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in Civil and Commercial Matters Asian Yearbook of International Law, 1997 Treatment of Foreign Law in Asia
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International Law and the Legacy of Colonialism Asian Legal Systems Columbia Journal of Asian Law Choice of Law
and Recognition in Asian Family Law Asian Yearbook of International Law, Volume 23 (2017) Asian Law in Disasters
Asian Comparative Constitutional Law, Volume 1 Asian Yearbook of International Law, Volume 8 (1998-1999) The
Australian Journal of Asian Law

Asian Yearbook of International Law, Volume 24 (2018) 2020-11-30

launched in 1991 the asian yearbook of international law is a major internationally refereed yearbook dedicated to international legal issues as seen primarily from an asian perspective it is published under the auspices of the foundation for the development of international law in asia dila in collaboration with dila korea the secretariat of dila in south korea when it was launched the yearbook was the first publication of its kind edited by a team of leading international law scholars from across asia it provides a forum for the publication of articles in the field of international law and other asian international legal topics the objectives of the yearbook are two fold first to promote research study and writing in the field of international law in asia and second to provide an intellectual platform for the discussion and dissemination of asian views and practices on contemporary international legal issues each volume of the yearbook contains articles and shorter notes a section on asian state practice an overview of the asian states participation in multilateral treaties and succinct analysis of recent international legal developments in asia a bibliography that provides information on books articles notes and other materials dealing with international law in asia as well as book reviews this publication is important for anyone working on international law and in asian studies the 2018 edition of the yearbook features articles on the practice of asian states from the perspective of third world approaches to international law twail

Challenges of International Law in the Asian Region 2021-06-14

this book provides an innovative outlook of the various challenges of international law in the asian region moving away from the eurocentrism prevalent in the literature on the subject it provides a comprehensive asian perspective without adopting a monolithic or homogeneous asian approach although asian countries converge on certain issues related to international law such as engagement with the united nations at times there is a significant divergence such as in the case of agricultural trade liberalisation given the vastness of the region and the differing political systems there are many discrepancies to consider the book takes into account the viewpoint of civil society so as to avoid a vertical state centred approach offering an easy to understand presentation of key issues concerning the region this book is a useful introduction to this complex topic for students academics and practitioners of international law

Routledge Handbook of Asian Law 2016-11-03

law and legal institutions in east asia s high growth episodes conclusion east asia law and development and today s developing countries chapter 4 a new china model for the era post global financial crisis legal dimensions introduction the east asian model its progeny and their problems the emerging post washington post beijing consensus pwbc implications of the pwbc for the china model the decision in light of the pwbc the implications of the decision for legal reforms conclusion

Direct Jurisdiction 2021-08-26

the second thematic volume in the series studies in private international law asia looks into direct jurisdiction that is the situations in which the courts of 15 key asian states mainland china hong kong taiwan japan south korea malaysia singapore thailand vietnam cambodia myanmar the philippines indonesia sri lanka and india are prepared to hear a case involving cross border elements for instance where parties are habitually resident abroad and a dispute has only some little or no connection with an asian state will the courts of that state accept jurisdiction and hear the case and if so on what conditions more specifically the book s chapters explore the circumstances in which different asian states assume or decline jurisdiction not just in commercial matters but also in other types of action such as family consumer and employment disputes the introduction defines terminology and identifies similarities in the approaches to direct jurisdiction taken by the 15 asian states in civil and commercial litigation taking its cue from this the conclusion assesses whether there should be a multilateral convention or soft law instrument articulating principles of direct jurisdiction for asia the conclusion also discusses possible trajectories that asian states may be taking in respect of direct jurisdiction in light of the covid 19 pandemic and the political tensions currently besetting the world the book suggests that enacting suitable rules of direct jurisdiction requires an asian state to strike a delicate balance between affording certainty and protecting its nationals at heart direct jurisdiction involves sometimes difficult policy considerations and is not just about drawing up lists of jurisdictional grounds and exceptions to them

