



College of Law

## International Law

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# INTERNATIONAL LAW

## Supplemental Bibliographic Workshop

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by

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### ***I. TREATY RESEARCH***

A treaty is defined as an international agreement concluded between two or more nations in written form and governed by international law. In the United States, the term treaty denotes an international agreement signed by the President and ratified by the Senate, in accordance to Article II, section 2 of the Constitution of the United States.

When researching a treaty, there are several questions to begin with. Did the U.S. sign it? Is it bilateral or multilateral? Do you have a citation? Are you trying to determine if a treaty exist? These questions will determine your starting point. If you are unable to provide an answer to these questions, you will need to consult one of the research guides listed below or speak to a reference librarian.

#### **A. General Research Guides**

Jill McC. Watson, ASIL Guide to Electronic Resources for International Law: Treaties (1997), <http://www.asil.org/resource/treaty1.htm>.

Lyonette Louis-Jacques, Fundamentals of Treaty Research (1998) <http://www.lib.uchicago.edu/~llou/treaties.html> .

Marci Hoffman, Researching U.S. Treaties and Agreements (2001) in LLRX.com (Sabrina I. Pacifici, ed., 1996) <http://www.llrx.com/features/ustreaty.htm> .

Stefanie Weigmann, Researching Non-U.S. Treaties and Agreements (2001) in LLRX.com (Sabrina I. Pacifici, ed., 1996) [http://www.llrx.com/features/non\\_ustreaty.htm](http://www.llrx.com/features/non_ustreaty.htm)

## B. Electronic Resources

Avalon Project at Yale Law School: Documents in Law, History, and Diplomacy (1996). <http://www.yale.edu/lawweb/avalon/avalon.htm> .

Full text documents from pre-18th century through 1999. Includes U.S. bilateral treaties from 1778-1929, U.S. multilateral treaties from 1864-1999, and treaties between the U.S. and Native Americans. Collection also contains a variety of international treaties.

Lexis (U.S. Treaties on Lexis) (Restricted Access) <http://www.lexis.com> (last visited June 23, 2006)

U.S. Treaties on LEXIS is a unique electronic compilation of full-text ratified and unratified treaties and international agreements, where the United States is a party or signatory. Includes Treaties and Other International Acts Series (T.I.A.S), US Treaties and Other International Agreements (U.S.T.), and Bevan's Treaties and Other International Agreements 1776-1949.

Fletcher School of Law & Diplomacy, Tufts University, The Multilaterals Project (1992). <http://fletcher.tufts.edu/multilaterals.html>

Provides texts of international multilateral conventions and other instruments. The collection includes treaties in the fields of environmental law, human rights, commerce and trade, laws of war and arms control, and other areas. The vast majority of texts date from the second half of this century, but the collection also includes historical texts, from the 1648 Treaty of Westphalia to the Covenant of the League of Nations.

Senate Treaty Documents. GPO Access. <http://www.gpoaccess.gov/serialset/cdocuments/index.html> (last visited June 23, 2006)

Available from the Government Printing Office, this site provides access to Senate Treaty Documents from 1995 to 2004. Accompanying messages from the President and the Secretary of State are included with the treaty text.

Thomas. <http://thomas.loc.gov/home/treaties/treaties.htm> (last visited June 23, 2006)

Available from the Library of Congress, this site provides the full text of treaties submitted to the United States Senate from 1995 to the present. Also provides the status of U.S. treaties from the 94th congress to the current session.

United Nations Treaty Collection. (Restricted Access) <http://untreaty.un.org/English/treaty.asp> (last visited June 23, 2006)

Includes online versions of the print publications: Multilateral treaties deposited with the Secretary-General, which incorporates the detailed status of over 485 multilateral treaties, and: (United Nations) Treaty series, which contains the texts of over 30,000 bilateral and multilateral treaties in their authentic language(s), along with a translation into English and French, as appropriate, for those treaties registered with the Secretariat. Also provides the status and text of multilateral treaties deposited with the Secretary-General.

