



**2010 ALIN International Conference
General Meeting**

**The Advancing Capacity-Building for
ALIN's International Cooperation
& the Expansion of ALIN members**

November 17, 2010

East China University of Political Science and Law, Shanghai, China

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General Meeting

**2010 ALIN Conference
November 17, 2010**

Order of Proceedings

I . Opening

II . Introducing Delegates

III . Introduction of Discussion Items

IV . Short Speech & Discussion on Items

V . General Discussion

VI . Closing

Opening Ceremony

Opening Address

He Qinhua
President, East China University of Politics and Law

Dear President Kipyoo Kim, Mr Clauspeter Hill, and experts, scholars, ladies and gentlemen, Good morning!

To begin with, on behalf of the East China University of Political Science and Law, please allow me to welcome all of you to the 2010 Asian Legal Information Network conference.

ECUPL joined ALIN in August, 2004, after that, we have sent delegates to several ALIN conferences, and I was honored to have participated in the 2008 conference held in Nagoya, Japan. Participants gather together to share opinions on how to further promote the legal cultural exchanges between different countries and regions in Asia, and discuss some pioneering legal academic issues. It has been 8 years since the Korean Legislation Research Institute started the ALIN programme in 2002, and now ALIN has become an important venue through which Asian legal scholars are able to communicate and learn about each other's legal systems.

Great changes have taken place in the Chinese legal system during the past 3 decades, and we did experience many difficulties. In moving forward, we learned much from the experience of different countries and regions in building a legal system. From my point of view, the Asian countries and regions' geographical and cultural similarities enhance the importance and effectiveness of exchanges and study among them. Nowadays, under the background of globalization, the development of the legal system of every country and region is facing similar problems and challenges. Thus, it is very

important to pool research and explore a way to solve these problems. ALIN has not only provided a face-to-face exchange opportunity for Asian legal scholars, but also has been dedicated to the establishment of a regular network exchange system. It has played a positive role in promoting the exchange of Asian legal culture.

ECUPL was one of the first established institutions of higher learning of new China and has currently developed into a multidisciplinary university. The university has about 12,000 undergraduates and nearly 4,000 graduate students at present. We are now sitting in the old campus with a history of more than 120 years, which evolved from the campus of the American mission school St. Johns University before the birth of new China. I hope you will like this elegant and peaceful campus, welcome to our campus and conference. You are also welcome to visit and lecture at our university in the near future.

On this occasion, I'd like to express my heartfelt thanks to the President of Korean Legislation Research Institute Kipyoo Kim and the Director of the Asia Legal Programme of German Konrad Adenauer Foundation Clauspeter Hill, who offers great help to this conference. And thank you all for attending this conference.

Finally, may I wish the 2010 ALIN conference complete success, and wish you a happy stay in Shanghai! Thank you!

Congratulatory Address

President, Kipyoo Kim
Korea Legislation Research Institute

It's great to see you here East China University of Politics and Law in Shanghai and thanks for coming from far and near.

We ALIN have 22 partners from 14 countries and more than 35 distinguished guests from 12 countries have attended this meeting. I feel deeply obliged to all of the participants who gladly came here out of all their busy schedules and hard itineraries.

The partner members in the ALIN have realized the necessity of building an international legal information network. Moreover, the ALIN is a network seeking mutual interest by organizing a network participated voluntarily in Asian.

We may say that ALIN is quite a significant network which paves the way for the respective institutions in Asiato share and cooperate with legal information as the partners of this network. The ALIN has grown into a legal information network which the institutions across Asia and will further develop in future as well.

Following the development and spread of computer and internet, we can feel the network effect generated by sharing mutual information. By carrying out exchange through direct contact and through internet side by side, the effect will swell many folds.

Hence, I hope that this will be a place for exchange of valuable experience and knowledge for the successful future of the ALIN through sincere discussions by the representatives many at the General Meeting and the international academic conference being held today. And I ask you to cooperate continuously so that the ALIN project can be executed successfully by drawing a conclusion based on these efforts. By doing so, this ALIN international conference will be a very beneficial and valuable experience for you all.

We ALIN members deeply thank each other for the support and encouragement by many partners in the ALIN. We have also recognized again that the ALIN project is never a one-time project, but a task to be pursued continuously. We at the same time feel a heavy responsibility that we should sincerely proceed with the implementation of the ALIN project in order to respond to your interests as well.

Lastly, I would like to express once again my sincere gratitude to the representatives and working staff of ECUPL; (President, He Qinhua and Prof. Liu Xiaohong) And I also thank each ALIN partner who have attended this ALIN international conference despite

the long distances travelled and your busy schedules. Thank you very much!

2010 ALIN International Conference

General Meeting Program

General Meeting			
Thurs. Nov. 18	9:00 - 09:30	Registration	2nd Floor, Jiao Yi Lou Bd., ECUPL, 1575 Wan Hang Du Road, Shanghai, China
	09:30 - 09:40	Opening Address He Qinhu President, East China University of Politics and Law	
	09:40 - 09:50	Congratulatory Address Kipyoo Kim President, Korea Legislation Research Institute	
	09:50 - 10:00	Introducing of Delegates Prof. Liu Xiaohong	
	10:00 - 10:15	Coffee Break	
	10:15 - 10:30	Introduction of Discussion Items Chanho Park Director, Korea Legislation Research Institute 1.The Advancing Capacity-Building for ALIN's International Cooperation 2. The Expansion of ALIN members 3. Discussing on the ALIN Committee	
	10:30 - 11:30	Short Speech & General Discussion Prof. Liu Xiaohong 1.Discussing on the Advancing Capacity-Building for ALIN's International Cooperation 2. Discussing on the Expansion of ALIN members 3. Discussing on the ALIN Committee 4. Deciding the Place of the next General Meeting and the presiding Partner (Pursuant to Article 8(2) of the Charter) 5. Electing the Chairperson for the next General Meeting (Pursuant to Article 8(3) of the Charter)	
	11:30 - 11:40	General Discussion	
	11:40 - 11:50	Closing	
	11:50 - 12:00	Group Photo	
12:00 - 14:00	Luncheon	Mayfair Hotel, Shanghai	

General Meeting Attendance List

Delegates

- **Liu Xiaohong**
Professor
East China Univ. of
Politics and Law
- **Mingcheng Tsai**
Dean
College of Law
National Taiwan University
- **Kuong Teilee**
Professor
Center for Asian Legal Exchange
Nagoya University
- **D.S. Sengar**
Director,
Indian Law Institute
- **Marsudi Triatmodjo**
Dean
Faculty of Law
Gadjah Mada Univ.
- **Hanki Sohn**
Director
Chinese Law Research Center
Yonsei University
- **Xiaoli Shi**
Professor
China Univ. of Political
Science and Law
- **Batjargal Dugarjav**
Director
National Legal Center
- **Sakda Thanitcul**
Dean
Faculty of Law
Chulalongkorn University
- **Choong Yeow Choy**
Dean
Faculty of Law
University of Malaya
- **Nguyen, Nhu Phat**
Director
Vietnam Institute of State and Law
- **Kipyo Kim**
President
Korea Legislation Research Institute

Attendance

- **Xiaoli Shi**
China Univ. of Political
Science and Law
- **Dongkook Kang**
Professor
Center for Asian Legal Exchange
Nagoya University
- **Andrew Jen-Guang Lin**
Professor
College of Law
National Taiwan University
- **Enkh-Amgalan Baljinnyam**
Advocate
National Legal Center of Mongolia
- **Bui Nguyen Khanh**
Director
Center for Legal Advice of ISL
- **Clauspeter Hill**
Director
Konrad Adenauer Stifting
- **Jenny Chan Siew Mui**
Executive Assistant,
Konrad Adenauer Stiftung
- **Regional Project Executive**
Susan Chan Siew Sim
- **Youngkyoung Kwon**
Ministry of Unification
- **Jeongsik Yu**
Ministry of Unification
- **Jootae Lee**
Ministry of Unification
- **Yanghee Hong**
Ministry of Unification
- **Ilkwon Park**
Ministry of Unification
- **Jongyeong Yi**
Professor
Law School, Chungang University
- **Jaekwang Kim**
Professor
Department of Law, Sunmoon University
- **Chanho Park**
Director
Global Legislation Research Center
Korea Legislation Research Institute

- **Myeong yoon Jung**
Associated Researcher
Global Legislation Research Center
Korea Legislation Research Institute
- **Kyunghee Lee**
Researcher
Global Legislation Research Center
Korea Legislation Research Institute
- **Dr. Kwangdong Park**
Associated Researcher
Global Legislation Research Center
Korea Legislation Research Institute

Staff

- **Insook Yoo**
Global Legislation Research Center
Korea Legislation Research Institute
- **Gong Yajing**
China Univ. of Political
Science and Law

General Meeting

Introduction of Discussion Items

Chanho Park

Director of Global Legislation Research Center
Korea Legislation Research Institute

Good morning, ladies and gentlemen. It's an honour to have a chance to speak in front of this distinguished audience. I am very grateful for your support and cooperation as we celebrate 2010' ALIN International Conference. From now on, I would like to briefly introduce the items of discussion.

1. Capacity-Building for ALIN's International Cooperation
2. The Increase or Enlargement of ALIN Members
3. The Steering Committee in ALIN
4. Introduction of ALIN website

* Please refer to Power Point Templates



Nov. 18th~ 19th, 2010

East China University of Political Science and Law, Shanghai, China



Order of Proceedings

- I. Registration**
- II. Opening Address**
- III. Congratulatory Address**
- IV. Introducing Delegates**
- V. Introduction of Discussion Items**
- VI. Short Speech & Discussion on Items**
- VII. General Discussion**
- VIII. Closing**



Opening Address

**Chairman of ALIN,
East China University of Politics and Law**



Congratulatory Address

**Kipyoo Kim
President, Korea Legislation Research Institute**





Introduction of Delegates

Chairman of ALIN
East China University of Politics and Law



Introduction of Discussion Items

Chanho Park
Director, Korea Legislation Research Institute

1. Capacity-Building for ALIN's International Cooperation
2. The Increase or Enlargement of ALIN Members
3. The Steering Committee in ALIN
4. Introduction of ALIN website

1. Capacity-Building for ALIN's International Cooperation



- **Capacity Building encompasses the Country's human, Scientific, Technological, Organizational, Institutional and Resource capabilities.**

Pre-Condition

- Common Understanding on the Goals and Activities
- Each Institute(Local Member)'s Incentives should be created
- A time-taking process requiring a long time horizon
- Encouraging Stakeholder Participation

1. Capacity-Building for ALIN's International Cooperation



Current Status of ALIN

- Good Network Building, but we need the substantial outcomes under the NAME of ALIN
- Most of the member Institutes have managed their own International Cooperation Program => The Lack of Information Sharing(First Step and Purpose of ALIN)
- Emerging New Legal Information Network, such as AustLII, LawPhill, FALM and so on.

