

## 장준혁(張竣赫)

1969년 서울 출생

성균관대학교 법학전문대학원 교수 (국제사법, 국제민사소송법)

서울 종로구 성균관로2가 25-2 법학관 522호

전화 +82-2-760-0599

이메일: jhjang@skku.edu

변호사 자격취득: 대한민국(1994. 2.)

미국 뉴욕주(2003. 2.)

### 학력

서울대학교 법과대학 법학사(1991), 준최우등(magna cum laude)

사법연수원 1992-1994

서울대학교 대학원 법학석사(1994)

University of Chicago LL.M. (1998) (Fellowship for Study Abroad, Korea Foundation for Advanced Studies)

New York University LL.M. in Int'l Legal Studies (2000)

서울대학교 대학원 법학박사 (2002)

### 경력

육군 법무관 1994-1997

법무법인 아람 변호사, 1997-2000

김장리 법률사무소 변호사, 2000-2003

경희대학교 법과대학 전임강사(2003-2005), 조교수(2005-2007) (민법)

성균관대학교 법과대학 부교수(2007-2013), 정교수(2013-)

### 헤이그국제사법회의의 참여

2015-2019 Judgments Project 한국 대표단(작업반 5차 회의, 특별위원회 1-4차 회의, 제22차 외교회의)

### 국내입법 참여

2014-2015 법무부 산하 국제사법 개정위원회 위원

2016-2017 법무부 산하 국제사법 개정을 위한 전문가 위원회 위원

2021- 법무부 산하 싱가포르 조정 협약 이행 법률 제정 Task Force 위원

## 해외 방문연구

- 1998-1999      Stanford Law School, Visiting scholar
2005. 8.        Copenhagen University, Faculty of Law, Visiting researcher  
(재정지원: ASEM-Duo (Korea) Fellowship for Exchange Professors)
2008. 8.        Max-Planck Institut für ausländisches und internationals Privatrecht,  
Hamburg, Gastwissenschaftler
2009. 7.-8.     Institut für internationals Privat- und Verfahrensrecht, Universität zu Köln,  
Gastwissenschaftler
2010. 1.-8.     Max-Planck Institut für ausländisches und internationals Privatrecht,  
Hamburg, Gastwissenschaftler  
(재정지원: Max Planck Society Fellowship)
2017. 9.-11.    Université de Paris X (Ouest Nanterre), Chercheur invité
2018. 2.-5.     Sheffield University, Visiting researcher
2018. 6.-8.     Université de Bourgogne, Chercheur invité

## 학회

- 한국국제사법학회      출판이사(2005-2013), 기획이사(2016-2020),  
국제사법연구 편집위원(2007-)
- 국제사법판례연구회    (한국국제사법학회 산하) 회장(2021-)
- 한국가족법학회        이사
- 한국민사소송법학회    회원
- 한국민사법학회        회원
- 비교사법학회          회원
- 민사판례연구회        회원
- 비교법실무연구회      회원
- 한국국제거래법학회    회원
- Int'l Law Association    Director, Korean Branch (2017-)

## 언어

- 한국어, 영어  
(일본어, 프랑스어, 독일어 해독 가능)

## 저술목록

### 학위논문

브레이너드 커리의 통치이익분석론에 관한 연구(서울대학교 법학석사논문, 1994. 2.).

법정지 독점금지법의 속지적 적용범위: 미국판례의 비교연구(서울대학교 법학박사논문, 2002. 2.).

### 주석서

국제사법 제49조(상속), 윤진수 대표집필, 주해상속법 제2권, 박영사, 2019, 1147-1385면.

국제사법 제50조(유언), 윤진수 대표집필, 주해상속법 제2권, 박영사, 2019, 1386-1454면.

### 단행본 공저

손경한, 석광현, 노태악, 이규호, 장준혁, 한애라, 국제사법 개정 방안 연구, 법무부, 2014.

### 단행본 분담집필(한국어)

#### 한국어

"인터넷과 준거법", 인터넷과 법률 II(법문사, 2005), 863-901면.

"계약사건에서의 의무이행지관할", 진산 김문환선생 정년기념논문집 제1권(법문사, 2011), 456-509면.

"의무이행지관할규칙에 대한 특칙", 손경한, 석광현, 노태악, 이규호, 장준혁, 한애라, 국제사법 개정 방안 연구(법무부, 2014), 107-140면.

"항공운송에 관한 몬트리올협약", 손경한, 석광현, 노태악, 이규호, 장준혁, 한애라, 국제사법 개정 방안 연구(법무부, 2014), 162-165면.

"국제적 도로물품교통에 있어서의 운송계약에 관한 제네바협약", 손경한, 석광현, 노태악, 이규호, 장준혁, 한애라, 국제사법 개정 방안 연구(법무부, 2014), 165-168면.

"가사, 비송 및 상속사건의 국제재판관할", 손경한, 석광현, 노태악, 이규호, 장준혁, 한애라, 국제사법 개정 방안 연구(법무부, 2014), 255-330면.

"주한미군 소속 고용인의 비직무활동 및 고용관계에 관한 실체재판면제와 그의 임금·퇴직금채권에 대한 집행면제", 비교법실무연구회, 판례실무연구(XI)(상)(사법발전재단 2014), 17-110면.

"일본 치하의 징용근로자의 대사인적 소송의 법률문제들", 비교법실무연구회, 판례실무연구 XI(사법발전재단, 2014), 558-623면.

"부부재산제와 채권자취소권의 준거법 결정과 그 적용", 비교법실무연구회, 판례실무연구(XII)(사법발전재단, 2017), 876-920면.

"국가 민사법의 공간적 효력범위", 성낙인총장 퇴임기념논문집 간행위원회, 국가와 헌법 II:

기본권론(법문사, 2018), 129-175면.