Westlaw. U.S. Treaties and Other International Agreements. (Restricted Access) <http://www.westlaw.com> (last visited June 23, 2006)

Full text of international and American Indian treaties to which the U.S. government is a party. Coverage begins with 1778 (treaty of alliance with France) and includes international treaty materials published in Statutes at Large from 1778 (vol. 8) through 1949 (vol. 64); United States Treaties and Other International Agreements from 1950 (vol. 1) through 1984 (vol. 35, pt. 4); Treaties and Other International Acts Series beginning with 1984 (T.I.A.S. No. 10979); Senate Treaty Documents beginning with 1993 (S. Treaty Doc. No. 103-21); State Department documents beginning with 1989 (State Dep't No. 90-1); and American Indian treaties published in Statutes at Large from 1797 (vol. 7).

## **C. Print Resources**

### ***1. Treaties to which the United States is a Party.***

#### **a. Full Text**

United States Treaties and Other International Agreements (1952- ).  
Law Stacks KZ235.3 .U55

UST provides the full text of U.S. treaties from 1950 to present (publication is approximately 8 years behind schedule).

Treaties and other International Acts Series.  
Law Stacks KZ235.3 .U55

TIAS is the first official publication of U.S. treaties. They appear in this "slip" form and then eventually appear in bound volumes of the UST

United States Statutes At Large (1776-1950).  
Law Stacks KF50 .U52

The text of all U.S. treaties from 1776 through 1950 appears in this set. Volume 8 contains the text of all treaties from 1776 to 1845. From 1846 on, treaties were published in chronological order in the treaties section, which appears following the statutes in each volume. Volume 64 part 3 includes a list of all treaties and agreements in volumes 1-64. The list is arranged by country and then by topic.

Treaties and Other International Agreements of the U.S.A. 1776-1949 (Charles I. Bevans, ed., 1968-76).  
Law Stacks KZ236 1968 .A5

This set contains U.S. treaties from 1776 to 1949 (English only). Volumes 1-4 are multilateral treaties arranged chronologically; volumes 5-12 are bilateral treaties arranged by country; volume 13 indexes the set.

#### **b. Indexes**

United States Treaty Index 1776-1990 Consolidation, (Igor I. Kavass, ed., 1991).  
Law Stacks KZ235 .U58 1991

Treaties in Force (1944- ).  
Law Stacks KZ235 .T74 & available at [www.state.gov](http://www.state.gov)

### ***2. Treaties to which the United States is not necessarily a Party.***

### **a. Full Text**

United Nations Treaty Series (1947- ). Law Intern'l KZ172 .T74 & available at <http://untreaty.un.org/English/access.asp>  
Law Stacks KZ172 .T74

This comprehensive treaty series began in 1946 and contains the text of all treaties registered with the U.N. Secretariat. Texts are given in their official languages and in English and French.

American Society of International Law. International Legal Materials. (1962 – ).  
Location: Law Intern'l KZ64.I58.  
Law Stacks KZ64 .I58

Contains the text of many important treaties soon after they appear. Also provides useful background information to the researcher.

League of Nations Treaty Series (Harrison and Sons, 1920-1946). 205 v.  
Location: SW Depository JX170 .L4 & Langsam Storage JX170.L4  
& available at <http://untreaty.un.org/English/treaty.asp>.

Provides the text of treaties filed with the League's Secretariat. English and French translations accompany reprints of the official texts.

Consolidated Treaty Series (Clive Parry, ed. 1969). 231 v. Location: Law Intern'l KZ120 .P35

Treaty text is reprinted in the language of one of the signatories and is often accompanied by a French or English translation.

### **b. Indexes**

M.J. Bowman & D.J. Harris, Multilateral Treaties: Index and Current Status (Butterworths, 1984). Supplement 1995. Law Reference KZ118 .B68 1984.

Vaclav Mostecky & Francis R. Doyle, Index to Multilateral Treaties (1965).  
Law Stacks KZ173 .H35 1965

United Nations Treaty Index  
<http://untreaty.un.org/English/access.asp>

### **D. Status of Treaties**

M.J. Bowman & D.J. Harris, Multilateral Treaties: Index and Current Status (Butterworths, 1984). Supplement 1995. Law Reference KZ118 .B68 1984.

Igor I. Kavass and Adolph Sprudz. A Guide to the United States Treaties in Force. (Hein, 1983- ). Location: Law Intern'l KZ235 .G85. & Langsam Reference JX236.5.G84.

Paul Irwin, Index-Guide to Treaties: Based on the Consolidated Treaty Series (Oceana Publications, 1979- ). Location: Law Intern'l KZ120 .P352.

