

COMMITTEE / STUDY GROUP / PANEL

Date	Friday, 11 December 2020
Time	18:00-20:00 (JST) / 9:00-11:00 (GMT)
Study Group	Study Group on Asian State Practice of Domestic Implementation of International Law
Session Chair	Prof Willem Van Genugten, Em. Professor of International Law, Tilburg University (Dutch Branch)
Study Group Chair	Prof Seokwoo Lee, Inha University Law School (Korean Branch)
Study Group Chair	Prof Kevin YL Tan, National University of Singapore (Singapore Branch)
Rapporteur	Prof Hee Eun Lee (American Branch)
Rapporteur	Dr Matthias Vanhullebusch (Headquarters)
Comments	<p>The present Study Group (SG) is motivated by the relative lack of scholarship on an important, yet underrepresented area of study in international legal studies. The introduction of Western international law into Asia; the resulting shift from Asian international law and the development of international law in the region; and the impact that all of this has had on Asian states have not been explored in depth. While there have been individual studies on the way in which Asian states deal with international law, the survey is patchy and does not sufficiently offer an overview of the Asian states' attitudes and philosophies about the domestic implementation of international law. This SG is to focus on the development of international law through the domestic implementation of international law in the countries in Asia. The outcome of this SG will add significantly to the literature and our understanding of the individual states' role in the application of international law, both nationally and regionally. For the purposes of this SG, Asia will include the countries in most of sub-regional level of Asia: Northeast Asia, Southeast Asia, South Asia and Central Asia. Given that the form and substance of international law as it is known today derives itself from Western states, it can be argued that Western philosophy and culture continues to influence the character of international law. Important questions that are raised are whether international law is able to appreciate the cultural difference between Western countries and Asian countries? In specific reference to Asia, what approach to international law do Asian States have when they implement it at their domestic level? Assuming that a distinct Asian approach to international law exists, what is its contribution, if any, to the development of international law in Asia and to the development of international law generally?</p>