Foreign Law Resources: Non-Canadian Primary Materials
Law 703 Library Session

Nadine Hoffman
Natural Resources, Energy & Environmental Law Librarian
November 28, 2018
Questions from previous sessions?

Today is an overview session on how to find primary foreign materials and where to look for more information
• For this session, “Foreign” mainly means from countries outside Canada, the United Kingdom, and the United States

• N.B. many research guides and resources define “foreign” as outside the United States
What information might you find from secondary sources?
Secondary Resources – Commentary

- Provides background information
- Provide
  - Titles of resources
  - Other secondary sources
  - Citations
  - Titles of legislation, courts, and case reporters
  - Give country’s background
Secondary Resources – Internet

• Research Guides
  • Foreign Legislation
  • Foreign Cases and Decisions
  • Country & Regional Information
  • International Business

• Government websites

• Google Scholar (and/or Google)
  • Reminder—use link from library webpages & research guides to ensure full access to articles
  • Includes legal content
Availability of Foreign Materials

- **General**
  - Amount available will depend on the country.
  - Not everything is on the Internet.
  - Not everything is written in English. Translations may not be official.

- **Legislation**
  - Many countries put their statutes on the Internet free of charge. Some governments may provide websites with bills, statutes and regulations.

- **Case Law**
  - Case law is generally jurisdiction specific.
  - Many countries have court websites on the Internet. The amount available will depend on the country.
  - Not every case gets published so not every case is searchable.
Foreign Law: *Current Sources of Codes and Basic Legislation in Jurisdictions of the World* (online is Foreign Law Guide), arranged by country

- Helps determine a country’s constitution and legal structure
- Often leads to specific resources by subject
- Content provided by the American Association of Law Libraries (AALL)
- Available electronically
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Foreign and International Law Resources Database

The Foreign and International Law Resources Database (FILRD) allows researchers to browse online through the treasures of some of

Foreign Law Guide

This work endeavors to provide the lawyer or legal researcher with relevant information on sources of foreign law, including complete

Google Scholar

Google Scholar enables you to search specifically for scholarly literature, including peer-reviewed papers, theses, books, preprints,

more...
Foreign Law Guide

Subject: Law

General Editor: Marcel Hoffman

Acclaimed by librarians, academics, and researchers alike, the Foreign Law Guide (FLG) is an essential database offering relevant information on sources of foreign law, including complete bibliographic citations to legislation, the existence of English translations and selected references to secondary sources in one virtual destination. Broad in content and global in scope, the FLG is an indispensable resource for comparative law research and a fundamental tool for developing a foreign and comparative law collection. Approximately 150 jurisdictions are systematically covered and updated by a global team of experts.

Video User Guide | Tips for Effective Browsing

For additional information and subscription details, click Brill.com

• Afghanistan – France

• Gabon – Jordan

• Kazakhstan – Norway

• Oman – Zimbabwe
Foreign Law Guide

For additional information and subscription details, click Brill.com.

Countries
Laws by Subject
Materials Indexed
About Foreign Law Guide

- Afghanistan – France ▼
  - Gabon – Jordan ▲
    - Gabon
    - The Gambia
    - Georgia
    - Germany
    - Ghana
    - Greece
    - Grenada
    - Guatemala
    - Guernsey
    - Guinea
    - Guinea-Bissau
    - Guyana
    - Haiti
    - Honduras
    - Hong Kong
    - Hungary
    - Iceland
    - India
    - Indonesia
    - Iran
    - Iraq
    - Ireland
    - Isle of Man
    - Israel
    - Italy
    - Jamaica
    - Japan
    - Jersey
    - Jordan
Japan
(Country Editor: Rob Britt)

Last update: 12/01/2016

Government & Legal System: Introduction | Government | Legal System | Research Guidance | Citation Notes

Primary Sources: Official Gazette | Compilations or Official Codifications | Session Laws | Codes | Court Reports

Laws by Subject

A C D E F G H I J K L M N O P Q R S T U V W X Y Z

A

Accounting & Auditing

Administrative Law & Procedure

Admiralty & Maritime

Air & Space

Animals & Animal Welfare

Antitrust, Trade Regulation & Unfair Competition
Japan - Legal System

Sources of Law

Sources of law in the Japanese system include the Constitution, acts of the Diet (hōritsu | 法律), treaties (jōyaku | 条約), judicial precedents (hanrei | 判例), and scholarly opinion.[1] Scholarly opinion is not formally recognized as a source of law, but it does have strong influence on court decisions and the creation of laws.


