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TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

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International Organizations

International Courts

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AFGHANISTAN

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

Official laws and judicial decisions of Afghanistan are published only in the Dari or Pashto languages. A few unofficial translations of laws into English are available from Afghan government agencies, international agencies, and private organizations.

I. Official Publications

The *Official Gazette* is published intermittently in Dari and Pashto. The publication started in 1963, but stopped around 1980, restarting again around 1997.

• RASMĪ JARĪDAH [OFFICIAL GAZETTE] (Ministry of Justice, Kabul), LC Call No. KNF7 .A33.

II. Unofficial Translations of Laws

Compilations of the laws of Afghanistan have been translated into English. Note, however, that the sources below are a few decades old.

- COMPILED TRANSLATIONS OF THE LAWS OF AFGHANISTAN (United Nations Development Programme, Kabul, 1975–), LC Call No. LAW AFG 2 1975 v. 1.
- LAWS OF AFGHANISTAN (1975–), LC Call No. LAW AFG 2 1975.

III. Court Reporters

Afghanistan has no official system of reporting judicial decisions or cases. *Afghan Judicial Reports*, an official government publication that commenced in 1976, has since ceased publication:

• AFGHAN JUDICIAL REPORTS (Ministry of Justice, Judiciary Branch, Research and Study Dep't, Kabul), LC Call No. KNF19 .A76.

IV. Other Compilations of Court Decisions

There are also unofficial collections of judicial decisions in the English language. Note, however, that the following publication is a few decades old.

• A COLLECTION OF AFGHAN JUDICIAL DECISIONS (Richard C. Csaplar Jr. ed., 1976), LC Call No. KNF19 .A4 1976.

V. Online Resources

There are also additional online sources of Afghan laws in the English language. The Afghanistan Investment Support Agency provides unofficial English translations of laws on its website:

• *Afghanistan Laws*, AFGHANISTAN INVESTMENT SUPPORT AGENCY, <u>http://www.aisa</u>.org.af/english/investmentlaws.html.

The Ministry of Justice's Legislative Department (*Taqnin*) has limited capacity to translate laws into English. Therefore, international agencies and organizations have been providing support in the translation of certain Afghan laws into English. For example, USAID had been funding the Afghanistan Rule of Law Project (ARoLP), which provided unofficial English translations of Afghan laws. The organizations and international agencies that provide some laws of Afghanistan translated into English are listed below:

- AFGHANISTAN LEGAL DOCUMENTS EXCHANGE CENTER, <u>http://afghantranslation</u>.<u>checchiconsulting.com/</u> (run by the ARoLP).
- Afghan Laws, ASIAN LEGAL INFORMATION INSTITUTE (ASIANLII), <u>http://www.asian lii.org/af/legis/laws/</u>.
- Afghanistan: Legal Documents, MAX PLANCK INSTITUTE FOR COMPARATIVE PUBLIC LAW AND INTERNATIONAL LAW, <u>http://www.mpil.de/ww/en/pub/research/details/know_transfer/afghanistan_project/legal_documents.cfm</u>.

Prepared by Tariq Ahmad Legal Research Analyst March 2012

ARGENTINA

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

I. Official Publications

There are no official publications of Argentine legal sources in English. The following are the official sources available in Spanish:

- BOLETÍN OFICIAL DE LA REPÚBLICA ARGENTINA [OFFICIAL GAZETTE OF THE ARGENTINE REPUBLIC] (1893–), LC Call No. J6.A63, publishes national legislation.
- REVISTA JURÍDICA LA LEY (1937–), LC Call No. K19 .J79, offers an official collection of court decisions published by a private publisher.
- REPERTORIO DE JURISPRUDENCIA ARGENTINA, LC Call No. KHA72 .A21918, offers an official collection of court decisions issued by a private publisher.
- CORTE SUPREMA DE JUSTICIA DE LA NACION [THE NATIONAL SUPREME COURT OF JUSTICE], <u>http://www.csjn.gov.ar/cfal/fallos/cfal3/cons_fallos.jsp</u>, offers Supreme Court decisions since 1994.

II. Unofficial Translations of Major Codes

- CIVIL CODE OF ARGENTINA (Julio Romanach Jr. trans., Lawrence Pub. Co., 2d ed. 2008), LC Call No. KHA404.31869 .A5213 2008.
- ESTUDIO DURRIEU ABOGADOS, THE ARGENTINE PENAL CODE 2004: AND SELECTED EXCERPTS FROM CORPORATE CRIMINAL LAW (Transnational Publishers 2004), LC Call No. KHA5414.31921 .A52 2004.

III. Online Resources

- ARGENTINA: NATIONAL CASE LAW, INTERNATIONAL RED CROSS (IRC), <u>http://www.icrc.org/ihl-nat.nsf/WebLAW!OpenView&Start=1&Count=300&</u> <u>Expand=7.2.1#7.2.1</u>, provides national humanitarian laws in English.
- PRIVACY AND DATA PROTECTION IN ARGENTINA, <u>http://www.protecciondedatos</u> .com.ar/english.htm, the private site of Gustavo Tanus, a lawyer specializing in this legal field, provides unofficial translations of data protection laws.
- US INTERNATIONAL GRANTMAKING (USIG), COUNCIL ON FOUNDATIONS, <u>http://www</u>.usig.org/countryinfo/argentina.asp#tax_laws, includes unofficial English translations of selective corporate and tax legislation (not up to date).

- WHO INTERNATIONAL DIGEST OF HEALTH LEGISLATION (IDHL), <u>http://apps.who.int</u> /<u>idhl-rils/frame.cfm?language=english</u>, a World Health Organization resource, provides summaries in English with links to official texts in the vernacular.
- WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO), <u>http://www.wipo.int/</u> <u>wipolex/en/details.jsp?id=6974</u>, provides English translations of Argentine intellectual property laws and regulations.

IV. Legal Guides (Overviews)

The following titles provide overviews in English of specific legal subjects:

- BRONS & SALAS, BUSINESS LAWS OF ARGENTINA (West, 2009–2010), LC Call No. KHA333.B86 B87.
- INTERNATIONAL PHARMACEUTICAL LAW AND PRACTICE (LexisNexis, 2004), LC Call No. K3636 .I587 LOOSE.
- DANIEL R. VÍTOLO, ALTERNATIVE DISPUTE RESOLUTION: ENFORCEMENT OF FOREIGN JUDGMENTS AND ARBITRATION AWARDS: AN ARGENTINE OVERVIEW (Ad-Hoc, 2003), LC Call No. KHA351.F65 V58 2003.
- DANIEL R. VÍTOLO, FIRST APPROACH TO MONEY LAUNDERING (Ad-Hoc, 2001).
- DANIEL R. VÍTOLO, FOREIGN INVESTMENTS IN ARGENTINA: COMPETITION AND ANTITRUST LAW (Ad-Hoc, 2002).
- DANIEL R. VÍTOLO, HOW TO DEAL WITH FOREIGN AND 'OFF SHORE' COMPANIES IN ARGENTINA (Ad-Hoc, 2004), LC Call No. KHA1362 .R667 2004.
- DANIEL R. VÍTOLO, INSOLVENCY: A GENERAL OVERVIEW FROM AN ARGENTINE PERSPECTIVE (Ad-Hoc, 2003), LC Call No. KHA1479 .R67 2003.
- JANET WHITTLE, ARGENTINA BUSINESS: THE PORTABLE ENCYCLOPEDIA FOR DOING BUSINESS WITH ARGENTINA (World Trade Press, 2d ed. 1998), LC Call No. HC175 .A844 1998.

Prepared by Graciela Rodriguez-Ferrand Senior Foreign Law Specialist March 2012

BRAZIL

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

I. Official Publications

Brazilian federal laws are published in Portuguese in the Official Gazette of the Union:

• DIÁRIO OFICIAL DA UNIÃO (Imprensa Nacional, 1990–), <u>http://portal.in.gov.br/page_leitura_jornais</u>, LOC Call No. J6 .B8 GAZETTES.

The gazette is divided into three sections. The first section (*seção 1*) publishes federal laws, decrees, resolutions, normative instructions, administrative acts (*portarias*), and other normative acts of general interest. Section 2 publishes acts that concern servants of the federal public administration, while section 3 publishes contracts, public announcements (*editais*), notices (*avisos*), and publications with no defined authorship (*ineditoriais*).¹

No government agency or institution provides national rules in English.

II. Publications in English

Publications of Brazilian laws in English by Brazilian editors are scant; only recently was the Brazilian Civil Code translated into English:

• O CÓDIGO CIVIL BRASILEIRO EM INGLÊS / THE BRAZILIAN CIVIL CODE IN ENGLISH (Leslie Rose ed., Livraria Editora Renovar, 2008), LOC Call No. KHD404 .320002 .R67 2008 GLOBAL.

In 2011, a US publisher also made available a Brazilian Civil Code translated into English, and another US publisher offers a few titles on Brazilian law:

- CIVIL CODE OF BRAZIL (Julio Romañach Jr. trans., Lawrence Pub. Co., 2011), LOC Call No. KHD404.32002 .A52 2011.
- PINHEIRO NETO, DOING BUSINESS IN BRAZIL (Juris, 1979), LOC Call No. KHD333.B86 D64.

¹ Imprensa Nacional, Diário Oficial da União, <u>http://portal.in.gov.br/imprensa1/o-que-publicam-os-jornais-oficiais/</u>.

III. Federal Supreme Court Decisions

The Brazilian Federal Supreme Court makes available on their website a collection of abstracts of decisions in English, French, and Spanish that, according to the site, was designed to inform and disseminate Brazilian Constitutional law in a foreign language:

• *Jurisprudência Traduzida*, SUPREMO TRIBUNAL FEDERAL, <u>http://www.stf.jus.br/</u>portal/jurisprudenciaTraduzida/jurisprudenciaTraduzida.asp.

The case abstracts currently available comprise the Supreme Court's work from the enactment of the Federal Constitution of 1988 through 2006.

IV. Online Resources

The United Nations Office on Drugs and Crime has a collection of Brazilian laws concerning drugs and related crimes that have been translated into English. However, please note that the laws are not updated and it is possible that they have been amended or revoked.

• *Brazil*, UNODC: UNITED NATIONS OFFICE ON DRUGS AND CRIME, <u>http://www.unodc.org/enl/browse_country.jsp?country=BRA</u>.

The World Intellectual Property Organization, a United Nations office dedicated to the use of intellectual property as a means of stimulating innovation and creativity,² has a collection of Brazilian laws on the subject that have been translated into English. Again, please note that the laws are not updated and it is possible that they have been amended or revoked.

• *Brazil*, WIPO: WORLD INTELLECTUAL PROPERTY ORGANIZATION, <u>http://www.wipo_int/wipolex/en/profile.jsp?code=BR</u>.

Prepared by Eduardo Soares Senior Foreign Law Specialist March 2012

² What is WIPO?, WIPO: WORLD INTELLECTUAL PROPERTY ORGANIZATION, <u>http://www.wipo.int/about-wipo/en/</u> (last visited Mar. 13, 2012).