Multilateral Treaties Deposited with the Secretary-General (United Nations, 1982- ). Location: Intern'l KZ171 .M86

Treaties in Force: A List of Treaties and Other International Acts of the United States in Force (1944- ). Location: Law Intern'l KZ235 .T74, 1968, 1970, 1972, 1980- . & Langsam S 9.14: 1941,1955-1956,1958- . & available at <http://permanent.access.gpo.gov/lps4127/> 1997- . & <http://www.state.gov/s/l/c8455.htm> latest year only.

## **II. INTERNATIONAL ORGANIZATIONS**

### **A. The United Nations (UN)**

#### **1. Online**

The UN supports an enormous network of interconnected web sites. Each of its main organs has its own site with access to its own documents:

- General Assembly (<http://www.un.org/ga/60/> (last visited June 20, 2006)),
- Security Council (<http://www.un.org/Docs/sc/> (last visited June 23, 2006)),
- Economic and Social (<http://www.un.org/docs/ecosoc/> (last visited June 23, 2006))
- Trusteeship Council (<http://www.un.org/documents/tc.htm> (last visited June 23, 2006)),
- Secretariat (<http://www.un.org/documents/st.htm> (last visited June 23, 2006)),
- International Court of Justice (<http://www.icj-cij.org/> (last visited June 23, 2006))

The Documentation Centre (<http://www.un.org/documents/> (last visited June 23, 2006)) provides one page from which one can go to the home page of each of the major bodies, the documents of each body organized by type of document, and the major bibliographic and full-text databases of UN documents. These include the following:

- UNBISnet (<http://unbisnet.un.org/> (last visited June 23, 2006))
- Documents Research Guide (<http://www.un.org/Depts/dhl/resguide/> (last visited June 26, 2006))
- UNPulse (<http://unhq-appspub-01.un.org/lib/dhlrefweblog.nsf/dx/about.htm> (last visited June 26, 2006))
- UN-I-QUE (<http://lib-unique.un.org/lib/unique.nsf> (last visited June 26, 2006))
- UN Webcasts (<http://www.un.org/webcast/index.asp> (last visited June 26, 2006))
- The Dag Hammarskjold Library (<http://www.un.org/Depts/dhl/> )
- Official Document System (ODS) (last visited June 26, 2006)) (<http://documents.un.org/welcome.asp?language=E> (last visited June 26, 2006))

UNBISnet is the bibliographic information system of the Dag Hammarskjold Library. It includes the catalog of the collections of both the Dag Hammarskjold Library and the Library of the UN Office at Geneva, voting records for all resolutions, and an index to speeches. The Documents Research Guide is an explanation of the organization, bibliographic access, and types of UN documents. It includes links to all the important databases. UN Pulse is an online updating service for important UN events and documents. UN-I-QUE is a database of bibliographic records for documents of a recurrent nature, such as annual and irregular reports, conference reports, etc. Its records include a list of all issues of

each series. The ODS is the largest and most comprehensive online repository of UN documents. Its introduction explains its scope as follows:

ODS covers all types of official United Nations documentation, beginning in 1993. Older UN documents are, however, added to the system on a daily basis. ODS also provides access to the resolutions of the General Assembly, Security Council, Economic and Social Council and the Trusteeship Council from 1946 onwards. The system does not contain press releases, UN sales publications, the United Nations Treaty Series or information brochures issued by the Department of Public Information.

## **2. Microforms**

One must use the microform and hard-copy collections at the UC Law Library to locate many documents that are older than 1993. The UC Law Library receives the Law Library Collection of UN documents from Readex on microfiche. This collection includes "...official records and working documents from five of the six principal organs (Secretariat publications not included)." In addition the collection includes three optional segments: human rights, trade and development, and disarmament. Although the subscription to this collection began in 1981, the human rights segment goes back to 1946. The collection includes the complete UN Treaty Series, the documents of the International Court of Justice, and the Official Records of the General Assembly, the Security Council, and the Economic and Social Council.

For more information on locating UN documents see Ron Jones's Quick Guide to UN Documents (<http://www.law.uc.edu/library/undocsys.pdf> (last visited June 26, 2006)).

## **B. The European Union (EU)**

The EU has been called a supra-national organization because it resembles both an international organization and a nation. It exercises some of the powers of sovereignty that have been voluntarily relinquished to it by its members. The Council of the European Union consists of the representatives of the governments of the member nations. The Parliament consists of representatives directly elected by the people of all the EU nations. The Parliament and the Council share the responsibility for passing legislation. The laws are implemented by the European Commission and applied by the Court of Justice.

