials on Drug Matters

ASOEN	ASEAN Senior Officials on the Environment
ASW	ASEAN Sub-Committee on Women
ASY	ASEAN Sub-Committee on Youth
ATF	ASEAN Tourism Forum
ATFOA	ASEAN Task Force on AIDS
ATM	ASEAN Transport Ministers Meeting
ATRC	ASEAN Telecommunication Regulators Council
AUN	ASEAN University Network
AUNBOT	ASEAN University Network Board of Trustees
BAC	APEC Budget and Administrative Committee
BMN	APEC Business Management Network (HRD WG)
CCCA	ASEAN Coordinating Committee on the Implementation of the CEPT Scheme for AFTA
CCS	ASEAN Coordinating Committee on Service
CER	Closer Economic Relations-Trade Agreement of Australia and New Zealand
COST	ASEAN Committee on Science and Technology
CSIS	Center for Strategic and International Studies
CTI	APEC Committee on Trade and Investment
CZERMP	ASEAN Coastal Zone Environmental Resources Management Project
DAC	Development Assistance Committee, OECD
EAEC	ASEAN's East Asian Economic Caucus (agreement in 1991)
EAEG	East Asian Economic Group (concept in 1990s)
EC	APEC Economic Committee
ECAFE	Economic and Social Commission for Asia and the Far East
ECCM	ASEAN Experts Committee on Customs Matters
EDE	APEC Electronic Data Exchange

EDZ	Economic Development Zone
EPG	APEC Eminent Persons Group
ESCAP	UN Economic & Social Commission for Asia and Pacific
EWG	APEC Energy Working Group
FAO	UN Food and Agriculture Organisation
FEEEDP	APEC Food, Energy, Environment, Economic Development and Population
FWG	APEC Fisheries
HACCP	Hazard Analysis and Critical Control Point
HAPUA	ASEAN Forum of Heads of ASEAN Power Utilities/ Authorities
HRD	APEC Human Resource Development
HRW	Asia Human Rights Watch Asia
HURDIT	APEC HRD in Industrial Technology Network (HRD WG)
IAL	International Association of Lawyers, UIA
IBA	International Bar Association
ICJ	International Commission of Jurists
IDE	Institute of Developing Economies, Japanese Government
IDEAS	Institute of Developing Economies Advance School, Japanese Government
IJOAsia	International Jurists Organisation, Asia
IMF	International Monetary Fund
IORA	Indian Ocean Rim Association for Regional Cooperation
IPBA	Inter-Pacific Bar Association
IPR	APEC Intellectual Property Rights
ISO	International Standards Organisation
IST	APEC Industrial Science and Technology
ITC	International Timber Conference
ITU	International Telecommunication Union

JCM	ASEAN Joint Consultative Meeting (set up in 1987)
JETRO	Japan External Trade Organisation
JICA	Japan International Cooperation Agency
JMM	ASEAN Joint Ministerial Meeting
JPRC	ASEAN Joint Planning and Review Committee Meeting
KEDO	Korean Peninsula Energy Development Organisation
KIEP	Korea Institute of International Economic Policy
LAWASIA	Law Association for Asia and the Pacific
LCHR	Lawyers Committee for Human Rights
MEF	Minerals and Energy Forum
MITI	Ministry of International Trade and Industry, Japanese Govt
MM	APEC Ministerial Meeting
MOF	Ministry of Finance, Japanese Government
MOFA	Ministry of Foreign Affairs, Japanese Government
MRAs	ASEAN Mutual Recognition Arrangements
MRC	APEC Marine Resource Conservation
NAFTA	North American Free-Trade Agreement (agreement in 1992)
NEDM	APEC Economic Development Management Network (HRD WG)
NIEs	Newly Industrializing Economies
NRSE	ASEAN New and Renewable Sources of Energy
OECD	Organisation for Economic Cooperation and Development
OPTD	Organisation for Pacific Trade and Development (concept in 1970s)
PAAC	Pacific and Asian Affairs Council, Hawaii, US
PAFTA	Pacific Free-Trade Area (concept in 1960s)
PAFTAD	Pacific Trade & Development Conference
PATA	Pacific Basin Travel Association
PBC	Pacific Basin Consortium (on Education) (est. in 1997)

PBDC	Pacific Basin Development Council (established in 1980)
PBEC	Pacific Basin Economic Council (established in 1968)
PBF	APEC Pacific Business Forum
PCC	ASEAN Project Coordinating Committee
PECC	Pacific Economic Cooperation Council (established in 1980)
PEO	Pacific Economic Outlook
PIC	Pacific Islanders In Communications
PMC	ASEAN Post Ministerial Conferences
PREL	Pacific Resources for Education and Learning (est.in 1990)
R&D	Research & Development
REC	Regional Energy Cooperation
SAMCED	Southeast Asian Ministerial Conference for Economic Development (conference in 1966)
S&T	Science & Technology
SEANFWZ	Southeast Asia Nuclear Weapons-Free Zone
SEOM	ASEAN Senior Economic Officials Meeting (set up in 1987)
SME	Small and Medium Enterprise
SOM	APEC Senior Officials Meeting; ASEAN Senior Officials Meeting (set up in 1987)
SOME	ASEAN Senior Officials Meeting on Energy
SOMTI	ASEAN Senior Officials Meeting on Trade and Investment
SPC	South Pacific Commission
SPF	South Pacific Forum
SPS	Sanitary and Phytosanitary Measures
SSOM	APEC Special Senior Officials Meeting
STOM	ASEAN Senior Transport Officials Meeting
TAC	Treaty of Amity and Cooperation in Southeast Asia (1976)
TAC	PBDC Technical Advisory Committee