Law Making Process

Legislative

Japan’s parliament is known in English as the National Diet (Kokkai | 国会). The lower house is called the House of Representatives (Shūgiin | 衆議院) and the upper house is called the House of Councilors (Sangiin | 参議院).


The Diet produces a variety of helpful publications and online resources that pertain to the legal system, including:
Japan

Country Editor: Rob Britt

Last update: 12/01/2016

Government & Legal System: Introduction | Government | Legal System | Research Guidance | Citation Notes

Primary Sources: Official Gazette | Compilations or Official Codifications | Session Laws | Codes | Court Reports

Laws by Subject

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A

Accounting & Auditing

Administrative Law & Procedure

Admiralty & Maritime

Air & Space

Animals & Animal Welfare

Antitrust, Trade Regulation & Unfair Competition
C

Citizenship, Emigration, Immigration & Nationality

Civil

Climate Change

Communications, Telecommunications & Satellite Transmissions

Conflict of Laws & Private International Law

Constitution & Politics

Construction, Development, Planning & Property

Consumer Protection

Contracts

Corruption

Courts & Legal System

Crime & Punishment

Cultural Property

Culture, Entertainment & Sports
Japan - Climate Change

(152 words)

Secondary Sources


Subject Searches:

- Climatic changes--Law and legislation--Japan.
- Environmental law--Japan.
- Liability for climatic change damages--Japan.

Primary Sources

  Translated:

- [Act on the protection of the ozone layer through the control of specified substances and other measures] 特定物質の規制等によるオゾン層の保護に関する法律 | Tokutei busshitsu no kisei tō ni voru ozon-sō no hogo ni kansuru hōritsu, Act no. 53/1988, 20 May
### Reference Works

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<tr>
<th>Reference</th>
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<td>Japan - Bankruptcy &amp; Insolvency</td>
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### Bibliographies

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<th>Bibliography</th>
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<tr>
<td>The Cisr and the Japanese Sociology of Religion</td>
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<td>Shinto and Buddhism: The Two Major Religions in Japan</td>
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<td>Non being and mu. The Metaphysical Nature of Negativity in the East and the West</td>
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### Books & Journals

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<th>Source: Brill Research Perspectives</th>
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<tr>
<td>The State of Nonprofit Sector Research in Japan: A Literature Review*</td>
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<td>Unilateral Trade-related Climate Change Measures</td>
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<td>American Asia Experts, Liberal Internationalism, and the Occupation of Japan</td>
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<td>Source: The Journal of World Investment &amp; Trade</td>
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<td>Source: The Journal of American-East Asian Relations</td>
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### Primary Sources

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<tr>
<td>Identifying Opportunities for Action on Climate Change and Sexual and...</td>
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<tr>
<td>Ethics and Climate Change - A Study of National Commitments</td>
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<td>SRHR Info Resources - Climate Change, Population, Sexual &amp; Reproductive Health &amp;...</td>
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<td>Source: Climate Change and Law Collection</td>
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<td>Source: Human Rights Documents Online</td>
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Code, Session Laws, Gazette, and Compilations refer to legislation
Court Reports are case reporters
### Reminders for U.S. & U.K.

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<td>Congress.gov &amp; govinfo (formerly GPO Access and FDSys)</td>
<td>UK Statute Law Database</td>
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<tr>
<td>HeinOnline</td>
<td>Justis – includes legislation and case law</td>
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<td>Legal Information Institute (LII)</td>
<td>British and Irish Legal Information Institute (BaiLII)</td>
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**Additional Resources:**
- Lexis Advance
- Quicklaw
- Westlaw
• **WorldLII**
  - Often links to documents
  - Not necessarily available in English

• **LLMC Digital**
  - Law Library Microforms Consortium has digitized their collections of microfilm from a variety of countries
  - Historical legislation only
  - “Foreign” means non-U.S. and includes Canada
Foreign Legislation

Foreign law is the domestic, national or internal law of a country or jurisdiction. This guide is intended to help researchers locate the legislation of foreign jurisdictions.

Foreign Legislation

Foreign law is the domestic, national or internal law of a country or jurisdiction. This guide is intended to help researchers locate the legislation of foreign jurisdictions. The tabs found above will open pages that have links to some relevant key sources. Legal databases may be restricted to University of Calgary users or to Faculty of Law users. It does not include international law and treaties. If that is your topic, there is an International Law guide you may wish to use in your research. Legislative materials on paper are located on the 1st floor of the law library.