CHINA

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

The primary source of law of the People's Republic of China is statutory law. Significant Chinese legislation, policies, and treaties are published in the government gazettes, in official compilations, or on the website of the Xinhua News Agency (official government-affiliated news agency).¹ Official English translations of national legislation are mostly organized and compiled by the Legislative Affairs Commission of the Standing Committee of the National People's Congress (NPCLAC) and the Legislative Affairs Office of the State Council (SCLAO). In a notice² issued in 2003, the General Office of the State Council standardized the working procedure of translating administrative regulations into English by granting the right to final review and approval of official English translations. In cases of conflict, however, the Chinese edition prevails over the English version.³

Judicial precedents are not legally binding in China. However, judicial interpretations issued by the Supreme Court are broadly seen as an additional source of Chinese law. Such interpretations provide guidance for court trials and are applicable nationally according to the Resolution of the Standing Committee of the National People's Congress (NPC) on Providing an Improved Interpretation of the Law.⁴ Official versions of judicial interpretations are not available to date, but some commercial databases do offer a portion of the interpretations translated into English.

I. Official Publications (Not Exclusive)

• THE LAWS OF THE PEOPLE'S REPUBLIC OF CHINA (1987–), LC Call No. KNQ 12.C484. This is an English-language collection of translations compiled by the NPLAC, published by the Foreign Languages Press (Waiwen Chuban She, Beijing). The first edition was issued in 1987 and began with laws enacted in 1982. An annual update has been published since 1995 containing laws and decisions made by the NPC and its committee in the immediately preceding year(s).

 3 Id.

¹ XINHUANET, http://news.xinhuanet.com/english2010/special/2011-11/28/c 131274495.htm.

² GUWUYUAN BANGONGTING GUANYU ZUOHAO XINGZHENG FAGUI YINGWEN ZHENGSHI YIBEN SHENDING GONGZUO DE TONGZHI [NOTICE OF THE GENERAL OFFICE OF THE STATE COUNCIL ON COMPLETION OF THE REVIEW AND APPROVAL OF THE ENGLISH TRANSLATIONS OF ADMINISTRATIVE REGULATIONS], <u>http://www.gov.cn/</u>xxgk/pub/govpublic/mrlm/200803/t20080328_32265.html (last accessed Mar. 2, 2012; in Chinese).

⁴ Quanguo Renmin Daibiao Dahui Changwu Weiyuanhui Guanyu Jiaqiang Falü Jieshi Gongzuo de Jueyi art. 2, <u>http://law.hhtz.gov.cn/news_det.asp?info_kind=002001&ID=4216</u> (last accessed Feb. 28, 2012; in Chinese).

- LAWS AND REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA GOVERNING FOREIGN-RELATED MATTERS [ZHONGHUA RENMIN GONGHEGUO SHEWAI FAGUI HUIBIAN], LC Call No. KNQ3405.A27 Z4872. This is a bilingual (Chinese-English) publication compiled by SCLAO and covers an extensive number of domestic laws and regulations. It has been published by the China Legal Publishing House (Zhongguo Fazhi Chuban She, Beijing) since 1991. Last updated 2011.
- LAWS AND REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA (ZHONGHUA RENMIN GONGHEGUO FALÜ FAGUI HUIBIAN). This is the most recent bilingual (Chinese-English) collection compiled by the SCLAO. It was published by the China Legal Publishing House (Zhongguo Fazhi Chuban She, Beijing) in January 2012 and is made up of eight volumes covering a wide range of domestic laws and regulations in various areas, including constitutional, criminal, civil, business, military, and administrative laws. Translated laws adopted by the NPC and its standing committee are provided by the NPCLAC.

II. Online Resources

A. Official Government Resources

- Constitution of the People's Republic of China and four amendments, THE NATIONAL PEOPLE'S CONGRESS OF THE PEOPLE'S REPUBLIC OF CHINA, <u>http://www.npc.gov.cn/englishnpc/Constitution/node_2824.htm</u>.
- Database of Laws and Regulations, NPC.GOV.CN, <u>http://www.npc.gov.cn/english</u> <u>npc/Law/Integrated_index.html</u>. An online database affiliated with the NPC's main website, this site offers a limited collection of laws in English translation adopted by the NPC and its standing committee, as well as the administrative regulations enacted by the State Council (Central People's Government). Last updated in 2008.
- Laws and Regulations, CHINA COURT, <u>http://en.chinacourt.org/news/?location=04</u> 00000000. Sponsored by the Supreme People's Court of China, this is an online collection of Chinese laws and regulations. The entries are listed in reverse chronological order, from the most recent post in 2005 to the oldest ones in 2002.
- MINISTRY OF COMMERCE OF PRC (MOFCOM), <u>http://english.mofcom.gov.cn/</u> policyrelease/policyrelease.html. This website makes available English translations of a portion of notices and announcements issued by MOFCOM that have legal effect; English-language interpretations of measures and guiding opinions issued by MOFCOM are also available. Updated periodically, most recently on January 8, 2012.
- FDI: INVEST IN CHINA, <u>http://www.fdi.gov.cn/pub/FDI_EN/Laws/default__new.jsp</u>. Operated by the Investment Promotion Agency of MOFCOM, this website offers a collection of English translations of legislation and cases dealing with foreign investment in China, though the translations are to be used for reference only. Updated periodically, most recently on December 12, 2011.

- STATE INTELLECTUAL PROPERTY OFFICE OF THE PRC (SIPO), <u>http://english.sipo.gov.cn/laws/</u>. This website provides translations of laws, regulations, policies, and reports; official plans related to patents, copyright, and trademarks are also available. Incomplete; last post on April 26, 2011.
- *White Papers*, ENGLISH.GOV.CN: CHINESE GOVERNMENT'S OFFICIAL WEB PORTAL, <u>http://english.gov.cn/official/2005-08/17/content_24165.htm</u>. An English-language collection of white papers issued by the State Council.

B. Commercial Databases

- LAWINFOCHINA, <u>http://www.lawinfochina.com/</u>. A subscription-based database affiliated with the Legal Information Center of Beijing University, providing laws, regulations, judicial interpretations, court cases, law articles, and legal news. Updated daily.
- WESTLAW CHINA, <u>http://www.westlawchina.com/index_en.html</u>. A Chinese law database launched by Thomson Reuters, in both English and Chinese. The database contains comprehensive laws, regulations, cases and legal contracts, journals, and the latest news. Updated daily.

C. Other Sources

A few public interest organizations also provide free collections of unofficial translations of Chinese laws for reference use. However, many of them have not been updated for five years or longer. One resource worth mentioning is the AsianLII database:

• Laws of the People's Republic of China, ASIAN LEGAL INFORMATION INSTITUTE (ASIANLII), <u>http://www.asianlii.org/cn/legis/cen/laws/</u>. A nonprofit and free-access website that provides an English collection of national laws in both an A–Z list and in chronological order. The latest compilation is of the 2007 laws of China.

Prepared by Rong Xiang Foreign Law Intern March 2012

FRANCE

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

All French laws and subsidiary legislation as well as court decisions are published in French. An unofficial translation of a few codes can be found on the French government legal portal. They are, however, outdated. The Constitutional Council and the *Cour de Cassation*, France's Supreme Court for civil and criminal matters, have added unofficial translations of a limited number of their most significant decisions to their websites. This report highlights the major official publications of laws and court decisions. It briefly cites the limited sources where unofficial translations of some of these texts can be found.

I. Official Publications

The official publications are as follows:

- JOURNAL OFFICIEL DE LA RÉPUBLIQUE FRANÇAISE [OFFICIAL GAZETTE OF THE FRENCH REPUBLIC], LC Call No. KJV17. F73. The *Journal Officiel* contains the laws, decrees, ordinances, and *arrêtés* (regulations issued by individual ministers). It is published by the *Direction de l' information légale et administrative* (Directorate of Legal and Administrative Information), which is under the authority of the Prime Minister. In addition to the printed version, authenticated electronic versions of the official gazettes have been available online since June 2004, at <u>http://www.journal-officiel.gouv.fr</u>.
- BULLETINS OFFICIELS. Lower-level regulations issued by ministries are published in the *Bulletin Officiel* of the corresponding ministry, such as, for example, the *Bulletin Officiel du Ministère de l'Economie, des Finances et de l'Industrie* for the Ministry of Economy and Finances. Recent publications can now be found on the websites of the various ministries.

II. Court Reporters

France has a dual system of courts: judicial (i.e., civil and criminal courts) and administrative. Each court system is headed by a supreme court. In addition, the review of the constitutionality of laws in France is solely entrusted to a Constitutional Council. These different types of decisions can be found in various official or semi-official publications, as listed below.

A. Judicial Decisions

There is no comprehensive official system of reports of judicial decisions. Only the decisions of the *Cour de Cassation* are published in official bulletins. These decisions are published in two series:

- BULLETIN DES ARRÊTS DE LA COURT DE CASSATION RENDUS EN MATIÈRE CIVILE [BULLETIN OF THE COURT OF CASSATION'S DECISIONS RENDERED IN CIVIL MATTERS], LC Call No. KJV446 .F725.
- BULLETIN DES ARRÊTS DE LA COUR DE CASSATION RENDUS EN MATIÈRE CRIMINELLE [BULLETIN OF THE COURT DE CASSATION'S DECISIONS RENDERED IN CRIMINAL MATTERS], LC Call No. KJV7976.4 .F73.

About two-thirds of the cases are reported, the decision to publish being left to the president of the chamber. The printed publication of these bulletins was discontinued in January 2008, and they are now only published on the website of the *Cour de Cassation*, at <u>http://www.courdecassation.fr/</u> (click on *Publications de la Cour*).

B. Administrative Decisions

The most important decisions of the *Conseil d'État*, France's Supreme Court for administrative matters, as well as other administrative courts or tribunals decisions, are published in the *Recueil Lebon* by a private publisher (Dalloz) under the sponsorship of the *Conseil d'État*, and therefore are considered semi-official. The decisions of the *Tribunal des Conflits*, the final arbiter of conflicts of competence between the *Cour de Cassation* and the *Conseil d'État*, are incorporated.

• RECUEIL LEBON, RECUEIL DES DÉCISIONS DU CONSEIL D'ÉTAT STATUANT AU CONTENTIEUX ET DU TRIBUNAL DES CONFLITS ET DES JUGEMENTS DES TRIBUNAUX ADMINISTRATIFS [COLLECTION LEBON, COLLECTION OF THE DECISIONS OF THE CONSEIL D'ÉTAT, TRIBUNAL OF CONFLICT AND OF THE JUDGMENTS OF THE ADMINISTRATIVE TRIBUNALS], LC Call No. KJV4665.8 .F73.

C. Decisions on Constitutionality of Laws

The decisions of the Constitutional Council are published in the Journal Officiel.

III. Translations of Laws and Court Decisions

There are no official translations of French laws and court decisions into English. Unofficial translations of the Constitution and a limited number of codes and court decisions can be found online. The key sites are as follows:

• LEGIFRANCE, <u>http://www.legifrance.gouv.fr</u>, provides translations of the following codes: Civil Code, Commercial Code, Penal Code, Code of Criminal Procedure, Intellectual Property Code, Consumer Code, Monetary and Financial Code, Insurance

Code, Code of Civil Procedure, Environmental Code, and Public Procurement Code. These translations have not been updated, however, since either 2005 or 2006, depending on the code.

