

BIOGRAPHICAL DATA

Kaoru OBATA

(Nominated by the Government of Japan)

Professor of International Law, Graduate School of Law, Nagoya University

Current academic appointment:

2002–Present Professor of International Law, Graduate School of Law,
Nagoya University

Current University Academic Appointments:

2011–Present Vice Dean, Graduate School of Law

2011–Present Member of the Education and Research Council

Courses currently taught:

International Law, International Law Seminar, International Law of Human Rights, Ph.D. Supervision

Previous academic appointments:

Kobe University of Mercantile Marine, Japan;

Lecturer, then Associate Professor of Law, 1987–1993;

Faculty of Law, Kanazawa University, Japan;

Associate Professor of International Law, 1993–1997;

School of Law, Nagoya University, Japan;

Associate Professor of International Law, 1997–2002.

Legal consulting activities:

1999 Advocate for the Japanese Government in the Southern
Bluefin Tuna Cases, Requests for Provisional Measures

Education:

LL.M. (International Law) Kyoto University, 1984.

National academic services:

2006–Present Member of the Council, Japanese Association of International
Human Rights Law

2008–Present Member of the Council, Japanese Association of World Law

2012–Present Chairperson of the Committee for Experts' Comments,
Japanese Society of International Law

International academic service:

2006–2012 Member of the Committee on Rights of Indigenous Peoples,
International Law Association

Publications:

Continuous Editorship:

Journal:

Editor-in-Chief, Human Rights International (Japanese Association of International Human Rights Law) 2006–2009, 2012–Present;

Member of the Editorial Board, Horitsu Jiho (Law Journal, Nihon Hyoron Sha), 2012–Present;

Member of the Editorial Board, Journal of International Law and Diplomacy (Japanese Society of International Law) 2001–2007.

Materials:

“Review of Japanese Courts’ Decisions relating to International Law (1)–(6)”, Journal of International Law and Diplomacy, 2007–Present.

Books:

Basic Documents of International Law 2012 (Toshindo, 2012) (co-editor);

International Organizations, 4th ed. (Sekai Shiso Sha, 2009) (co-editor);

Essential Cases of the European Court of Human Rights (Sinzansha, 2008) (co-editor);

International Law, 5th ed. (Yuhikaku, 2007) (co-author);

Law School Casebook International Human Rights (Nihon Hyoron Sha, 2006) (co-author);

International Instruments on Human Rights, 3rd ed. (Toshindo, 2005) (co-editor).

Journal articles:

“2009 Amendments to Immigration Act and ‘Transformation’ of Japanese Immigration Policy; in Lieu of Introduction to Special Feature”, Horitsu Jiho (Law Journal), Vol. 84, No. 12 (2012), pp. 4–9 (in Japanese);

“Perspectives for a Regional Human Rights Regime in East Asia; How should Asians Interpret the History of European Regional Constitutionalization”, Nagoya University Journal of Law and Politics, No. 245 (2012), pp. 299–322 (in Japanese);

“Gross and Systemic Violations of Human Rights and the Regime of European Convention on Human Rights; With Special Reference to its Response to the Chechen Conflict” Horitsu Jiho (Law Journal), Vol. 84, No.9 (2012), pp. 60–65 (in Japanese);

- “European Regional Constitutional Order from the Viewpoint of the Council of Europe and European Convention on Human Rights”, in Tamio Nakamura and Hajime Yamamoto (eds.), *Formation of European ‘Constitution’ and Changes in National Constitutions* (Shinzansha, 2012), pp. 22–42 (in Japanese);
- “Multi-layered Fundamental Rights Protection in Integrated Europe from the Japanese Perspective: Introductory Note to Papers presented for a Symposium held in Nagoya, Japan, in November 2010” *Vienna Journal on International Constitutional Law*, Vol. 5, 2/2011, pp. 156–158 (in English);
- “Universal Periodic Review before the UN Human Rights Council”, in: Kentaro Serita and others (eds.), *International Implementation of International Human Rights Law (Courses of International Human Rights Law, Vol. 4)* (Shinzansha, 2011), pp. 107–127 (in Japanese);
- “Individuals as Subjects of International Law; A Review of Theories during Inter-war Period from Japanese Perspective”, *Journal of International Law and Diplomacy*, Vol.109, No. 2 (2010), pp. 1–21 (in Japanese);
- “UN Security Council’s ‘Sanctions’ against Individuals and Control over Them through Human Rights Law”, *International Affairs*, No. 592 (2010), pp. 5–15 (in Japanese);
- “Hidden Inequality under Intellectual Hegemony; European Convention on Human Rights, its Incorporation into Domestic Legal Systems, and Principle of Subsidiarity”, *Horitsu Jiho (Law Journal)*, Vol. 80, No. 5 (2008), pp. 48–52;
- “Human Rights Conditionality in the EU Eastern Enlargement Process; A Catalyst for Constitutionalization?” in: Kiichiro Yagi and Satoshi Mizobata (eds.), *Melting Boundaries; Institutional Transformation in the Wider Europe* (Kyoto University Press, 2008), pp. 92–104 (in English);
- “Human Rights Conditionality in the EU Enlargement Process; Its Contents and Functions” in: *Legal and Political Aspects of the Contemporary World* (Center for Asian Legal Exchange, Nagoya University, 2007), pp. 45–56 (in English);
- “Historical Functions of Monism with Primacy of International Law; A View Based on Japanese Experience during the Early Period of the Allied Occupation”, *Japanese Annual of International Law*, No.49, 2006 (2007), pp. 1–35 (in English);
- “International Covenants on Human Rights; Application of Human Rights Treaties under the Constitution of Japan”, *Jurist*, No. 1321 (2006), pp. 10–15 (in Japanese);
- “Appeals against Immigration Measures and the Right to an Effective Remedy before a National Authority; an Aspect of the Developments of the Case Law on Article 13 of the European Convention on Human Rights”, *Bulletin of Kyoto Human Rights Research Institute*, No. 11 (2006), pp. 27–44 (in Japanese);
- “Composite Function of the Human Rights Committee in the Reporting System; With Special Reference to Drafting History”, in: Nisuke Ando and others (eds.), *Challenges and Perspectives for*

International Organizations in 21st Century; Essays in Honour of Professor Shigeru Kozai on His 70th Birthday (Toshindo, 2004), pp.441–462 (in Japanese)

“Status of Foreigners and their Protection by the Home States in Early Modern Europe; Introductory Note to Historical Study in the Modern System of Diplomatic Protection”, in: Haruyuki Yamate and others (eds.), History and Current Situations of Legal Structure of the International Community (Human Rights and Peace in the International Community in 21st Century; Seeking New Developments in International Law; Essays in Memory of Professor Shigejiro Tabata, Vol. 1), pp. 323–356 (in Japanese);

“Normativism and the Inter-State Model in Mainstream Concepts of International Responsibility: A Critical Review of the History of Codification” Journal of International Law and Diplomacy, Vol.101, No.1 (2002), pp.16–38 (in Japanese);

“The Relevance of Jurisdiction to Deal with the Merits to the Power to Indicate Interim Measures: A Critique of the Recent Practice of the International Court of Justice” in: Nisuke Ando and others (eds.), Liber Amicorum Judge Shigeru Oda (Kluwer, 2002), pp.451–462 (in English);

(And more than 30 articles since 1986).