Conducting foreign legal research:

- Look at research guides for a specific country to determine what information is available. Foreign Law Guide - is a database that describes legal systems and references sources of law. It may also provide information about English translations.
- Look for a LII (Legal Information Institute) website, or something similar, for that particular country. See what legal materials are available at WorldLII.
- Generally, the steps are the same as for Canadian legal research:
Legal Information Institutes (LILs)

LILs are one of the best places to look for legislation, court decisions and other primary legal materials. Legal materials are available at various LLI websites for particular countries or groups of countries:

- **World Legal Information Institute (WorldLII)**
  Free, independent and non-profit access to worldwide law

- **Commonwealth Legal Information Institute (CommonLII)**
  Free access to Commonwealth and Common Law

- **Pacific Islands Legal Information Institute**
  A facility of the University of the South Pacific Faculty of Law

- **Asian Legal Information Institute**
  Free access to Asian Law

- **Southern African Legal Information Institute (SAFLII)**
  Legal information for free public access which comprises mainly of case law and legislation from South Africa. SAFLII also hosts legal materials from other countries in the region which are obtained through partnerships, collaborative efforts and more recently through linking to other Legal Information Institutes established in these regions.

- **Hong Kong Legal Information Institute (HKLII)**
  Free access to legal information in Hong Kong

- **Zambia Legal Information Institute (ZamLII)**
1829 databases from 123 jurisdictions via 14 Legal Information Institutes

News & Database Additions
Last updated 22 November 2018

- Law via the Internet Conference 2018, Florence, Italy, 11-12 October 2018 - Call for papers
- International Law Monographs 1689-1959 (WorldLII)
- Goettingen Journal of International Law 2009 - (WorldLII)
- United Nations Committee Against Torture - Concluding Observations 1999 - (WorldLII)
- International Labour Organization Administrative Tribunal 1947 - (WorldLII)
- United Nations Committee on the Elimination of Discrimination Against Women - General Comments 1986 - (WorldLII)
- United Nations Committee on the Elimination of Racial Discrimination - General Comments 1972 - (WorldLII)
- United Nations Committee on Migrant Workers - Concluding Observations 2006 - (WorldLII)
- Asian-African Legal Consultative Organization - Reports 1957 - (WorldLII)
- Asian-African Legal Consultative Organization - Resolutions 1958 - (WorldLII)
- United Nations International Law Commission 1949 - (WorldLII)
Countries

You are here: WorldLII >> Countries

Note: * indicates no databases as yet - Catalog only

- Afghanistan
- Albania
- Algeria
- American Samoa
- Andorra
- Angola
- Anguilla
- Antarctica
- Antigua & Barbuda
- Argentina
- Armenia
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
- Botswana
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Colombia
- Comoros
- Congo
- Congo (Dem. Rep.)
- Cook Islands
- Costa Rica
- Cote d'Ivoire
- Croatia
- Cuba
- Cyprus
- Czech Republic
- Denmark
- Djibouti
- Dominica
- Dominican Republic
- East Timor
- Ecuador
- Egypt
- El Salvador
- Equatorial Guinea
- Eritrea
- Estonia
- Ethiopia
- Falkland Islands
- Faroe Islands
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- Gabon
- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Holy See
- Honduras
- Hong Kong, China
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Korea (North)
- Korea (South)
- Kuwait
- Kyrgyz Republic
- Lao PDR
- Latvia
- Lebanon
- Lesotho
- Liberia
- Libya
- Liechtenstein
- Lithuania
- Luxembourg
- Macau, China
- Macedonia
- Madagascar
- Malawi
- Malaysia
- Maldives
- Mali
- Malta
- Marshall Islands
- Mauritania
- Mauritius
- Mexico
- Micronesia
- Moldova
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar
- Namibia
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- Northern Mariana Islands
- Norway
- Oman
- Pakistan
- Palau
- Palestinian Autonomous Territories
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Romania
- Russian Federation
- Rwanda
- Saint Helen
- Saint Kitts & Nevis
- Saint Lucia
- Saint Vincent & the Grenadines
- Samoa
- San Marino
- Sao Tome & Principe
- Saudi Arabia
- Senegal
- Serbia
- Seychelles
- Sierra Leone
- Singapore
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia & South Sandwich Islands
- Spain
- Sri Lanka
- Sudan
- Suriname
- Swaziland
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- Timor Leste
- Togo
- Tokelau
- Tonga
- Trinidad & Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks & Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States of America
- Uruguay
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela
- Viet Nam
- Virgin Islands (UK)
- Virgin Islands (US Territory)
- Western Sahara
- Yemen
- Zaire
- Zambia
- Zimbabwe
WorldLII >> Categories >> Countries >> Japan >> Legislation