1. Capacity-Building for ALIN's International Cooperation



Suggestions for Advancing ALIN

- Two-Track Approach: In-House Capacity & International Cooperation Capacity
- Implementing Joint Projects and Co-Activities
- ALIN's Secretariat (KLRI) and Steering Committee will facilitate the substantial cooperation among ALIN Members.
- Co-Working to Build ALIN D/B

2. The Increase or Enlargement of ALIN Members



The ALIN's Policy of Membership and Current Status

- One Institute each Country, except Korean Side
- Most of Members are Research and Academic Institutes
- The Limitation of Regional Area

The Agendas for Discussion

- The Changing ALIN Policy => The Restrictive Open-Door Policy
 - A. At least one official recommendation from ALIN members
 - B. The Establishment of Private and Public Partnership
 - C. The Steering Committee's Review
 - a. The Balancing of the Country Proportion
 - b. The Qualification Evaluation
 - D. The General Meeting's Final Approve
- Open for Government Side
- The Open-Membership to Middle East Country, Australia(New Zealand) etc
- Linking(Relationship) other Regional Association or Network, such as Joint Conference and Research

3. The Steering Committee in ALIN



Purpose

- Facilitating ALIN's activities
- The Efficient Decision Making Process for Future Works
- Transparency (Future Issue)

Governance of the Steering Committee

- Principle: Institutional Base, not personal
- The Sub-Committee under the General Meeting
- Committee Members (+ Special Advisor)
 - a. The Host Institution of General Meeting
 - b. The Former Host Institute
 - c. The Next Host Institute
 - d. The Secretariat Institute
 - e. Special Advisor: Konrad Adenauer Foundation

3. The Steering Committee in ALIN



Functions

- Decision Making on the specific agendas, in which General Meeting should delegate it's decision authority to steering committee
Ex) The title or agenda of International conference, the subject of Joint Conference etc.
- Fund-Raising for special projects or activities
- Mediation
- Participation and Assistance to Each Institute's International Program



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1. Main Changes

ALIN Homepage Main Changes

- Changing UI Design
- Applying to Web-standard
- Replacing system equipment
- Constructing mobile website for smart phone web-service
- Installing searching engine and Strengthening searching function capability
- Installing PDF document converter for copyright protection

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1. Main Changes

Applying to Web-standard

CSS Design Delete

Class - About ALIN - Activities

- Establishment of Basic and Shared Network
- Establishment of a center for Asian countries' legal education and cooperation in practice in accordance with the law
- Construction of a foundation for basic legal information-related education, cooperation and research in accordance with the law
- Establishment of an overseas legal education and research center in order to assist in the study of the law
- Establishment of a center for the promotion of research, exchange and cooperation among legal information-related institutions
- Construction of a center for legal information
- Establishment of an online database of research, cases, official records and law other legal information of Asian countries in order to provide in Asian legal information-related institutions or organizations
- Establishment and management of ALIN Program through which legal information is to be provided to students in all of them
- Provision of services, such as English to non-English and Korean to legal education of Asian countries through web-based learning system in English in the field of law education through a platform, and to help non-English speakers' legal practice in each Asian country
- Provision of a community for the exchange of legal information of each Asian country in order to be used as a platform for research and development project in Asia region
- Provision for Improvement Projects of Law and Education Program
- Establishment of a cooperation center for the research and development for legal education and improvement projects among Asian countries
- Establishment of legal education program for law, basic courses and the establishment of research center for the improvement in Asian countries
- Shared cooperation and research in improvement projects of them as well as in related education program among Asian countries
- If the projects of legal education or related research results are requested, such requests shall be granted

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Web-standard coding using XHTML

1. Main Changes

Installing PDF Document Converter for Copyright Protection

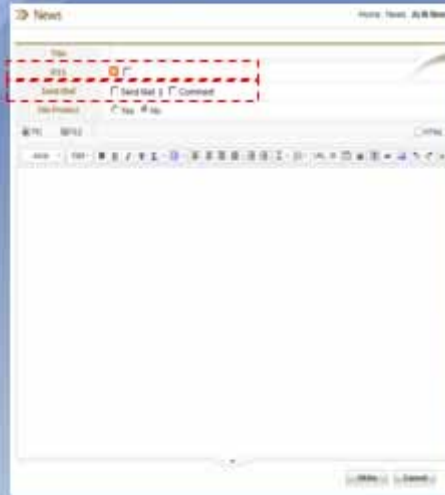
Attach files upload

Attach files → Setting up security → Automatic converting

- Automatic PDF Conversion of attach files
- Setting up Security for attach files
 - Watermark
 - Copy Protection
 - Print Protection
 - Modification Protection

1. Main Changes

Providing Services for User Convenience



- **Mailing Service**
 - News Letter Service
 - Posting Alert Service
 - Comments Link Service via e-mail
- **RSS Service**

2. ALIN Homepage Composition and Function


ALIN Website - Main page



- Using intuitive design for user convenience
- Strengthening data searching capability via Searching Engine
- Providing RSS service for postings

2. ALIN Homepage Composition and Function

ALIN Website – ABOUT ALIN



- ALIN Introduction
- Menu
 - What's the ALIN
 - Vision
 - Activities
 - Milestones
 - Charter of the ALIN
 - Outline of ALIN
 - How to contact the ALIN

2. ALIN Homepage Composition and Function


ALIN Website – PARTNERSHIP



- ALIN Partner Introduction & Bookmark Informadon
- Menu
 - Partnership List / Link

2. ALIN Homepage Composition and Function

ALIN Website – PARTNERSHIP Information



- Login
- Partner Information page
- Updating Information

• Logging-in as an authorized user, you will see Partners Detailed Information page for updating information.

2. ALIN Homepage Composition and Function

ALIN Website – LINK



- Sharing proud and link information among Partners

2. ALIN Homepage Composition and Function

ALIN Website – NEWS

The screenshot shows the ALIN website's NEWS section. On the left, there is a list of news items with columns for title, date, and author. On the right, a detailed view of a news item is shown, including a title, content, and a list of tags. An arrow points from a news item in the list to its detailed view.

- Sharing Partners news. Authorized Administrator and Partners administrator can update postings.
- When posting news, you can send e-mails to each Partners administrator or register RSS.

2. ALIN Homepage Composition and Function

ALIN Website – RESOURCES

The screenshot shows the ALIN website's RESOURCES section. On the left, there is a list of resources with columns for title, date, and author. On the right, two pop-up windows are shown. The top window is titled 'Non-Member Download' and contains a form with fields for 'Name', 'Country', 'Department', and 'E-mail'. The bottom window is titled 'NEW KNU ADMINIS...' and contains contact information for KNU. Arrows point from the resource list to these pop-up windows.

Closed resource

Open resource

- Resources are classified into ALIN resources, Partner resources, and Member resources according to registrants.
- For closed resources, you should enter basic information for download. Logging-in is not necessary to download open resources.

2. ALIN Homepage Composition and Function

ALIN Website – FORUM

Log-In

➔

Register Forum opening

➔

Create Forum





• Every ALIN member can create FORUM provided basic Notices and Opinion function.

3. Mobile ALIN page details

Smartphone (Mobile) Website – Main page



- Moving to Mainpage
- Searching/Log-in
- Shortcuts to contents

- Applying to Smartphone(Mobile) Web Design
- Composing posted resources for the purpose of information delivery



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3.Mobile ALIN page details

Smartphone (Mobile) Website – News



The screenshots illustrate the mobile interface for the News section. The first screen shows the main navigation menu with 'News' selected. The second screen displays a list of news items, including 'The 2007 ALIN Intern...'. The third screen shows the details of a news item, '2010 Internet Shutdown Notificati...'. Navigation buttons like 'News List' and 'News Information' are visible at the bottom of the respective screens.

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3.Mobile ALIN page details

Smartphone (Mobile) Website – Resources



The screenshots illustrate the mobile interface for the Resources section. The first screen shows the main navigation menu with 'Resources' selected. The second screen displays a list of resource items, including 'Escalating State I...'. The third screen shows the details of a resource item, 'THE CONSTITUTION OF THE SOCIALISTE REPUBLIC OF VIETNAM'. Navigation buttons like 'Resources List' and 'Resources Information' are visible at the bottom of the respective screens.

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3.Mobile ALIN page details

Smartphone (Mobile) Website – File download



Resource

Asia Legal Information Network

Search Login

About ALIN Partnership News Resources

Return Links Conference

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Resources

Title (Date) : THE CONSTITUTION OF THE SOCIALIST REPUBLIC OF VIETNAM (2009.10.14)

Writer : ebismam

THE CONSTITUTION OF THE SOCIALIST REPUBLIC OF VIETNAM

1. THE CONSTITUTION OF THE SOCIALIST REPUBLIC OF VIETNAM.pdf [File download]

Viewing PDF

Resources Information



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3.Mobile ALIN page details

Smartphone (Mobile) Website – Conference Information



Conference Information

Asia Legal Information Network

Search Login

About ALIN Partnership News Resources

Return Links Conference

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2010 ALIN International Conference

일시 : 2010.11월 16(목)

장소 : East China University of Politics and Law (중국 상해 화둥 대학)

Location

2010 ALIN International Conference

Location (GoogleMap)



Partners of the ALIN

China

China University of Political Science and Law

East China University of Politics and Law

India

Indian Law Institute

Indonesia

Faculty of Law, Gadjah Mada University

Japan

Center for Asia Legal Exchange, Nagoya University

Kazakhstan

Legislation Research Institute of Kazakhstan

Korea

Center for Asian Law

Chinese Law Research Center, Yonsei University

Institute of Law and Public Administration, University of Seoul

Korea Legislation Research Institute

Law Research Institute, Centre for International Area Studies,

Hankuk University of Foreign Studies

Legal Information Center on North Korea, Kookmin University

World Economic Law Research Center, Korea University

Malaysia

Faculty of Law, University of Malaya

Mongolia

National Legal Center

Philippines

College of Law, University of the Philippines

Russian Federation

Far Eastern National University

Taiwan

College of Law, National Taiwan University

Science & Technology Law Center of Institute for Information Industry

Thailand

Faculty of Law, Chulalongkorn University

Uzbekistan

Tashkent State Institute of Law

Vietnam

Vietnam Institute of State and Law

CHARTER OF THE ASIA LEGAL INFORMATION NETWORK

PREAMBLE

The representatives of research institutions in the Asian region attending the Inaugural General Meeting of the Asia Legal Information Network held in 2005 fully recognized that the establishment of the said Network would contribute greatly to making legal information, the results of relevant research and any other related knowledge as held and managed by each of those institutions available to all of them, agreed that the activities of the Asia Legal Information Network should be very important and helpful in developing legal systems and promoting the relevant research in the Asian region, and declared that they shall actively participate in and support such activities.

Article 1 (Organization) There shall be established the Asia Legal Information Network (hereinafter referred to as the "ALIN") to be composed of governmental agencies, legal system-related research institutions, jurisprudence-related educational institutions and other legal information-related institutions in the Asian region (hereinafter referred to as the "Partners") which take charge of the business of collecting, managing and researching laws, judicial precedents and any other legal information (hereinafter referred to as the "legal information") and which consent to the purposes of the ALIN and voluntarily participate therein.

Article 2 (Purposes) The purposes of the ALIN is to exchange materials and research results concerning legal information held by the Partners by forming an integrated human and material network, and to promote cooperation among related researchers and staff members through paying exchange visits. In short, it aims to build a horizontal network to maximize the effective value of legal information and research results held by each of the Partners by sharing such information and

results among all of them in on-line or off-line areas.

Article 3 (Functions) The ALIN shall perform the following functions:

1. Establishing a network to enable human and material exchange among the Partners;
2. Building and operating any on-line system on Internet for the exchange of legal information and research-related materials;
3. Promoting joint research on legal systems and holding relevant academic conferences;
4. Providing the support for reorganization and improvement of legal systems as well as for legal system-related education in the Asian region; and
5. Other projects which serves to achieve the purposes of the ALIN.

Article 4 (Operation of On-Line System) (1) There shall be established and operated an ALIN Homepage (www.e-alin.org) to facilitate the conduct of projects of the ALIN as well as to build the on-line system referred to in subparagraph 2 of Article 3.

(2) The Homepage referred to in paragraph (1) shall perform the following functions:

1. Publicizing the ALIN and its activities;
2. Announcing and exchanging the results of performance by the ALIN and other relevant materials;
3. Introducing individual Partners and building sub-homepages for the sharing and exchange of legal system-related materials;
4. Holding meetings and forums on the Internet; and
5. Other functions necessary to facilitate the conduct of projects of the ALIN.

(3) The computer server necessary to operate the Homepage referred to in paragraph (1) shall be put in the Korea Legislation Research Institute.

Article 5 (Academic Activities) (1) The ALIN may, if necessary to achieve

its purposes, hold academic conferences with the participation of the Partners.

(2) The ALIN may, if necessary to achieve its purposes, publish academic journals with the involvement of the Partners.

(3) The ALIN may periodically publish news letters to facilitate the conduct of its projects and promote mutual understanding among the Partners.

Article 6 (Structure) The ALIN shall be composed of the General Meeting, Partners and the Secretariat.

Article 7 (Functions of General Meeting) The General Meeting shall perform the following functions:

1. Formulating policies for the operation of the ALIN;
2. Approving proposals for major projects;
3. Adopting and amending the Charter of the ALIN;
4. Adopting and amending rules or regulations for operating the ALIN;
5. Approving the accession to the ALIN and confirming the withdrawal therefrom;
6. Deciding the place of the next General Meeting and the presiding Partner thereof;
7. Other functions which may be necessary to achieve the purposes of the ALIN.

Article 8 (Composition and Operation of General Meeting) (1) The General Meeting shall consist of the representatives of the Partners and be the supreme decision-making organ of the ALIN.

(2) The General Meeting shall, in principle, be held once a year, and the place and the presiding Partner shall be decided on at the preceding General Meeting.

(3) The Chairperson of the General Meeting shall be elected from among the representatives of the Partners at the preceding General Meeting. The Chairperson shall preside over the General Meeting and shall, in case of an equality of votes, have a casting

vote in taking decisions.