Asian Yearbook of International Law 2010-10-06

launched in 1991 the asian yearbook of international law is a major refereed publication dedicated to international law issues as seen primarily from an asian perspective under the auspices of the foundation for the development of international law in asia dila it is the first publication of its kind edited by a team of leading international law scholars from across asia the yearbook provides a forum for the publication of articles in the field of international law and other asian international law topics written by experts from the region and elsewhere its aim is twofold to promote international law in asia and to provide an intellectual platform for the discussion and dissemination of asian views and practices on contemporary international legal issues each volume of the yearbook normally contains articles and shorter notes a section on state practice an overview of asian states participation in multilateral treaties succinct analysis of recent international legal developments in asia an agora section devoted to

critical perspectives on international law issues surveys of the activities of international organizations of special relevance to asia and book review bibliography and documents sections it will be of interest to students and academics interested in international law and asian studies

Annotated Leading Copyright Cases in Major Asian Jurisdictions 2019-07-17

in this second volume of the applied research center for intellectual assets and the law in asia arciala series thirty seven eminent scholars and practitioners from asia and the united states have come together to comprehensively assess leading copyright cases from eight major asian jurisdictions people s republic of china prc india japan korea malaysia the philippines singapore and taiwan this book contains thirty six case reports that focus on six topics that reflect the current trends in asian copyright law namely digital copyright collective copyright including the management of copyright and the interface between collecting societies and competition law criminal copyright with a discussion of criminal punishment for copyright infringement limits to copyright such as fair use and exhaustion the relationship between copyright laws and other forms of protection and choice of jurisdiction and applicable law in copyright litigation each case report deconstructs the legal background facts and rationale of the decision in a particular landmark case and then discusses the commercial or industrial significance and application notably this includes an analysis of the hague convention on choice of court agreements and its adoption in singapore which is to date the only asian country to have fully ratified it taken together this volume presents a useful guide for copyright practitioners professionals lawyers and judges alike in addition to acting as a primer for students and businessmen planning to enter asia s exciting world of copyright it also serves as a handbook for policy makers both within asia and further afield

Private International Law 2017-01-19

this book shows how with the increasing interaction between jurisdictions spearheaded by globalization it is gradually becoming impossible to confine transactions to a single jurisdiction presented in the form of a compendium of essays by eminent academics and practitioners in the field it provides a detailed overview of private international law practice in south asian nations addressing contemporary discourse within this knowledge domain conflict of laws private international law arises from the universal acknowledgment that it is difficult to govern human transactions solely by the local law the research presented addresses the three major threads of private international law jurisdiction choice of law and enforcement within each of the south asian countries in the areas of family law and commercial law the research in family law domain includes traditional areas such as marriage divorce and maintenance as well as some of the contemporary concerns in this region inter country child retrieval surrogacy and the country statement on accession to the hague conventions related to this domain in commercial law the research explores the concerns raised with regard to choice of law issues in transnational contracts and also enforcement of foreign judgment arbitral awards in the nations of this region

Selected Writings on Asian Law 1982-01-01

a compilation of 26 previously published articles with index

The Constitutional Case Law of Japan 1978

a collection of selected supreme court decisions on japanese constitutional law in the period from 1961 to 1970 the guide comprises the authors translations of the original judgments the full text of the constitution of japan a selected bibliography of japanese legal journals and selected commentaries on the cases concerned the cases selected include decisions concerning taxation economic social and intellectual rights

Asian Courts in Context 2015

analyzes courts in fourteen selected asian jurisdictions to provide the most up to date and comprehensive interdisciplinary book available

Writing and Law in Late Imperial China 2015-07-16

in this fascinating multidisciplinary volume scholars of chinese history law literature and religions explore the intersections of legal practice with writing in many different social contexts they consider the overlapping concerns of legal culture and the arts of crafting persuasive texts in a range of documents including crime reports legislation novels prayers and law suits their focus is the late ming and qing periods c 1550 1911 their documents range from complaints filed at the local level by commoners through various texts produced by the well to do to the legal opinions penned by china s emperors writing and law in late imperial china explores works of crime case fiction judicial handbooks for magistrates and legal secretaries popular attitudes toward clergy and merchants as reflected in legal complaints and the belief in a parallel otherworldly judicial system that supports earthly justice