해제, "Savigny의 國際私法理論", 자유주의자 이호정의 삶과 학문(홍문사, 2019), 568-581면.

해제, "最近의 國際私法理論의 動向에 관한 研究: Kegel과 Juenger의 爭을 중심으로", 자유주의자 이호정의 삶과 학문(홍문사, 2019), 543-556면.

## 단행본 분담집필(일본어)

『韓國における取扱』, 「9. 調停離婚の國際的效力」(中野俊一郎), 現代家族法講座 第5卷 『國際化と家族』(二宮周平/渡邊惺之 編, 日本評論社, 2020), 253-258면.

## 연구보고서 분담집필

번역, 민·상사 사건의 재판관할과 재판의 승인 및 집행에 관한 협약(2007 루가노협약) 제21조-제22조, 제69조-제79조, 재판관할, 절차 및 집행의 몇 가지 문제에 관한 제1의정서, 외국 판결의 승인·집행에 관한 국제규범과 우리의 대응방안, 법원행정처 연구용역 보고서(2009), 359-360, 387-383면.

"스웨덴", 석광현, 이병화, 장준혁, 김문숙, 장지용, 쉰쇼링, 안소영 공동집필, 헤이그국제아동입양협약 가입 추진방안 연구, 보건복지부 연구용역 보고서(2012), 121-141면.

"프랑스", 석광현, 이병화, 장준혁, 김문숙, 장지용, 쉰쇼링, 안소영 공동집필, 헤이그국제아동입양협약 가입 추진방안 연구, 보건복지부 연구용역 보고서(2012), 142-157면.

"일본의 국제재판관할에 관한 법률규정", 장준혁, 정병식, 석광현, 김현아, 천창민 공동집필, 일본과 중국의 국제재판관할 규정에 관한 연구, 법무부 연구용역 보고서, 2016.

"상속과 유언의 준거법 결정", 최수정, 박인환, 장준혁 공동집필, 피상속인이 외국인인 경우 상속의 준거법, 상속제도 및 상속을 증명하는 정보에 관한 연구, 법원행정처 연구용역 보고서, 2020.

"주요 외국의 국제사법", 최수정, 박인환, 장준혁 공동집필, 피상속인이 외국인인 경우 상속의 준거법, 상속제도 및 상속을 증명하는 정보에 관한 연구, 법원행정처 연구용역 보고서, 2020.

"상속을 증명하는 정보 [-] 향후 제도개선 방안", 최수정, 박인환, 장준혁 공동집필, 피상속인이 외국인인 경우 상속의 준거법, 상속제도 및 상속을 증명하는 정보에 관한 연구, 법원행정처 연구용역 보고서, 2020.

## 한국어 논문

### 1. 국제사법 일반

"헤이그 국제사법회의의 가입과 관련한 논점", 국제사법연구 제2호(1997), 15-45면.

"한일민사소송조약 체결방안의 검토", 성균관법학 제22권 제3호(2010), 675-722면.

"국제사법학의 과제", 성균관법학 제28권 제3호(2016. 9.), 101-150면.

### 2. 국제재판관할

"제조물책임 특별관할: 미국 연방대법원 판례", 통상법률 제62호(2005. 4.), 180-245면.

"도메인이름 분쟁에 관한 국제재판관할", 경희법학 제41권 제2호(2006. 12.), 75-108면.

"도메인이름 부당선점과 부당탈취의 불법행위지 특별재판적", 민사판례연구 XXIX(2007), 1-103면.

"브뤼셀 제1규정상 불법행위지관할에 있어서의 행동지와 결과발생지", 성균관법학 제24권 제4호(2012), 459-498면.

"한국 국제재판관할법상의 특별관할: 재산관계사건 판례의 현황", 국제사법연구 제18호(2012), 115-153면.

"브뤼셀 제1규정상 출판물에 의한 명예훼손의 불법행위지 관할", 성균관법학 제25권 제1호(2013. 3.) 69-108면.

"재산관계 특별관할에 관한 한국 국제재판관할법의 개정방안: 일반조항의 역할과 계약관할, 불법행위관할의 시론적 검토", 국제사법연구 제20권 제1호(2014. 6.), 213-296면.

"계약관할로서의 의무이행지관할의 개정방안", 국제거래법연구 제23권 제2호(2014. 12.), 353-415면.

"미국 재판관할법상의 법인격부인론", 국제사법연구 제22권 제2호(2016. 12.), 333-378면.

"국제재판관할법상 실질적 관련성 기준에 관한 판례의 표류: 지도원리의 독립적 관할기초화와 예견가능성론에 의한 무력화", 양창수 교수 칠순기념논문집, 박영사, 2021 게재예정.

### 3. 외국판결 승인집행

"헤이그국제재판조약 성안작업의 경과: 2015년 작업반 초안의 검토", 국제사법연구 제22권 제2호(2016. 12.), 679-776면.

"2019년 헤이그 외국판결 승인집행협약", 국제사법연구 제25권 제2호(2019. 12.), 437-510면.

"대한민국에서의 헤이그관할합의협약 채택방안: 2019년 재판협약 성립을 계기로 돌아본 의의와 과제", 안암법학 제65호(2020. 11.), 47-174면.

"2019년 헤이그 재판협약의 우리나라 입법, 해석, 실무에 대한 시사점과 가입방안", 국제사법연구 제26권 제2호(2020. 12.), 141-217면.

### 4. 국제채권법, 경제저촉법

"Currie의 이익분석론", 국제사법연구 제3호(1998), 287-384면.

"일본의 개정 국제사법 및 개정시안", 국제사법연구 제3호(1998), 173-216면.

"계약상 채권관계 등의 준거법지정규칙의 개정에 관한 연구(상)", 법조 제540호(2001. 9.).

"계약상 채권관계 등의 준거법지정규칙의 개정에 관한 연구(2)", 법조 제541호(2001. 10.), 132-169면.