- (4) A majority of the representatives of the Partners shall constitute a quorum of the General Meeting, which shall take decisions by a simple majority of the representatives present: Provided, That decisions on the adoption and amendment of the Charter shall require a two-thirds majority vote of all the representatives of the Partners.
- (5) The Partner presiding over the General Meeting may defray part of the expenses incurred in holding it in accordance with decisions of the General Meeting and shall consult with the Secretariat on the matters related to such holding.

Article 9 (Accession to and Withdrawal from ALIN) (1) The agencies or institutions which consent to the purposes of the ALIN and which attend the Inaugural General Meeting and sign this Charter shall be Partners automatically.

- (2) Any agency or institution which intends to be a Partner of the ALIN shall submit a prescribed application for admission to the Secretariat.
- (3) Any agency or institution which submits a prescribed application for accession under paragraph (2) shall become a Partner with the approval of the General Meeting: Provided, That even before the General Meeting is held, the Secretariat may, if deemed necessary, have the said agency or institution participate in the activities of the ALIN as an observer.
- (4) An observer referred to in paragraph (3) may enjoy the same treatment as a Partner but shall neither present its opinions nor cast a vote at the General Meeting.
- (5) Unless otherwise determined, any Partner may voluntarily withdraw from the ALIN by submitting a written notice of such withdrawal to the Secretariat, and such withdrawal shall be confirmed by the General Meeting.

Article 10 (Rights and Obligations of Partners) (1) The Partners shall enjoy their rights on equal terms and discharge their obligations in good faith, so as to achieve the purposes of the ALIN.

(2) The Partners shall conduct mutual exchanges and cooperation according to the principle of faithfulness and sincerity to achieve the purports and purposes of setting up the ALIN.

(3) The Partners shall designate administrators of their individual sub-homepages and have them take sincere charge of the exchange of various legal system-related materials through the Homepage referred to in Article 4 (1), the operation of the sub-homepages and the performance of other affairs related to the ALIN projects.

Article 11 (Secretariat) (1) The Secretariat shall perform duties falling under the following subparagraphs:

1. Holding the General Meeting;
2. Performing general affairs of the ALIN such as personnel affairs, accounts, and the management of documents;
3. Holding academic conferences of the ALIN and publishing academic journals and news letters thereof;
4. Maintaining and managing the on-line system referred to in subparagraph 2 of Article 3; and
5. Dealing with other affairs delegated by the General Meeting.

(2) The Partner that serves as the Secretariat shall be decided by the General Meeting and shall have manpower and facilities necessary for the operation of the Secretariat and bear ordinary expenses: Provided, That unless otherwise decided by the General Meeting, the Secretariat shall be established under the Korea Legislation Research Institute.

(3) The Executive Director of the Secretariat shall be appointed by the representative of the Partner that serves as the Secretariat and shall exercise the overall control of the affairs thereof.

Article 12 (Sectional or Regional Conferences) There may be established sectional conferences according to regions, fields of laws and outstanding issues if deemed necessary to facilitate the activities of the ALIN as well as to achieve the purposes thereof. Matters concerning the establishment of sectional conferences shall be decided by the General Meeting.

Article 13 (Funds) (1) Unless otherwise decided by the General Meeting, funds for the activities of the ALIN shall be financed by the Korea Legislation Research Institute or may otherwise be sponsored.

(2) If the funds provided in paragraph (1) become incapable of being created due to circumstances of the Korea Legislation Research Institute, each Partner may contribute to the funds by a decision of the General Meeting. In this case, the decision shall be taken unanimously by the General Meeting.

(3) The accounts on revenue and expenditure of the funds sponsored under paragraph (1) and those financed under paragraph (2) shall be reported to and approved by the General Meeting.

Article 14 (Disputes concerning Interpretation) Any question or dispute concerning the interpretation of any provision of this Charter shall be settled by the General Meeting.

Article 15 (Entry into Force) This Charter shall enter into force upon adoption by the Inaugural General Meeting of the Asia Legal Information Network held on October 13, 2005 and signature by the representatives of the Partners.

ON-LINE NETWORK BUILDING AND OPERATION REGULATION

Article 1 (Purpose) The purpose of this Regulation is to provide for matters concerning the building and operation of on-line systems under Article 4 of the Charter to make information on activities of the ALIN promptly available and accessible to Partners as well as to exchange legal information and academic materials held by each such Partner on a reciprocal and efficient basis.

Article 2 (Definitions) The definitions of terms used in this Regulation shall be as follows:

1. The term "ALIN Homepage" means a Website including general activities of the ALIN which is provided for the comprehensive search and utilization of materials and news of the ALIN and Partners and which is administered by the ALIN Secretariat;
2. The term "Partnersite" means a sub-homepage of the ALIN Homepage for providing information on a Partner and sharing its legal information and academic materials with other Partners, which is administered by the said Partner;
3. The term "ALIN Homepage administrator" means a person who belongs to the ALIN Secretariat and who builds and administers the ALIN Homepage; and
4. The term "Partnersite administrator" means a person who belongs to each Partner and who builds and administers a Partnersite.

Article 3 (Building and Administration of ALIN Homepage) (1) The Secretariat shall, *bona fide*, endeavor to build and administer the ALIN Homepage and computer server(s) under Article 4 of the Charter as well as to improve their functions.

- (2) The Secretariat shall, from among its personnel, appoint an ALIN Homepage administrator to build and administer the ALIN Homepage.
- (3) The ALIN Homepage administrator referred to in paragraph

- (2) shall exercise general supervision and control over affairs related to the building and administration of the ALIN Homepage and computer server(s) and take charge of their security.
- (4) The ALIN Homepage administrator shall maintain a system for liaison with each Partnersite administrator.

Article 4 (Building and Administration of Partnersite) (1) Each Partner of the ALIN shall, *bona fide*, endeavor to build and administer a Partnersite.

- (2) Each Partner shall, from among its personnel, appoint a Partnersite administrator to build and administer a Partnersite.
- (3) Each Partner may open a Partnersite by submitting to the Secretariat an application including information on a Partnersite administrator referred to in paragraph (2).
- (4) Each Partnersite administrator shall regularly administer the Partnersite concerned and maintain a system for liaison with the ALIN Homepage administrator in connection with activities of the ALIN.
- (5) If a Partnersite administrator is replaced, each Partner shall, without delay, notify the ALIN Homepage administrator.

Article 5 (Copyright) The Secretariat and each Partner shall pay particular attention to the protection of copyright in each of the legal information and academic materials which they include in the ALIN Homepage and each Partnersite for the operation thereof, and shall, if necessary, set up appropriate warning and the standards of membership for access.

Article 6 (Preparation of and Education on Manual) The Secretariat shall prepare and distribute manuals necessary to facilitate the administration of the ALIN Homepage and Partnersites and shall, if necessary, educate Partnersite administrators and other relevant persons.

Article 7 (Entry into Force) These Regulations shall enter into force upon adoption by the General Meeting and signature by the representatives of the Partners.

JOINT ACADEMIC ACTIVITIES PROMOTION REGULATION

Article 1 (Purpose) The purpose of this Regulation is to provide for matters necessary for the efficient performance of joint academic activities referred to in subparagraph 3 of Article 3 of the Charter to ensure the development of legal systems in the Asian region by promoting the exchange of legal information and academic materials among the Partners.

Article 2 (Definitions of Terms) The definitions of terms used in this Regulation shall be as follows:

1. The term "joint academic activities" means academic activities referred to in Article 3;
2. The term "academic conference" means any conference which participants attend to give their opinions on academic matters as well as to discuss those matters, including a forum, a seminar, a symposium, a workshop;
3. The term "academic journal" means any periodical which contains treatises, reports, comments, book reviews and other academic matters and which is published in accordance with the publication standards; and
4. The term "publication" means any publication or production such as a textbook, a report, a book, an academic journal, a collection of materials, a collection of laws and regulations, a newsletter, a brochure and a CD-ROM of academic interest.

Article 3 (Joint Academic Activities) The ALIN shall perform joint academic activities falling within any of the following subparagraphs:

1. Joint academic conferences;
2. Joint research or Joint comparative studies;
3. Publication of academic journals;
4. Exchange of publications;
5. Exchange and training of researchers; and

6. Other academic activities which are consistent with the purpose of the ALIN and which are performed jointly by its Secretariat (hereinafter referred to as the "Secretariat") and Partners.

Article 4 (General Principles) (1) The Secretariat and each Partner shall endeavor to participate actively in joint academic activities referred to in this Regulation.

(2) All the joint academic activities referred to in this Regulation shall be performed in conformity with the principles of good faith, mutual benefit and equality.

(3) All the joint academic activities referred to in this Regulation shall be performed with all possible consideration so as not to cause material and moral damage to any institution or participant.

(4) The Secretariat and each Partner shall pay particular attention to all intellectual property rights including copyright protection in performing all the joint academic activities referred to in this Regulation and impose appropriate restrictions if necessary.

(5) The details of all the joint academic activities referred to in this Regulation including financial matters shall, in advance, be consulted on and decided by the parties concerned.

Article 5 (Joint Academic Conference) (1) It shall be recommended to hold any joint academic conference in which the Secretariat and all or part of the Partners participate.

(2) Expenses incurred in holding any joint academic conference shall be borne by the organizer or jointly with participating Partners.

Article 6 (Joint Research) (1) It shall be recommended to conduct joint research in which the Secretariat and all or part of the Partners participate.

(2) Joint research referred to in paragraph (1) may be proposed by the Secretariat or each Partner.

(3) Expenses incurred in conducting joint research shall be borne by the organizer or jointly with participating Partners.

Article 7 (Publication of Academic Journals) (1) The Secretariat may regularly publish an academic journal to provide information on academic activities of the ALIN and to exchange academic information.

(2) In the case of any academic journal referred to in paragraph (1), treatises of researchers belonging to Partners shall be given priority consideration.

(3) Detailed standards for the publication of any academic journal referred to in paragraph (1) shall be in accordance with the regulation on such publication and the conditions determined by the Editorial Committee.

Article 8 (Exchange of Publications) (1) Publications of the Secretariat shall, on a priority basis, be distributed to all Partners.

(2) It shall be recommended to distribute publications of any Partner to the Secretariat and other Partners.

(3) The exchange of publications shall, in principle, be free of charge unless there is any special reason to the contrary.

Article 9 (Exchange and Training of Researchers) (1) The exchange of researchers or training visits between Partners for their academic development shall be actively recommended.

(2) The period and expenses for exchange of researchers or training visits referred to in paragraph (1) shall be determined by Partners in agreement.

Article 10 (Utilization of Results of Joint Academic Activities) (1) It shall be recommended to notify the Secretariat of the results of joint academic activities performed under this Regulation.

(2) It shall be recommended to include joint academic activities performed under this Regulation in the ALIN Homepage.

(3) If each Partner intends to publish the results of joint academic activities performed under this Regulation, the Secretariat may support such publication.

Article 11 (Entry into Force) This Regulation shall enter into force upon adoption by the General Meeting of ALIN Partners.

Short speech

◆ Short Speeches-1 ◆

如何在ALIN框架下进一步推动亚洲法律文化交流 How to further promote legal culture exchange under ALIN framework

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ALIN的目标是：通过建立统一的人员和资料网络系统来促进成员单位之间有关法律的资料和研究成果的相互交流，并推动法律学者和工作人员之间的合作。在全球化背景下，不同国家和地区的法律学者相互交流信息、共同探讨问题，是十分必要，也是非常重要的。在过去的8年中，ALIN通过一年一度的国际会议、建设网站、出版学术刊物以及培训项目、专题研讨等各种形式，积极地推动了亚洲法律文化的交流。ALIN章程中所确立的目标已初步实现，相对稳定的人员和资料网络体系基本成型。在此基础上，切实保障成员单位之间迅捷、准确的法律信息交换以及推动法学学术问题的深入研究成为各成员单位的迫切要求，也是ALIN进一步发展的方向。在此，华东政法大学将总结我校与ALIN的合作历程，并提出扩大ALIN影响力和作用的建议。

ALIN aims to promote the interchange of relevant legal information and research results between ALIN member units and to motivate cooperation between legal academics and ALIN staff by establishing a unified staff and information network system. In the context of globalization, it's quite essential and also very important for legal academics from different countries and regions to exchange information and explore issues together. In the past 8 years, ALIN has played an active role in promoting the exchange of Asian legal culture by various means including annual international conferences, website construction,

academic journal publishing, training programs, and seminars. The goal set by the ALIN charter has been preliminarily achieved, and a relatively stable network structure has been basically shaped. On this basis, ensuring a quick and accurate legal information exchange and promoting in depth research on legal academic issues have become urgent demands for ALIN member units and will also be ALIN's next move. On this occasion, ECUPL would like to review the process of cooperation between ALIN and ECUPL and propose to expand ALIN's influence and effect.