The EU has an excellent website named Europa ([europa.eu.int](http://europa.eu.int) (last visited June 26, 2006)). Europa has sections for each of the major bodies of the EU. The most important follow:

- The European Parliament ([http://www.europarl.eu.int/news/public/default\\_en.htm](http://www.europarl.eu.int/news/public/default_en.htm) (last visited June 26, 2006))
- The Council of the European Union (<http://ue.eu.int/showPage.ASP?lang=en> (last visited June 26, 2006))
- The European Commission ([http://www.europa.eu.int/comm/index\\_en.htm](http://www.europa.eu.int/comm/index_en.htm) (last visited June 26, 2006))
- The Court of Justice (<http://curia.eu.int/en/index.htm> (last visited June 26, 2006))

The European Court of Justice will be described in more detail below.

The UC Libraries do not collect EU paper documents systematically, but both the Law and Langsam Libraries have some of their documents in their paper collections. Use UCLID to find out what is available and where. Search for European Union as an author.

### **C. The Organization of American States (OAS)**

The role of the OAS in the Western Hemisphere is not comparable to the role the EU plays in Europe or even the role the UN plays in the world. Its main organs are the General Assembly, a Permanent Council, and a Secretary General. The General Assembly is "the supreme organ" of the OAS; all member nations are represented in the General Assembly. A second organ, the Meeting of Consultation of Ministers of Foreign Affairs, appears to function partially as an organ and partially as an event. Its purpose is "to consider problems of an urgent nature and of common interest to the American States, and to serve as the Organ of Consultation." The Permanent Council consists of ambassadors of the member states and reports to the General Assembly. It has the responsibility to keep peace among the members, carry out the decisions of the General Assembly, to oversee the standards of the work of the General Secretariat, to draft treaties, and to submit recommendations to the General Assembly. Like the Permanent Council, the Inter-American Council for Integral Development consists of representatives of the member states and reports to the General Assembly. Its function is "to promote cooperation...for the purpose of...helping to eliminate extreme poverty...especially...with respect to the economic, social, educational, cultural, scientific, and technological fields." The General Secretariat is the executive organ of the OAS; it carries out the decisions of the General Assembly and the other organs.

The OAS's website (<http://www.oas.org/main/english/> (last visited June 26, 2006)) is not as extensive as that of the UN or the EU, but is attractive, functional, and well organized. It provides both retrospective and current OAS publications and documents. It includes treaties, for example, from 1948 to 2002. The homepage provides links to an explanation of the structure of the organization (<http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/documents/eng/structure.asp> (last visited June 26, 2006)) and OAS documents (<http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/documents/eng/documents.asp> (last visited June 26, 2006)). The OAS has one court, the Court of Human Rights, which has a website (<http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/documents/eng/structure.asp> follow "Inter-American Court of Human Rights" link (last visited June 26, 2006)) that is described below.

### **D. African Union (AU) and Organization of African Unity (OAU) Documents**

The African Union is the successor to the Organization of African Unity, which dissolved itself on July 9, 2002. The UC Libraries have no documents from the AU and very few from the OAU. Those that we do have are in the Law and Langsam Libraries' paper collections. Use UCLID to find out what is available and where. Search for Organization of African Unity as an author.

The African Union has an inchoate web site (<http://www.africa-union.org/> (last visited June 26, 2006)). Although the web site has little on it now, the fact that the organization started the site at its birth gives it the potential to collect all the organization's documents in one universally available place.

## E. The World Trade Organization (WTO)

The WTO was created in 1995 to provide a forum for the negotiation of agreements to regulate trade, to resolve disputes among members, and to impose sanctions. Its highest authority is the Ministerial Conference, which must meet at least once every two years. The Ministerial Conference can make decisions on any topic that the WTO may address. Below it is the General Council, which "acts on behalf of the Ministerial Conference on all WTO affairs." It meets as itself, as the Dispute Settlement Body, and as the Trade Policy Review Body "to oversee procedures for settling disputes between members and to analyse members' trade policies."