"섭외사법 개정법률안의 검토: 법률행위, 계약(채권양도, 채무인수 포함)", 국제사법연구 제6호(2001), 295-354면.

"미국의 경제공법저촉법에 있어서의 관할권과 역외적용 개념의 이해", 국제사법연구 제7호(2002), 9-44면.

"사이버거래에서의 국제분쟁과 준거법", 국제사법연구 제8호(2003), 105-141면.

"흑연전극봉 카르텔 사건에서의 저촉법적 논점의 검토", 국제사법연구 제8호(2003), 451-484면.

"국가입법관할권의 장소적 범위: 미국 대외관계법 제3차 리스테이트먼트 제402조와 제403호", 중앙법학 제7권 제1호(2005), 379-405면.

"법률행위의 방식과 절차 문제의 구별", 국제사법연구 제12호(2006), 241-343면.

"국제적 강행법규의 연결원칙에 관한 연구: 개정 국제사법 제7조와 그 모법인 유럽계약협약 제7조 및 스위스 국제사법 제18조, 제19조의 비교연구", 통상법률 제75호(2007), 71-103면.

"국제적 강행법규 개념의 요소로서의 저촉법적 강행성", 성균관법학 제19권 제2호(2007), 563-582면.

"일본통치기 강제징용사건의 준거법", 국제사법연구 제19권 제1호(2013. 6.), 157-212면.

"준거법에 관한 국제사법의 2001년 개정과 후속 판례의 회고", 국제사법연구 제20권 제1호(2014. 6.), 79-179면.

## 5. 국제가족법

"탈북자의 이혼의 준국제관할", 민사판례연구 XXXI(2009), 623-663면.

"한국 국제이혼관할법 판례의 현황", 민사소송 13(1)(2009. 5.), 33-83면.

"이혼소송의 국제관할: 1975년까지의 법원실무", 성균관법학 제21권 제3호(2009. 9.), 1065-1108면.

"국제이혼관할에 관한 전통적 판례와 하급심에서의 수정시도: 대법원 1975년 판례의 등장과 국제사법 제2조 신설 전까지의 판례의 전개", 국제사법연구 제19권 제2호(2013. 12.), 31-99면.

"혼인관계사건의 국제재판관할", 국제사법연구 제21권 제1호(2015. 6.), 101-190면.

"베트남 國際身分法の 개관", 가족법연구 제29권 제2호(2015. 7.), 145-178면.

"다문화가족의 국제사법적 쟁점: 양자적 이혼승인조약의 체결방안", 가족법연구 제30권 제3호(2016. 11.), 351-406면.

"부양사건의 국제재판관할: 입법론을 중심으로", 가족법연구 제31권 제1호(2017. 3.), 173-228면

## 6. 국제상속·신탁법

"국제상속법의 입법론", 국제사법연구 제27권 제1호(2021. 6.), 337-396면.

## 7. 국제상사중재

"국제상사중재와 준거법' 발표에 관한 지정토론", 국제사법연구 제16호(2010), 60-61면.

"외국중재판정의 승인집행에서의 준거법결정", 국민대 법학논총 제32권 제3호(2020. 2.), 219-293면.

“외국중재판정의 승인집행에서의 준거법결정”, 민사판례연구 42(2020. 2.), 869-935면.

## 8. 국제연합 국제물품매매협약, 계약법, 불법행위법, 물권법, 민사소송법

“공해불법행위에 대한 손해배상합의의 구속력이 미치는 후발손해의 범위”, 판례연구 제17집(상)(2003), 144-174면.

“미국의 제조물책임소송”, 국제사법연구 제10호(2004), 85-117면.

“국제매매협약의 섭외적 적용범위와 중국의 국제계약법의 현황에 대한 토론문”, 국제사법연구 제13호(2007), 74-83면.

“프랑스채권법 개정시안에서의 준계약”, 민사법학 제45권 제2호(2009), 293-320면.

“프랑스민법상의 협력장에 관한 연구: 개정 담보법(2006)의 내용을 중심으로”, 민사법학 제49권 제2호(2010), 145-187면.

“동산의 제조물공급계약의 성질결정”, 민사판례연구 제35호(2013), 439-514면.

“프랑스민법상의 점유”, 민사법학 제63권 제2호(2013), 241-284면.

“미국 불법행위법상의 기여과실: 기여과실론으로부터 비교과실론으로의 발달”, 민사법학 제66호(2014), 315-361면.

“미국법상 제정법규 위반의 당연성립 과실불법행위”, 조선대 법학논총 제24권 제1호(2017. 3.)

## 9. 친족법, 상속법

“프랑스법상의 혼인의 요건 개관”, 민사법학 제54권 제2호(2011), 13-73면.

“프랑스민법상의 대습상속”, 민사법학 제61호(2012), 605-648면.

## 번역

道垣内正人(도가우치 마사토), “한일국제사법심포지움”, 국제사법연구 제1호(1995).

山本和彦(야마모토 가즈히코), 판결의 국제적 효력, 국제사법연구 제2호(1997), 573-583면.

Ben B. Floyd & S. Fay Peterson, “국제도산에 있어서의 저촉법”, 國際去來法研究 第10輯(2001).

Jürgen Basedow, “준거법선택과 당사자자치의 이론”, 성균관법학 제24권 제3호(2012), 149-189면.

“재판 프로젝트에 관한 작업반 2015년 10월 31일 제5차 회의에 따른 초안(약칭 작업반 초안)”, 국제사법연구 제22권 제2호(2016. 12.), 782-789면.

“민상사 외국판결의 승인 및 집행에 관한 협약”, 국제사법연구 제25권 제2호(2019. 12.), 751-768면.