扉、 华东政法大学与ALIN

1. ECUPL and ALIN

华东政法大学于2004年8月加入ALIN，之后，学校的校长、副校长以及其他专业教师先后参加了历届ALIN会议，与其他成员单位的代表一起分享我校对外法律文化交流的经验、共同探讨如何在ALIN体系下促进法律信息的交流。作为2010年ALIN会议的承办单位，华东政法大学积极筹备，努力为所有参会者提供最好的交流平台。

ECUPL joined ALIN in August, 2004. The president, vice-president and other professional teachers successively participated in subsequent ALIN conferences to share their experience in international legal culture exchange with delegates of other members and to discuss how to promote legal information exchange under the ALIN system. As the sponsor of 2010 ALIN conference, ECUPL is actively preparing to provide the best communication platform for all participants.

华东政法大学的对外学术交流是十分活跃的，现有的外国法、比较法研究机构有：韩国法研究中心、罗马法和欧洲法研究中心、比较法研究所和日本法研究中心等。有一批具有外国留学背景的教师在上述研究机构从事研究。加入ALIN之后，即以韩国法研究中心为基础，建立网站，发布有关学术活动的信息。

ECUPL is very active in international academic exchange. The existing foreign law/comparative law research institutions include: Korean Legislation

Research Institute , Roman Law and European Law Research Center, Institute of Comparative Law and Japanese Law Research Center. There is a group of teachers with backgrounds of studying abroad doing research at the institutions. After joining ALIN, we have established websites and published information about academic activity based the Korean Legislation Research Institute.

通过ALIN体系，华东政法大学与各成员单位建立了常规的联系，为教师、研究人员的互访提供信息和其他便利条件。2009年5月，华东政法大学代表团访问韩国法制研究中心；2010年7月，韩国法制研究中心研究员来我校做访问学者等等。通过这样的互访，加强了彼此的了解。目前，我校正在与同样具有法学教育功能的ALIN其他成员单位探讨在法学教育领域进行合作的可能，如教师交流、学生交流、召开学术会议等。

Through the ALIN system, ECUPL has established regular contact with ALIN member units and provided information and other facilities for the exchange of teachers and researchers. In May 2009, delegates of ECUPL paid a visit to the Korean Legislation Research Institute. In July 2010, researchers of the Korean Legislation Research Institute came to our university as visiting scholars. The exchange strengthened our mutual understanding. We are currently discussing the possibility of cooperating with other ALIN member units involved in legal education through teacher exchanges, student exchanges and holding academic conferences.

可以说，ALIN帮助我校拓宽了对外法律文化交流的渠道，为我校教师了解亚洲其他国家和地区的法律制度提供了网络支持。

We can say that ALIN helped our university in broadening the channel of international legal culture exchange and provided network support for teachers in our university to learn about the legal systems of other countries and regions in Asia.

软、 ALIN进一步发展面临的困难

2、 The difficulties facing ALIN in the process of further development

ALIN现有成员单位22个，从组织构成的角度看，已经比较稳定。但要真正实现全面、深入交流的目标，仍然存在两个困难。

ALIN has 22 existing member units. It is relatively stable from the perspective of organizational structure. However, there are still 2 problems if we want to fully achieve the goal of comprehensive and deep communication.

首先是语言。应该说，这是不同语种国家和地区间进行任何一种交流都要面对的难题。ALIN活动主要采用的英语，这也是唯一可行的选择。其结果就是，各成员单位许多优秀的学者由于无法用英语进行交流而不能参与到ALIN的活动中。在2008年名古屋的年会上，有学者曾提出直接从日语转化为汉语、中文的技术尝试。这固然是一种新的思路，但目前仍在初步发展阶段，不具可操作性。

The first is language. Frankly speaking, it is the problem which will exist in any exchange between countries and regions speaking different languages. ALIN activities are mainly held in English, which is the only viable option. As a result, many outstanding scholars of the member units are not able to participate in ALIN activities because they can't communicate in English. At the annual meeting of 2008 in Nagoya, some scholars proposed using technology to translate from Japanese to Chinese. This is certainly a new idea, however, it is hardly operational since we are still at the initial stage of development.

其次，ALIN成员单位虽然是确定的，但成员单位的代表却是会变化的。而目前ALIN网络更多的是成员单位代表的网络体系，由此出现的问题是：1) 有时会出现因成员单位负责人变动而导致联系困难的情况；2) 虽然代表都来自法学研究或教学单位，但由于各自的学术领域不同，在进行交流时往往难以就某一学术问题进行深入探讨。

Secondly, the delegates of ALIN member units keep changing though the member units remain the same. At present, ALIN network is more a network

system of member units delegates, and this brought up the problems: 1) sometimes it will be difficult to maintain contact since the person in charge of the member units changes, 2) although the delegates are all from units engaged in legal research or teaching, they are not all in the same academic area, and this will make it difficult to discuss certain academic issues deeply during exchanges.

第三，年会短暂的会期不能为各成员单位交流提供足够的时间。目前，各成员单位进行交流的主要形式就是参加一年一度的ALIN国际会议，但由于会期较短，每位代表的发言时间十分有限，其观点往往不能得以充分阐述。

Thirdly, the annual meeting is too short to provide sufficient time for member unit exchanges. The main opportunity for ALIN member units to exchange is by participating in the ALIN annual international conference. But due to the short duration of the meeting, each delegate has very limited time to deliver his speech, thus, they can't express their opinions thoroughly or completely.

卞、 扩大ALIN影响力和作用的建议

3、 Proposal on expanding ALIN's influence and effect

基于对上述困难的分析，为进一步扩大ALIN影响力和作用，提出以下三点建议。

Based on the analysis of the difficulties, we make the following 3 suggestions to further expand ALIN's influence and effect.

一是建立课题招标制。为了使更多的学者能参与到ALIN活动中，并确保学术研讨会能实现深入探讨法学问题的目的，建议ALIN在每一次的年会上发布若干研究论题，由成员单位的研究人员投标。这样可以吸引各成员单位在某一领域的专家投入项目研究中，当然，各成员单位要给予那些不能用英语交流的学者以必要的帮助和支持。

The first is to establish a project bidding system. In order to enable more

scholars to participate in ALIN activities and to ensure the academic seminar achieves the goal of exploring legal issues deeply, we propose that several research topics should be published at each ALIN annual meeting and be bid upon by the researchers of member units. In this way, experts in certain fields from member units will be attracted to join in the research of the project. Certainly, each member unit should provide those scholars who can't communicate in English with essential help and support.

二是将介绍本国或本地区在过去一年中法律发展的新动向作为一般会议的常规议题。在前几届ALIN国际会议的一般会议中，议题都是围绕着如何构筑、发展ALIN。如今，ALIN的组织体系构架已基本完成，其研讨的重点应该转向法律文化交流本身。另外，相对确定的议题，也可以使成员单位代表能够有充分的时间进行准备。

The second is to introduce new trends in national or regional legal development in the last year as a regular topic of the general meeting. The topics of previous general meetings of ALIN international conference have been all about how to construct and develop ALIN. Now, the ALIN organizational system structure has been basically completed and we should emphasize legal culture exchange itself. In addition, designating a relatively certain topic will encourage the delegates of member units to acquire sufficient time for preparation.

三是增加ALIN的活动形式。除了全体成员单位参加的国际会议外，可以组织更小范围的学术研讨，作为国际会议的辅助，以弥补国际会议会期短的不足。另外，成员单位法律学者之间的互访仍然比较少，如果能对此有一些鼓励措施，则必然会进一步加强ALIN成员单位之间的联系。

The third is to diversify ALIN's activities. In addition to the international conference attended by all of the member units, academic exchanges on a smaller scale can be organized to supplement the international conference to

make up for its short duration. Since legal scholars of member units seldom exchange, it will definitely further strengthen the relationship between ALIN member units if there are some incentives and encouragement for the exchanges.

在过去的6年中，华东政法大学通过ALIN与其他成员单位建立了友情，每一次的国际会议，也使得我们对其他国家和地区的法律有了更新的认识。我们将与其他成员单位一起，为ALIN的进一步发展作出最大的努力。

In the past 6 years, ECUPL has established friendships with other member units through ALIN. And each international conference has allowed us to refresh our knowledges of the laws of other countries and regions. We will work together with all the member units to make greatest efforts for the further development of ALIN.

◆ Short Speeches-2 ◆

The ALIN Assignment Accomplished by CUPL and Suggestions on Development of ALIN

Xiaoli Shi

China Univ. of Political Science and Law

China University of Political Science and Law (CUPL) is a multi-disciplinary university. The University is characterized by centering on law, accompanied with a variety of other disciplines such as philosophy, economics, literature, science and management. The predecessor of CUPL is Peking College of Political Science and Law founded in 1952 by the merge of the disciplines of law, political science and sociology of Peking University, Yenching University, FuRen University and Tsinghua University. The College was later renamed China University of Political Science and Law in 1983. It is now a state key university directly affiliated with the Ministry of Education of China. In its 50 years' development, CUPL has fostered more than 200 thousand graduates of different levels, taken part in virtually every legislation activities of the state since its foundation and led the jurisprudence theoretical innovation as well as the legal conceptual renewal of China, representing its international exchanges in the field of law. CUPL now has 14007 full-time students, including 8414 undergraduates, 4324 graduates and 248 overseas students. It currently has a faculty of 898 members, 21 schools or departments, 17 undergraduate disciplines, 46 master's degree conferring institutions, 19 Ph.D. conferring institutions. The university has established international relationship with about 100 other universities of more than 20 different countries or regions.

China University of Political Science and Law (CUPL) has joined ALIN for six years and paid great regard to the establishment and management of the

ALIN partner website. The vice president Baosheng Zhang is in charge of this program and has given this assignment to the International Law School, which has set up a team to accomplish the assignment with professor Wang chuanli as the head, former Dean of the International Law School of CUPL. The team members include professor Shi xiaoli and several postgraduates to be in charge of the assignment in detail. We have collected official legal information and upload them periodically. Till now, we upload eighty piece of Chinese law and regulations. The titles of law are listed in the following:

1. Constitution of the People's Republic of China
2. General Principles of the Civil Law of the People's Republic of China
3. Property Law of the People's Republic of China
4. Contract Law of the People's Republic of China
5. Explanations by the Supreme People's Court on Several Issues Regarding the Application of the Contract
6. Guarantee Law of the Peoples Republic of China
7. Construction Law of the Peoples Republic of China
8. Auction Law of the People's Republic of China
9. Accounting Law of the People's Republic of China
10. Company Law of the People's Republic of China (revised in 2005)
11. Enterprise Bankruptcy Law of the People's Republic of China
12. Regulations of the People's Republic of China on Administration of Registration of Companies
13. Law of the People's Republic of China on Partnerships
14. Securities Law of the People's Republic of China (revised in 2005)
15. Negotiable Instruments Law of the Peoples Republic of China (2004 Revision)
16. Trust Law of the Peoples Republic of China
17. Commercial banks law of the People's Republic of China
18. Insurance Law of the People's Republic of China
19. Regulation Governing Foreign-funded Insurance
20. Law of succession of the People's Republic of China
21. Marriage law of the People's Republic of China

22. Provisions for the Registration of Marriage between Chinese Citizens and Foreigners
23. Administrative Procedure Law of the People's Republic of China
24. Administrative Permission Law of the People's Republic of China
25. Legislation Law of the People's Republic of China
26. Patent Law the People's Republic of China
27. Detailed Implementation Rules of Patent Law
28. Trademark Law the People's Republic of China
29. Copyright Law the People's Republic of China
30. Regulations on Computer Software Protection
31. Foreign Trade Law of the People's Republic of China
32. Regulations of the People's Republic of China on Anti-dumping
33. Regulations of the People's Republic of China on Countervailing Measures
34. Regulations of the People's Republic of China on Safeguard Measures
35. Investigation Rules of Foreign Trade Barrier
36. Trade Union Law of the People's Republic of China
37. Measures on Record Registration of Foreign Trade Dealers
38. Customs law of the People's Republic of China
39. Regulations of the People's Republic of China on Import and Export Duties
40. Regulations of the Origin of Imported - Exported Goods of the People's Republic of China
41. The Government Procurement Law of the People's Republic of China
42. Rules of the Customs of People's Republic of China for Implementing the Regulations of People's Republic of China on Customs Protection of Intellectual Property Rights
43. Regulations of the People's Republic of China on Customs Protection of Intellectual Property Rights
44. Law of the People's Republic of China on Control of the Entry and Exit of Aliens
45. Law of the People's Republic of China on the Control of the Exit and Entry of Citizens

