

Chairs in Civil Law

- **Colombia:** 26 September and 23-24 November on the theme of "**Law and Economics**"



Contributors:

- Professor Philippe Dupichot,
- Professor Michel Germain,
- Professor Michel Grimaldi,
- Professor Yves-Marie Laithier,

[See full description...](#)

- **Japan:** 15 October - 14 November on the theme of "**Third-party Asset Management**"

Contributors:

- Madeleine Cantin-Cumin, Professor Emeritus, Faculty of Law, McGill University, Quebec
- Keechang Kim, Professor at Korea University
- Sylvie Lerond, Attorney [Avocat] at the law firm of CMS Bureau Francis Lefebvre
- Rainer Schröder, Professor at Humboldt University, Berlin

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- **Chile :** 28 November - 21 December on the theme of "**Insolvency procedures of companies**"

Contributors:

- Élise Charpentier, Professor of Law at the University of Montreal
- Reinhard Dammann, Avocat [Attorney] at the Clifford Chance law firm
- Michèle Grégoire, Professor at the Université Libre de Bruxelles and Avocat [Attorney]
- Christoph Paulus, Director of the Institute for Interdisciplinary Restructuring at Humboldt University, Berlin

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- **Vietnam:** the Chair provides support in training for the Masters in International Corporate Law for Vietnamese and Cambodian students. The lectures will focus on the theme of "**The Law of general obligations**".

Contributors:

- Professor Frédéric Bicheron (University of Nantes)
- Professor Daniel Cohen

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- **Morocco:** 19 – 21 December 2011 and 5 January 2012 on the general theme of "**Insolvency Procedures of Companies**"



Contributors:

- Reinhard Dammann, Avocat [Attorney] at the Clifford Chance law firm
- Michèle Grégoire, Professor at the Université Libre de Bruxelles and Avocat [Attorney]
- Michel Grimaldi, Professor at the Panthéon-Assas Paris II University
- Rainer Schröder, Professor at Humboldt University, Berlin

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Thesis Award

The Fondation's thesis award was presented to the two winners at a ceremony held on 17 October 2011 at the Consulate in Shanghai, in the presence of Mr Michel Mercier, Minister of Justice and Freedoms, and Mr Emmanuel Lenain, Consul General.



The two winners were:

- Rongxin ZENG who was awarded 1st prize (€3,500) for his thesis on "**Comparative security interests in French law and Chinese law**", and
- Wei HOU who was awarded 2nd prize (€2,000) for his thesis on "**Freedom of contract in the Carriage of Goods by Sea**".

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Support for environmental law in China

The 6th seminar organised in partnership with the Fondation, the French Embassy in Beijing and the Chinese Ministry for the Environment took place on 13 and 14 October 2011, on the theme of "**Atmospheric pollution**".



French contributors:

- Marianne Moliner-Dubost, Doctor of Law, specialising in environmental law, Lecturer-Researcher at Lyon 3 University
- Carl Enckell, Attorney [Avocat] at the Adamas law firm specialising in environmental law and urban development
- Xavier Olny, Ph.D. in physics, specialist in environmental, air quality, noise and electromagnetic pollution, and head of the "Transport Sanitation Footprint, Emerging Risks" skills hub.

The Fondation was represented by Mrs. Nicole Souletie, its Administrative and Financial Director.

Chinese contributors:

- Chai Fahe, Deputy Director of China's Environmental Science Research Institute
- Wang Jin and Wang Shekun, Professors at the Peking University Law School

[See list of contributors](#)

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Colloquium at the National Assembly

27 October 2011: a colloquium organised under the distinguished patronage of The Honourable Nicolas Sarkozy, President of the Republic, in partnership with the National Assembly, represented by Sébastien Huyghe, and the Economic, Social and Environmental Council represented by *Maître* David-Gordon Krief on the theme of "**Civil law, a lever for competitiveness**".

[See full description...](#)



Henri Capitant Law Review

October 2011: translation into English by the Civil Law Initiative of the 3rd issue of the Henri Capitant Law Review on the theme of "**The right to specific performance**".

[See the review](#)

Support for the unification of contract law

The Fondation continues to support the project to unify contract law in South-East Asia; at the 6th PACL Forum, which was held in Seoul from 16 to 18 December on the theme of "**Contractual liability**", it was represented by a civil law expert.

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Chair at Keio University



Testimony of Sylvie Lerond, Attorney [Avocat] at the law firm of CMS Bureau Francis Lefebvre, as part of his intervention at the Chair at Keio University in November, 2011.