### 1. Online

The WTO has a good website (<http://www.wto.org/index.htm> (last visited June 26, 2006)). The Documents Gateway ([http://www.wto.org/english/docs\\_e/docs\\_e.htm](http://www.wto.org/english/docs_e/docs_e.htm) (last visited June 26, 2006)) provides direct access to existing agreements, the Documents Online ([http://docsonline.wto.org/gen\\_home.asp?language=1&\\_ =1](http://docsonline.wto.org/gen_home.asp?language=1&_ =1) (last visited June 26, 2006)) menu for accessing all other types of documents, and the GATT archive at Stanford (<http://gatt.stanford.edu/page/home> (last visited June 26, 2006)). "Documents Online [[http://docsonline.wto.org/gen\\_home.asp?language=1&\\_ =1](http://docsonline.wto.org/gen_home.asp?language=1&_ =1) ] is a separate facility from the main [www.wto.org](http://www.wto.org) website, so runs in its own browser window and has its own search engine." Documents Online is the place to begin a search for any WTO document.

WTO Legal Texts ([http://www.wto.org/english/docs\\_e/legal\\_e/legal\\_e.htm](http://www.wto.org/english/docs_e/legal_e/legal_e.htm) (last visited June 26, 2006)) including:

- The Uruguay Round Final Act ([http://www.wto.org/english/docs\\_e/legal\\_e/03-fa\\_e.htm](http://www.wto.org/english/docs_e/legal_e/03-fa_e.htm) (last visited June 26, 2006))
- The WTO Agreement ([http://www.wto.org/english/docs\\_e/legal\\_e/04-wto\\_e.htm](http://www.wto.org/english/docs_e/legal_e/04-wto_e.htm) (last visited June 26, 2006))
- Multilateral Agreements on Trade in Goods ([http://www.wto.org/english/docs\\_e/legal\\_e/05-anx1a\\_e.htm](http://www.wto.org/english/docs_e/legal_e/05-anx1a_e.htm) (last visited June 26, 2006))
- General Agreement on Trade in Services (GATS) ([http://www.wto.org/english/docs\\_e/legal\\_e/26-gats\\_01\\_e.htm](http://www.wto.org/english/docs_e/legal_e/26-gats_01_e.htm) (last visited June 26, 2006))
- Trade Related Aspects of Intellectual Property Rights (TRIPS) ([http://www.wto.org/english/docs\\_e/legal\\_e/27-trips\\_01\\_e.htm](http://www.wto.org/english/docs_e/legal_e/27-trips_01_e.htm) (last visited June 26, 2006))
- Understanding on Commitments in Financial Services ([http://www.wto.org/english/docs\\_e/legal\\_e/54-ufins\\_e.htm](http://www.wto.org/english/docs_e/legal_e/54-ufins_e.htm) (last visited June 26, 2006))
- Ministerial Declaration on Trade in Information Technology Products ([http://www.wto.org/english/docs\\_e/legal\\_e/legal\\_e.htm](http://www.wto.org/english/docs_e/legal_e/legal_e.htm) (last visited June 26, 2006))

Some of the important detailed schedules follow:

- Countries Schedules of Commitments – Goods ([http://www.wto.org/english/tratop\\_e/schedules\\_e/goods\\_schedules\\_e.htm](http://www.wto.org/english/tratop_e/schedules_e/goods_schedules_e.htm) (last visited June 26, 2006))

- Countries Schedules of Commitments – Services (<http://tsdb.wto.org/wto/WTOHomepublic.htm> (last visited June 26, 2006))
- Dispute Settlement documents can be found at ([http://www.wto.org/english/tratop\\_e/dispu\\_e/dispu\\_e.htm](http://www.wto.org/english/tratop_e/dispu_e/dispu_e.htm) (last visited June 26, 2006))

## **2. Paper**

To locate WTO documents at UC do an author search in UCLID on World Trade Organization. Although we have only a handful of them, they are well selected. Among them are the following:

World Trade Organization. A Handbook on the WTO Dispute Settlement System. (2004). K4610.W67 2004

World Trade Organization Dispute Settlement Decisions: Bernan's Annotated Reporter. (1998- ). K4600.W67

World Trade Review. (2002- ). <http://journals.ohiolink.edu/cgi-bin/sciserv.pl?collection=journals&journal=14747456>

## **F. The Hague Conference on Private International Law**

Private international law connotes situations in which the rule of law applicable to a litigation has an international component that results in a conflict between the relevant state's domestic law and international law. It is more properly called conflict of laws. The Hague Conference has attempted since 1893 to harmonize the domestic laws of member states to minimize conflicts of law. It's 65 members are from every continent except Antarctica. Since 1954 it has promulgated 36 treaties that cover such topics as civil procedure, international sale of goods, child support, choice of court, traffic accidents, and product liability.