46. Law of the People's Republic of China on Import and Export Commodity Inspection
47. Standardization Law of the People's Republic of China
48. Catalogue for the Guidance of Foreign Investment Industries
49. Law on Sino-Foreign Equity Joint Ventures
50. Regulations for the Implementation of the Law on Sino-foreign Equity Joint Ventures
51. Law on Sino-foreign Cooperative Joint Ventures
52. Law on Wholly Foreign-Owned Enterprises
53. Detailed Rules for The Implementation of The Law on Wholly Foreign-Owned Enterprises
54. Law of the People's Republic of China against Unfair Competition
55. Anti-monopoly Law of the People's Republic of China
56. Law of the People's Republic of China on Protection of the Rights and Interests of the Consumers
57. Product Quality Law of the People's Republic of China
58. Labor Law of the People's Republic of China
59. Law of the People's Republic of China on Employment Contracts
60. Rules for the Administration of Employment of Foreigners in China
61. Law of the People's Republic of China on the National Flag
62. People's Police Law of the People's Republic of China
63. The Law of the People's Republic of China on Enterprise Income Tax
64. Individual Income Tax Law of the People's Republic of China
65. Regulations on the Foreign Exchange System of the People's Republic of China
66. Maritime Code of the People's Republic of China
67. Railway Law of the People's Republic of China
68. Civil Aviation Law of the People's Republic of China
69. Arbitration Law of the People's Republic of China
70. Civil Procedure Law of the People's Republic of China

71. Criminal Procedure Law of the People's Republic of China
72. Electronic Signature Law the People's Republic of China
73. Law of the People's Republic of China on Bid Invitation and Bidding
74. Anti-Money Laundering Law of the People's Republic of China
75. Law of the People's Republic of China on Judicial Immunity from Compulsory Measures Concerning the Property of Foreign Central Banks
76. Law of the People's Republic of China on the Protection of Women's Rights and Interests
77. Law of the People's Republic of China on Quality and Safety of Agricultural Products
78. Animal Husbandry Law of the People's Republic of China
79. Renewable Energy Law of the People's Republic of China
80. Law of the People's Republic of China on Energy Conservation

We have hoped to upload China Judicial Organs' decisions to ALIN website, but China official has not issued the English text of judicial decisions. At the same time, in the light of funding problems, we will be unable to organize the strength or commission the relevant bodies to translate some of China's judicial decisions into English. Therefore, this desire can not be achieved in the short term. At present, what we can achieve is to upload the Chinese laws and regulations as many as possible. While uploading the Chinese laws and regulations, it is difficult to find the newly promulgated laws and regulations of the English text. Thus, some of the uploaded English laws and regulations may be for a time after they are promulgated.

About the development of ALIN, we have the following suggestions:

Firstly, we should target ALIN the main development direction is to rich website contents or to cooperate beyond website. If the former is the goal, the priority is that ALIN members should upload the relevant legal material and information of their own country as much as possible. Where possible, ALIN should provide financial support to the various members. The members who need financial support should propose a project application and explain the work and

the fund .Check before acceptance when the work is completed.

Secondly, the classification of information on ALIN website is too simple. We suggest that information on the resource section of ALIN website be classified in a more detailed way. For example, we can put them into different categories such as laws and regulations, articles, and cases, etc. In that way, it can be more convenient for visitors to search data and for Partners to upload documents and materials.

Thirdly, ALIN should formulate the common research topics, provide the funds and organize various members to carry on the project cooperation. The production of the project cooperation may be publishing the collection or monographs.

We hope ALIN develop its role as a bridge to further promote legal information communication between Asian countries.

◆ Short Speeches-3 ◆

Advancing Capacity-Building for ALIN's International Cooperation

Ming-Cheng Tsai

Dean, College of Law, National Taiwan University

Dear Colleagues, Distinguished Guests, Friends, Ladies and Gentlemen,

It is my great honor to meet you all today and present my viewpoints on the theme of the 2010 ALIN Conference on behalf of National Taiwan University College of Law. Since 2006, I have attended the ALIN General Meeting and International Conference in various host countries. I believe that those who have joined the ALIN conferences would not hesitate to express their gratitude to the staff who had devoted time and efforts to ALIN conferences, and in particular to those friends from East China University of Political Science and Law who have worked closely with Korea Legislation Research Institute this year to host this annual conference. You have successfully demonstrated effective cooperation among Asian countries and continually stimulated exchanges of legal experts through information network. Your great work accomplishes ALIN's International Cooperation, a recurrent topic on the agenda this year. Therefore, the short talk that I will deliver today focuses on the cooperation among ALIN partners. It is hoped that my observation will be able to provide some ideas for ALIN to advance its functions. My talk covers two topics. First, I will touch upon the important inheritance of ALIN experience. Secondly, I will illustrate the multi-culture established by ALIN platform.

Inheritance of ALIN Experience

At 2009 ALIN Conference, we shared our experience on legal information

exchange under the theme of "Exchange between Legal Experts". We noticed that it has become a common practice for our partners to continue dialogues after we return to home countries from ALIN conferences. We create opportunities for our partners to meet again in academic conferences on similar topics, we distribute papers to Asian legal journals published by our partners, and we submit our legal materials to databases constructed and maintained by ALIN partners. We cannot but emphasize the importance of the partnership built up on the basis of ALIN. This invaluable partnership stands for the most important source for ALIN to improve its international connection to the field of legal systems.

Take NTU College of Law as an example. In order to maintain the friendship developed in ALIN conferences, our college runs an English program aiming to introduce our students to different legal systems outside Taiwan. We invite legal scholars from ALIN partners, such as China, India, Korea, Japan, Malaysia, and Thailand. Through comparing the legal systems between Taiwan and other Asian countries, students have not only expanded their horizon of international issues, but also enjoyed the opportunities to learn about different legal cultures introduced by ALIN participants. This indeed proves a strong connection among ALIN partners, and signifies successful ALIN international cooperation.

The Integration of "Multi Legal Information" at One Platform

Following the trend in 2009, this year we put emphasis on what we can do to enhance the functions of ALIN, and further, to advance the capacity-building for ALIN's international cooperation after we all benefit from the exchange of legal experts. Allow me to present my ideas on the current topic.

ALIN serves as both a physical and virtual platform for different cultures.

In the case of a physical platform, last year we have discussed the exchange of information among ALIN partners, such as academic conferences, joint research projects, and legal system-related education. We must keep the activities going among Asian countries. By so doing, we will be able to bring more new partners to join us and at the same time, raise the quality of legal education and information. In the case of a virtual platform, we cannot ignore the influence arising from the Internet and databases. It is a pressing task for ALIN to act as a multi-lingual platform that fulfills partners' needs. Apart from Korean and English, it is our goal to translate legal materials into various languages, share legal information on-line and update the latest legal news from our partners. Although it takes time to reach our goal, we believe the finish line to be crossed is not far away.

With that I would conclude my brief comments. Thank you for your attention.

◆ Short Speeches-4 ◆

Advancing Capacity-Building for ALIN's International Cooperation

Professor Dr Choong Yeow Choy
Dean, Faculty of Law, University of Malaya

Introduction

This short paper proffers and shares a few thoughts as to how we can advance capacity-building for Asia Legal Information Network's (ALIN) international cooperation. Each and every ALIN member institution/partner is indeed an esteemed institution or entity, with its own characteristics and strengths. Be that as it may, there is still room for collaboration between ALIN member institutions/partners or amongst ALIN member institutions/partners. Such collaborations will further elevate the standing and bring immense benefits to ALIN and the faculty, students and staff of these member institutions/partners.

Aims and Functions of ALIN

We are well-versed with the purposes and functions of ALIN. As enumerated in Article 2 of the Charter of the Asia Legal Information Network, one of the purposes of ALIN is to share and exchange materials and research results concerning legal information. The promotion of cooperation among related researchers and staff members through exchange visits is another aspiration of ALIN. In short, the establishment of a networking amongst the member institutions/partners is the overriding objective of ALIN.

Article 3 of the Charter of the Asia Legal Information Network mandates that we shall perform the following functions, namely:

- ◆ Εσταβλισηινγ α νετωορκ το εναβλε ηυμαν ανδ ματεριαλ εξχηανγε αμονγ τηε Παρτνερσ;
- ◆ Βυιλδινγ ανδ οπερατινγ ανψ ον-λινε σψστεμ ον Ιντερνετ φορ τηε εξχηανγε οφ λεγαλ ινφορματιον ανδ ρεσεαρχη-ρελατεδ ματεριαλσ;
- ◆ Προμοτινγ φοιντ ρεσεαρχη ον λεγαλ σψστεμσ ανδ ηολδινγ ρελεπαντ αχαδεμικ χονφερενχεσ;
- ◆ Προπιδινγ τηε συππορτ φορ ρεοργανιζατιον ανδ ιμπροπεμεντ οφ λεγαλ σψστεμσ ασ ωελλ ασ φορ λεγαλ σψστεμ-ρελατεδ εδυχατιον ιν τηε Ασιαν ρεγιον; ανδ
- ◆ Οτηερ προφεχτσ ωηιχη σερωεσ το αχηιεπε τηε πυρποσεσ οφ τηε ΑΛΙΝ.

With the above purposes and functions in mind, it is proposed that the discussion on advancing capacity building for ALIN's international cooperation proceed under the following headings.

Cooperation between Member Institutions/Partners of ALIN

One very positive way to advance capacity building for ALIN's international cooperation is by way of having regular meetings amongst the member institutions/partners. With the assistance and cooperation of its member institutions/partners, ALIN has successfully organized annual general meetings since its inception. The importance of such annual meetings cannot be over-emphasized. It is an important avenue for member institutions/partners to exchange ideas and explore ways to realize and achieve the purposes of ALIN.

Another mode of cooperation takes the form of co-organizing joint programmes. It is not uncommon to see institutions of higher learning co-organizing joint programmes. These programmes may be the traditional law

programmes at either the undergraduate or postgraduate level, that is, the Bachelor of Laws or Master of Laws and Doctor of Philosophy respectively. At the end of such programmes, joint degrees are conferred by the institutions involved. Alternatively, other non-traditional programmes such as what some may refer to as the legal education extension programme or a specially tailored programme for members of the judiciary or other relevant bodies may be introduced. Under these programmes, the participants will receive certificates of attendance.

Such joint programmes afford ample opportunities for the institutions involved to share their resources and expertise. Under the auspices of ALIN, we as member institutions/partners should explore the possibility of collaborating on programmes that are not only viable and beneficial to the partners but also help to attain the purposes of ALIN.

Member institutions/partners should also work out a mechanism whereby exchange of faculty staff can take place on a more structured basis. The faculty members from one partner institution may work closely with the faculty members from another partner institution to co-teach certain courses, co-supervise masters or doctoral candidates or carry out joint research and jointly publish their works in high impact journals or journal indexed in the web of science (ISI indexed journals). The "sharing" of faculty members in such a way will go a long way in facilitating capacity building for ALIN's international cooperation.

A mechanism should also be put in place whereby the library resources and research data available at member institutions/partners be made available to other partner institutions. The establishment of a network to enable human and material exchange among the partner institutions is expressly stated in Article 3 of the Charter of the Asia Legal Information Network as one of the functions of ALIN.

Cooperation between Academics and Staff of Member Institutions/Partners of ALIN

It has been noted above that Article 3 of the Charter of the Asia Legal Information Network also requires the partners to hold relevant academic conferences. This aspiration has to a large extent been fulfilled as ALIN has organized a number of such academic conferences. More can be done in this area so as to enable the academics and staff of member institutions/partners to deliberation on legal issues that are both peculiar and common to different legal systems. Such deliberations can then be translated into publications.

Academics from the member institutions of ALIN should begin to consider conducting joint research and joint publications. Unlike our colleagues from the sciences, the researchers in law and social sciences tend to work individually or with only one or two other researchers. No doubt, the nature of the work may be doctrinal in nature. However, this usually results in a fairly low number of publications per academic. With joint research and publications, the number will rise significantly.

Perhaps, a website can be created to allow academics from the member institutions of ALIN to report on their work in progress and highlight research areas or issues that they are working on. This will allow for comments from fellow academics and further exchange of ideas. ALIN may also wish to consider identifying issues of concern to Asia and invite "expert reports" from academics from different countries with a view to compiling and publishing these reports. The series of reports on various areas and topics will form an important corpus of reference materials for researchers and academics.