- ASSEMBLÉE NATIONALE [NATIONAL ASSEMBLY], <u>http://www.assemblee-nationale</u>.<u>fr/english/index.asp</u>, offers a translation of the Constitution and of the National Assembly's Rules of Procedure.
- COUR DE CASSATION, <u>http://www.courdecassation.fr/documents_traduits_2850/eng</u> <u>lish_2851/judgments_of_19224.html</u>, offers translations of a limited number of the court's most significant decisions.
- CONSEIL CONSTITUTIONNEL [CONSTITUTIONAL COUNCIL], <u>http://www.conseil-constitutionnel.fr/conseil-constitutionnel/english/case-law/case-law.25743.html</u>, offers a sample of the Council's decisions in relevant areas translated into English.

Prepared by Nicole Atwill Senior Foreign Law Specialist March 2012

GERMANY

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

German laws, regulations, and court decisions are published only in German, both at the state and federal level. English translations of German laws and regulations have become more frequent and more up-to-date in recent years, yet many laws are still not available in translation. The only noteworthy collection of translated court decisions is a multivolume set of decisions of the Federal Constitutional Court. Except for free online government sources, subscriptions are required for up-to-date legal databases.

I. Official Publications

The most important official federal law gazette of Germany is the *Bundesgesetzblatt*:

• BUNDESGESETZBLATT [FEDERAL LAW GAZETTE] (1994–), LC Call No. KK 10.G47.

The gazette is published in several installments each month and consists of volume I, which promulgates domestic laws and regulations, and volume II, which promulgates international agreements. It is paginated consecutively through each calendar year. Laws and amending laws are published as promulgated, without incorporating changes into previously issued laws, except for the occasional repromulgation of a frequently amended law.

II. Court Reporters

Germany has four courts of last resort and a Federal Constitutional Court (FCC). The official court reporters for the Federal Supreme Court, the FCC, and the Federal Administrative Court are:

- ENTSCHEIDUNGEN DES BUNDESGERICHTSHOFES IN STRAFSACHEN [FEDERAL SUPREME COURT DECISIONS IN CRIMINAL MATTERS] (1951–), LC Call No. KK7980.3 .B86.
- ENTSCHEIDUNGEN DES BUNDESGERICHTSHOFES IN ZIVILSACHEN [FEDERAL SUPREME COURT DECISIONS IN CIVIL MATTERS] (1951–), LC Call No. LAW Germany 5.
- ENTSCHEIDUNGEN DES BUNDESVERFASSUNGSGERICHTS [DECISIONS OF THE FEDERAL CONSTITUTIONAL COURT] (1951–), LC Call No. KK4446.3 .G47.
- ENTSCHEIDUNGEN DES BUNDESVERWALTUNGSGERICHTS [DECISIONS OF THE FEDERAL ADMINISTRATIVE COURT] (1951–), LC Call No. KK5576.3 .G47.

III. Government-approved Translations of Laws

A reasonably up-to-date collection of translations of statutory law into English is found online:

• GESETZE IM INTERNET, <u>http://www.gesetze-im-internet.de/</u>, (in left-hand column, click on "Translations"). This website is maintained by the German legal database provider Juris, together with the Federal Ministry of Justice. The translations are listed alphabetically, by the German abbreviation of the law.

IV. Court-approved Translations of Court Decisions

Decisions of the Federal Constitutional Court are available in a four-volume translation:

- DECISIONS OF THE BUNDESVERFASSUNGSGERICHT (1992–), LC Call No. KK4446.5 .B86 1992, is a subject-based compilation of the Court's decisions. Its four volumes include the following:
 - Vol. 1, parts I and II, International Law and Law of the European Communities 1952–1989 (1992).
 - Vol. 2, parts I and II, Freedom of Speech (Freedom of Opinion and Artistic Expression, Broadcasting Freedom and Communication Freedom of the Press, Freedom of Assembly) 1958–1995 (1998).
 - Vol. 3, Questions of Law Arising from German Unification 1973–2004 (2005).
 - Vol. 4, The Law and Freedom of Faith and the Law of the Churches 1960–2003 (2007).

V. Online Resources

A. In German

- GESETZE IM INTERNET, <u>http://www.gesetze-im-internet.de/</u> (see section I), provides the current, updated version of many federal laws and regulations in German.
- *Bundesgesetzblatt*, BUNDESANZEIGER VERLAG <u>http://www1.bgbl.de/</u>, provides a readonly online version of the *Gazette* available free of charge, published by a governmentally owned publisher. Download versions are available by subscription.
- JURIS, <u>http://www.juris.de</u> (by subscription), is a comprehensive legal database that provides legislation, court decisions, legal literature, and abstracts.

B. In English

• GESETZE IM INTERNET, <u>http://www.gesetze-im-internet.de/</u>, contains a file of statutes and regulations in English translation (see above).

- CENTRE FOR GERMAN LEGAL INFORMATION, <u>http://www.cgerli.org/index.php ?id=61</u>, a website maintained by the German Foreign Office (*Auswärtiges Amt*), provides translations of statutes and regulations. Its "Judgments" section contains some translated court decisions and some translated press releases of German decisions (the courts occasionally translate press releases on important decisions).
- GERMAN LAW ARCHIVE, <u>http://www.iuscomp.org/gla/index.html</u>, is maintained by Oxford University and has files containing translations of laws and court decisions. The laws are not as up-to-date as those of the German website GESETZE IM INTERNET.
- GERMAN LAW JOURNAL (2000–), <u>http://www.germanlawjournal.com/index.php?</u> pageID=1, is an English-language periodical covering German law.

Prepared by Edith Palmer, Chief, Foreign, Comparative, and International Law Division II March 2012

GREECE

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

Greek legislation is published in the *Official Gazette of the Hellenic Republic* and is available only in Greek. Court decisions, also in Greek, are published by various publishers and legal periodicals. The Supreme Court (*Areios Pagos*) of Greece provides an unofficial English translation of a number of civil and criminal cases. The Council of State (*Symvouleio Epikrateias*) maintains an online database of its decisions, which are available in Greek.

I. Official Publications

Greek legislation is published upon being adopted by the Greek Parliament in the *Gazette*, the only official and authoritative source of Greek legislation:

• EPHEMERIS TES KYVERNESEOS TES HELLENIKES DEMOKRATIAS [OFFICIAL GAZETTE OF THE HELLENIC REPUBLIC], LC Call No. LAW GREECE 1 Gazette.

The Gazette is published by the National Printing Office, which is part of the Ministry of Interior, Public Administration and Decentralization (a hard copy is available upon subscription). It is also available online, at <u>http://www.et.gr</u>.

The Gazette is comprised of twelve sections. Legislation is published in the first two sections: *section* A includes laws, decrees, and international agreements (dating as far back as 1833 in hard copy and online); and *section* B offers decisions issued by the prime minister, ministers, or the governor of the Bank of Greece (dating back to 1951 in hard copy and to 1940 online).

The Parliament of Greece publishes recently adopted legislation, on its official website:

• HELLENIC PARLIAMENT, <u>http://www.hellenicparliament.gr/en/Nomothetiko-Ergo/Psi</u> <u>fisthenta-Nomoschedia</u>. Although this website is in English, the laws are available only in Greek.

The Ministry of Justice offers a list of laws as well as some basic information in English on its website. All other ministry websites provide some pertinent legislation in Greek and basic information in English.

II. Court Reporters

Greece is a civil law country; therefore, court decisions do not create a precedent. The court system is divided into administrative, civil, and criminal courts. There are no official collections for court decisions.

The Council of State is the highest administrative court. Decisions of the Council are available on its website:

• SYMVOULEIO EPIKRATEIAS [COUNCIL OF STATE], <u>http://www.ste.gr/councilofstate</u> /<u>index_gr.jsp</u> (in Greek).

The Supreme Court is the highest court for civil and criminal cases. Decisions of the Supreme Court are available on the Court's website:

• AREIOS PAGOS [SUPREME COURT], <u>http://www.areiospagos.gr/en/INDEX.htm</u> (decisions are in Greek); unofficial Google translations of decisions available at <u>http://www.areiospagos.gr/en/INDEX.htm</u>.

There is no constitutional court in Greece. The constitutionality of laws is entrusted to all judges. The Supreme Judicial Court adjudicates issues involving the constitutionality of laws that arise from conflicting judgments adopted by the Supreme Court, the Council of State, or the Comptroller's Council. As of 2000, the decisions of the Supreme Judicial Court are published in a special section of the Gazette and are also available online, at http://www.et.gr/index.php?option=com_content&view=article&id=82%3Afek-aed&catid=4%3A2009-09-18-13-23-57 & Itemid=97&lang=el.

Decisions of lower courts are issued by private publishers, and several legal periodicals publish court decisions. In addition, summaries of important cases are available in bound volumes by several publishers, including Sakkoulas and Zacharopoulos.

III. Translations of Laws

There are no official English translations of Greek legislation or court decisions. The following are unofficial print sources:

- PENELOPE AGALLOPOULOU, BASIC CONCEPTS OF GREEK CIVIL LAW (Youlika Kotsovoulou Masry ed., trans., Ant.N. Sakkoulas, Athens; Staempfli, Berne; Bruylant, Brussels, 2005), LC Call No. KKE500 .A3313 2005.
- GREEK CIVIL CODE (Constantine Taliadoros ed., 1982), LC Call No. KKE494 3194 .A52 1982 GLOBAL.
- INTRODUCTION TO GREEK LAW (Konstantinos D. Kerameus & Phaedon J. Kozyris eds., Kluwer Law International, Alphen aan den Rijn, Netherlands, 3d rev. ed. 2008), LC Call No. KKE 68 .157 2008.

IV. Online Resources

The Official Gazette is available online, at <u>http://et.gr</u> (see section I of this report). The Greek Parliament also offers content on their website, at <u>http://www.hellenic</u> parliament.gr/en/Nomothetiko-Ergo/Psi fisthenta-Nomoschedia (see section I).

As stated in section II, some court decisions are also available online. As of 2000, the decisions of the Supreme Judicial Court are published in a special section of the *Gazette* and are also available at <u>http://www.et.gr/index.php?option=com_content&view=article&id=82%3A</u> <u>fek-aed&catid=4%3A2009-09-18-13-23-57 &Itemid=97&lang=el</u>.

- SYMVOULEIO EPIKRATEIAS [COUNCIL OF STATE], <u>http://www.ste.gr/councilofstate</u>/<u>index_gr.jsp</u> (in Greek).
- AREIOS PAGOS [SUPREME COURT], <u>http://www.areiospagos.gr/en/INDEX.htm</u> (decisions are in Greek); unofficial Google translations of decisions available at <u>http://www.areiospagos.gr/en/INDEX.htm</u>.

The following are additional government online sources:

- GOVERNMENT.GOV.GR, <u>http://government.gov.gr/category/prwtovoulies-tis-kuvernisi/</u> <u>pws-prwtovoulies/nomos-prwtovoulies/</u> (in Greek), offers a list of bills submitted by the government.
- MINISTRY OF FOREIGN AFFAIRS, <u>http://www.mfa.gr/en/the-ministry/international-conventions/</u>, provides some basic information in English and a list of eleven international treaties of historical significance to Greece as a state, as well as a list of international conventions ratified by Greece.

A translation of the Greek Constitution is also available from HR-Net:

• *The Constitution of Greece*, HR-NET, <u>http://www.hri.org/MFA/syntagma/</u>, offers unofficial translations by HR-Net, a project of the Hellenic Resources Institute.