## 영어 논문

*Issues and Tendencies in Reforming Korean Law of International Jurisdiction*, Hanyang Journal of Law, vol. 1 (2014), pp. 95-126.

*Reforming the Law of International Civil Jurisdiction: Committee Proposal*, Korean Yearbook of International Law, Vol. 3 (2015).

*Divergence of Direct and Indirect Jurisdiction in the Supreme Court*, Korean Yearbook of International Law, Vol. 4 (2016).

*The Public Policy Exception Under the New 2019 HCCH Judgments Convention*, Netherlands International Law Review, Volume 67, Issue 1 (20 March 2020), pp. 97-111.

#### 국제학술대회 발표, 논문 공간(영어)

*Issues and Tendencies in Reforming Korean Law of International Jurisdiction*, orally presented with a manuscript printed in the proceedings in the International Symposium co-hosted by Won-Kwang University and Hanyang University (The Diverse Versions of International Jurisdiction Clauses: From the Perspective of EU and East Asia), 28 June 2014.

*The Role of Public Policy in the 2019 Judgments Convention: Accommodating Divergence within the Bounds of Uniformity*, orally presented at the Inaugural Global Conference, 2019 HCCH Judgments Convention: Global Enforcement of Civil and Commercial Judgments, Hong Kong, 9 September 2019.

#### 기타 국제학술대회 발표, 자료집 게재(영어)

Panel Discussion to Prof. Huo, Zhengxin's Presentation, *China's Codification of Conflicts of Laws: Latest Efforts*. Proceedings of the Conference hosted by the Seoul National University Law Research Institute, *The Interface between Korean Law and Chinese Law*, at Seoul, Republic of Korea, June 2010, pp. 150-156.

Recent Trends in Korean Law of Jurisdiction: A Critical Overview, *National Chung Cheng University Symposium*, Jiayi, Taiwan, 5 October 2012.

*Proper Role of Forum Conveniens Considerations in International Jurisdiction: A Legislative Proposal for Korea*, in HY 2013 Summer International Symposium, Current Legal Issues between Korea and Japan, Hanyang University, Seoul, Korea, 22 August 2013.

*Discussion Paper on the Judgments Project*, orally presented with a manuscript printed in the Proceedings, at the 2017 HCCH Asia-Pacific Week, Seoul, Korea, July 6, 2017.

*In Search of the Adoption of the Hague Convention on Choice of Court Agreement in the Republic of Korea*, 2nd Korea-Japan Private International Law Joint Symposium, Nogoya, Japan, June 15, 2019 (orally presented in English with a Japanese translation published in the Proceedings).

## **JUNHYOK JANG**

Born in Seoul on February 10, 1969.

Professor, School of Law, Sungkyunkwan University

Area of specialization: Private International Law, International Civil Litigation

Mailing address: Room 522, Law Building, 25-2 Sungkyunkwanro-2-ga, Jongno-gu, Seoul 03063, Republic of Korea

Tel.: +82-2-760-0599

Email: jhjang@skku.edu

Bar admission: Republic of Korea (February 1994)

New York (February 2003)

### **Education**

Seoul National University Bachelor of law (1991), magna cum laude

Judicial Training and Research Institute 1992-1994

Graduate School, Seoul National University Master of law (1994)

University of Chicago LL.M. (1998) (Fellowship for Study Abroad, Korea Foundation for Advanced Studies)

New York University LL.M. in Int'l Legal Studies (2000)

Graduate School, Seoul National University Ph.D. in law (2002)

### **Professional Career**

Officer for the Judge Advocate, Korean Army 1994-1997

Aram Law Offices Associate, 1997-2000

Kim, Chang Lee Associate, 2000-2003

College of Law, Kyung Hee University Assistant professor (2003-2005),  
Associate professor (2005-2007)

School of Law, Sungkyunkwan University Vice professor (2007-2013)

Full professor (2013-)

### **Participation in the Hague Conference on Private International Law**

2015-2019 Korean delegation to the Judgments Project (5th meeting of the Working Group, 1st to 4th meetings of the Special Commission, 22nd Diplomatic Session)

### **Participation in National Legislation**

2014-2015 Member of the Committee on the Revision of Private International Law, Ministry of Justice

2016-2017 Member of the Committee of Experts for the Revision of Private International Law, Ministry of Justice

2021- Member of the Committee on the Task Force for Implementing Legislation for the Singapore Mediation Convention, Ministry of Justice

### **Research Abroad**

1998-1999 Stanford Law School, Visiting scholar

Aug. 2005 Copenhagen University, Faculty of Law, Visiting researcher  
(Financial support: ASEM-Duo (Korea) Fellowship for Exchange Professors)

Aug. 2008 Max-Planck Institut für ausländisches und internationales Privatrecht, Hamburg  
(guest researcher)

July-Aug. 2009	Institut für internationals Privat- und Verfahrensrecht, Universität zu Köln (guest researcher)
Jan.-Aug. 2010	Max-Planck Institute for Comparative and International Private Law (Financial support: Max Planck Society Fellowship) (guest researcher)
Sep.-Nov. 2017	Université de Paris X (Ouest Nanterre), Invited researcher
Feb.-May 2018	Sheffield University, Visiting researcher
June-Aug 2018	Université de Bourgogne, Invited researcher

### **Academic Associations**

Korea Private International Law Association

Director for publication (2005-2013),

Director for planning (2016-2020),

Member of the Editorial Committee for the Korea Private International Law Journal

Private International Law Case-Law Study Group, Korea Private Int'l Law Association

Chair (2021-)

Korean Society of Family Law (Director)

Korea Association of the Law of Civil ProcedureKorean Association of Civil Law (Member)

Korean Civil Law Association (Member)

Korean Comparative Private Law Association (Member)

Academy of Private Case Law Studies (Member)

Comparative Law and Practice Study Group, Ministry of Court Administration (Member)

Korea International Trade Law Association (Member)

International Law Association (Director, Korean Branch)

### **Languages**

Korean, English

(Reading capacity of Japanese, French and German)

## List of Publications

### **Dissertations**

National Antitrust Laws' Territorial Scope of Application: A Comparative Study of the United States Law, Thesis, Doctor of Jurisprudence, Seoul National University, February 2002 (with the supervision of Prof. emer. Ho-Chung Lee) (in Korean with English summary).