The Hague Conference's website is excellent. It has the full text of all the treaties, a list of members, handbooks, guides, proceedings of the diplomatic sessions, and works in progress.

([http://www.hcch.net/index\\_en.php](http://www.hcch.net/index_en.php) (last visited June 26, 2006))

# **III. CASES OF INTERNATIONAL TRIBUNALS**

## **A. International Court of Justice (ICJ)**

The International Court of Justice is the judicial arm of the United Nations. It has jurisdiction over disputes between states members of the UN that consent to its jurisdiction. It has an excellent web site ([www.icj-cij.org](http://www.icj-cij.org) (last visited June 29, 2006)) that contains all of its published documents including:

- The Statute of the Court (<http://www.icj-cij.org/icjwww/ibasicdocuments/ibasicstatute.htm> (last visited June 29, 2006));

- Rules of Court ([http://www.icj-cij.org/icjwww/basicdocuments/basictext/basicrulesofcourt\\_20050405.htm](http://www.icj-cij.org/icjwww/basicdocuments/basictext/basicrulesofcourt_20050405.htm) (last visited June 29, 2006));
- Docket (<http://www.icj-cij.org/icjwww/idocket.htm> (last visited June 29, 2006));
- Decisions (<http://www.icj-cij.org/icjwww/idecisions.htm> (last visited June 29, 2006));
- Judgments, Advisory Opinions, and Orders; Pleadings, Oral Arguments, Documents; and Acts (<http://www.icj-cij.org/icjwww/ipublications.htm> (last visited June 29, 2006)).

This site also includes the publications of the ICJ's predecessor, the Permanent Court of International Justice (1922-1946). The UC Law Library has ICJ documents in its paper collections. Use UCLID to find out what is available and where. Search for Permanent Court of International Justice as an author. Each case can also be found in the catalog under its title, e.g., North Sea Continental Shelf Cases. The following are the titles of some of the major series:

Bibliography of the International Court of Justice. (CIJ, 1966- ). Location: LANGSAM Z6464.Z9 H38. no. 1-50.

Pleadings, Oral Arguments, Documents of the International Court of Justice.

These are not classified as a series. Each volume has its own call number, but those call numbers make a sequence. So they are all shelved together in one place. Searching UCLID by the name of the series (Pleadings....) will result in a list of the volumes that the Law Library owns.

Reports of Judgments, Advisory Opinions and Orders of the International Court of Justice. (1947-1955, 1957-1992, 1995- ). Location: LAW Intern'l KZ214 .A244.

Summaries of Judgments, Advisory Opinions, and Orders of the International Court Of Justice. (United Nations, 1992- ). Location: LAW Intern'l KZ213 .S86. 1948-2002.

## **B. Permanent Court of International Justice (PCIJ)**

The PCIJ was the judicial arm of the League of Nations. Its decisions are on the ICJ web site under Decisions. The UC Law Library has PCIJ documents in its paper and microform collections. Use UCLID to find out what is available and where. Search for Permanent Court of International Justice as an author. The following are the titles of some of the major series.

Publications P.C.I.J. 1922 - 1940 (ser. A – F) No. 1 - 24. Location: Law microforms Film 18 reel 1 – 24.

Judgments P.C.I.J. (ser. A.) No. 1 – 24. Location: Law Intern'l KZ 208 P47.

Judgments, Orders and Advisory Opinions P.C.I.J. (ser. A./B.) No. 1 - 80. Location: Law Intern'l KZ208 .P477.

The Law Library has 1931-1940 No. 40 – 68, 70 – 80.

Collection of Advisory Opinions 1920 – 1945 P.C.I.J. (ser. B) No. 1 – 18. Location: Law Intern'l KZ208 .P472 Ser.B.

The Law Library has 1922-1930.

Publications of the Permanent Court of International Justice: Acts and Documents Relating to Judgements and Advisory Opinions Given by the Court, Series C, no. 1 – 19-5, 52-88. (1922-1930). Location: Law Intern'l KZ210 .P47 Ser.C.