Prepared by Theresa Papademetriou Senior Foreign Law Specialist March 2012

ISRAEL

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

All Israeli laws and subsidiary legislation as well as court decisions are published in Hebrew. English translations of Israeli legal sources are very limited and generally outdated. Except for free online government sources, subscriptions are required for up-to-date legal databases. This report highlights useful legal sources for research in Israeli law.

I. Official Publications

Reshumot (Official Journal) is the main source for all legislative and administrative actions. It is published continuously in Hebrew by the *Reshumot* government printer in Jerusalem and includes the following:

- SEFER HA-HUKIM [BOOK OF LAWS] (1949–), LC Call No. KMK13 .I87.
- DINE MEDINAT YISRAEL: NUSAH HADASH [LAWS OF THE STATE OF ISRAEL: NEW VERSION] (1954–), LC Call No. KMK13 .186 (revised and updated Hebrew text of the legislation enacted before the establishment of the State).

II. Court Reporters

The following civil court reporters were published by the Israel Bar Association prior to 1999, and have been published by the Nevo Press Ltd. since then:

- PISKE DIN [DECISIONS OF THE ISRAELI SUPREME COURT] (1948–), LC Call No. KMK18.A2 187.
- PESAKIM SHEL BATE HA-MISHPAT HA-MEHOZIYIM BE-YISRAEL [DECISIONS OF THE DISTRICT COURTS OF ISRAEL] (1948–), LC Call No. KMK20.A2 P472.

III. Translations of Laws

Most primary legislation dating back to 1948 has been made available in English by the Ministry of Justice, in the following authorized translations:

- LAWS OF THE STATE OF ISRAEL (1948–), LC Call No. KMK 13 .18713. This publication includes most laws and amendments. The latest volume published appears to be 1989–1990. There is also a special volume titled Penal Law (1977).
- LAWS OF THE STATE OF ISRAEL: NEW VERSION (1967–), LC Call No. KMK 13 .1874. This publication is an English edition of the revised text of pre-State legislation in three volumes; the latest was published in 1981.

IV. Translations of Court Decisions

A limited number of leading decisions by the Supreme Court of Israel are available in English, as follows:

- SELECTED JUDGMENTS OF THE SUPREME COURT OF ISRAEL (1962–1996), LC Call No. KMK18.A2 I854. This ten-volume publication, covering judgments through 1993, includes a full text of a list of selected decisions that had great impact on the Israeli legal system and on its constitutional law. It also includes a special volume covering 1962–1969.
- ISRAEL LAW REPORTS (1992–), LC Call No. KMK18.A2 I85. This publication is a continuation of *Selected Judgments of the Supreme Court of Israel* that provides English translations of the most important recent judgments issued by the Supreme Court of Israel. Although the foreword for the 1992–1994 volume announced that the intention of the publishers was to publish three to four volumes each year, only fifteen volumes have been published since then, with the last volume published in 2006 (each volume covers either one or two years).

V. Online Resources

Although some legal materials are made available online, all governmental websites include a disclaimer that in case of a discrepancy between the online version and the official print version, the latter version is binding. Key online sources include the following:

- *Reshumot*, MINISTRY OF JUSTICE, <u>http://www.justice.gov.il/MOJHeb/Reshumot/</u>. This website contains various legal sources, including *Sefer Ha-Hukim*, from June 2005 to date. Although it offers some information in English, it does not contain translations of laws.
- THE KNESSET (Israel's Parliament), <u>http://www.knesset.gov.il/main/heb/home.asp</u> (in Hebrew). This website contains the full text of laws from *Reshumot*, as well as of those laws approved after final reading. The English version of the site, <u>http://www.knesset.gov.il/main/eng/home.asp</u>, offers a limited number of translations of Basic Laws and of "Laws of Special Interest."
- THE STATE OF ISRAEL: THE JUDICIAL AUTHORITY, <u>http://www.court.gov.il/heb/</u> <u>home.htm</u> (in Hebrew). This website provides the full text of all Supreme Court decisions; the English site, <u>http://elyon1.court.gov.il/verdictssearch/englishverd</u> <u>ictssearch.aspx</u>, offers translations of a limited number of leading Supreme Court decisions.

Prepared by Ruth Levush Senior Foreign Law Specialist March 2012

ITALY

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

All Italian laws as well as court decisions are officially published only in Italian. The only exception is the Constitution, which is also available in English. A few unofficial translations of laws into English are produced by private publishing houses. This report outlines the major sources for research in Italian law.

I. Official Publications

The official publications are as follows:

- CONSTITUTION OF THE ITALIAN REPUBLIC, LC Call No. KKH2064.51947 A6 2009, also available online, courtesy of the Italian Senate website, at <u>http://www.senato.it/</u><u>documenti/repository/istituzione/costituzione_inglese.pdf</u> (in English).
- GAZZETTA UFFICIALE DELLA REPUBBLICA ITALIANA [OFFICIAL GAZETTE OF THE ITALIAN REPUBLIC] (1946–), LC Call No. KKH7 .I83, <u>http://www.gazzetta ufficiale.it/index.jsp</u>. The *Gazzetta* is the official journal of the Italian State. Statutes, decrees, and regulations passed by the Parliament, and decrees of the President of the Republic, are published daily.
- BOLLETTINI UFFICIALI REGIONALI (OFFICIAL BULLETINS OF THE REGIONAL ADMINISTRATIONS) are published daily; each region of Italy has its own official publication and offers them online through their websites.
- NORMATTIVA (<u>http://www.normattiva.it/static/index.html</u>), a free online database created by the Presidency of the Council of Ministers, the Senate of the Republic, and the Chamber of Deputies in cooperation with the Court of Cassation, is another important tool for jurists looking for Italian legislation.

II. Court Reporters

The only form of publication for court decisions is the formal *deposito in cancelleria*, or filing in the record office. There are, however, the decisions of the Constitutional Court, which are published in the following sources:

• RACCOLTA UFFICIALE DELLE SENTENZE E DELLE ORDINANZE DELLA CORTE COSTITUZIONALE [CONSTITUTIONAL COURT REPORT] (1956–), LC Call No. KKH2066.3 .183, also available online on the Constitutional Court website, http://www.cortecostituzionale.it/actionGiurisprudenza.do.

- GAZZETTA UFFICIALE DELLA REPUBBLICA ITALIANA (see above).
- BOLLETTINI UFFICIALI REGIONALI (see above).

III. Translations of Laws and Court Decisions

There are no official translations of Italian laws or court decisions into English. A few private publishing houses, however, provide unofficial translations of the following materials:

- THE ITALIAN CIVIL CODE AND COMPLEMENTARY LEGISLATION (Mario Beltramo ed., trans., Giovanni E. Longo & John H. Merryman trans., Oceana 1991), LC Call No. KKH494.31942 .A52 1991 GLOBAL.
- THE ITALIAN PENAL CODE (Edward M. Wise & Allen Maitlin trans., F.B. Rothman 1978), LC Call No. LAW ITALY 3 Crim 1978.
- THE ITALIAN CODE OF NAVIGATION (Plinio Manca ed., Oceana 1959), LC Call. No. LAW ITALY 4 Maritime Law 1959.
- CONFLICT OF LAWS IN ITALY: THE TEXT AND AN ENGLISH TRANSLATION OF ITALIAN LAW NO. 218 OF MAY 31, 1995 (REFORM OF THE ITALIAN SYSTEM OF CONFLICT LAWS): THE INTERNATIONAL CONVENTIONS REFERRED TO IN THE LAW (Alberto Montanari & Vincent A. Narcisi trans., Kluwer Law International 1997), LC Call No. KKH480.A31995 A7 1997.

Prepared by Nicole Atwill Senior Foreign Law Specialist with assistance from Laura Andriulli Law Library Intern March 2012

JAPAN

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

There is one publication series and one website that provide translations of major Japanese laws and regulations. The print publication is published by a private company and the website is run by the Japanese government. Both sources of translation are regarded as reliable, but neither is official. Both sources continue to translate new laws and regulations and update previous translations, but not on a regular basis.

I. Official Publications

All official laws and regulations are published in Japanese by Kanpo:

• KANPŌ [Official Gazette] (1883–), LC Call No. KNX7 .J37.

II. Court Reporters

Selected cases are currently reported in print media by courts and private publishers:

- SAIKŌ SAIBANSHO HANREI SHŪ [DECISIONS OF THE SUPREME COURT] (1947–), LC Call No. KNX18.A35 J37.
- KAITEI SAIBAN GEPPŌ [FAMILY COURT MONTHLY REPORT] (1949–), LC Call No. KNX536.3.K38.
- HANREI TAIMUZU (1948–), LC Call No. KNX19.A35 H36, offers selected cases from district, appellate, and Supreme courts.
- HANREI JIHŌ (1953–), LC Call No. KNX19.A35 H355, offers selected cases from district, appellate, and Supreme courts.
- RŌDŌ HANREI [LABOR CASES] (1967–), LC Call No. KNX1266.3 R628.

III. Translations of Laws

During the Allied Occupation after the Second World War, an English version of the Official Gazette was published in Japan.¹ The General Headquarters, Supreme Commander for the Allied Powers ordered the Japanese government to publish new laws and regulations in both English and Japanese:

¹ About EHS, EHS, <u>http://www.ehs.or.jp/about/about_en.html</u> (last visited Feb. 29, 2012).

• OFFICIAL GAZETTE (1946–1953), LC Call No. KNX7 .J372.

Until the government recently started to translate laws into English, a private company, Eibun-Horei-Sha (EHS), provided the only systematic translation of various laws and major Cabinet orders:

• EHS LAW BULLETIN SERIES (1956–), LC Call No. KNX12 .J35.

The Japanese government started discussing translating laws into English in 2003,² and the Cabinet took its first steps in starting a website to post English translations of laws and regulations in 2006.³ In 2009, the Ministry of Justice took over the website:⁴

• Japanese Law Translation, MINISTRY OF JUSTICE, <u>http://www.japaneselaw</u> <u>translation.go.jp/</u>.

IV. Translations of Court Decisions

The Supreme Court maintains a database of translations of selected cases on its website:

• Judgments of the Supreme Court, SUPREME COURT OF JAPAN, <u>http://www.courts.go.jp/english/judgments/index.html</u>.

V. Online Resources

- *Hōrei kensaku* [*Law and Regulation Search*], E-GOV, <u>http://law.e-gov.go.jp/cgi-bin/idxsearch.cgi</u> (in Japanese). The Ministry of Internal Affairs and Communications maintains this online database of laws and regulations.
- HOUKO, <u>http://www.houko.com/</u> (in Japanese). Subscription is required to see laws and regulations after 1997.
- Saibanrei jōhō [Court Decisions Information], COURTS IN JAPAN, <u>http://www.courts</u>. <u>.go.jp/search/jhsp0010?action_id=first&hanreiSrchKbn=01</u> (in Japanese). This website provides selected court decisions of the Supreme Court and lower courts.

² Hōrei no gaikokugo yaku ni kansuru giron tō no jōkyō [Situation of Discussions Concerning Translations of Laws and Regulations], Hōrei gaikokugo yaku • jisshi suishin kentō kaigi [Committee on Translation of Laws and Regulations and Its Promotion] (Feb. 2, 2005), <u>http://www.cas.go.jp/jp/seisaku /hourei/kentou/dai1/1siryou1.pdf</u> (last visited Feb. 29, 2012).