TBT	Technical Barriers to Trade
TEL	APEC Telecommunications
TELSOM	ASEAN Telecommunication Senior Officials Meeting
TID	APEC Trade and Investment Data Review
TP	APEC Trade Promotion
TPO	APEC Trade Promotion Organisations
TPT	APEC Transportation
TWG	APEC Tourism
UIA	Union International des Avocats
UN	United Nations
UNCTAD	UN Conference on Trade and Development
UNCITRAL	UN Commission on International Trade Law
UNIDO	UN Industrial Development Organisation
UNIDROIT	International Institute for the Unification of Private Law
UR	Uruguay Round
WCAIA	ASEAN Working Committee on ASEAN Investment Area
WG	Working Group
WGIC	ASEAN Working Group on Industrial Cooperation
WGIPC	ASEAN Working Group on Intellectual Property Cooperation
WTO	World Trade Organisation
ZOPFAN	ASEAN's Declaration of Zone of Peace, Freedom and Neutrality

***APPENDIX II: LEGAL INSTITUTIONS AND ORGANISATIONS IN THE ASIA  
PACIFIC AREA (WITH INTERNET SITES)***

AAPR:L	Asian and Asian-Pacific Resources: Law <a href="http://info.anu.edu.au/elisa/elibrary/subjects/eastasia">http://info.anu.edu.au/elisa/elibrary/subjects/eastasia</a>
ABA,LL	American Bar Association, Law Link <a href="http://www.abanet.org/">http://www.abanet.org/</a>

- APCEL Asai-Pacific Centre for Environmental Law  
<http://sunsite.nus.sg/apcel/>
- APFWLD Asia Pacific Forum on Women, Law and Development  
<http://women-connect-asia.com/apwid/>
- APLR Asia Pacific Law Review  
<http://www.wkap.nl/journalhome.htm/1019-2557>  
Baker & MacKenzie, Asia Pacific Legal Developments Bulletin  
<http://www.bakerinfo.com/publicat/asiapac/>
- CAPLAB Centre for Asia Pacific Law & Business, Victoria University of Wellington, New Zealand  
<http://www.uvw.ac.nz/caplab>
- IPBA Inter-Pacific Bar Association  
<http://www.ipba.org/>
- LAWASIA Law Association for Asia and the Pacific  
<http://www.taunet.net.au/lawasia/default.html>  
Hieros Gamos, Comprehensive Legal Site  
<http://hg.org/asiapacific-schools.html>
- LCHR Lawyers Committee for Human Rights  
<http://www.lchr.org/>
- IAL International Association of Lawyers, UIA  
<http://www.uia-philadelphia97.org/>
- LSS Law Society of Singapore  
<http://www.lawsoc.org.sg/>  
Monash Univ Law Library, Links to Other Pacific Law Sites  
<http://www.lib.monash.edu.au/law/pacificlaw/links.htm>  
Murdoch Univ School of Law, Asia Pacific Centre for Human Rights and Prevention of Ethnic Conflict  
<http://wwwlaw.murdoch.edu.au/apchr/>

NAPABA	National Asian Pacific Bar Association <a href="http://www.napaba.org/">http://www.napaba.org/</a>
UH	University of Hawaii at Manoa, Hawaii, USA <a href="http://www.hawaii.edu">http://www.hawaii.edu</a>
UNIDROIT	Int'l Institute for the Unificatin of Private Law <a href="http://www.agora.stm.it/unidroit/">http://www.agora.stm.it/unidroit/</a>
UVic	University of Victoria, B.C. Canada, Centre for Asia Pacific Initiatives <a href="http://www.law.uvic.ca/9701news/">http://www.law.uvic.ca/9701news/</a>
VUW	Victoria University of Wellington, New Zealand <a href="http://www.vuw.ac.nz">http://www.vuw.ac.nz</a>

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***ORGANISATIONS INTERNATIONALES DE LA RÉGION DU PACIFIQUE ET  
DROIT INTERNE JAPONAIS***

Cet article représente la première partie d'une étude relative aux implications attachées à la mise en place des institutions internationales qui intéressent plus particulièrement la zone Pacifique.

L'auteur en dresse un catalogue exhaustif (qui s'impose d'autant plus compte tenu du nombre croissant des traités, et accords internationaux) et ce faisant son travail devient un incontournable outil de référence pour la bonne compréhension des relations internationales dans la région du Pacifique.