Asian Yearbook of International Law, Volume 9 (2000) 2004-09-01

the asian yearbook of international law is a major refereed publication dedicated to international law issues as seen primarily from an asian perspective this is the first publication of its kind edited by a team of leading international law scholars from across asia the asian yearbook of international law provides a forum for the publication of articles in the field of international law and other asian international law topics written by experts from the region and elsewhere its aim is twofold to promote international law in asia and to provide an intellectual platform for the discussion and dissemination of asian views and practices on contemporary international legal issues as a rule each volume of the asian yearbook normally contains articles notes a section on state practice an overview of the participation of asian countries in multilateral treaties a chronicle of events and incidents surveys of the activities of international organizations which have special relevance to asia such as a survey of the activities of the asian african legal consultative committee and book review bibliography and documents sections

Asian Laws Through Australian Eyes 1997

this unique collection of essays from australian new zealand academics represents the best of contemporary australian scholarship on asian legal systems featuring a comparative review of diverse jurisdictions areas of law issues methods it also examines australia s trade links with asia

Recognition and Enforcement of Judgments in Civil and Commercial Matters 2019-09-19

this collection offers a study of the regimes for the recognition and enforcement of foreign commercial judgments in 15 asian jurisdictions mainland china hong kong taiwan japan korea malaysia singapore thailand vietnam cambodia myanmar the philippines indonesia sri lanka and india for practising lawyers the book is intended as a practical guide to current law and procedures for enforcing judgments in the selected jurisdictions however it does not stop at describing current law and practice of interest to academics and students it also analyses the common principles of the enforcement regimes across the jurisdictions and identifies what should be regarded as the norm for enforcement in asian countries for the purpose of attracting foreign direct investment and catalysing rapid economic development in light of the common principles identified the book explores how laws in asia may generally be improved to enable judgments to be more readily enforced while ensuring that legitimate concerns over indirect jurisdiction due process and domestic public policy are respected and addressed with this in mind the book discusses the potential impact that the adoption of the 2005 hague convention on choice of court agreements might have on asian jurisdictions it also considers the potential impact of the convention for the enforcement of judgments in civil and commercial matters presently being drafted by the hague conference on private international law this timely book argues that it is imperative to adopt a uniform system for the recognition and enforcement of judgments throughout asia if there is to be traction for the enhanced cross border commerce that is expected to result from endeavours such as the asean economic community aec the belt and road initiative bri cptpp also known as tpp 11 and rcep

Asian Yearbook of International Law, 1997 2001-03-01

the asian yearbook of international law is the first publication dedicated primarily to international law as seen from an asian perspective it provides international law articles written by experts from the region and other articles relating to asian topics the editorial board national correspondents advisory council and governing board comprise a diverse group of academics and government officials from a wide range of countries and positions the asian yearbook of international law offers a number of useful features articles notes legal materials such as the state practice in a number of asian countries and participation in multilateral treaties asia and international organizations chronicle of events for the covered year literature including book reviews and a bibliography selected documents treaties agreements and other relevant primary documents and an index its range of features assures that the yearbook comprehensively covers the critical events legislation and issues of the past year and that users can easily access all of this information academics and practitioners who deal with international public law in asia will appreciate this unique complete resource the asian yearbook of international law provides insight into asian views and practices especially for non asian readers and also promotes the dissemination of knowledge of international law in asia some of the topics covered in this volume the secession of bangladesh in international law the asian development bank administrative tribunal port state control a comment on the tokyo mou maritime jurisdiction over vessel source pollution in the eez the chinese experience

Treatment of Foreign Law in Asia 2023-10-05

how do asian courts ascertain interpret and apply a foreign law as the law governing the merits of the case what should judges do if parties do not raise or disagree on the content of foreign law this thematic volume in the studies in private international law asia series analyses the treatment of foreign law before judicial authorities that is how the courts of asian states deal with the proof of foreign law in court litigation involving cross border elements the individual chapters cover 15 asian jurisdictions mainland china hong kong taiwan japan south korea singapore malaysia vietnam cambodia myanmar the philippines indonesia thailand sri lanka and india the introduction and conclusion examine similarities and differences in the approaches taken by the 15 asian states with a view to

assessing the extent to which those approaches are consistent or different from each other the book also puts forward suggestions for harmonising differing approaches especially between asian common law and civil law states the book is a one stop reference guide on the treatment of foreign law in asia and will be indispensable to judges practitioners and scholars not just in asia but worldwide