³ STUDY COUNCIL FOR PROMOTING TRANSLATION OF JAPANESE LAWS AND REGULATIONS INTO FOREIGN LANGUAGES, FINAL REPORT 12 (Mar. 23, 2006), Cabinet Secretariat, <u>http://www.cas.go.jp/jp/seisaku/hourei/report.pdf</u>.

⁴ About This Site: Promoting the Translation of Japanese Laws and Regulations into Foreign Languages, JAPANESE LAW TRANSLATION, <u>http://www.japaneselawtranslation.go.jp/index/about_this_site/?re=02</u> (last visited Feb. 29, 2012).

Prepared by Sayuri Umeda Senior Foreign Law Specialist March 2012

LEBANON

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

I. Official Publications

Pursuant to articles 51, 56, and 57 of the Lebanese Constitution, all laws and decrees duly approved by parliament and issued by the President of the Republic (or laws that exhausted their legislative course despite the President's objection) must be published to become effective.¹ Since the Constitution does not designate where laws and decrees must be published, Law No. 646 of 1997² designates the *Official Gazette* as the place where laws and decrees must be published within a period not exceeding fifteen days from the date of their issuance.

• AL-JARIDAH AL-RASMIYAH [OFFICIAL GAZETTE], LOC Call No. KMP1.5 .L43.

II. Official Translations

Article 11 of the Constitution designates the Arabic language as the official national language and adds that the law shall regulate the instances in which French may be used.

Lebanese governmental entities may produce and publish translations of Lebanese laws. However, these are not considered official or binding versions under the Lebanese Constitution and laws.

III. Sources of English Translation

The sources where English translations of some Lebanese laws may be found are generally websites of government ministries or agencies that offer laws relevant to the activities of such ministries or agencies.

A well-established Lebanese publishing house, Sader Publishers, embarked on an ambitious program in 2005 to translate Lebanese laws into English in collaboration with the Ministries of Justice, Economy, and Trade, sponsored by the US Agency for International Development (USAID) and AMIDEAST-Lebanon.³ However, this program, which established its own website at <u>http://www.lebaneselaws.com</u>, seems so far to be dormant.

¹ A copy of the Lebanese Constitution is available on the Lebanese Parliament website, *at* <u>http://www.lp.gov.lb/SecondaryAr.Aspx?id=12</u> (last visited Feb. 29, 2012; in Arabic).

² Official Gazette No. 28 (1997).

³ For a brief description of this program, see "Sader" Signs a Partnership-Collaboration Agreement with the UAE Ministry of Justice Sader Publishers to Build the Largest UAE Legal Database, SADER PUBLISHERS, http://www.saderpublishers.com/newsx2_en.asp?id=10 (last visited Feb. 29, 2012).

Another attempt at translating Lebanese laws into English has been undertaken by a respected firm, *le Bureau des documentation Libansises et Arabes*, which specializes in the translation of Lebanese laws into French. However, the output of their English translations has so far been minimal:

• L'ARGUS DE LA LÉGISLATION LIBANAISE: PUBLICATION DU BUREAU DES DOCUMENTATIONS LIBANAISES ET ARABES, LOC Call No. KMP1.85 .A74.

IV. Online Resources

Online sources that the Law Library of Congress was able to identify as containing English translations of Lebanese laws and other legal instruments are as follows:

- *Lebanese Constitution*, PRESIDENCY OF THE REPUBLIC OF LEBANON, <u>http://www.b</u> <u>dl.gov.lb/circ/index.htm</u>.
- *Laws & Circulars*, THE CENTRAL BANK OF LEBANON, <u>http://www.bdl .gov.lb/circ/index.htm</u>, which includes circulars issued by the Central Bank to banks, financial institutions, brokerage firms, money changers, representative offices, leasing companies, auditors, card issuers, and mutual funds.
- LEBANESE CUSTOMS, <u>http://www.customs.gov.lb/customs/index.htm</u>, where the Customs Law is posted.
- Legislation, MINISTRY OF ECONOMY & TRADE, <u>http://www.economy.gov.lb/index</u>.<u>php/subCatInfo/2/19</u>, where the Copyright Law and the Patent Law are posted in addition to what is called a "Resolution" concerning industrial drawings and designs.

The above are samples of what a researcher might find on the various Lebanese government websites. There is no information as to what policies, standards, and criteria each site has for the posting of English translations. While most of the postings might be accurate and complete, some are not. For example, the last above-mentioned posting on the website of the Ministry of Economy and Trade gives the impression that it is an administrative resolution, whereas it is actually a portion of a legislative order issued under the French mandate.

There are also a few general websites that offer some English translations of Lebanese laws and other legal instruments, such as:

• Legislation Lebanon, THE WORLD LAW GUIDE, <u>http://www.lexadin.nl/ wlg/legis/</u> nofr/oeur/lxweleb.htm.

Prepared by Issam Saliba Foreign Law Specialist March 2012

MEXICO

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

Mexico is a federal republic comprising thirty-one states and the federal district, best known as Mexico City. Neither Mexico's federal government nor Mexican states publish their respective statutes, regulations, or court rulings in English—all official versions are made available in Spanish only. Some websites maintained by private companies sell translations of Mexican federal laws into English. However, it is not possible to determine whether the translations offered by these websites are up-to-date and reliable. This report provides a summary of major sources where federal statutes and court rulings are published in the vernacular, as well as a list of selected commercial translations of Mexican national laws available at the Law Library of Congress.

I. Official Publications of Federal Statutes and Regulations

The Mexican federal government publishes the official version of federal statutes and regulations in the *Diario Oficial*:

• Diario Oficial de la Federación [Official Gazette] (1916–), LC Call No. KGF16.A265.

II. Federal Court Reporters

The official version of court rulings issued by the Mexican Supreme Court and Federal Courts of Appeal are available in the *Semanario Judicial de la Federación y Su Gaceta*:

• SEMANARIO JUDICIAL DE LA FEDERACIÓN Y SU GACETA [FEDERAL JUDICIAL GAZETTE] (1917–), LC Call No. KGF72 .A21995.

Issues of this publication published since March 2011 are available online on the website of Mexico's Supreme Court:

• SUPREMA CORTE DE JUSTICIA DE LA NACIÓN [SUPREME COURT OF JUSTICE OF THE NATION], <u>http://www.scjn.gob.mx/libreria/paginas/semanario.aspx</u>.

III. Commercial Translations of National Legislation

The Law Library of Congress holds several commercial publications that provide unofficial translations of Mexican laws. However, a number of these publications are outdated, either because the translated laws are no longer in force or because they were substantially amended after the translation was published.

The following list of selected titles from the Law Library's collection provides a sample of recent commercial publications of Mexican laws translated into English:

- MEXICAN TAX, CUSTOMS, AND FOREIGN INVESTMENT LAWS (CCH), LC Call No. KGF4584 1999 GLOBAL, is a loose-leaf publication that provides recent translations of major Mexican tax statutes and regulations into English.
- COMMERCIAL CODE OF MEXICO: SELECTED SUBSTANTIVE PROVISIONS (Julio Romañach Jr. trans., 3d ed. 2011), LC Call No. KGF1054.31889 .A52 2011. This publication provides a translation of all the substantive provisions of the Mexican Commercial Code. It does not include a translation of the section of the Code that governs commercial disputes.
- MEXICAN COMMERCIAL CODE ANNOTATED (Jorge A. Vargas trans., 2009), LC Call No. KGF1054.31889 .V37 2009 GLOBAL. This bilingual publication indicates that it was last updated in 2008.

IV. Online Resources

Although the following websites are maintained by the Mexican federal government and are generally reliable, they do not provide the official version of either federal statutes or court rulings (see parts I and II, above, for official sources):

- Leyes Federales Vigentes, DIPUTADOS.GOB.MX, <u>http://www.diputados.gob.mx/Leyes</u> <u>Biblio/index.htm</u>. This website is maintained by Mexico's House of Representatives and provides up-to-date texts of major federal laws and regulations.
- IUS, <u>http://200.38.163.161/</u>. This website is maintained by Mexico's Supreme Court and provides excerpts of its own court rulings as well as of court rulings issued by the Federal Court of Appeals.

The following websites provide information on Mexican law in English:

- GLOBAL LEGAL INFORMATION NETWORK (GLIN), <u>http://www.glin.gov/search.action</u>. GLIN is an online database containing official texts of laws, regulations, and court rulings in their original languages for many foreign jurisdictions, including Mexico. In addition, GLIN provides summaries in English of Mexican laws.
- *Guide to Law Online: Mexico*, LAW LIBRARY OF CONGRESS, <u>http://www.loc</u>.<u>gov/law/help/guide/nations/mexico.php</u>. This is a guide to sources of information on Mexico's government and law prepared by the Law Library of Congress's Public Services Division.
- MEXICAN LAW, <u>http://www.mexlaw.com/</u>. This website is maintained by University of San Diego School of Law professor Jorge A. Vargas, and provides brief summaries of Mexican laws in English. In addition, it includes information on major legal

developments and lists a number of websites that provide information on Mexican law.

- MEXICANLAW.COM: MEXICAN LEGAL RESOURCES PRESENTED BY CACHEAUX CAVAZOS & NEWTON, <u>http://www.mexicanlaw.com/</u>. This website, maintained by the San Antonio-based law firm Cacheaux, Cavazos & Newton, provides a monthly newsletter that covers Mexican legal topics and links to Mexican legal information.
- UPDATE: An Electronic Guide to Mexican Law, GLOBALEX, <u>http://www.nyulawglobal.org/Globalex/Mexico1.htm</u>. This guide, part of an electronic publication on foreign law research maintained by the Hauser Global Law School Program at the New York University School of Law, was prepared by Francisco A. Avalos (a former librarian with the University of Arizona) and Elisa Donnadieu (who works with the Pima County Public Defender's Office). It provides an overview of the Mexican legal system and briefly describes major Mexican laws.

There are also private companies that sell English translations of Mexican laws:

- *InterAmSM Database*, NATIONAL LAW CENTER FOR INTER-AMERICAN FREE TRADE, <u>http://natlaw.com/php/translations.php?c=mx</u>. This database sells English translations of Mexican federal laws and regulations.
- MEXICAN LAWS, <u>http://www.mexicanlaws.com/completelist.htm</u>. This service, offered by a Mexican company, also sells English translations of Mexican federal laws and regulations.

Please note that these are commercial websites. Therefore, the Law Library of Congress cannot make any assurances as to how accurate, complete, or current are the information and translations provided therein.

Prepared by Gustavo Guerra Senior Foreign Law Specialist March 2012

RUSSIAN FEDERATION

TRANSLATION OF NATIONAL LEGISLATION INTO ENGLISH

Russian is the state language of the Russian Federation¹ and all federal legislation is adopted and published in Russian. (Official publication of laws is required by the Constitution.²) There is no official translation of Russian laws into foreign languages and existing translations are fragmented. These translations are offered by selected government agencies, international and nongovernment organizations, and individual publishers. Most of the existing online translations are offered by subscription databases, which make their translated texts available through LexisNexis and Westlaw. Except in the case of a few competent publishers, the quality of these translations is dubious.³

I. Official Publications

Russian federal laws, acts issued by the legislature, government regulations, presidential decrees, international treaties, and rulings of the Constitutional Court of the Russian Federation are published in two major sources that are designated as official publishers of Russian legislation:

- SOBRANIE ZAKONODATELSTVA ROSSIISKOI FEDERATSII [COLLECTION OF RUSSIAN FEDERATION LEGISLATION] (1994–), LC Call No. KLB7.R87.
- ROSSIISKAIA GAZETA [RUSSIAN NEWSPAPER] (1990–), LC Call No. not available, LC Control No. sn 91026628 (government-published daily newspaper, includes selected normative acts issued by federal executive agencies, rulings of the Supreme Courts, and some other acts).