Cooperation between Law Students of Member Institutions/Partners of ALIN

It cannot be denied that academics will find it easier to network as the opportunities for networking are easily available. Such prospects are less obvious for law students. ALIN and its partner institutions can play a very

positive role to facilitate networking amongst the law students. This can be achieved through a number of initiatives and programmes. One such programme that comes to mind is the student mobility or exchange programme. Such a programme presents the chance to law student from different legal systems and background to study in a different legal system and experience the different culture in another country. The benefits to be derived from such an initiative are tremendous.

The experiences of the Faculty of Law, University of Malaya, in implementing such a programme are outlined in a separate paper entitled "Enhancing Learning Experience and Creating Networking for Law Students at the Faculty of Law, University of Malaya". This paper will be presented in the academic conference this afternoon.

◆ Short Speeches-5 ◆

Advancing Capacity-Building for ALIN's International Cooperation

Marsudi Triatmodjo
Dean, Faculty of Law, Gadjah Mada Univ.

Honorable Mr. Ki-Pyo Kim, the President of KLRI, Honorable Dr. Chan Ho Park, Director of ALIN, Distinguished guests, Ladies and Gentlemen,

It is a great honor for me as a delegate of the Gadjah Mada University of Indonesia to present my perspectives on the 2010 ALIN General Meeting agenda of **"Advancing Capacity-Building for ALIN's International Cooperation"**.

There are many definitions formulated by scholars and institutions to describe the term "capacity-building". I cited the WCO (World Customs Organization?) definition because it seems to me it close to what ALIN's would like to derive from this agenda. The WCO defines capacity building as "activities which strengthen the knowledge, abilities, skills and behavior of individuals and improve institutional structures and processes such that the organization can efficiently meet its mission and goals in a sustainable way." (http://en.wikipedia.org/wiki/capacity_building, 11-11-2010). Based on this understanding, instead of giving some more burdens to ALIN with new ideas or activities proposal, I would like to collect and revive of my

previous paper delivered to the 2004 ALIN General Meeting in Seoul. In this speech, I would like to pick up and highlight some parts that directly relevant to the topic of this meeting, such as direction of ALIN activities, contribution of member institution, and the utility of online legal information.

Ladies and gentlemen ...

Direction for the ALIN Activities

After six years of its establishment, this is the time for us to evaluate and retrospect the ALIN activities, whether they have already fulfilled the objective or our needs. As we all know that by the establishment of ALIN we sincerely hope that the cooperation among us shall arouse the intensive mutual collaboration in law on research projects, international publications and conferences and information interactions in laws and legal systems of Asian nations. In fact, there are only few of us that have jointly conducted for such activities. This year on August 17 to 20, my Faculty and the Korean Association for European Constitutional Law (KAACL) sponsored by KLRI organized an international seminar. In order to advance capacity-building for ALIN's international cooperation, there shall be developed many activities bilaterally and/or multilaterally among ALIN member institutions.

Contribution of GMU to ALIN

We had thoroughly reviewed the ALIN's programs, and planned our internal programs accordingly, on which we are in certitude of being able to contribute to the project herein. We categorized the activities as follows:

A. Establishment of Human and Material Network

One of ALIN's programs is to establish a human and material network by which Asian legal information-related institutions or organizations are able to mutually exchange their legal information and related knowledge as well as to cooperate with each other. To support this program we planned to conduct separate projects and research as well as organizing seminars and conferences in Indonesia. Further, in addition to that we will be contributing in the Asian countries' projects, researches, seminars, conferences related to law. Moreover, we incessantly will maintain the construction of the exchange and cooperation of human and materials through a network among the related parties of ALIN. In addition to the online exchange of materials, we also may provide an offline exchange of relevant materials such as literatures, books or other documents related to the programs.

B. Creation of Database Hub of Legal Information

From time to time each member of ALIN might arise with its queries of legal information of other ALIN's members to support its data of research or publications. To meet with the need we planned to

continuously updating the statutes, cases, Official Gazettes and any other related legal information of our country. The collaboration with State Secretary Office of Indonesia to procure new laws and legislations enacted by the government of Indonesia and to insert them into ALIN website was not an easy task for us. One of the obstacles was to prepare the English translation of the Indonesian codes, statutes, laws, legislations, cases and other Official Gazettes. At this moment, we still develop the system to integrate, manage and organize data-entry of the codes, statutes, laws, legislations, cases and other Official Gazettes abovementioned.

C. Promotion of Research on Laws

The program of researches in relation to laws of Asian countries is one of the main ALIN vocations. This program is in line with our objectives as the Research University, hence we will constantly uphold the promotion of law and legal system researches followed by the seminars, conferences, online and journal publications of the research result thereof both domestic and international. Most importantly, we will perpetually urge and support the international publication of legal articles. There have been some of our faculty staffs wrote articles in Asia Law Review.

D. Assistance for Improvement Projects of Laws and Education Program

As an educational institution, the program on assisting the improvement of laws and education is in the line of the GMU's strategic plans. We will always be participating in mutual cooperation in law improvement or reform project as well as in related education programs among participating Asian countries. Furthermore, if it is needed we will convene a program of scholar or expert exchanges to advance support of the cooperation in the projects of improvement or reform of laws. Equally, both national and international academic seminars, conferences and publications shall be arranged correspondingly.

The Optimum Use of The Utility Value of Legal Information Through The On-line Network.

As the pioneer of the online legal network in Asia, ALIN concentrates its functions as the Center for Asian Laws which might not only useful for the member countries but also for other countries in other continents. In fact, it is not easy for each of us to fulfill our responsibility to upload our national laws into the on-line network.

Pertaining to Indonesian new laws, most of them were partially adopted from other similar laws from other countries. Indonesian government and legislators frequently learn, compare, combine and undertake some laws and their implementations from other countries. Thus, in a long run the establishment of ALIN would be an utmost resource for our lawmakers in drafting the new laws.

The promotion of ALIN and its programs to other private or government educational institutions, legal institutions, research institutions, and government departments should be continuously organized in affect conforming to the public attitudes toward ALIN. Additionally, to further promote ALIN and its programs the legal information provided on ALIN online database with discretion might be accessibly made available for public use in research and educational purposes.

Thank you.

Shanghai, 18 November 2010.

Prof. Dr. Marsudi Triatmodjo, S.H., LL.M.

The Dean,
Faculty of Law, Universitas Gadjah Mada
Indonesia

◆ Short Speeches-6 ◆

EXPERIENCES OF INTERNATIONAL COOPERATION OF THE VIETNAM INSTITUTE OF STATE AND LAW – SOME SUGGESTIONS FOR ALIN

Prof. Dr. Nguyen Nhu Phat

Director of Institute of State and Law,
Vietnam Academy of Social Sciences.

Dr. Bui Nguyen Khanh

Head of Comparative Law Department, Institute of State and Law,
Vietnam Academy of Social Sciences.

Institute of State and Law

I. Introduction of the Institute of State and Law

Established in 1967, the Law Institute (present the Vietnam Institute of State and Law) was one of the five institutes initially created under the Vietnam Committee for Social Sciences (present Vietnamese Academy of Social Sciences). As a leading research institution in the domain of state and law in Vietnam, the Institute of State and Law has implemented successfully various research programs and projects at international and national levels on state and law and/or politics. Especially, in the last few years, the Institute of State and Law has concentrated its researches on urgent issues arising from the process of Doi Moi (Renovation) such as: legal aspects regarding the revisions and amendments of the Constitution 1992; reforms of organization and operation of local government in new circumstances; legal aspects of the ownerships in a transitional

economy from a centrally planned economy to a market oriented economy; law enforcement; regional and international integration, etc.

Key functions of the Institute are to undertake basic researches on the issues of state and law with an aim to provide scientific justifications for strategic orientations and plans as well as policies for state building and law development; to provide post graduate courses for higher legal education; to provide agencies, organizations and individuals with legal services and information; to take part in developing law potentials throughout the country.

Core tasks of the Institute are to carry out basic researches on political systems, state and law; theories and practices of organization and operation of political systems, state apparatus and legal systems; to combine its researches with legal education for master and PhD degrees according to the law; to take part in developing high quality human resources for the Vietnamese Academy of Social Sciences and other institutions; to review or participate in review scientific aspects, as assigned by the Vietnamese Academy of Social Sciences, of socio-economic development projects and/or programs prepared by other ministries and local governments to undertake scientific consultations that meet the functions and duties of the Institute.

At present, there are 14 professional and functioning units under the Institute of State and Law with 60 researchers.

II. International Cooperation and Academic Exchange

Prior to 1991, the Institute had a close international cooperation in the legal field with the law research institutes of former socialist countries, including the USSR and East Germany. In this period, there were many multilateral and bilateral cooperation programs concluded, international conferences and seminars held that allowed the representative of the Institute of State and Law to make productive

contributions. Thanks to such cooperation, several scholars of the Institute had chances to approach foreign scholars and widen their knowledge. The Institute of State and Law always acknowledges such great disinterested assistance of the scientists from the former socialist countries. Vietnamese legal scholars always give the teachers and supervisors credit for their contribution and service. The pure sentiment and cooperation will be maintained and developed on new foundation and circumstances.

In 2001, the Institute of State and Law made a turning point in international scientific cooperation. Since then, many foreign prestigious scientific organizations and agencies have become significant partners of the Institute of State and Law. Some examples are KAS (Germany) DAAD - German Academic Exchange Service (Germany); Law faculty of Potsdam University (Germany) Law Faculty of Nagoya University (Japan), Russian Institute of State and Law; KLRI - Korean Legislative Research Institute) and Law Faculty of Oslo University (Norway).

1. International Scientific Conferences and Workshops.

With active assistance of international organizations, the Vietnam Institute of State and Law has organized successfully many national and international conferences and workshops with the proceedings as valuable references for policy and law makers in Vietnam. Some of the examples include:

- In 1993, the Vietnam Institute of State and Law was assigned by the Government of Vietnam to host an international conference with the title "Society and Law" in Hanoi. The Institute received many foreign participants and international scientists to the conference
- In 2000, the Vietnam Institute of State and Law organized

successfully in collaboration with the US-Vietnam Association an international workshop "The Rule of Law in Vietnamese Context"

- In 2002, the Vietnam Institute of State and Law in cooperation with the Law Faculty of Nagoya University to organized successfully an international workshop "Village Regulations/Current Customary laws and Democracy Implementation in Rural Areas "

- In 2003, the Vietnam Institute of State and Law in cooperation with the Law Faculty of Nagoya University to organized successfullytwo international workshops, namely "WTO and Legal Reform in Vietnam" and "Legal and Judicial Reforms in a Perspective of Land Disputes". Two other international workshops on "Rule of Law State" were also held in cooperation with KAS

- In 2004, the Vietnam Institute of State and Law in cooperation with the Law Faculty of Nagoya University to organized successfully an international workshop "Public Administration and Legal Reforms in Vietnam and Japan". The Institute also cooperated with the Embassy of Norway to organize successfully international workshop on "Contemporary Vietnam and Norway"

- In 2005, the Vietnam Institute of State and Law cooperated with the Embassy of South Korea to organize successfullyinternational workshop on "Judicial Reform for Development of Market Economy in Vietnam"

- In 2006, the Vietnam Institute of State and Law in cooperation with KAS to organize successfullyinternational workshop on "Civil Society in Vietnam and Aspects of the Rule of Law" in cooperation with Danish Embassy to have a workshop on "Human Rights Education in Vietnam in the Context of International Integration and Building a Socialist Rule of Law State of the People, by the People and for the People"

- In 2007, the Vietnam Institute of State and Law in cooperation

with KAS to organize successfully two international workshops on "International Experience and Model of Constitutional Jurisdiction in Vietnam" and on "Constitutionalism in Asia – Evolution and Prospects".

- In 2008, the Vietnam Institute of State and Law in cooperation with KAS to organize successfully some international workshops on "Constitutional Court in Vietnam – Model and Roadmap" "Independence of the Judiciary in Vietnam" "Capital Punishment in Vietnam – Practice and Prospects" "Legislation regarding Consumer Protection in Vietnam".

- In 2009, the Vietnam Institute of State and Law in cooperation with KAS to organize successfully some international workshops on "Civil Society" "Amendment of Civil Procedure Code suitable for requirements of the settlement of disputes in business" "Laws on Consumer Protection – International Experiences, Situation and Perspective" and cooperation with Norwegian Centre of Human Rights to organize successfully international Seminar on "Laws and practical issues of re-integrate into society for prisoners in Vietnam and Norway"

In 2009, the Vietnam Institute of State and Law in cooperation with KRLI to organize successfully the ALIN 2009 Conference in Halong City, Quang Ninh Province, Vietnam.