A Study on Brainerd Currie's Governmental Interest Analysis, Thesis, Master of Jurisprudence, Seoul National University, February 1994 (in Korean with English summary).

### **Commentaries**

Private International Law, Article 49 (Succession), in: Commentaries on Succession Law (Jinsu Yun, et al., Pakyoungsa, 2019), pp. 1147-1385.

Private International Law, Article 50 (Wills), in: Commentaries on Succession Law (Jinsu Yun, et al., Pakyoungsa, 2019), pp. 1386-1454.

### **Co-authored Book**

*Comparative Study of the Legal Reform of Jurisdiction in Japan and China* (with Byung-Suk Chung, Kwang-Hyun Suk, Changmin Chun & Hyuna Kim), under editorial review of the Korean Ministry of Justice, forthcoming [2018] (in Korean).

### **Book Chapters (in Korean)**

"Internet and Choice of Law", in *Internet and Law II* (Hyosun Nam & Sangjo Jeong, eds., Beobmunsa, Seoul, 2005), pp. 863-901.

"Place of Performance Jurisdiction in Contract Cases", in Collection of Essays in Celebration of Mr. Jinsan Kim Moon-Hwan's Retirement, 2011.

"Special Rules to the Place of Performance Jurisdiction", in *Study on Possible Ways of Reforming Private International Law* (Kyung-Han Sohn, et al., Korean Ministry of Justice, 2014), pp. 107-140.

"Montreal Convention in Air Transportation", in *Study on Possible Ways of Reforming Private International Law* (Kyung-Han Sohn, et al., Korean Ministry of Justice, 2014), pp. 162-165.

"Geneva Convention in Transportation of Goods by Road", in *Study on Possible Ways of Reforming Private International Law* (Kyung-Han Sohn, et al., Korean Ministry of Justice, 2014), pp. 165-168.

"Jurisdiction in Family and Succession Matters and Non-Contentious Procedure", in *Study on Possible Ways of Reforming Private International Law* (Kyung-Han Sohn, et al., Korean Ministry of Justice, 2014), pp. 255-330.

"Immunity from Suit regarding Non-Official Activities of an Employee of the United States Armed Forces in Korea and Immunity from Enforcement Regarding His Right to Salary and Retirement Pay", read at a seminar organized by the Research Group in Comparative Law Practice, the Korean Supreme Court, in regard of an appeal pending before the Korean Supreme Court, on 18 May 2010; published in *Pallyesilmuyeon'gu* [Case Studies in Court Practice], Vol. 11 No. 1 (2014) (Pakyoungsa, 2015), pp. 17-110.

"Legal Issues in Private Lawsuits Filed by the Forced Laborers under the Japanese Rule", read at the a seminar organized by the Research Group in Comparative Law Practice, the Korean Supreme Court,

in regard of an appeal pending before the Korean Supreme Court, on 27 September 2011; published in Pallyesilmuyeon'gu [Case Studies in Court Practice], Vol. 11 No. 1 (2014) (Pakyoungsa, 2015), pp. 558-623.

*Determination and Application of the Law Applicable to Matrimonial Property Regime and Actions Paoliana*, in Korean, read at the 107<sup>th</sup> Seminar organized by the Research Group in Comparative Law Practice, the Korean Supreme Court, in regard of an appeal pending before the Korean Supreme Court, on 7 January 2016; published in Pallyesilmuyeon'gu [Case Studies in Court Practice], Vol. 12 (2017) (Pakyoungsa, 2015), pp. 876-920.

“Spatial Reach of National Civil Law”, in *State and the Constitution II, Collection of Essays in Celebration of the President Niakin Sung's Retirement* (Beobmunsa, 2018), pp. 129-175.

[Review Essay,] [Ho-Chung Lee,] “A Study on the Recent Directions of Private International Law Theory: With a Focus on the Debates between Kegel and Juenger”, as published in *Seoul National University Legal Studies, Special Issue Vol. 4* (1979) = Vol. 20 No. 3 (1980), pp. 139 ff., in *The Life and Study of Ho-Chung Lee, a Liberal* (Hongmunsa, 2019).

[Review Essay,] [Ho-Chung Lee,] “The Private International Theory of Savigny”, *Seoul National University Legal Studies, Special Issue Vol. 22 No. 3* (1982), pp. 92 ff., in *The Life and Study of Ho-Chung Lee, a Liberal* (Hongmunsa, 2019).

#### ***Book Chapters (in Japanese)***

Treatment in Korea, as part of Shunichiro Nakano, “International Effects of a Mediated Divorce”, *Internationalisation and Family* (Ninomiya & Watanabe, eds., Nipponhyoronsha, 2020), pp. 253-258.

#### ***Contributions to Commissioned Reports***

Translation, “Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Lugano Convention 2007)”, Articles 21-22, 69-79, “Protocol 1 on certain questions of jurisdiction, procedure and enforcement”, in *International Norms on the Recognition and Enforcement of Foreign Judgments and Suggestions for Our Reaction*, (co-authored by Prof. Kyung-Han Sohn, et al.), Report commissioned by the Ministry of Judicial Administration, 2009, pp. 359-360, 387-383.

“Sweden”, in *A Study on Possible Ways to Promote Accession to the Hague International Child Adoption Convention* (co-authored by Prof. Kwang-Hyun Suk, et al.), Report Commissioned by the Ministry of Health and Welfare, Dec. 2012, pp. 121-141.