Pluralism, Transnationalism and Culture in Asian Law 2017-06-12

we owe much of our knowledge of legal diversity in asia to the work of barry hooker who appears early on to have appreciated its intrinsic interest and potentially global significance his work in the field is as the french say incontournable a nice combination of the unavoidable the controlling and the greatly respected h p glenn span span background color inherit text decoration inherit white space pre wrap to honour this great scholar this book gathers essays from admirers and friends who add their own contributions on legal pluralism transnationalism and culture in asia the book opens with an account of m b hooker colourful and prolific career the authors then approach legal pluralism through legal theory legal anthropology comparative law law and religion constitutional law even islamic art thus reflecting the broad approaches of professor hooker s scholarship while most of the book focuses mainly on southeast asia it also reaches out to all of asia up to israel and even includes a chapter comparing indonesia and egypt

Law and Society in East Asia 2017-07-05

the massive and complex process of change in east asia over recent decades has brought about a transformation in the nature of law and legal institutions in the region whilst the process of change has to some degree mimicked western models of law and legal change there have been significant differences in approach due to the different social foundations of east asian societies the more obvious of these has been the variety of ways in which rule of law ideas have been adopted in many east asian countries where the role of the state is more dominant when compared with western models this volume brings together a selection of the most important writings on east asia of researchers in recent years and shows the broad range of questions which researchers have been addressing about the effect of law reform and legal change in societies dominated by traditional values and political forces and at a time of massive economic change

Asian Discourses of Rule of Law 2004

rule of law one of the pillars of the modern world has emerged in western liberal democracies this book considers how rule of law is viewed and implemented in the different cultural economic and political context of asia

Proportionality in Asia 2020-08-27

explores how proportionality analysis a legal transplant from the west is judicially enforced by courts around asia

Asian Yearbook of International Law, Volume 7 (1997) 2020-01-29

the asian yearbook of international law is the first publication dedicated primarily to international law as seen from an asian perspective it provides international law articles written by experts from the region and other articles relating to asian topics the editorial board national correspondents advisory council and governing board comprise a diverse group of academics and government officials from a wide range of countries and positions the asian yearbook of international law offers a number of useful features articles notes legal materials such as the state practice in a number of asian countries and participation in multilateral treaties asia and international organizations chronicle of events for the covered year literature including book reviews and a bibliography selected documents treaties agreements and other relevant primary documents and an index its range of features assures that the yearbook comprehensively covers the critical events legislation and issues of the past year and that users can easily access all of this information academics and practitioners who deal with international public law in asia will appreciate this unique complete resource the asian yearbook of international law provides insight into asian views and practices especially for non asian readers and also promotes the dissemination of knowledge of international law in asia some of the topics covered in this volume the secession of bangladesh in international law the asian development bank administrative tribunal port state control a comment on the tokyo mou maritime jurisdiction over vessel source pollution in the eez the chinese experience

The UNCITRAL Model Law and Asian Arbitration Laws 2018-10-04

explores how the text and principles of the uncitral model arbitration law are implemented or not in key asian jurisdictions

Law and the Chinese in Southeast Asia 2002-01-01

this collection of essays focuses on law and the diaspora chinese they show us a variety of answers to such questions as what are the laws of china outside china what are the laws of the chinese in southeast asia what were are the laws for the chinese in southeast asia and is there a confucian chinese the answers in some cases are

reasonably certain but in others they are tentative and debatable the legal material raises these issues in a way which is fundamental to diaspora studies

Grounds of Judgment 2012-01-11

perhaps more than anywhere else in the world the 19th century encounter between east asia and the western world has been narrated as a legal encounter this book explores extraterritoriality and the ways in which western power operated in east asia from the 1820s to the 1920s