2. Academic Exchange

In the past few years, the Vietnam Institute of State and Law has conducted study tours for staff of the Institute as well as academic exchanges to foreign countries, including Russia, Germany, France, South Korea, China, Japan, Singapore, Denmark, Thailand, Taiwan and Norway.

These activities help staff of the Institute explore new information of contemporary legal science and new issues in the legal field such as: international trade law, anti-terrorism, human cell cloning, etc, especially the experience in dealing with legal issues arising in a transitional economy. The outcomes of such academic exchanges have been used to produce recommendations for policy formulation and law making in Vietnam.

3. Publication

Thanks to assistance from international organizations, the Vietnam Institute of State and Law has made publications that could make research results of the Institute available to readers throughout the country. At the same time, in a short time, the results of research projects as important references have reached the research institutions and Government agencies for policy and law development.

III. Suggestions of the Vietnam Institute of State and Law for ALIN's International Cooperation

According to experiences of international cooperation of the Vietnam Institute of State and Law, the Vietnam Institute of State and Law has some suggestions for ALIN's International Cooperation as follows:

- Strengthen dialogue and expand cooperation with potential partners of ALIN;
- Further expanding research cooperation and promoting legal information exchange with other members of ALIN by supporting international conferences or workshops, academic exchanges and publication.

- Sending researchers of the ALIN Members to study, to undertake researches at foreign research and/or training institutions and to exchange information in the other ALIN Members.
- Improving legal information system to meet the standards of ALIN and upload to the website of the Vietnam Institute of State and Law and ALIN website.
- Providing legal information support to the partners of ALIN in research programs or projects in the countries which has ALIN Members.
- Selecting and translating good publications produced by the members of ALIN to serve the readers in the other ALIN Members.

◆ Short Speeches-7 ◆

Advancing Capacity-Building for ALIN's International Cooperation

Teilee Kuong
Associate Professor
Center for Asian Legal Exchange
Nagoya University, JAPAN

Introduction

The Nagoya University Center for Asian Legal Exchange has been initiating different projects in cooperation with other Japanese and foreign universities, the Japanese Ministry of Justice, JICA and the Ministry of Education of Japan to assist mostly transitional countries in Asia in promoting legal reforms. We have presented reports on our general activities to ALIN at this Annual Conference since 2006. However, in the last few years, we have added in some new features to our activities in working with some specific countries in Asia. In the report today, I will first describe to you some latest initiatives in our activities related to capacity building and I will share with you my analytical reviews of these activities.

In the third part, I will make some suggestions on future activities which will probably help us develop deeper cooperation with our partners in ALIN. The last part consists of some concluding remarks based on my own evaluations.

Some analytical reviews of the latest development in CALE's activities in capacity building

I believe that there is no need to argue here that legal assistance should be understood as more than technical advisory services or legislative development cooperation. Promoting capacity building in legal knowledge and application in a broader sense is an indispensable part of legal assistance. For more than one decade, Nagoya University have been expanding its international programs to admit foreign students or organizing short- and long-term training courses for young professionals working in legislative development or legal reform in the transitional and developing countries as an important part of its contribution to legal assistance activities. We have developed English lecturing programs for foreign students who come for advanced education in comparative studies in law and political science at Nagoya University. We have also worked continuously with JICA and other Japanese aid agencies to develop short-term training programs for legal professionals and government officials from other Asian countries to take part in intensive lectures and field work in Japan to gain first hand information about Japanese experience and techniques in legislative development and legal reforms. These short training programs are usually organized in Japanese conducted through interpretation and translation directly into the native language of the trainees. For example, in October CALE has organized one short training program with the Ministry of Justice of Uzbekistan to discuss with the trainees about the latest draft Law on Administrative Procedure which the Government of Uzbekistan is developing with technical assistance from the international development aid agencies, including Japan. CALE is working directly with JICA in implementing this technical assistance project in

Uzbekistan together with the Ministry of Justice of Uzbekistan. And we have just finished wrapping up a two weeks training program with JICA for judges and prosecutors and other legal professionals from Iran last week in November. All these training programs were implemented in Japanese with consecutive interpretation and documents translated into the native language of the participants.

In the last few years, we have tried to bring this work one step further. Despite the relative successes and importance of these short-term training and long-term education programs, we know very well that they are technically inadequate and cannot take up really serious challenges. For the short-term training programs, the greatest challenge is the warranty of an effective and technically accurate translation and interpretation services. The immediate handicap is the effective use of the short time-limit to produce the greatest results. Good quality translation and interpretation services between different languages to accurately convey the meanings of technically sensitive legal terminologies are not easy. Much time is needed to prepare the trainees with minimum understanding and knowledge about some basic concepts of a different legal system before the technical niceties of the relevant details in that legal system can be effectively transmitted and become useful for the trainees to develop their work back home. This work is never sufficient in most short-term intensive trainings.

The same challenges also exist in long-term non-Japanese education program for foreign students. Foreign students can have only limited access to Japanese legal and academic resources. There are serious hurdles which they cannot overcome in pursuit of high quality academic knowledge in Japanese law and political thoughts, which are supposed to be useful as a reference for their work in legislative

reforms back home. So our latest effort is to prepare potential students or trainees with Japanese language skills and basic background knowledge about Japanese legal, political and social systems early enough before they would come to pursue advanced legal education in Japan. In cooperation with our counterparts in the recipient countries, we have set up Research and Education Center of Japanese Law in the law universities or colleges in these countries. At the Center, a small selected number of capable students can have free access to Japanese materials and trainings in Japanese language and studies. They only have to do this as an additional part but not replacement of their routine curriculum at the undergraduate level. Such program is therefore useful in two ways. First, it helps enhance the students' access to technical knowledge about Japanese legal system and political thoughts and make their research in Japan more useful for their future after returning home. Second, by operating directly inside the recipient countries, we are able to develop specific curriculum or academic instructions to prepare a specific group of potential foreign students for their post-graduate research projects in Japan. We are trying to adjust our activities to specific country context to help students of different linguistic and cultural backgrounds gain access to Japanese language, and knowledge about Japanese legal and political systems.

Finally, these projects are by no means open-ended. The plan is to hand over the whole operation to a local partner institution, once sufficient local human resources have been made ready for that purpose. The same BOT principle used in most development aid projects can be equally useful in the context of legal technical assistance.

Some thoughts on ALIN

However, I have to confess that we have worked directly with only a limited number of partners and have probably underused the resources which ALIN has offered. This could be due to a practical reason. ALIN as a loosely structured network of different institutions has developed rapidly in the last few years since CALE's participation. This has increased ALIN's potentials and resources which all partners in this network can benefit from. However, it also means that CALE has to update itself and adjust some of its activities to become more capable of catching up with the developing network.

Our latest experiences in transitional countries suggest that capacity building should go beyond regular education or training projects. Although these activities play a fundamental role in inputting information and knowledge in the recipient countries, it is not sufficient to sustain the growth in the utility of such inputs. Some sort of continuous conversations with the recipient countries should be included in the package of long-term assistance. We have increased our interactions with our alumni in organizing academic events, such as conferences or symposiums, inside and outside of Japan. What is the most important in all these interactions is to ensure a sustainable channel for updating our understanding and information on both ends. In this context, translation projects for Japanese laws and legal information are highly relevant for the research of current or former foreign students. It will expand their access to Japanese legal information and materials. On the other hand, after years of working together with foreign students on specific research projects, increasingly there are Japanese scholars who become more and more interested in learning about the legal

and political situation of other Asian countries. Access to the information of these countries in English or Japanese will surely be very useful for them and will help them develop continuous interactions with their former students or colleagues.

Based on this Japanese experience, I think that ALIN is in a very good position in facilitating such interactions between partner countries or institutions. We may explore the possibility of going beyond translation and online dissemination of Japanese, Korean or Chinese laws. Strengthening online access to the large resources of legal documents and information about ALIN partners will undoubtedly be very useful for a sustainable networking. Translation services, if practicable, may be conducted jointly between two or more ALIN partners to ensure international cooperation in conveying accurate information on different legal systems and cultures. These services can be of different scales, from a single textbook translation endeavor to a long-term joint project for translation of a large quantity of non-confidential legal documents. In addition, ALIN can also explore the possibility of becoming more than just a network of information. ALIN partners may in particular situations and upon specific requests from one or more partners recommend suitable experts or scholars to participate in academic or professional activities organized by the requestors. This will gradually help create projects on the exchange of human resources as catalysts for effective flows of legal knowledge and understanding among partners.

Conclusion

Capacity building is essential both as the objective and the justification for short and long-term international cooperation in the

legal field. In addition to existing projects, ALIN may try to explore practical ways to develop further its conventional roles of promoting wider access to legal information and knowledge of different countries, and develop new functions as a key facilitator for exchange of human resources among ALIN partners.

◆ Short Speeches-8 ◆

A Thai Perspective on Capacity-building for ALIN's International Cooperation

Sakda Thanitcul Dean,
Faculty of Law, Chulalongkorn University, Thailand

As a partner Institution of the ALIN, I share the vision of the ALIN and support the purpose of the ALIN. We have joined ALIN in September 2004, in order to cooperate in building a horizontal network to maximize the effective value of legal information and research result held by various academic and research institutions in the region by sharing such information. Since 2004, we all have witnessed the smooth growth of membership and progressive development of ALIN. Accordingly I like to congratulate KLRI for her remarkable achievement in being the center of the ALIN.

Now, I would like to share my perspective on how Chulalongkorn University, Faculty of Law (hereinafter "Chula") may further "contribute and belong" to the ALIN.

First of all, I would like to mention about the constraints that our institution, Chula, has and then I would like to mention about my thinking on how to overcome, at least partially, the said constraints in the future.

(1) **Resources to build and maintain a good Chula website.**
When I joined my senior colleague and our former Dean, Professor Thitiphan Chuerboonchai to attend the ALIN Conference in late 2004,

the priority of budget allocation was not at building and maintaining a good website but was at others including purchasing computer hardware. Chula also lacked qualified staffs to build and maintain a good Chula website.

(2) **Legal information databases.** In Thailand, practical lawyers and law students know that if they wish to do research on Thai statutes, rulings and decisions of the courts and legal opinions of the State Council, they have to visit the website of the State Council (www.krisdika.go.th). After indentifying the statute, and they wish to pursue further their research on the statute, they have to visit website of the Ministry in charge of that statute in order to find regulations (Ministerial Ordinances and Ministerial Announcements) issued under the authority of the afore-mentioned statute. Also, they can visit the websites of the Supreme Court, the Constitutional Court and the Administrative Court in order to find decisions of the said Courts, respectively. For those who wish to obtain researches on economic issues i.e., privatization, competition, tariff, WTO, FTA, they have to visit the websites of economic-related Ministries, i.e., Ministry of Finances, Ministry of commerce, the Bank of Thailand etc.

(3) **Language barrier.** Thai is the official language in Thailand. The great majority the above-mentioned legal information is in Thai language. As mentioned by the ALIN, this is one of the great limitations on utilizing shared legal information by ALIN Partners. Thailand is not exceptional case but most of the ALIN Partners share the same barrier in their legal information.

Secondly, I would like to express my ideas on how Chula may further contribute to the ALIN's international cooperation by gradually overcome the afore-mentioned constraints.

(1) **Resources.** Thanks to the achievement of Chula's former Deans, who worked very hard and made great contribution to the advancement of Chula, I could allocate a handsome budget to reform our website last year. I am now can invite all of the ALIN Partners to visit our website at (www.law.chula.ac.th).

Although, It is far from being the best website, but I think it is a good and up-to-date website. Accordingly, I am now thinking of adding the ALIN corner to our Chula's website in order to indicate that Chula is one of the ALIN Partners and Thai lawyers can get access to ALIN's legal information.

(2) **Linking to other legal databases.** It will be very convenient for the ALIN Partners to get access to the important legal databases in Thailand via visiting Chula's website and then they can link to those databases of the State Council, the Supreme Court, the Constitutional Court, the Administrative Court, and the economic-related Ministries. If the owners of those important databases allow Chula to link Chula's website to their databases, that will be extremely helpful.

(3) **Language barrier.** The present policy of the Thai Administration is to promote foreign direct investment and solicit foreign investors to come over to invest in Thailand. Accordingly, the current Thai Administration wants to see FDI-related statutes and regulations be translated into English. The State Council is now undertaking this assignment. Also, a number of researches which were commissioned by the Ministry of Commerce are written in English. Therefore, the access to legal information in English is gradually increasing.