Publications of the Permanent Court of International Justice, Series D, (3rd ed., 1936). Location: Law Intern'l KZ6263 .D445 1936.

### **C. The Court of Justice of the European Communities**

This is the judicial arm of the EU. It adjudicates disputes that arise under any of the EU treaties. This includes cases from the national courts of the member states, cases involving the limits of the powers of the organs of the EU, requests for preliminary rulings (advisory opinions) from other organs of the EU, cases involving the legality of international agreements under the EU Treaties, and cases involving the staff of the EU. At the heart of the Court's jurisdiction is judicial review of EU treaties, legislation, and administrative acts and review of member states' adherence to their rules.

The Court has 25 Judges and 8 Advocates General. The Judges are appointed for renewable terms of six years and elect the President of the Court from among their number. "The Court of Justice may sit as a full Court, in a Grand Chamber (13 Judges) or in chambers of three or five Judges."

The Court of First Instance is part of the Court of Justice. It has its own judges and its own areas of jurisdiction. The two courts interact as needed. A decision may be appealed from the Court of First Instance to the Court of Justice. The two Courts may have separate cases that have the same parties and depend on the same facts, but deal with different legal issues. The Court of Justice may refer a case that was originally, but mistakenly, brought to it to the Court of First Instance.

#### **1. Online**

The Court has an excellent website (<http://www.curia.eu.int/> (last visited June 29, 2006)), which contains the following:

- Description of the Court's organization, jurisdiction, and procedure [http://www.curia.eu.int/en/instit/presentationfr/index\\_cje.htm](http://www.curia.eu.int/en/instit/presentationfr/index_cje.htm) last visited June 29, 2006).
- Texts Governing Procedure <http://www.curia.eu.int/en/instit/txtdocfr/index.htm> last visited June 29, 2006).
- Statute of the Court <http://www.curia.eu.int/en/instit/txtdocfr/txtsenvigreur/statut.pdf> (last visited June 29, 2006).
- Case Law <http://www.curia.eu.int/en/content/juris/index.htm> (last visited June 29, 2006))
- Digest of Case Law <http://www.curia.eu.int/en/content/juris/index.htm> (last visited June 29, 2006).

EUR-Lex <http://europa.eu.int/eur-lex/lex/> (last visited June 29, 2006) "...provides direct free access to European Union law. The system makes it possible to consult the Official Journal of the European Union and it includes inter alia the treaties, legislation, case-law and legislative proposals. It offers extensive search facilities."

## **2. Paper**

Court of Justice of the European Communities, Reports of Cases before the Court (1983-98). Location: LAW Stacks KJE924.5 .R47.

L. Neville Brown & Tom Kennedy, The Court of Justice of the European Communities (5<sup>th</sup> ed., 2000). Location: LAW Stacks KJE5461 .B76 2000.

This is an excellent, comprehensive description of all aspects of the Court's organization and operation.

## **D. European Court of Human Rights (ECHR)**

This court was founded to hear cases under the European Convention on Human Rights

(<http://www.echr.coe.int/ECHR/EN/Header/Basic+Texts/Basic+Texts/The+European+Convention+on+Human+Rights+and+its+Protocols> (last visited June 29, 2006)), which is one of the major treaties of the European Union. Its web site (<http://www.echr.coe.int> (last visited June 29, 2006)) contains the following:

- The Convention  
<http://www.echr.coe.int/ECHR/EN/Header/Basic+Texts/Basic+Texts/The+European+Convention+on+Human+Rights+and+its+Protocols> (last visited June 29, 2006),
- The Rules of Court  
<http://www.echr.coe.int/ECHR/EN/Header/Basic+Texts/Basic+Texts/The+European+Convention+on+Human+Rights+and+its+Protocols> (last visited June 29, 2006),
- Judgments and Decisions from 1999 to the present  
<http://www.echr.coe.int/ECHR/EN/Header/Case-Law/Case-law+information/Lists+of+judgments> (last visited June 29, 2006),
- A page for searching cases  
<http://cmiskp.echr.coe.int/tkp197/search.asp?skin=hudoc-en> (last visited June 29, 2006), and other general information.

The UC Law Library has the following series in paper:

Judgments and Decisions of the European Court of Human Rights: Series A, (1962- ). Location: Law Morgan Hum Rts KJC5132.A52 E88.