Publications in the *Rossiiskaia Gazeta* are available online at <u>http://www.rg.ru</u>; however, it is not clear whether the online texts accessible through the newspaper's website are considered official. According to amendments to the Federal Law on Procedures for Publication and Entry into Force of Federal Constitutional Laws, Federal Laws, and Acts of the Federal Assembly of October 21, 2011, the government Internet portal of legal information at <u>http://www.pravo</u>.gov.ru is the official publisher of Russian legislation in electronic format.⁴

 $^{^{1}}$ Konstitutsiia Rossiiskoi Federatsii [Constitution of the Russian Federation] [Konst. RF] art. 68.1.

² *Id.* art. 15.

³ BURNHAM WILLIAM ET AL., LAW AND LEGAL SYSTEM OF THE RUSSIAN FEDERATION 48 (2004).

⁴ SOBRANIE ZAKONODATELSTVA ROSSIISKOI FEDERATSII [SZ RF] 2011, No. 43, Item 5977.

II. Court Reporters

Rulings of the Russian Constitutional Court are published by two official sources mentioned above as well as in the Court's bulletin, and on the Court's website:

• KONSTITUTSIONNYI SUD ROSSIISKOI FEDERATSII [CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION], <u>http://www.ksrf.ru</u>.

Rulings and major decisions of the other two highest courts, the Supreme Court of the Russian Federation and the Highest Court of Arbitration, are published in Russian in their respective court bulletins:

- BIULLETEN VERKHOVNOGO SUDA ROSSIISKOI FEDERATSII [BULLETIN OF THE RUSSIAN FEDERATION SUPREME COURT] (1992–), LC Call No. KLB18 .B58.
- VESTNIK VYSSHEGO ARBITRAZHNOGO SUDA ROSSIISKOI FEDERATSII [HERALD OF THE RUSSIAN FEDERATION HIGHEST COURT OF ARBITRATION] (1992–), LC Call No. KLB1829.A13 V47.

Decisions of lower courts are published on their websites.

III. Translations of Laws

A. Code Compilations

Major Russian laws are passed in the form of codes, which serve as a compilation of major provisions regulating a specific field of law. Selected codes have been translated into English and published as individual books. Civil and criminal codes are more likely to be translated than others:

- GRAZHDANSKII KODEKS ROSSIISKOI FEDERATSII: PARALLELNYE RUSSKII I ANGLIISKII TEKSTY / CIVIL CODE OF THE RUSSIAN FEDERATION: PARALLEL RUSSIAN AND ENGLISH TEXTS (Peter B. Maggs & Alexei N. Zhiltsov eds., trans., Norma, Moscow, 2003), LC Call No. KLB494.31994 .A52 2003 GLOBAL.
- CIVIL CODE OF THE RUSSIAN FEDERATION: PARTS ONE, TWO, AND THREE (William E. Butler ed., trans., Oxford Univ. Press, Oxford/New York, 2002), LC Call No. KLB494.31994 .A52 2002.
- CRIMINAL CODE OF THE RUSSIAN FEDERATION (William E. Butler trans., Kluwer Law International, Boston, 3d ed. 1999), LOC Call No. KLB3794.31996 .A52 1999 GLOBAL.
- Sarah J. Reynolds, *Criminal Code of the Russian Federation*, *in* 39(4), 39(6) STATUTES AND DECISIONS: THE LAWS OF THE USSR AND ITS SUCCESSOR STATES, July-Aug., Nov.-Dec. 2003.

Translations of other codes, such as the Criminal Procedure Code, Criminal Correctional Code, Tax Code, Family Code, Labor Code, and Land Code, can be found in the collection of the Law Library of Congress.

B. Individual Laws

Translations of certain individual laws can be found in major publications on Russian law. For example, the Law on Activities of Attorneys and on Advokatura can be found here:

• WILLIAM E. BUTLER, THE RUSSIAN LEGAL PRACTITIONER (Eleven International Publishing, The Hague; International Specialized Book Services, Portland, 2011), LOC Call No. KLB1630 .B88 2011.

Similarly, major laws regulating corporate activities, copyright, and international relations are available in specific publications examining Russia's legal developments in individual areas. For instance, the Russian Federal Law on International Treaties of the Russian Federation can be found in English translation in the following source:

• WILLIAM E. BUTLER, THE RUSSIAN LAW OF TREATIES (Simmonds & Hill, London, 1997), LOC Call No. KLB2400.A31995 B88 1997 EAST.

Laws, government regulations, orders issued by individual ministerial offices, and international treaties related to exploration of natural resources can be found in English in the following periodical:

• RUSSIA & NIS: BASIC OIL LAWS & CONTRACTS: ORIGINAL TEXTS (Barrows, New York, 1993–), LOC Call No. KLA3366.A28 1993.

C. Comprehensive Collections

The most comprehensive collections of translations in all areas of Russian law include the following:

- WILLIAM E. BUTLER, RUSSIA & THE REPUBLICS LEGAL MATERIALS (Penn. State Univ., Juris Publishing, 2006–), LC Call No. KLA13 2006 GLOBAL. This publication is a regularly updated continuation of translations previously published by Columbia University.
- STATUTES AND DECISIONS: THE LAWS OF THE USSR AND ITS SUCCESSOR STATES (M.E. Sharpe, New York, 1991–), LC Call No. K23 .09. This publication includes various acts that have become available for translation. Some issues include acts selected by relevance to the given topic.

IV. Translations of Court Decisions

Court judgments are usually not translated into English. Selected rulings of commercial courts are translated and published by major Russian commercial legal databases, such as Garant

(see section VI) and Kodeks. Some documents related to the judiciary, court practice, and selected rulings of the Supreme Court, including the historic 2003 decision on the application of international law principles by Russian regular courts, are published in English on the website of the Supreme Court of the Russian Federation:

• *English: Documents*, SUPREME COURT OF THE RUSSIAN FEDERATION, <u>http://www.sup</u> court.ru/catalog.php?c1=English&c2=Documents.

V. Online Resources

Translations of Russian laws published online appear to be very fragmented. Most of the existing resources cover only one specific field of law. This is especially true for websites maintained by individual government ministries. A limited number of major documents related to a particular agency's jurisdiction can be found at the following sites:

- THE CENTRAL BANK OF THE RUSSIAN FEDERATION, http://www.cbr.ru/eng.
- CENTRAL ELECTION COMMISSION OF THE RUSSIAN FEDERATION, http://cikrf.ru/eng/.
- FEDERAL ANTIMONOPOLY SERVICE OF THE RUSSIAN FEDERATION, <u>http://en.fas.gov.ru/legislation/</u>.
- FEDERAL CUSTOMS SERVICE, <u>http://www.russian-customs.org/legislation/mlacts/in</u> <u>dex.html</u>.
- MINISTRY OF TAXATION OF THE RUSSIAN FEDERATION, <u>http://www.garweb.ru/</u> project/mns/en/law/.

Selected international organizations and companies maintain databases of national laws for the countries participating in these organizations or where a company is operating. Relevant sources for Russian law include the following:

- LEGISLATIONLINE.ORG, <u>http://www.legislationline.org/</u>. The Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe provides access to Russian laws on human rights issues, citizenship and immigration, elections, and law enforcement.
- *Competition Policy & Law Database*, ASIA-PACIFIC ECONOMIC COOPERATION (APEC), <u>http://www.apeccp.org.tw/doc/Russia.html#Competition</u>. The Russia section of this database offers a collection of Russian laws, regulations, and decisions on competition policies and consumer protection.
- *Intelligence Related Laws and Edicts*, FEDERATION OF AMERICAN SCIENTISTS, <u>http://www.fas.org/irp/world/russia/docs/index.html</u>, contains a collection of Russian laws on intelligence and antiterrorism activities. Unfortunately, most of these translations are outdated and do not reflect recent amendments.
- ERNST & YOUNG, <u>http://www.tax.eycis.info/</u>, provides a comprehensive database of translations that contains documents on tax and financial matters as well as general

normative acts. The database features current and previous versions of documents. Access to the database is free but requires registration.

Commercial legal databases offer a good, though not comprehensive, collection of translated texts. However, because these documents are not freely available, it is difficult to assess their quality in general:

- GARANT, <u>http://english.garant.ru/legislation/</u>, is a legal reference database that appears to be most commonly used in Russia. It claims to translate into English and publish about forty documents weekly.
- RUSSIANGOST, <u>http://www.russiangost.com</u>, is a database that advertises itself as the largest Russian online law library in English. According to its website, it contains over 20,000 translated regulatory documents.

Websites and private blogs maintained by individuals can also be used as a resource for locating translations of Russian laws:

- *Normative Acts of the RF in English*, YURIDICHESKII BLOG [LEGAL BLOG], <u>http://fin-lawyer.ru/2008/normativnye-pravovye-akty-rf-na-anglijskom-yazyke/</u>, appears to be a blog maintained by a private Russian attorney, and is the most diverse collection of links to websites containing free versions of translated Russian legal texts.
- USLUGI.RU, <u>http://juslugi.ru/legislationru</u>, is a Moscow law firm that provides its clients with translations of business laws.

Prepared by Peter Roudik Director of Legal Research March 2012

LAW LIBRARY OF CONGRESS

LOCATING FOREIGN LAW TEXTS ON THE INTERNET

This list includes selected, multijurisdictional websites that are useful in locating foreign law texts, some of which may be in translation. It does not include single-country databases, although many of the websites provide links to such databases. Note that even though some of the sources are authoritative, translations are not generally considered official versions of legal texts, other than translations into languages specifically named as official by a multilingual jurisdiction.

I. International Organizations

- ANTI-SPAM LAWS AND AUTHORITIES WORLDWIDE, INTERNATIONAL TELE-COMMUNICATION UNION, <u>http://www.itu.int/osg/spu/spam/law.html</u>. This website provides links to anti-spam laws and related information and is organized alphabetically by country. The laws are not translated.
- DOING BUSINESS: LAW LIBRARY, <u>http://www.doingbusiness.org/law-library</u>. This database, compiled by the International Finance Corporation and the World Bank, includes laws on many business-related topics, such as banking, land and building, and taxation. It links to official government sources when possible. The database is searchable by geographic region and topic, as well as by individual jurisdiction. Some texts are in translation (unofficial unless otherwise noted).
- GLOBAL LEGAL INFORMATION NETWORK (GLIN), <u>http://www.glin.gov/search.action</u>. GLIN is an international cooperative organization that has created a database of laws from a number of countries. The coverage is not global (contents are summarized online at <u>https://www.glin.gov/databaseContentsPopup.action</u>). Each law is summarized in English and usually in its original language as well, and subject term searching can be cross-lingual (e.g., searches using an English subject term might locate a Korean law on the subject, even though the law is not translated).
- INTERNATIONAL HUMANITARIAN LAW—TREATIES & DOCUMENTS: ICRC, <u>http://www.icrc.org/ihl</u>. This International Committee of the Red Cross database contains 100 treaties and information on their signatory and ratification statuses, in addition to other texts, such as laws protecting the victims of war and laws governing the conduct of hostilities, from 1856 to the present.
- MIGRATION LAW DATABASE, INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM), <u>http://www.imldb.iom.int/section.do</u>. This database, compiled by the leading intergovernmental organization in the field of global migration, is searchable by document title or number, country, date, subject, and language. It includes international, regional, and national legal instruments on topics related to migration; some of these are available in translation. It is possible, for example, to select the

language "English" and the country "Belgium" to find Belgian law texts in English translation.