- Banking & Finance Legislation
- Citizenship & Migration Legislation
- Competition Law Legislation
- Criminal law Legislation
- Environmental Legislation
- Search Engine & Archives

- Act Concerning Prohibition of Private Monopolization and Maintenance of Fair Trade
  Text in English (1947, revised 2005). In PDF
- Application of Laws (General) [Search]
  Text in English
- The Basic Law for a Gender-equal Society (Law No. 78 of 1999) [Search]
  Full text in English (on Gender Equality Bureau)
- Broadcast Law
  Text in English. In PDF
- Cabinet Legislation Bureau
  Recent legislations list
- Cable Television Broadcast Law
  Text in English. In PDF
- Clearing system for Japanese Government
  It produces a search engine for searching legal text contained in governmental site (In Japanese)
- Code of Civil Procedure [Search]
  Text in English of only Art. 1 to 38 (On japanlaw.co.jp)
- Code of Civil Procedure(Article 786-805) [Search]
- Commercial Code of Japan [Search]
  Text in English (Art. 165-198) (On japanlaw.co.jp)
- Computer Crime Act (Japanese Penal Code) [Search]
  English translation by Takato Natsui (on Meiji University)
- Constitution of Japan
Center for Research Libraries (U.S.) - Online catalog

- Access digitized content directly through CRL online catalog; request

Membership in CRL provides access to primary and secondary source materials for international research, CRL Global Resources. Many of these collection materials are unique; most are unavailable from other sources. The Center's online catalogue includes more than 11 million titles and online finding aids. CRL Global Resources, currently provides over 1 million pages of digital content, and will grow substantially through digital conversion of the existing CRL paper and microfilm corpus and related historical and cultural materials. The collections include more than 5 million volumes of published monographs and serials, including over 800,000 non-North American dissertations.
Center for Research Libraries

Topic Guides

CRL offers topic guides listing a selection of key source materials that can support research in various areas. New citations are added from time to time; reformulated guides (marked below) also provide an overview of the current "landscape" of information dissemination and collecting in particular fields, and reference selected online resources available through CRL.

Member libraries are encouraged to reference CRL collection strengths in local subject guides. Options include:

- Linking to CRL topic guides, or to specific titles or archival sets cited in the guides
- Linking to a defined search tab within the CRL catalog, such as "Newspapers" or "Dissertations"
- Consulting with CRL to create customized scripts to search the CRL catalog for particular topics

Sample boilerplate language is available for referencing CRL collections.

Further Reference

Don't see your topic of interest listed here? We also provide Reference Consultations to help you identify material in our collection that is relevant to your field.

You can get help from Mary Wilke, CRL's Member Liaison & Outreach Services Director.

★ - Denotes a reformulated guide

Includes all laws
CRL's law collection supports the study of law with a variety of material. CRL members have access to LLMCdigital®, a database of over 20 million pages of primary legal and government-related materials from all world regions. Print and microform collections at CRL include legal reports from over 90 countries, with a focus on India and Pakistan. Secondary legal sources and resources about important figures or organizations involved in legal decisions are also included. CRL's dissertation collection includes a wealth of scholarship about law.

Archives and Personal Papers

Legal Databases: Comparative Analysis
Legal research was one of the first areas of scholarship to move into the electronic world, with the introduction of dial-up terminals for searching case law in the 1970s. Today, most legal research done in law schools, courts, and the legal profession at large is conducted via computerized databases. Legal professionals depend primarily on services purchased from the two giants in the field, Westlaw and LexisNexis. However, for scholars outside of law schools, the judicial system, or the legal profession, access to primary source materials on the law has traditionally been much more difficult. In addition, the digital products offered by the large legal information companies are not designed for those working on legal history beyond the immediate past, or on the history of law and legislation in countries outside of North America or Europe. Fortunately, this need has been filled by a small number of more historically oriented databases as well as a wide variety of freely available digitized text providers.

