

Akira Kawamura

Akira Kawamura is a graduate of Kyoto University, 1965, and of Sydney University, LL.M. 1979. He was admitted to the Japanese Bar in 1967, and joined the firm of Anderson Mori & Tomotsune (then, Anderson Mori & Rabinowitz). He has an extensive general corporate, business law, international trade, energy and real property law and litigation/arbitration practices. He was the Past President of the International Bar Association (IBA) through 2012 and currently the President of the Japan Association of Arbitrators. He was the Executive Director of the Japan Federation of Bar Associations in 1987 and the Chair of the JFBA International Affairs Council in 1998. He was the Co-Chair of the Forum on Transnational Practices for the Legal Profession ("Paris Forum") in 1998. He was the visiting professor of law at Kyoto University through 2006. He is a corporate auditor and board member of a number of Japanese companies such as McDonald's Holding Company (Japan). He is presently active as a council member of the Japan Society of International Law, an Ethics Committee for the Japan Cancer Association and an Ethics Board member for the International Association of Athletics Federations. He authored a number of books and thesis including "Corporate Governance - International Series", 1st and 2nd Editions, Thomson Reuters, General Editor, and "Law and Business in Japan" 1st and 2nd Editions, Author and Editor in Chief, 2000. In 2012, he was awarded with the decoration of the Order of the Rising Sun by His Majesty, the Emperor of Japan.

<http://www.amt-law.com/en/professional/profile/AKK>

Abstract "Globalization of Japanese Lawyers: Achievements, Challenges, and Expectations to American Law Schools"

Skills Transfer:

1. My professional career, spanning half a century, started as an associate in an American/Japanese law firm, founded by three American lawyers who were specially admitted to the Tokyo bar by the Supreme Court of Japan. It was a typical feature of the "Skills Transfer" as defined by the IBA Trade in Legal Service Committee.

International Trade Issues:

2. The years of 1980s were the time of "Trade Frictions" between Japan and the US. The foreign lawyers ("GAIBEN") regime (1986) was the outcome of trade negotiations to mitigate such trade frictions. It was successful, and today, more than 400 registered foreign lawyers, with more un-registered associates, are actively practicing in Japan.
3. The trade negotiations developed from a bilateral level to a global scale, and GATS and WTO were introduced in 1994. The US and UK governments aggressively and deliberately pursued through WTO, OECD and EU policies of freer "International Trade in Legal Service".
- "Paris Forum on Transnational Practice for The Legal Profession (Prof. Laurel S. Terry, The Penn State Dickinson Journal of International Law, Vol. 18, No.1, p.1, 1999.)".

Emergence of Global Legal Profession:

4. Under the WTO's regime, the international financial service grew exponentially and then, came to a sudden halt when the global bubble burst in 2008. A WTO report of 2010 on the trade in legal service (WTO Council for Trade in Service S/C/W/318 14 June 2010) highlighted that global legal services had grown dramatically while financial services grew, but were exclusively dominated by the London or US based mega firms. The rest of the

world, including Japan, were importers of these US and UK legal services.

5. The GFC first broke out in NY and London, and, spread quickly throughout the world. While the US and UK recovered relatively quickly, less developed economies, like the Southern European countries, suffered from the aftermath more harshly and for longer. Dr. J. Stiglitz, had predicted the outbreak of GFC in his book "Globalization and its Discontents" as early as in 2003. He stated that "Asymmetries of Information" between the peoples of the advanced countries and less advanced should bring about the GFC. I agree with him and would like to rename it, "Asymmetries of Legal Power".
6. Post GFC, legal power diversified and dispersed to other regions like the Asia Pacific. The Chinese law firms grew rapidly King & Wood Mallesons was ranked as the world 29th largest law firm by the end of 2014. The Japanese law firms are growing too in this century and have begun to catch up with the trend of globalization.

What is the challenge for the Japanese legal profession?:

7. Innovation of law firm management – cross border mergers and partnership. Fundraising from the capital markets;
8. Education in international lawyering skills;
9. Government strategies on international trade in legal services – TPP, FTA and EU.

Cooperation beyond the Pacific:

10. Legal framework for the trade in legal services;
11. Supporting students' career development – Choice among law schools and professional opportunities