“France”, in *A Study on Possible Ways to Promote Accession to the Hague International Child Adoption Convention* (co-authored by Prof. Kwang-Hyun Suk, et al.), Ministry of Health and Welfare, Dec. 2012, pp. 142-157.

“Japanese Legal Provisions on International Adjudicatory Jurisdiction”, in *A Study on the Legal Rules of Japan and China on International Adjudicatory Jurisdiction* (co-authored by Junhyok Jang, Byung-Suk Chung, Kwang-Hyun Suk, Changmin Chun & Hyuna Kim, 2018), submitted to the Ministry of Justice.

“Determination of the Applicable Law to Succession and Testament”, in *A Study on the Law Applicable to Succession, Succession Regimes, and the Information That Serves to Prove Succession Where the Deceased is a Foreigner* (co-authored by Su-Jeong Choi, Inhwan Park and Junhyok Jang, 2020), submitted to the Ministry of Judicial Administration.

“Private International Law of Major Foreign Countries”, in *A Study on the Law Applicable to Succession, Succession Regimes, and the Information That Serves to Prove Succession Where the Deceased is a Foreigner* (co-authored by Su-Jeong Choi, Inhwon Park and Junhyok Jang, 2020), submitted to the Ministry of Judicial Administration.

**“Information Supporting a Succession [-] Way Forward to Improve the Regime”,** in *A Study on the Law Applicable to Succession, Succession Regimes, and the Information That Serves to Prove Succession Where the Deceased is a Foreigner* (co-authored by Su-Jeong Choi, Inhwon Park and Junhyok Jang, 2020), submitted to the Ministry of Judicial Administration.

### **Articles (in Korean)**

#### **1. General Themes of Private International Law**

*Issues and Problems Related to the Accession of Korea to the Hague Conference on Private International Law*, Korea Private International Law Journal, Vol. 15 (1997), pp. 15-45 (in Korean).

*On a Possible Korea-Japan Bilateral Convention on International Civil Procedure*, Sungkyunkwan Law Review, Vol. 22 No. 3 (December 2010), pp. 675-721.

*Tasks Ahead for Private International Law*, Sungkyunkwan Law Review, Vol. 28 No. 3 (Sept. 2016), pp. 101-150 (in Korean with English summary).

#### **2. International Jurisdiction**

*Jurisdiction in Product Liability Litigations: Review of United States Supreme Court Cases*, International Trade Law, Vol. 62 (April 2005), pp. 180-245 (in Korean with English summary).

*Jurisdiction in Domain Name Disputes: Overview of Korean Law*, Kyung Hee Law Review, Vol. 41 No. 2 (Dec. 2006), pp. 75-108 (in Korean with English summary).

*Place of Tort Jurisdiction in the Unlawful Possession of and Interference with Domain Names*, Journal of Private Case Law Studies, Vol. 29 (March 2007), pp. 1-104 (in Korean with English summary).

*Place of Harmful Behavior and Place of Harm in Tort Jurisdiction under the Brussels I Regulation: With a Focus on Defamation Cases*, Sungkyunkwan Law Review Vol. 24 No. 3 (Sept. 2012), pp. 459-98 (in Korean with English summary).

*Special Jurisdiction in Korean Law of International Jurisdiction: Current Case Law in Proprietary Cases*, Korea Private International Law Journal, Vol. 18 (Dec. 2012), pp. 115-53 (in Korean with English summary).

*Place of Tort Jurisdiction in Defamation under the Brussels I Regulation*, Sungkyunkwan Law Review Vol. 25 No. 1 (June 2013), pp. 69-108 (in Korean with English summary).

*A Proposal for Legislative Reform of Special Jurisdiction Rules in International Judicial Jurisdiction: A Research on the Role of General Provisions and Special Jurisdiction in Contracts, Torts and Unjust Enrichment*, Korea Private International Law Journal, Vol. 20 No. 1 (June 2014), pp. 213-96 (in Korean with English summary).

*A Legislative Reform Proposal on Jurisdiction in Contractual Disputes*, Korean Forum on International Trade and Business Law, Vol. 23 No. 2 (December 2014), 353-415 (in Korean with

English summary).

*Jurisdictional Veil-Piercing in the United States*, Korea Private International Law Journal, Vol. 22 No. 2 (Dec. 2016), pp. 333-378 (in Korean with English summary).

*The Drifting of the Substantial Connection Test in the Law of International Adjudicatory Jurisdiction: How the Guiding Principle Became an Independent Basis of Jurisdiction and Is Paralyzed by the Standard of Predictability*, Essays in Honor of the 70th Birthday of Professor Yang Chang-su Parkyoungsa, 2021 (forthcoming).

### **3. Recognition and Enforcement of Foreign Judgments**

*Process of Preparing for the Hague International Judgments Convention: A Study of the 2015 Proposed Draft Text of the Working Group*, Korea Private International Law Journal, Vol. 22 No. 2 (December 2016), pp. 679-789 (in Korean).

*2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters*, Korea Private International Law Journal, Vol. 25 No. 2 (Dec. 2019), pp. 437-510 (in Korean with English summary).

*In Search of the Adoption of Hague Choice of Court Convention in Korea*, Anam Law Review, Vol. 61 (Nov. 2020), pp. 47-174 (in Korean with English summary).

*Practical Suggestions for Joining the 2019 Judgments Convention and its Implications for Korean Law and Practice*, Korea Journal of Private International Law, Vol. 26 No. 2 (Dec. 2020), pp. 141-217.

*Determining the Applicable Law in the Recognition and Enforcement of Foreign Arbitral Awards*, Kookmin Law Review, Vol. 32 No. 3 (Feb. 2020), pp. 219-293.