- NATLEX, <u>http://www.ilo.org/dyn/natlex/natlex_browse.home</u>. NATLEX, a database of legal information compiled by the International Labour Organization, focuses on labor rights, but with coverage of human rights and basic codes as well. It is possible to search by country or by topic. Although in most cases the results are just citations, the database indicates when legislation has been amended. In some cases a link to the law, in translation or in the original language, is included.
- UNESCO Databases (Selected):
 - COLLECTION OF NATIONAL COPYRIGHT LAWS, <u>http://portal.unesco.org/culture</u>/<u>en/ev.php-URL_ID=14076&URL_DO=DO_TOPIC&URL_SECTION=201</u>
 <u>.html</u>. Texts in this database are largely not translated. It includes copyright and related rights legislation of UNESCO member states and to date has about 150 laws.
 - DATABASE OF NATIONAL CULTURAL HERITAGE LAWS, <u>http://www.unesco.org/</u> <u>culture/natlaws/</u>. This database can be searched by title, type of document, country, subject, keyword, and several other parameters. The search can be limited to documents in translation.
- United Nations Databases (Selected):
 - ECOLEX, <u>http://www.ecolex.org/start.php</u>. This searchable database contains treaties, laws, decisions, and literature on environmental law. Although texts are not translated, some are accompanied by English-language information about the laws.
 - FAOLEX and FISHLEX, <u>http://faolex.fao.org/faolex/index.htm</u>, <u>http://faolex</u> <u>.fao.org/ fishery/index.htm</u>. Created by the Food and Agriculture Organization of the United Nations, these are searchable databases of laws on their designated topics.
 - INTERNATIONAL LAW, <u>http://www.un.org/en/law/index.shtml</u>. This website is a portal for access to treaties and other international legal materials.
 - LEGAL TOOLS, <u>http://www.unodc.org/unodc/en/legal-tools/index.html?ref=menuside</u>. Created by the United Nations Office on Drugs and Crime, this website offers a number of resources, including a human trafficking case law database, model laws, treaty information, and other materials.
 - REFWORLD, <u>http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain</u>. This database was created by the United Nations High Commissioner for Refugees and includes a section on legal documents; texts of laws reach far beyond the topic of refugee rights.
- WIPO LEX, <u>http://www.wipo.int/wipolex/en/</u>. Compiled by the World Intellectual Property Organization (WIPO), this database contains links by country to the intellectual property legislation of WIPO, World Trade Organization, and United

Nations members, as well as related information. Some items are available in translation.

• WHO – INTERNATIONAL DIGEST OF HEALTH LEGISLATION (IDHL), <u>http://apps.who</u> <u>.int/idhl-rils/frame.cfm?language=english</u>. This World Health Organization (WHO) database contains English-language summaries of laws from many nations, together with some links to full texts. It can be searched by country, subject, IDHL volume, IDHL issue, or keyword. It supersedes a print publication of the same name that was produced by the WHO from 1948 to 1999.

II. Regional Organizations

- ASEAN LEGAL INFORMATION NETWORK SYSTEM, <u>http://www.aseansec.org/11172.htm</u>. This Association of Southeast Asian Nations website links to the government websites of Brunei, Indonesia, Malaysia, the Philippines, Singapore, Thailand, and Vietnam. Brunei, Singapore, and Vietnam's sites are in English and contain further links to legal texts.
- ECONOMIC COMMUNITY OF WEST AFRICA (ECOWAS), <u>http://www.ecowas.int/</u>. This website has links to the government websites of each of the fifteen West African member nations. Some of the links lead to legal materials, but they are generally not translated.
- LEGISLATION AND TREATIES EUROPA.EU, <u>http://europa.eu/documentation/legislation/ index_en.htm</u>. The Legislation and Treaties section of the European Union's official website provides links to a number of databases containing EU legal materials (including EUR-Lex), all available in English, and the domestic laws of EU Member states (including N-Lex), some of which has been translated. The site also provides information on EU procedures and links to EU core documents.
- Organization of American States (Selected):
 - FAMILY AND CHILD LAW, DEPARTMENT OF INTERNATIONAL LAW, OAS, <u>http://www.oas.org/dil/family_law.htm</u>. This site provides access to laws on topics related to child welfare and the family from most of the OAS's thirty-five member countries.
 - SECRETARIAT FOR LEGAL AFFAIRS, OAS, <u>http://www.oas.org/dil/</u>. This website has information on and links to regional treaties and agreements on a variety of topics and can be searched by year or subject.

III. Academic Institutions and Private Organizations

- CONSTITUTION FINDER, <u>http://confinder.richmond.edu/</u>. This database of constitutions, many in translation, was compiled by the T.C. Williams School of Law at the University of Richmond.
- INSTITUTE FOR TRANSNATIONAL LAW FOREIGN LAW TRANSLATIONS, <u>http://www.u</u> texas.edu/law/academics/centers/transnational/work_new/. Hosted by the School of

Law at the University of Texas at Austin, this website links to selected translations of decisions and statutes from France and Germany, plus decisions from Austria and Israel.

- INTERNATIONAL LAW IN BRIEF *and* INTERNATIONAL LEGAL MATERIALS, AMERICAN SOCIETY OF INTERNATIONAL LAW (ASIL), <u>http://www.asil.org/ilm.cfm</u>. These ASIL publications contain texts of laws and judicial decisions from around the world.
- LAW BY SOURCE: GLOBAL, CORNELL LEGAL INFORMATION INSTITUTE (LII), http://www.law.cornell.edu/world/. Produced by Cornell University Law School's LII, this database is arranged by jurisdiction and the amount of material varies from country to country.
- NATIONAL CONSTITUTIONS, <u>http://www.constitution.org/cons/natlcons.htm</u>. This database of constitutions, many of them in English translation, is the work of the Constitution Society, which is a private, nonprofit organization.
- POLITICAL DATABASE OF THE AMERICAS, <u>http://pdba.georgetown.edu/</u>. This database, published by the Center for Latin American Studies at Georgetown University in collaboration with other international entities, contains texts of the constitutions of countries in the Americas and of laws on several subjects, including political parties and elections. Most are in the original languages but some translations are included.
- PRIVATE SECURITY REGULATION.NET, <u>http://www.privatesecurityregulation.net/pmsc-regulation-database</u>. This database was created by the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and has links to international and regional treaties plus national laws, regulations, and draft laws on private security and military services from more than fifty countries. Translations are provided for some materials. The DCAF is an international foundation with sixty-one member states.
- WATERLEX HRWS ONLINE LEGAL DATABASE, <u>http://www.waterlex.org/waterlex/en/resources/online-legal-database</u>. This database is scheduled to become operational in March 2012. WaterLex was founded in 2010 as a private, nonprofit organization established in Geneva, Switzerland. The database will include international and national legislation.
- WORLD LEGAL INFORMATION INSTITUTE (WORLDLII), <u>http://www.worldlii.org/</u>. This web portal claims to link to "1230 databases from 123 jurisdictions via 14 Legal Information Institutes." A number of the linked databases provide full texts of laws, some of which are available in English. The website is subdivided into regional sections and also provides a page on which the linked websites are organized by country. WorldLII describes itself as "a free, independent and nonprofit global legal research facility developed collaboratively" by several listed LIIs and other organizations.
- WORLD WIDE CONSTITUTIONS, <u>http://www.concourt.am/armenian/legal_resources/</u> world_constitutions/constit/consts21.htm. This website, produced by Constitutional

Court of the Republic of Armenia, includes many constitutions of the world in translation.

Prepared by Constance A. Johnson Senior Legal Research Analyst March 2012

LAW LIBRARY OF CONGRESS

SELECTED INTERNATIONAL COURTS AND TRIBUNALS: ONLINE SOURCES OF TRANSLATION INTO ENGLISH

This report includes selected websites of major international courts and tribunals, hybrid courts, and regional courts that provide databases of their case law as well as other judicial information, much of which is in English.

I. International Courts and Tribunals

A. Courts

- INTERNATIONAL COURT OF JUSTICE, <u>http://www.icj-cij.org/homepage/index.php?</u> <u>&lang=en</u> (in English and French). The ICJ, also called the World Court, provides on its home page separate links to Pending Cases, List of All Cases, and Advisory Proceedings, as well as Judgments, Advisory Opinions, and Orders by Chronological Order.
- INTERNATIONAL CRIMINAL COURT, <u>http://www.icc-cpi.int/Menus/ICC?lan=en-GB</u> (in English and French). The ICC, seated in The Hague, is an independent body that is not part of the United Nations system; it is governed by the Rome Statute, a treaty joined by 120 countries as of February 2012.¹ In the Basic Legal Texts section the ICC website makes available *The Official Journal of the ICC*, which contains the Rome Statute and various court-related regulations, and the Legal Tools Project database. This database contains, among other documents, international legal instruments, documents related to international criminal jurisdictions (such as Nuremberg and Allied tribunals in occupied Germany, Tokyo, and the Far East, and the International Criminal Tribunal of Yugoslavia), international criminal judgments, documents of national jurisdictions (e.g., constitutions and codes of criminal law and procedure, national implementing legislation (for which there is a National Implementing Legislation Database, searchable by keywords from a list of "main keywords," or by jurisdiction), national cases involving core international crimes, and human rights decisions.²

In the National Implementing Legislation Database, links to individual states' criminal codes or parts thereof, in the vernacular and/or English translation, are provided. A search using a keyword from the main keyword list, such as "provisional

¹ About the Court, INTERNATIONAL CRIMINAL COURT, <u>http://www.icc-cpi.int/Menus/ICC/About+the</u> +Court/ (last visited Mar. 5, 2012).

² Browse the Tools, INTERNATIONAL CRIMINAL COURT, <u>http://www.legal-tools.org/en/go-to-database/</u> (last visited Mar. 5, 2012).

arrest," yields citation of the relevant provision(s) of the Rome Statute and a list of states that have relevant implementing provisions and links to those provisions.