Asian Yearbook of International Law 1996-02-01

the asian yearbook of international law is the first publication dedicated primarily to international law as seen from an asian perspective it provides a forum for the publication of articles in the field of international law written by experts from the region and also other articles relating to asian topics its aim is twofold to promote the dissemination of knowledge of international law in asia and to provide an insight into asian views and practices which will be especially useful to a non asian readership as a rule each volume of the asian yearbook contains articles notes state practice a chronicle of events and incidents united nations activities with special relevance to asia a survey of activities of the asian african legal consultative committee a bibliography and a documents section

Asian States and the Development of Universal International Law 1986

the papers presented at the seminar held at the indian school of international studies in nov 1967

Asian Perspectives on International Investment Law 2019-03-11

with changes to the international investment law landscape and asian countries now actively developing their network of bilateral investment treaties bits and free trade agreements ftas this volume studies issues relating to asian perspectives on international investment law and forecasts the future of asian contribution to its science and practice the book discusses the major factors that have been driving asian countries to new directions in international investment rule making and dispute settlement it also looks at whether asian countries are crafting a new model of international investment law to reflect their specific socio cultural values finally the book examines whether there are any asian styles of international investment rule making and dispute settlement or if individual asian countries are seeking specific national models based on economic structure and geopolitical interests this unique collection is exceptionally useful to students scholars and practitioners of international investment law international trade law and public international law

Asian Yearbook of International Law, Volume 10 (2001-2002) 2005-08-01

the asian yearbook of international law is a major refereed publication dedicated to international law issues as seen primarily from an asian perspective this is a special publication of its kind edited by a team of leading international law scholars from across asia the asian yearbook of international law provides a forum for the publication of articles in the field of international law and other asian international law topics written by experts from the region and elsewhere its aim is twofold to promote international law in asia and to provide an intellectual platform for the discussion and dissemination of asian views and practices on contemporary international legal issues as a rule each volume of the asian yearbook normally contains articles notes a section on state practice an overview of the participation of asian countries in multilateral treaties a chronicle of events and incidents surveys of the activities of international organizations which have special relevance to asia such as a survey of the activities of the asian african legal consultative committee and book review bibliography and documents sections

Choice of Law and Recognition in Asian Family Law 2023-10-05

this thematic volume in the series studies in private international law asia outlines the general choice of law and recognition rules relating to family matters of 15 asian jurisdictions mainland china hong kong taiwan japan south korea singapore malaysia vietnam cambodia myanmar the philippines indonesia thailand sri lanka and india the book examines pressing questions and proposes ways in which their systems may be reformed a concluding chapter considers the extent to which asian cross border family law systems can and should be harmonised the book provides a comprehensive analysis of cross border family law challenges including child surrogacy child abduction the recognition of same sex unions the recovery of maintenance and the regulation of intercountry adoption these are among the matters now testing asian institutions of private international law and acting as forces for their modernisation with contributions by leading asian private international law experts the book proposes necessary reforms for each of the jurisdictions analysed as well as for asia as a whole

Contractual Remedies in Asian Countries 1975

in the limits of the rule of law in china fourteen authors from different academic disciplines reflect on questions that have troubled chinese and western scholars of jurisprudence since classical times using data from the early 19th century through the contemporary period they analyze how tension between formal laws and discretionary judgment is discussed and manifested in the chinese context the contributions cover a wide range of topics from interpreting the rationale for and legacy of qing practices of collective punishment confession at trial and bureaucratic supervision to assessing the political and cultural forces that continue to limit the authority of formal legal institutions in the people s republic of china

The Limits of the Rule of Law in China 2000

since the conclusion of world war ii the legacy of militarism and colonialism in areas of asia has left many unresolved conflicts dividing parts of the region this legacy has also contributed to the discourse of contemporary legal issues in the region including territorial disputes human rights the environment state responsibility and international trade among others this volume addresses salient international legal issues that flowed from the legacy of the region s historical experience with colonialism the book specifically addresses topics including territorial boundary disputes the law of the sea and maritime delimitation international law and colonialism responsibility to protect and international dispute resolution this volume provides perspectives on these issues from prominent asian legal scholars who analyze and discuss various ways in which international law and the international legal process can aid the resolution of these issues relevant to the region

