

# brazil-japan litigation and society seminar 2

*cultural diversity and global challenges*  
University of São Paulo - São Paulo, Brazil



## Organization Committee

Professor Antonio Rodrigues De Freitas Júnior  
(University of São Paulo)  
Professor Célia Zapparoli (CAMIE e PUC-SP)  
Professor Yoshikazu Yamaoki (Shinshu University)  
Professor Shotaro Maruhashi (Shinshu University)  
Professor Akiyo Shimamura (Shinshu University)  
Mr. Bruno Takahashi (University of São Paulo)  
Ms. Yuri Kuroda Nabeshima (University of São Paulo)  
Mr. Daniel Machado (University of Tokyo)  
Ms. Érica Yamashita (Machado Meyer)  
Ms. Ana Carolina Inoue (FDRP-USP)

Register at:

<https://bit.ly/2KgY8RU>



ブラジル法の会  
Grupo de Estudos  
Jurídicos Brasil-  
Japão



AASP  
Associação dos Advogados  
de São Paulo



SÃO PAULO  
Escola Superior de Advocacia

INSTITUTO DE DIREITO  
COMPARADO BRASIL-  
JAPÃO



Instituto de Direito Comparado Brasil-Japão

september 16th, 2019 - monday

Morning period - 09:00 ~ 12:00

## Opening Remarks: Prof. Antonio Rodrigues de Freitas Júnior (University of Sao Paulo)

Professor Floriano de Azevedo Marques Neto (University of São Paulo)  
Professor Yoshikazu Yamaoki (Shinshu University)

## Session 1: Cultural Diversity and Global Challenges <09:15~10:30>

Chairman: Professor Carlos Alberto de Salles (University of Sao Paulo)  
Brazil Judge Kazuo Watanabe <09:15~09:40> 25'  
Japan Mr. Daniel Machado <09:40~10:05> 25'  
Brazil Professor Ernani Oda (University of São Paulo) <10:05~10:30> 25'

## Session 2: General Overview of the Labor Law Reform <10:30~12:00>

Chairman: Professor Homero Batista Mateus da Silva (University of São Paulo)  
Japan Professor Takashi Araki (University of Tokyo) <10:30~11:10> 40'  
Brazil Prof. Antonio Rodrigues de Freitas Júnior (University of São Paulo) <11:10~11:45> 35'  
Discussions <11:45~12:00>

Morning period - 09:00 ~ 11:30

## Session 6: ADR in Labor Law, Family Law and Environmental Law <09:00~10:00>

Chairman: Professor Daniela Gabbay (Fundação Getúlio Vargas)  
Japan Dr. Koji Kameda <09:00~09:20> 20'  
Brazil Professor Célia Zapparoli (CAMIE e PUC-SP) <09:20~09:40> 20'  
Discussions <09:40~10:00> 20'

## Session 7A: Criminal Litigation <10:15~11:15>

Chairman: Professor Fernanda Tartuce (FADISP)  
Brazil Judge Gabriela Hardt <10:15~10:35> 20'  
Japan Professor Shotaro Maruhashi (Shinshu University) <10:35~10:45> 10'  
Japan Dr. Daisuke Fukamizu <10:45~10:55> 10'

Afternoon period - 14:00 ~ 18:00

## Session 3: Research Roundtable Presentations (Simultaneous panels) <14:00~15:30>

## Session 4: New Regulation on Non-Standard Employment <15:45~16:45>

Chairman: Judge João Renda (UERJ/Harvard Law School)  
Japan Professor Hisashi Ikeda (Hokkaido University) <15:45~16:05> 20'  
Brazil Professor Homero Batista Mateus da Silva (University of São Paulo) <16:05~16:25> 20'  
Discussions <16:25~16:45> 20'

## Session 5: Working Hours and Overtime Work <17:00~18:00>

Chairman: Professor Jorge Boucinhas (Fundação Getúlio Vargas)  
Brazil Professor Maria Hemília Fonseca (University of São Paulo) <17:00~17:20> 20'  
Japan Professor Yasuyuki Konishi (Meiji University) <17:20~17:40> 20'  
Discussions <17:40~18:00> 20'

september 17th, 2019 - tuesday

Japan Professor Tatsuhiko Inatani (Kyoto University) <10:55~11:05> 10'  
Discussions <11:05~11:15> 10'

## Session 7B: Law and Policy on the Retirement Process of the Elderly <10:15~11:15>

Chairman: Judge Bruno Takahashi  
Brazil Mr. Bruno Bianco <10:15~10:35> 20'  
Japan Professor Hideyuki Morito (Keio University) <10:35~10:50> 15'  
Japan Professor Akiyo Shimamura (Shinshu University) <10:50~11:05> 15'  
Discussions <11:05~11:15> 10'

**Closing Remarks: Professor Masato Ninomiya <11:15~11:30> 15'**

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# session 3: research roundtable presentations (simultaneous panels)

**1. The Judiciary as a Safe Base – “The Loss and Ambiguous Earnings”, the “Mourning” and “Psychosocial Transitions” in Jurisdiction and arising from Jurisdiction.**

*Celia Zapparolli*

**2. Arbitration For Labor Disputes in Brazil And Japan: A Comparative Perspective**

*Guilherme Sampieri Santinho e Tiago Andreotti E Silva*

**3. Mediation of conflicts arising from labor relations**

*Fabrizio de Bortoli*

**4. Mechanisms of Online Dispute Resolution**

*Fernanda Mattar Furtado Suriani*

**5. Disputes in the digital era: an overview of Online Dispute Resolution (ODR) development in Brazil and Japan**

*Pedro Henrique Dias Alves Bernardes e Henrique Da Silveira Zanin*

**6. The Still Need For Changing The Mindset Of Lawyers And Law Students Towards Non Adversarial Dispute Resolution**

*Fátima Cristina Bonassa*

**7. 2030 Agenda And Promotion Of Decent Work: Overview Of The Target 8.5 For Sustainable Development - A Comparative Perspective Between Brazil And Japan**

*Mariana Inácio Facioli e Maria Hemília Fonseca*

**8. The Work In Digital Platforms, Conflict Resolution And Uber Case In Brazil: Which Ways To Follow?**

*Olívia De Quintana Figueiredo Pasqualetto e Maria Hemília Fonseca*

**9. Labor inclusion of people with disabilities: Comparisons between Brazilian Law and Japanese Law**

*Lissa Tomyama*

**10. Non-regular work in Brazil and Japan: a comparative analysis.**

*Fernando Perez Da Cunha Lima*

**11. The Karoshi Phenomenon And The Japanese Worker As Subject Of Law**

*Paula Esteves Da Costa e Rodrigo Chagas Soares*

**12. Global policies for the protection of informational privacy - the Japanese Act on the Protection of Personal Information and the Brazilian Law for the Protection of Personal Data**

*Ana Carolina Tomomi Ragassi Inoue*

**13. Data Protection in Brazil and Japan: a comparison between the LGPD and the APPI**

*Marcelo Cárgano*

**14. Burn them all? An introduction to Waste Incineration Law in Brazil and Japan**

*Tiago Trentinela*

**15. Gig Economy And Labor Courts: Notes About Recent Brazilian Experiences**

*Antonio Rodrigues De Freitas Júnior e Victor Raduan Da Silva*

**16. STATE V. LOOMIS: ethics and artificial intelligence on judicial decisions**

*Marcel Hofling Martins*

**17. The Challenges facing Family Law and Litigation in Japan**

*Daniel Machado*