### **4. Private International Law of Obligations; Conflict of Economic Laws**

*Currie's Governmental Interest Analysis*, Korea Private International Law Journal, Vol. 3 (1998), pp. 287-384 (in Korean).

*Introduction to the Amendment of the Japanese Private International Law in 1989 and Its Amendment Draft of 1994*, Korea Private International Law Journal, Vol. 3 (1998), pp. 173-216 (in Korean).

*A Study of the Amendment of the Choice of Law Rules in Contractual Obligations (1)*, Bubjo [Jurist] No. 540 (Sep. 2001), pp. 136-77 (in Korean).

*A Study of the Amendment of the Choice of Law Rules in Contractual Obligations (2)*, Bubjo [Jurist] No. 541 (Oct. 2001) pp. 132-69 (in Korean).

*Comments on the Draft Amendment to the Private International Law: On Contractual Obligations (Including Consensual and Statutory Transfer of a Contractual Right or Liability)*, Korea Private International Law Journal, Vol. 6 (2001), pp. 295-354 (in Korean).

*Understanding the Concept of Jurisdiction and Extraterritorial Application in International Economic Regulation in the U.S. Law*, Korea Private International Law Journal, Vol. 7 (2002), pp. 9-44 (in Korean).

*Choice of Law in International Disputes Involving Cyberspace*, Korea Private International Law Journal, Vol. 8 (2003), pp. 105-41 (in Korean).

*Comments on Conflicts Law Issues in the Graphite Electrodes Cartel Case at the Fair Trade Commission*, Korea Private International Law Journal, Vol. 8 (2003), pp. 451-84 (in Korean with English summary).

*Geographical Scope of State Jurisdiction to Prescribe: Sections 402 and 403 of the Third Restatement of Foreign Relations Law of the United States*, Chung-Ang Law Review, Vol. 7 Vol. 1 (Mar. 2005), 279-305 (in Korean with English summary).

*Distinction between Formal Validity of a Legal Act and Procedure*, Korea Private International Law Journal, Vol. 12 (2006), pp. 241-343 (in Korean with English summary).

*Study on the Principle Regarding the Application of International Mandatory Rules: A Comparative Study of the Article 7 of the Rome Convention, Articles 18 and 19 of the Swiss Private International Law of 1987, and Article 7 of the Korean Private International Law*, International Trade Law, Vol. 75 (June 2007), pp. 71-103 (in Korean with English summary).

*Conflicts Mandatory Character as the Key Element of Internationally Mandatory Rules*, Sungkyunkwan Law Review, Vol. 19 No. 2 (Aug. 2007), pp. 563-82 (in Korean with English summary).

*Applicable Law to the Conscription of Civilians and Forced Labor During the Japanese Rule*, Korea Private International Law Journal, Vol. 19 No. 1 (June 2013), pp. 157-212 (in Korean with English summary).

*A Look Back at the Reform of Choice-of-Law Rules in 2001 and Subsequent Case Law*, Korea Journal of Private International Law, Vol. 20 No. 1 (June 2014), pp. 79-179 (in Korean with English summary).

## **5. International Family Law**

*Interlocal Divorce Jurisdiction for a De Facto Refugee from North Korea: Comments on the Seoul Family Court Decision of June 22, 2007, 2004deudan77721*, Journal of Private Case Law Studies, Vol. 31 (Feb. 2009), pp. 623-663 (in Korean with English summary).

*Current State of Korean Case Law on Divorce Jurisdiction: Analysis of Judgments Rendered Under Article 2 of the Korean Private International Law*, Minsasosong [Civil Procedure] (Korean Association of the Law of Civil Procedure), Vol. XIII-1 (May 2009), pp. 33-83 (in Korean with English summary).

*Divorce Jurisdiction: Court Practice before 1975*, Sungkyunkwan Law Review, Vol. 21 No. 3 (Dec. 2009), pp. 1065-1108 (in Korean with English summary).

*Traditional Case Law on International Divorce Jurisdiction and Attempts for Its Modification in Lower Courts: Emergence of the 1975 Precedent and the Evolution of Case Law Before the Introduction of Article 2 of the Private International Law*, Korea Private International Law Journal, Vol. 19 No. 2 (December 2013), pp. 31-99 (in Korean with English summary).

*International Jurisdiction in Matrimonial Causes: With a Focus on Divorce Cases*, Korea Private International Law Journal, Vol. 21 No. 1 (June 2015), pp. 101-190.

*Vietnamese Private International Law on the Status and Capacity of Natural Persons: An Overview*,

Korean Family Law Journal, Vol. 29 No. 2 (July 2015), pp. 145-178 (in Korean with English summary).

*Private International Law Issues of Multicultural Families: Bilateral Divorce Agreements as a Possible Solution*, Korean Family Law Journal, Vol. 30 No. 3 (Nov. 2016), pp. 351-406 (in Korean with English summary)

*International Jurisdiction in Maintenance: A Legislative Proposal*, Korean Family Law Journal, Vol. 31 No. 1 (March 2017) (in Korean with English summary).

## **6. International Succession and Trust Law**

*A Proposal for Legislative Reform of Private International Law on Wills and Succession*, Korea Private International Law Journal, Vol. 27 No. 1 (June 2021), pp. 337-396.

## **7. International Commercial Arbitration**

*Discussion Paper on the "International Commercial Arbitration and the Applicable Law"*, Korea Private International Law Journal, Vol. 16 (2010), pp. 60-61 (in Korean).

*Determining the Applicable Law in the Recognition and Enforcement of Foreign Arbitral Awards*", Kookimin Law Review, Vol. 32 No. 2 (February 2020), 219-293 (in Korean with English summary).

*Determining the Applicable Law in the Recognition and Enforcement of Foreign Arbitral Awards*", Journal of Private Case Law Studies, Vol. 42 (Feb. 2020), pp. 869-935 (in Korean).