Asian Approaches to International Law and the Legacy of Colonialism 2013

this thematic volume in the series studies in private international law asia outlines the general choice of law and recognition rules relating to family matters of 15 asian jurisdictions mainland china hong kong taiwan japan south korea singapore malaysia vietnam cambodia myanmar the philippines indonesia thailand sri lanka and india the book examines pressing questions and proposes ways in which their systems may be reformed a concluding chapter considers the extent to which asian cross border family law systems can and should be harmonised the book provides a comprehensive analysis of cross border family law challenges including child surrogacy child abduction the recognition of same sex unions the recovery of maintenance and the regulation of intercountry adoption these are among the matters now testing asian institutions of private international law and acting as forces for their modernisation with contributions by leading asian private international law experts the book proposes necessary reforms for each of the jurisdictions analysed as well as for asia as a whole

Asian Legal Systems 2002

the yearbook aims to promote research studies and writings in the field of international law in asia as well as to provide an intellectual platform for the discussion and dissemination of asian views and practices on contemporary international legal issues

Columbia Journal of Asian Law 2004

this book is a critical analysis of several of the most disaster prone regions in asia its unique focus is on the legal issues in the phase of disaster recovery the most lengthy and difficult stage of disaster response that follows the conclusion of initial emergency stage of humanitarian aid in the stage of disaster recovery the law decides the fate of reconstruction for the individual houses and livelihoods of the disaster affected people and sets the limit of governmental support for them during the lengthy period of suspension of normal living until full recovery is obtained researchers who were participant observers in the difficult recovery phase after the mega disasters in asia analyse the reality of the functions of law which often hinder rather than foster efforts to restore disaster victims lives the book collects research conducted with an emphasis on empirical approaches to legal sociology including direct interviews with people affected by the disaster it offers a holistic approach beyond the traditional sectionalism of legal studies by starting with a historical review and incorporating both spheres of public law and private law in order to obtain a new perspective that can concurrently achieve disaster risk reductions and human centered recoveries with particular emphasis on the unexplored area of law in the post disaster recovery phase this book will attract the attention of students and scholars of disaster studies legal studies asian studies as well as those who work in the practice of disaster management

Choice of Law and Recognition in Asian Family Law 2023-11-30

this is the first in a 4 volume set that provides the definitive account of the major issues of comparative constitutional law in 19 asian jurisdictions volume 1 explores the process and contents in the making of a new constitution the book provides answers to questions on the causes processes substance and implantation involved in making new constitutions such as what are the political social and economic factors that drive the constitution making how are constitutions made and who makes them what are the substantive contents of constitution making what kinds of legislation are enacted to implement constitutions how do courts enforce constitutions the book

considers the impact of decolonisation globalisation and social political dynamics which have led to the enactment of numerous independent constitutions in asia including vietnam 2013 nepal 2015 and thailand 2017 the jurisdictions covered include bangladesh cambodia china hong kong india indonesia japan malaysia mongolia myanmar nepal north korea the philippines singapore south korea sri lanka taiwan thailand and vietnam an essential reference for those interested in asian constitutional law

Asian Yearbook of International Law, Volume 23 (2017) 2019-12-16

the asian yearbook of international law is a major refereed publication dedicated to international law issues as seen primarily from an asian perspective this is the first publication of its kind edited by a team of leading international law scholars from across asia the asian yearbook of international law provides a forum for the publication of articles in the field of international law and other asian international law topics written by experts from the region and elsewhere its aim is twofold to promote international law in asia and to provide an intellectual platform for the discussion and dissemination of asian views and practices on contemporary international legal issues as a rule each volume of the asian yearbook normally contains articles notes a section on state practice an overview of the participation of asian countries in multilateral treaties a chronicle of events and incidents surveys of the activities of international organizations which have special relevance to asia such as a survey of the activities of the asian african legal consultative committee and book review bibliography and documents sections

Asian Law in Disasters 2016-05-20

Asian Comparative Constitutional Law, Volume 1 2023-05-18

Asian Yearbook of International Law, Volume 8 (1998-1999) 2020-01-29

The Australian Journal of Asian Law 2005

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