Finally, as mentioned in the Greeting of ALIN that the common objective of the ALIN is social reforms and shifting to market

economy. In this context, I think South Korea, as one of the most advanced economy in this region, can provide assistance for improvement projects of laws and education program. In my opinion, I think it will be helpful for Thailand, if South Korea can provide assistance in the following area of laws which are related to improving efficiency of the market economy.

(1) **Competition Law.** The KFTC is one of the agencies that its achievement in the past 5-6 years is remarkable. There are many sub-areas under Competition law that KFTC has great expertise i.e., cartel detection, leniency program, how to conduct SSNIP test, participating in international cartel suppression, how to strengthen institutional arrangement etc.

(2) **Product Liability Law.** The experience of how business sectors in South Korea adopted themselves in order to deal with strict liability under the Product Liability Act is very interesting and is going to be very helpful for Thailand.

(3) **Bilateral FTA.** The economy of South Korea depends a great deal on exports. I understand that the South Korea Government must carefully strikes the good balances between adopting free trade policies under the WTO, regional FTAs and bilateral FTAs and adopting policies to protect less competitive sectors in the country. Negotiating bilateral FTAs with the United States is, I think, very complicated and difficult. If South Korea can share this experience with the ALIN Partners, that will be very helpful.

In sum, I believe that Chula can further contribute, although gradually, to the development of the ALIN.

◆ Short Speeches-9 ◆

The advancing Capacity-Building for ALIN's International Cooperation

Hanki, Sohn, professor,
Yonsei Law School, Korea

I prologue

It goes without saying that the information is the key to raise the competitiveness in this information-oriented world. Especially the legal information is most important. ALIN is the only organization which offers the opportunity to exchange and share the legal information among Asian countries.

I think this general meeting is a very proper and efficient platform for the delegates from the partner institutions all over Asia to come together, strengthen our solidarity and to discuss the ALIN's future.

Paying my respect to ALIN's lofty ideal and devotion, I'd like to express few words on the ALIN'today and the future.

II The importance of information sharing

Legal system is a tool to regulate a society of a nation. And the law is a norm which covers overall phases of a nation, including politics, economy and culture. So, the law of a nation has its peculiarity due to its own political or economic system and the cultural background. In addition, the law is not a fixed thing, it

changes along with the change of political, economic system and the progress of legal consciousness of its people. There rises the need of careful observations on the ongoing legislation, revision of laws of foreign countries.

For example, the legal system of today's China is completely different from that of 18 years ago when I came into contact with it for the first time. It reflects the advance of the Reform and Open Policy of China. And the pace of the change is so startling that we can hardly keep up with it. To mention only the latest prominent legislations, China promulgated property law(2007), Law of enterprise bankruptcy(2007) and revised the law of civil procedure(2007). The impact of these laws will not be confined to domestic market of China, on the contrary, will certainly become a common issue of the world.

Korea is also regarded as a very dynamic country. Starting at 1960s, it changed the economic structure drastically from an agricultural country to an industrial country. Naturally, there followed a rapid construction and revision of legal system to support this dramatic structural conversion. And recently numerous laws on intellectual property and IT overflow in Korea.

This is a common phenomenon in Asian countries, due to the fast developing speed. The velocity and the elasticity of economic growth determine the speed and scope of the change of legal system. That's the reason why the legal information is important. The legal information shows us the direction of policy and the way of regulation of a nation and its society. Securing the legal information is not an individual matter of concern, it is also a matter of a nation. It guarantees the smooth trade between countries, and sometimes, contributes to the peace and prosperity of human race, let alone the peaceful relations between countries.

Notwithstanding the laws of countries inevitably shows their peculiarities, there are topics of our common concern. The most appropriate examples are the topics on environmental protection, sustainable growth, green growth etc.. Last October, an international conference surrounding the Convention on Climate Change was held in Tian Jin(China). But the conference expectedly could not reach a satisfactory agreement due to the different points of view between developed countries and developing countries. Each country asserts its own way of approach based on their given circumstances.

But we cannot deny the fact that these topics are showing us the direction to which we have to pursue for the bright future of the human race. It is very important to make a constant effort to find a common denominator, based on the understanding of each country's way of approach on the environment protection, green growth etc.. Naturally, the first step is sharing of legal information on such topics.

III the Center for Information Sharing(ALIN, Today)

As we all know, ALIN was established in 2003 under KLRI's leadership. The purpose of the establishment is well described in ALIN' homepage(vision of ALIN).

There is written,

“ The purpose of the ALIN is to exchange materials and research results concerning laws, judicial precedents and any other legal information held by individual institutions in the Asian region, which take charge of the business of collecting, managing and researching such information, by forming an integrated human and material network, and to promote cooperation among related researchers and staff members through paying mutual exchange visits. In short, it

aims to build a horizontal network to maximize the effective value of legal information and research results held by those institutions by sharing such information, etc. among them in on-line or off-line areas".

ALIN's above description is timely and accurate and is meeting the aspiration of Asian countries. So far, ALIN has been doing a great job serving as an effective organization in sharing legal information. There are tons of useful materials in ALIN's archive, which was sent from the partner institutions all over Asia.

I recently got some valuable information by visiting the ALIN's homepage. I found that three books on Green Growth which are the result of KLRI's research, have been published in Korea. As stated above, the Protection of Environment, Green Growth or Sustainable Growth has become a most-talked-about worldwide topic. The Law Research Institute of Yonsei University is performing a nine-year state funded research project on Green Growth. So we are in need of materials concerning the topic.

IV Capacity-Building(ALIN, the Future)

Expressing my gratitude to ALIN for the above mentioned information on Green Growth, I'd like to make some suggestions.

Firstly, to optimize the ALIN's potential, I propose that ALIN take more initiative in collecting materials. To designate a proper topic and to urge the partner institutions to send relevant materials would be an effective way. Thus, we could be able to share useful information topic by topic along with the general information. Up to now, ALIN's attitude in collecting information materials was

considerably passive. Just accumulating materials based on ad hoc sending from partner institutions is not sufficient, I should say.

Secondly, I suggest that ALIN make an effort to broaden the door so that more special academic institutions can participate in this work. The current partner institutions are mostly the representative state institutions or legal research institutions of famous universities carrying the general-character. It is impossible to cover various fields of legal information with these restrictive general institutions. To overcome this difficulty, I propose that ALIN contact more prestigious academic associations directly or by way of partner institution's recommendations. Thus we could be more easily equipped with specialized information. But the status of newly accepted academic associations needs further discussion. To give all participants the partner status seems not appropriate. We can consider give them associate member status(quasi-membership).

Lastly, I propose that general meeting and academic conference be separated. I think the general meeting should be purified as a place where the delegates gather together and discuss the future policies of ALIN and make decisions on the current issues. And the interval of general meetings could be modified to every 2 or 3 years. On the other hand, we can have annual academic conferences on somewhat more specified themes. The concurrent two meetings have some unreasonable aspects. The delegates having various major and specialty must participate two meetings simultaneously. It will inevitably cause some problems. Above all, it forces the meeting organizer to select a theme covering the common interest in spite of the variety of delegate's specialty. Such themes of general character are somewhat restrictive. I am afraid we could suffer from the lack

of choices in the near future. Moreover, it has something to do with the quality of conference. So I suggest that the two meetings be separated in order to give the organizer more choices to select a specified theme. Partner institutions will be able to choose and send proper scholars to the academic conference.

V epilogue

7 years have passed since the ALIN is established. Many countries hosted general meetings and gave us valuable opportunities to understand the culture of the hosting country, not to mention of their enthusiastic contribution to ALIN's progress.

Asia takes up more than half of the world's population. In the past, we sometimes misunderstood that Globalization is just Westernization, but Globalization without Asia has no meaning any more. "Era of Asia is close at hand" is not our own self-conceit. Besides the explosive economic growth, the human-centered oriental culture tradition is the only alternative that can substitute the dehumanized western civilization.

To introduce his own legal culture to neighbor countries and to promote mutual understanding is an excellent groundwork for the coming Asian Era. In this context, I highly appreciate the ALIN's spirit and the pursuing value, and wish ALIN's constant progress.

The theme of today's conference "Internalization and Localization of Legal Education in Asia" is also very interesting to me. Korea launched Law School System in 2008. Primary purpose of adopting Law School System is to nurture lawyers with global competitiveness. To meet this new task, law professors are very enthusiastic to outgrow the conventional teaching methods, but there is no

satisfactory output yet. I hope that I could get some brand new and up-to-date ideas through this conference.

◆ Short Speeches-10 ◆

“ADVANCING CAPACITY-BUILDING FOR ALIN’S INTERNATIONAL COOPERATION”

Professor BATJARGAL Dugarjav
Director of National Legal Institute of Mongolia

Good afternoon ladies and gentlemen,

Today, development of ALIN partners is directly connected to development of Asia. Contrary, future of Asia is in charge with our multilateral cooperation. ALIN is the one way of the cooperation.

Studying foreign legislation practice, applying it and cooperation of ALIN members and partners have no less importance in legal development of Mongolia. If saying in general way for Mongolia, if saying in restricted sense for National Legal Institute, there is need to access foreign legislations, study and apply them in field of followings:

- Legal training;
- Legal and judicial research;
- In scope of information and marketing issues.

According to the study conducted by National Legal Institute on procedure of law making process, it revealed that initiators of law draft and law makers have a practice to study foreign laws.

As I mentioned above, the National Legal Institute tries to apply foreign laws in its main daily operation such as conducting retraining of lawyers, doing legal and judicial research and providing legal

information. The information development gives an opportunity to National Legal Institute to study foreign laws and its practices. After becoming as a member of ALIN, National Legal Institute has expanded its possibility and opportunity to do it. Today, many international and non government organizations, their subsidiaries, projects, foundations which operate their functions in legal field, have cooperated, supported and assisted to National Legal Institute for distributing legal information and providing citizens by necessary legal information. The main partners are UNDP, “Legal training and retraining of lawyers” project by GTZ, “Judicial reform project” and “Economic reform and competitiveness project’ by USAID, “Legal and Judicial reform” project by World Bank, Soros foundation and Hanns Zeidel foundation.

Since becoming member of ALIN, National Legal Institute has had access to laws of other Asian countries, and had acquainted with other ALIN’s partner organizations which has similar functions.

Introducing ALIN’s website address and logo in National Legal Institute’s website, lawyers, researches and citizens have an opportunity to access legislations of Asian countries.

There is inequitable possibility for internet users to access foreign laws and find legal sources. It depends users foreign language knowledge. From other hand, it causes from registration of websites, its charges, and non free services as well. Researches have their own methodology to find sources and know how and where to find it. In contrary, common users have difficulty do it.

Using ALIN, it gives us opportunity to introduce Mongolian legislations to other countries. However, translating laws into foreign language always faces difficulty, National Legal Institute did translated more than 100 laws from 427 currently enforced laws and distributed

them with charge for public. Every interested body could find 67 essential business laws name which translated into English on www.legalinstitute.mn (National Legal Institute's website) and www.legalinfo.mn (Legal information networks website) through ALIN website. These laws could be introduced in charge, but we studying further possibility for public to use them free of charge. It is true the cost of the service decreases the distribution of translated laws, but we all know that translation process requires big amount expenses.

Since November, 2006 when [legalinfo.mn](http://www.legalinfo.mn) site was first launched, totally 1 724 182 users have applied and obtained useful legal information and references. In present 14 646 users usually have an access to the website www.legalinfo.mn a week having raised the number of its users for a source of information day-by-day.

ALIN gives us the big opportunity but there are some issues need to develop. In cooperation of Mongolia with foreign countries, the need to find, study, use and apply foreign laws has increasing for business people, citizens, trainers, professors, researches and specialists of other field. Because it is the world in globalization.

I think the development of ALIN database content and making the complement information /which comprises legal researches, law interpretation, judicial review, case law, international instruments, local agreements and etc.,/ will increase the use of ALIN worldwide. It will depend active efforts and initiatives of ALIN partners. The role in this effort will surely be incomparable economic possibility and practice of ALIN partners. Therefore, I suggest that ALIN need to support its partners effort and initiatives, expand their cooperation not only in way of exchanging legal information but also organizing direct /conference/ and indirect discussions /teleconference/, doing joint legal and judicial studies, exchanging lawyers and interns and

co-organizing legal trainings. How active these activities will be operated, more than ALIN database will be enriched.

Thank you for your attention.