

EDITORIAL

In the past, the ZEITSCHRIFT FÜR JAPANISCHES RECHT / JOURNAL OF JAPANESE LAW has been edited by the *German-Japanese Association of Jurists* „in cooperation“ with the *Max Planck Institute for Foreign Private and Private International Law* in Hamburg. However, as the editorial work with the journal has long been done almost entirely at the Institute – and has been financed by the Institute – the Board of Directors of the Association, the editor and the Directors of the Institute have agreed to take these facts more strongly into account. Thus, beginning with the present issue, the first of volume 9 (2004), the journal will be „jointly published“ by both organizations. The title page has been adjusted accordingly, and we have taken this opportunity to sharpen the visual profile of the journal by emphasizing the journal’s abbreviations „ZJapanR / J.Japan.L.“ on the front page. This corresponds with the national as well as international custom for law journals.

This issue, once again, presents you with the accustomed mix of research-oriented articles dealing with legal theory and others focusing on questions of predominantly practical importance. The issue starts with the Japanese contributions by *Misao Tatsuta*, *Kenjiro Egashira*, *Hideki Kanda* and *Takeshi Yoshii* to a comparative law conference held in November 2003 at *Dôshisha University* in Kyoto, about actual developments in corporate governance in Japan and Europe. The authors discuss fundamental issues of corporate governance and its development in Japan in general. They also focus on the duties and liabilities of managers, as well as the role of the auditor in Japanese public companies. In this area, we see in Japan a very active development in legislation as well as in case law, as in Germany.

The ARTICLES section starts with a comparative analysis of the legal protection of employees upon acquisitions of companies, by *Jürgen Zierke* and *Jan Schneemann*, a topic of high practical relevance.

Yoko Hashimoto reports about new forms of employment and the latest developments in Japanese labor laws. *Hideaki Kawasaki* gives an overview of the present reform of criminal procedure law, including juvenile procedure law. A French contribution by *Shusuke Kakiuchi* throws light on the relationship between mediation and contract law. *Ursula Shibumi Eisele* then discusses the possible legal qualification of *keiretsu* as a “concern” (group of companies under unified control). *Frank Siegfanz* analyzes patent license agreements under Japanese competition law. The section closes with a report by *Thorsten Maiwald* and *Ulrich Ott* about the implications of the German immigration laws for Japanese nationals, including questions of employment.

Two REPORTS should attract special attention. *Richard W. Rabinowitz*, who went as a young lawyer from the US to Japan in 1953, describes his life and work in Tokyo. In the end, his stay in Japan lasted half a century. His memories make for highly stimulating reading. The same is true for the lecture by *Peter Rodatz*, who went ten years later as a young German lawyer to Japan. He has worked for forty years in Tokyo.

As usual, *Markus Janssen* and *Peter Schimmann* report about RECENT LEGAL DEVELOPMENTS. The Report covers the 156th though to the 159th session of the Japanese parliament. *Leon Wolff* adds an introduction to the new law on whistleblowing. In the section PIL AND IPL NEWS, *Yuko Nishitani* presents a report by the Hague Conference on the operation of the Hague Service Convention in Japan.

In the section on CASE LAW, you will find three contributions. *Hiroshi Oda* summarizes a recent decision by the Supreme Court that deals with information rights of shareholders. *Eiji Takahashi* and *Tatsuya Sakamoto* analyze important corporate law cases of the years 2002 and 2003. Finally, *Dirk Schüssler-Langeheine* supplies a comprehensive overview over important civil decisions of the Supreme Court in the year 2002. This adds to his earlier report about the year 2001 in issue 15 (2003).

The BOOK REVIEWS introduce five new publications concerning various areas of Japanese law. Two reports about lectures organized by the DJJV complete the picture, and the issue concludes with a few organizational announcements.

Harald Baum