B. Tribunals

- INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA (ITLOS), <u>http://www.it</u> <u>los.org/index.php?id=2&L=0</u> (in English and French). Provides cases (nineteen submitted thus far; for three of them, Webcam live streaming is available); basic texts, e.g., the Statute of the International Tribunal for the Law of the Sea (Annex VI of the United Nations Convention on the Law of the Sea) and the Rules of the Tribunal (ITLOS/8), as amended on March 17, 2009; and links to other international organizations.
- INTERNATIONAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (ICTY), <u>http://www.ic</u> <u>ty.org/</u>. The Cases section of the website "provides the indictments, judgements, transcripts, as well as key decisions and orders from each case," arranged under tabs reflecting the stage of proceedings (pretrial, trial, appeal, completed, and transferred).³ ICTY COURT RECORDS, <u>http://icr.icty.org/</u>, is an online searchable database of "more than 190,000 public records, ranging from arrest warrants, motions, exhibits, through to the final appeal judgement in every case," from 1994 onward.⁴
- INTERNATIONAL TRIBUNAL FOR RWANDA (ICTR), <u>http://www.unictr.org/</u>. The Cases section of the website provides information on the status of cases, the status of detainees, persons awaiting trial, cases in progress, cases on appeal, and completed cases, to name but a few of the categories. The Legal section includes relevant United Nations Security Council Resolutions, the Statute of the Tribunal, Rules of Procedure and Evidence, etc.
- THE WORLD TRADE ORGANIZATION (WTO), http://www.wto.org/. The Dispute Settlement subsection of the Trade Topics section of the WTO website, http://www.wto.org/english/tratop_e/dispu_e/dispu_e.htm#disputes, links to material on disputes in general and their handling by the WTO and its Dispute Settlement Body, new negotiations on the Dispute Settlement Understanding, and individual dispute cases. The WTO Terminology Database, WTOTERM, is a regularly updated database for translators that has terminology of the WTO in its three official languages (English, French, and Spanish); at present it has 10,000 terms (go to http://wtoterm.wto.org/multiterm/index.mto?locale=en, click the Select box, and hit OK to enter the database).

C. Hybrid Courts

• THE HUMAN RIGHTS ADVISORY PANEL, <u>http://www.unmikonline.org/hrap/Eng/Pages/</u> <u>default.aspx</u>. The three-member panel "examines complaints of alleged human rights

³ The Cases, ICTY, <u>http://www.icty.org/action/cases/4</u> (last visited Mar. 5, 2012).

⁴ Id.

violations committed by or attributable to the United Nations Interim Administration Mission in Kosovo (UNMIK) and makes recommendations to the Special Representative of the Secretary-General (SRSG) in Kosovo when appropriate."⁵ Cases lodged from 2006 through 2010 are listed both by number and alphabetically by complainant name.⁶

- THE SPECIAL COURT FOR SIERRA LEONE, <u>http://www.sc-sl.org/</u>. The Special Court for Sierra Leone, set up jointly by the Government of Sierra Leone and the United Nations, is mandated to try persons responsible for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since November 30, 1996.⁷ The Cases section of the website includes a court records documenting system (only for authorized users) and a list of cases that have been concluded (with links to decisions, judgments, transcripts, etc.).⁸
- EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA, <u>http://www.eccc.gov.kh/en</u>. The Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea (ECCC) was created by Cambodian law and based on an agreement between the Cambodian government and the United Nations to try serious crimes committed during the Khmer Rouge regime (1975–1979).⁹

The Caseload section of the website covers four cases. The webpage for each case contains a description of the case and links to related news items. There is also a link, before the news section of the page, to court documents. The Legal Documents section of the website also has a list of court documents, but has a search feature whereby the cases are searchable by date, defendant name, chamber, and filings, and there are additional browsing options in a separate column on the right side of the page.

II. Regional Courts

A. Europe

• EUROPEAN COURT OF HUMAN RIGHTS, <u>http://www.echr.coe.int/ECHR/Homepage</u> <u>EN</u>. The website contains, among other information, links to the European Convention on Human Rights, case law, reports, and pending cases. Decisions and

⁸ See also The Special Court for Sierra Leone, IRIN, <u>http://www.irinnews.org/InDepthMain.aspx?InDepth</u> <u>Id=7&ReportId=59469</u> (last visited Mar. 5, 2012).

⁹ Introduction to the ECCC, EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA, <u>http://www.ec</u>cc.gov.kh/en/about-eccc/introduction (last visited Mar. 6, 2006).

⁵ About Us, THE HUMAN RIGHTS ADVISORY PANEL, <u>http://www.unmikonline.org/hrap/Eng/Pages/</u> <u>default.aspx</u> (last visited Mar. 5, 2012).

⁶ *HRAP Cases*, THE HUMAN RIGHTS ADVISORY PANEL, <u>http://www.unmikonline.org/hrap/Eng/Pages/</u> <u>Cases.aspx</u> (last visited Mar. 5, 2012); *see also Regulation 64 Panels in the Courts of Kosovo*, IRIN, <u>http://www.irin</u> <u>news.org/InDepthMain.aspx?InDepthId=7&ReportId=59472</u> (last visited Mar. 5, 2012).

⁷ Cases, THE SPECIAL COURT FOR SIERRA LEONE, <u>http://www.sc-sl.org/CASES/tabid/71/Default.aspx</u> (last visited Mar. 6, 2012).

judgments of the Court are found in its HUDOC database, searchable at <u>http://www.echr.coe.int/ECHR/EN/Header/Case-Law/Decisions+and+judgments/HU</u><u>DOC+database/</u>.

• COURT OF JUSTICE OF THE EUROPEAN UNION, <u>http://curia.europa.eu/</u>. The judicial institution of the European Union and of the European Atomic Energy Community, the Court comprises three judicial bodies: the Court of Justice, the General Court, and the Civil Service Tribunal. The home page of the English-language website has a case-law search form to search for a specific case as well as the option to view the most recent judgments and opinions of each of the three bodies.

The Case-Law section of the website provides access to the InfoCuria caselaw database, searchable by case status, court, case number, and subject matter, among other options. The Library and Documentation section of the website has a link to a National Case-Law database (in English and French) and to Legal Information of European Union Interest, among other links. The latter includes a link to COURTS OF THE MEMBER STATES OF THE EUROPEAN UNION, <u>http://curia</u> <u>.europa.eu/jcms/jcms/Jo2_7231/</u>, a work of more than seven hundred pages in French, describing the court systems of each of the twenty-seven EU Member States as of January 1, 2007; organizational diagrams are also provided for each jurisdiction's court system.

• EUROPEAN FREE TRADE AGREEMENT (EFTA) COURT, <u>http://www.eftacourt.int/</u>. The EFTA Court has jurisdiction over EFTA States that are parties to the European Economic Area (EEA) Agreement—currently Iceland, Liechtenstein, and Norway. The Court is comprised of three judges representing each of the state parties. The website's Cases section is divided into Pending Cases and Decided Cases; a number of the case judgments are available in English translation.

B. Americas

- INTER-AMERICAN COURT OF HUMAN RIGHTS, <u>http://www.corteidh.or.cr/index.</u> <u>cfm?&CFID=2020&CFTOKEN=49355178</u>. The Inter-American Court of Human Rights (*La Corte Interamericana de Derechos Humanos*) website is in Spanish, although there is a (currently inoperative) link to an English version on the home page. The section on cases (*Jurisprudencia*) covers cases in contention, provisional measures, supervised implementation of sentences, and advisory opinions. Translations into English of a number of cases of the Court are available at WORLDCOURTS, <u>http://www.worldcourts.com/iacthr/eng/index.htm</u>, a database of case law from international judicial and quasi-judicial bodies.
- Jurisprudencia, COURT OF JUSTICE OF THE ANDEAN COMMUNITY, <u>http://www.tri</u> <u>bunalandino.org.ec/index.php?option=com_wrapper&view=wrapper&Itemid=67</u>. A searchable database of cases offered on the website of the Court of Justice of the Andean Community (*Tribunal de Justicia de la Comunidad Andina*). The Andean Community includes Bolivia, Colombia, Ecuador, Peru, and Venezuela.
- CENTRAL AMERICAN COURT OF JUSTICE, <u>http://portal.ccj.org.ni/CCJ2/Default.aspx?</u> <u>tabid=56</u>. The website of the Central American Court of Justice (*Corte*

Centroamericana de Justicia) is in Spanish only. Its section on case law (*Jurisprudencia*) has links to documents, decisions, regulations, conventions, and opinions, among other material. The CEDOC (*Centro de Documentación e Información de la Corte Centroamericana de Justicia*) section of the website has links to the Court official gazette, the Court bulletin, and other information (<u>http://portal.ccj.org.ni/ccj2/CeDoc/tabid/60/Default.aspx</u>), all in Spanish. However, translations into English of seven cases of the CACJ are available at WORLDCOURTS, <u>http://www.worldcourts.com/cacj/eng/index.htm</u>.

• CARIBBEAN COURT OF JUSTICE (CCJ), <u>http://www.caribbeancourtofjustice.org/old</u> /default.htm (in English). Among the various sections of the website, the Judgments section provides access to judgments in reverse chronological order; the Recordings section has links to audio/video case material, and annual reports are available in the Annual Reports section (the 2008–2009 and 2009–2010 reports provide an organizational chart of the CCJ). The Court Library section is currently under construction. Sixty CCJ decisions are also available at WORLDCOURTS, http://www.worldcourts.com/ccj/eng/index.htm.

C. Africa

- THE AFRICAN COURT OF JUSTICE.¹⁰ Not yet operational, but documentation on the Court is available at *The African Court of Justice*, AFRICAN UNION, <u>http://www.africa-union.org/root/au/organs/court of justice en.htm</u>
- AFRICAN COURT OF HUMAN AND PEOPLES' RIGHTS (AFCHPR), <u>http://www.african-court.org/en/</u>. The AfCHPR website can be viewed in Arabic, English, French, and Portuguese. The Cases section has links to judgments and orders, pending cases, procedures for submission of cases to the Court, and the case application form. Court activity reports (for the years 2006 and 2007) are in the Publications section.
- THE EAST AFRICAN COURT OF JUSTICE, <u>http://www.eacj.org/</u>. The Case-Law section of the website has links to judgments, other rulings, advisory opinions, arbitration awards, and taxation rulings (accessible via a drop-down menu at left side of the home page).
- ECOWAS COMMUNITY COURT OF JUSTICE, <u>http://www.courtecowas.org/site/index</u>.<u>php?lang=en</u> (in English, French, and Portuguese). The Community Court of Justice was created in 1991 pursuant to the Revised Treaty of the Economic Community of West African States (ECOWAS).¹¹ The Cases section of the Court's website, listed on the left side of the home page, has links to decided cases that cover the years 2004–2009. The Publication section has a link to a court activities report for 2011, and volume 57 (2011) of the Court's *Official Journal* is also available there.

¹⁰ ACJ: African Court of Justice, AFRICAN INTERNATIONAL COURTS AND TRIBUNALS, <u>http://www.aict-ctia.org/courts_conti/acj/acj_home.html</u> (last visited Mar. 6, 2012).

¹¹ About Us, ECOWAS COMMUNITY COURT OF JUSTICE, <u>http://www.courtecowas.org/site/index.php</u> <u>?option=com_content&view=article&id=2& Itemid=5&lang=en</u> (last visited Mar. 6, 2012).

D. Asia

There are not yet regional courts in Asia that resemble their counterparts in other areas of the world. As one commentator has noted,

The absence of regional judicial institutions in Asia is one of the most striking differences between its regional economic integration projects and those elsewhere. While Asia has no active standing regional court, Europe, Latin America, and Africa each have at least four active regional courts that have issued thousands of legally binding judgments. . . . About 90% of these judgments have come since 1990. . . . ¹²

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¹² Erik Voeten, *Regional Judicial Institutions and Economic Cooperation: Lessons for Asia?* 16 (Asia Development Bank, Working Paper Series on Regional Economic Integration, Paper No. 65, Nov. 2010), http://aric.adb.org/pdf/working paper/WP65_Voeten_Regional_Judicial_Institutions.pdf.