The Chair at Keio University organized, under the auspices of Professor Naoki KANAYAMA, a series of four conferences on the administration of Third-Party Asset Management, which were presented successively by German, Korean, Quebec and French jurists. These conferences were held over a period of several months, each conference being organized independently of one another.

As the managing attorney of the Heritage Law Department at the law firm of CMS Bureau Francis Lefebvre, I was invited to give a presentation on the management of third-party assets under French law. The subject of the first conference was the *mandat de droit commun* [Translator's note: a mandate, or grant of a power of attorney, pursuant to the general principles of French law, to perform administrative acts] and the two special assignments known as the *mandat de protection future* [Translator's note: a contingent grant of a power of attorney to take effect upon the occurrence of a future event] and the *mandat à effet posthume* [Translator's note: a grant of powers to deal with the grantor's estate following his death]. The second conference was on *fiducie-gestion* [management of trusts] and was met with greater interest by the audience than the first lecture because, in Japan, the law that governs mandates is directly inspired by our Napoleonic Civil Code, and is, thus, well known to them, whereas the law of trusts was introduced in France at a much later date than in Japan and is based on quite distinct concepts and principles of operation.

This enriching experience has allowed me to confirm the existence of traits usually attributed to the Japanese, and among which I will cite the following:

- Impeccable organization: the text of the presentations was sent out three weeks in advance of the conference, as to enable Professor Megumi HARA to translate it from French into Japanese. On site, following an informal lunch with Professors Naoki KANAYAMA and Megumi HARA, where I faced the challenge of using chopsticks on a dish of long flat oat flour noodles, a specialty of Tokyo, a preparatory work session was held, followed by the conference itself, which was delivered first in French and then in Japanese, and was followed by a discussion with the audience.
- An abundance of effort: The audience, comprising of law students embarking upon graduation, as well as, professors and lawyers, was informed and attentive. The discussion was lively and substantive.
- A warm personal welcome: there were several dinners held following each conference. The first was attended by students, professors and lawyers, many of whom speak French and, on the following day, in a smaller grouping with Professors Naoki KANAYAMA and Megumi HARA. Many courtesies and considerations were shown on both of these occasions.

In addition to my above "findings", I was struck by the endearing personalities of the people whom I met. Professor Naoki KANAYAMA, with his straightforward nature, typical of people from Osaka, is a humanist and great defender of French civil law in a country that is increasingly falling under the influence of the Anglo-Saxon law. Professor Megumi HARA, a petite, smiling Japanese lady who sports a bright nail polish covered with pearls, specializes in the law of trusts.

Everyone contributed to making my visit pleasant and very informative by providing access to places and information that I would never have been able to acquire without them.

The Ricci dictionary of Chinese law in the home stretch



Testimony of Mr. Hubert Bazin, lawyer, member of the Ricci Association

Already six years of hard work for the editing team of the Ricci dictionary of Chinese law, aiming at translating and explaining in both French and English the main legal terms used in China. 23.000 Chinese terms were transferred in September 2011 to a database, after a first translation and reviewing. The final review is currently carried out according to the twenty branches of law gathering most of the terms (constitutional law, civil law, commercial law, corporate law, criminal law, international public law, environmental law, etc.). The database makes also possible the preparation of two lexicons (French-Chinese and English-Chinese) that will be available through internet. Around ten new reviewers have joined the editing team in order to speed up the reviewing work, which should last until the end of 2012, later than expected although the delay can be considered as a guarantee of quality. The current editing team includes more than twenty French and Chinese lawyers or academics who work together in what has become a federating project of the Sino-French legal community. Certain terms shall be adjusted by Chinese lawyers, other Chinese concepts explained and new terms added to the database to make each branch of law quite comprehensive although not exhaustive. The Chinese legal vocabulary is changing rapidly, as new uses can be found by using search engines on internet, to update translations that do not appear on existing manuals or Chinese-Chinese legal dictionaries. The editing team thanks the Civil Law Initiative for having granted a financial support to the project, which is used to compensate part of the reviewing work that cannot be completed pro bono, especially as regard to the English proofreading. We expect to be able to announce the completion of the project by the end of 2012. Until the completion, Chinese, French and English-speaking lawyers are more than welcomed to assist in the final review of the dictionary.

Africa and the OHADA



Dr Achille André NGWANZA presents the [Journal Africain du Droit des Affaires](#) (African Business Law Journal, JADA), which he has founded :

"This journal is a unique forum for interactive discussion between legal experts from Africa and around the world. The JADA is also a weekly review that provides a supplement on alternative dispute resolution, investment law and business law in Africa. Its slogan says it all: "l'Afrique du droit qui parle du droit de l'Afrique !" (African jurists talking about African law!), JADA intends to raise the international profile of law in Africa".