## **8. United Nations Convention on the International Sale of Goods, and the Law of Contracts, Torts, Property and Civil Procedure**

*The Scope of Subsequent Harm within the Reach of Compensation Settlement for Public Nuisance*, Panryeyongu [Case Studies] (Seoul Bar Association), Vol. 17 No. 1 (2003), pp. 144-74 (in Korean).

*Product Liability Litigation in the United States*, Korea Private International Law Journal, Vol. 10 (2004), pp. 85-117 (in Korean).

*Discussion Paper on The Law Applicable to Disputes of Contracts of Sale in International Trade between China and Korea: A Chinese Perspective*, Korea Private International Law Journal, Vol. 13 (2007), pp. 74-83 (in Korean).

*Quasi-contrats dans l'Avant-projet de réforme du droit des obligations français*, Journal of Civil Law, Vol. 45-2 (June 2009), pp. 293-320 (in Korean with French summary).

*La lettre d'intention en droit français*, Journal of Civil Law, Vol. 49-2 (June 2010), pp. 145-87 (in Korean with French summary).

*Characterization of Manufacture-Sales Contracts for Movable*, Journal of Private Case Law Studies, Vol. 35 (Feb. 2013), pp. 439-514 (in Korean with English summary).

*De la possession en droit civil français*, Journal of Civil Law, Vol. 63~2 (June 2013), pp. 241-84 (in Korean with French summary).

*Plaintiff's Negligence in American Tort Laws: Development from Contributory Negligence to Comparative Negligence Rule*, Vol. 66 (March 2014), pp. 315-61 (in Korean with English summary).

*Negligence per se in the United States*, Chosun Law Journal, Vol. 24 No. 1 (April 2017), pp. 93-132.

### **9. Family and Succession Law**

*Représentation successorale en droit civil français*, Journal of Civil Law, Vol. 61 (Dec. 2012), pp. 605-48 (in Korean with French summary).

*L'esquisse des conditions du mariage en droit civil français*, Journal of Civil Law, Vol. 53-2 (June 2011) (in Korean with French summary).

### **Translations**

Masato Dogauchi, *Review of the Japanese-Korean Symposium of Private International Law*, 1 KOREA JOURNAL OF PRIVATE INTERNATIONAL LAW 123 (1995), pp. 123-32 (from Japanese to Korean).

Katsuhiko Yamamoto, *Effects of Judgments in International Civil Procedure*, Korea Private International Law Journal, Vol. 2 (1997), pp. 573-83 (from Japanese to Korean).

Ben B. Floyd & S. Fay Peterson, *Conflicts of Law in Cross-Border Insolvencies*, Korea International Transactions Law Journal 7 (2002), pp. 9-44 (from English to Korean).

Jürgen Basedow, *Theory of Choice of Law and Party Autonomy*, Sungkyunkwan Law Review, Vol. 24 No. 3 (Sept. 2012), pp. 149-89.

*Proposed Draft Text of the Working Group on the Judgments Project Resulting from Its Fifth Meeting of 31 October 2015*, Korea Private International Law Journal, Vol. 22 No. 2 (December 2016), pp. 782-789.

*Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters*, Korea Private International Law Journal, Vol. 25 No. 2 (December 2019), pp. 751-768.

### **Articles (in English)**

*Issues and Tendencies in Reforming Korean Law of International Jurisdiction*, Hanyang Journal of Law, Vol. 1 (2014), pp. 97-126.

*Reforming the Law of International Civil Jurisdiction: Committee Proposal*, Korean Yearbook of International Law, Vol. 3 (2015)

*Divergence of Direct and Indirect Jurisdiction in the Supreme Court*, Korean Yearbook of International Law, Vol. 4 (2016).

*The Public Policy Exception Under the New 2019 HCCH Judgments Convention*, Netherlands International Law Review, Vol. 67, Issue 1 (20 March 2020), pp. 97-111.

### **Published Contributions to Academic Conferences (in English)**

*Issues and Tendencies in Reforming Korean Law of International Jurisdiction*, orally presented with a manuscript printed in the proceedings in the International Symposium co-hosted by Won-Kwang University and Hanyang University (The Diverse Versions of International Jurisdiction Clauses: From the Perspective of EU and East Asia), 28 June 2014.

*The Role of Public Policy in the 2019 Judgments Convention: Accommodating Divergence within the Bounds of Uniformity*, orally presented at the Inaugural Global Conference, 2019 HCCH Judgments Convention: Global Enforcement of Civil and Commercial Judgments, Hong Kong, 9 September

2019.

***Other Contributions to International Seminars, published in the Proceedings (in English)***

Panel Discussion to Prof. Huo, Zhengxin's Presentation, "China's Codification of Conflicts of Laws: Latest Efforts". Proceedings of the Conference hosted by the [Seoul National University] Law Research Institute, "The Interface between Korean Law and Chinese Law", at Seoul, Republic of Korea, June 2010, pp. 150-156.

"Recent Trends in Korean Law of Jurisdiction: A Critical Overview", National Chung Cheng University Symposium, Jiayi, Taiwan, 5 October 2012.

"Proper Role of Forum Conveniens Considerations in International Jurisdiction: A Legislative Proposal for Korea", in HY 2013 Summer International Symposium, Current Legal Issues between Korea and Japan, Hanyang University, Seoul, Korea, 22 August 2013.

"Discussion Paper on the Judgments Project", orally presented with a manuscript printed in the Proceedings, at the 2017 HCCH Asia-Pacific Week, Seoul, Korea, July 6, 2017.

"In Search of the Adoption of the Hague Convention on Choice of Court Agreement in the Republic of Korea", 2nd Korea-Japan Private International Law Joint Symposium, Nogoya, Japan, June 15, 2019 (orally presented in English with a Japanese translation published in the Proceedings).