The survey below is by no means exhaustive but is intended to guide the legal historian or scholarly legal researcher through the world of online legal resources by type.
Published Case Reports

The basic unit of analysis and research for most legal scholars is the published case report. I.e., the description of the facts of a particular case before a judicial body, the verdict or resolution of the case, and often the opinion or opinions of the presiding authorities on the issues at stake. Case reports provide scholars of the legal past rich detail about the circumstances of a dispute as well as the legal reasoning brought to bear on the matter by a judge. This style of printed report is historically most common in jurisdictions influenced by the English common law, but can also be found elsewhere. Millions of such case reports exist, ranging in length from a few sentences to hundreds of pages, and in date from the Middle Ages to the present.

Case reports also have a confusing double identity. They exist on their own as the record of a case (e.g., Smith v. Johnson) as well as part of a larger body of reported cases from a given tribunal or jurisdiction (e.g., the cases heard in a given term by the United States Supreme Court). The fact that these case reports often exist in many forms—their original published state as part of a volume, reprinted in a later series, or extracted and formatted as an individual unit of electronic text—can cause further difficulties for a researcher.

Some providers like LexisNexis and Westlaw specialize in facilitating quick discovery and retrieval of case reports as self-contained units and thus are most useful when trying to track down the text of a particular case or a set of cases revolving around a similar issue, dispute, or law. Other databases like LLMC-Digital and HeinOnline provide easier access to case reports in their original published form and are more useful when looking for a point in time, a particular court, or jurisdiction.

LLMC-Digital

LLMC-Digital is the online platform for the nonprofit Law Library Microform Consortium (LLMC). It provides access to millions of page images of documents related to legal history from the 13th century to the present in jurisdictions all around the world, particularly the legal history of the United States, Hall, Britain, and the British empire from the 18th century to the late 1900s. LLMC-Digital has particularly strong holdings in case reports; it holds every volume of the United States Supreme Court reports both in their reprinted form and nominate form. Likewise, LLMC-Digital also provides access to the published reports of the U.S. federal appellate courts from their inception as well as those of a number of other federal tribunals.

Beyond federal law, LLMC-Digital contains extensive holdings of reported cases from every U.S. state's Supreme Court, and strong holdings in reports from state appellate courts. Most importantly, LLMC-Digital contains a large number of published reporters from foreign jurisdictions, in particular all corners of the British Empire. This includes almost all reported cases from Canadian federal and provincial courts back to their inception, the full run of English reported cases prior to 1865, numerous Scots law reporters, extensive runs of law reports from the Indian subcontinent, and reports from Australia, Ireland, and South Africa. In all of these cases, LLMC-Digital’s strength is in historical case reporters; the closer to the present one gets, the weaker the coverage becomes.

Users can search LLMC-Digital’s database for cases by standard citation (e.g., 21 U.S. 453), full-text keyword, or browse through numbered volumes of cases. However, the search interface is slow and without advanced sorting options. Another challenge is that large multi-volume sets are presented without any guide to the contents or chronological coverage of each volume. CRL’s Global Resources Forum features a more detailed review of LLMC-Digital.
4. Indian cases [electronic resource]: containing full reports of decisions of the Privy Council, the
   Series Title:
   Digital Version

5. A decennial digest of Burma rulings, 1923-32 / by C.K. Tambe, bar-at-law, advocate of the High Court
   Tambe, C. K. (Cassipillai Kuddy)
   Series Title:
   Imprint: Rangoon : Rangoon Daily News Press, 1933
   Digital Version
   More...
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<td>1909-, Indian Cases, LLMC offers 1909-30 only</td>
<td>Volume 14, 1912</td>
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Jun Tsuruta

The purpose of this paper is to clarify the present state and problems of Japanese measures against the protection and preservation of the marine environment from the perspective of international law and Japanese domestic laws and regulations. The analysis is divided into three sections. Firstly, the relationship between Part XII of UNCLOS and the IMO marine environmental treaties will be addressed in brief. Secondly, Japanese implementation of the IMO treaties will be addressed in the context of the regulations regarding both dumping waste into the sea from vessels and marine pollution from vessels. Finally, this paper will clarify the problems regarding the Japanese implementation of marine environmental treaties.

Keywords
Marine Environment, UNCLOS, IMO, Japan Coast Guard, London Protocol

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- International Law Monographs 1839-1950 (WorldLII)
- Goettingen Journal of International Law 2009- (WorldLII)
- United Nations Committee Against Torture - Concluding Observations 1982- (WorldLII)
- International Labour Organization Administrative Tribunal 1942- (WorldLII)
- United Nations Committee on the Elimination of Discrimination Against Women - General Comments 1986- (WorldLII)
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</tbody>
</table>