The Law Library has volumes 1-245; v.251; v.254-304,306-333,335-338.

Pleadings, Oral Arguments, and Documents of the European Court of Human Rights: Series B, (1967- ). Location: Law Morgan Hum Rts KJC5132.A52 E882.

## **E. The Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights**

The OAS provides two separate entities to deal with violations of the American Convention on Human Rights and related treaties. The IACHR accepts petitions from individuals and makes general assessments of the human rights situation in OAS countries. It published reports of both specific cases and general condition of human rights in various countries. It may also request that the Court issue "provisional measures in urgent cases which involve danger to persons, even where a case has not yet been submitted to the Court."

(<http://www.cidh.org/what.htm> (last visited June 30, 2006)) It also may submit a case to or request an advisory opinion from the Court. The Law Library has some of the IACHR's publications. Look for them under "Inter-American Commission on Human Rights" as an author in UCLID. Our collection has only two significant series in paper:

Actas y Documentos of the OAS General Assembly (1978 – 1985).  
Location: LAW Morgan Hum Rts F1402 .A162 OEA/Ser.P

Annual Report - Inter-American Commission on Human Rights (1978 – 2003). Location: LAW Morgan Hum Rts KDZ578 .I5A72

The IACHR's web site contains documents that go back to at least 1970 including the following:

- Annual Reports <http://www.cidh.org/annual.eng.htm> (last visited June 30, 2006).
- Special Reports <http://www.cidh.org/pais.eng.htm> (last visited June 30, 2006).
- Published Cases <http://www.cidh.org/casos.eng.htm> (last visited June 30, 2006).
- Rapporteurs' Reports  
<http://www.cidh.org/Migrantes/defaultmigrants.htm> (last visited June 30, 2006).
- Responses of States to Recommendations of the IACHR  
<http://www.cidh.org/resp.eng.htm> (last visited June 30, 2006).

The Court, on the other hand, only hears cases brought by states parties to the Convention  
(<http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/documents/eng/structure.asp> (last visited June 29, 2006)). Its seven judges are elected by the OAS General Assembly; five of them constitute a quorum.

The Law Library has a few of the Court's documents and publications in paper. Search for them under "Inter-American Court of Human Rights" as an author in UCLID. Among them are the following series:

Annual Report of the Inter-American Court of Human Rights (1981 – 2004).  
Location: LAW Morgan Hum Rts KDZ579 .I5A72

Decisions and judgments of the Organization of American States, Inter-American Court of Human Rights -- Series C (1994, 1999 – 2002). Location: LAW Morgan Hum Rts KDZ574 .I58 Ser.C

All of the Court's publications are available, however, on its web site (<http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/documents/eng/structure.asp> hyperlink; then follow "Inter-American Court of Human Rights" hyperlink (last visited June 29, 2006)). A button at the bottom of the page allows the user to switch between English and Spanish. The site includes the following materials:

General Information  
History  
Composition of the Court  
Internship and Employment Opportunities

Rules of Procedure  
Statute  
Petition Form

Jurisprudence  
Decisions and Judgments  
Advisory Opinions  
Provisional Measures  
Supervision of Compliance of Judgments  
Jurisprudence by Country

## **F. Multiple Sources**

Butterworths Human Rights Cases (1997 – ). Location: Law Morgan Hum Rts K3239.23.B88.

This set publishes cases from both international and national tribunals world wide that affect principals of human rights. It covers all the continents quite evenly. Each volume contains a list of cases reported, a list of legislation and other primary sources considered, and cases judicially considered.

International Law Reports (1919 – ). Location: Law Intern'l JX68.A5.

The Editorial Note says that the ILR "...endeavour[s] to provide within a single series of volumes comprehensive access in English to judicial materials bearing on public international law." It tries to publish "...the available decisions of every international tribunal and...all national jurisdictions which have some bearing on international law..." including a few human rights decisions of national courts and international arbitrations. In the early years it published only a summary of the facts and the holding of each case. Now it publishes whole judgments except parts that have nothing to do with public international law. At the end of each case is a citation to the original source of the text of the judgment.

American Society of International Law, International Legal Materials (1962 – ). Location: Law Intern'l KZ64.I58.

This series reprints selected judicial, legislative, and administrative materials of all types of both international and municipal bodies. It is available on Lexis in full text.

Bimal N. Patel, The World Court Reference Guide: Judgments, Advisory Opinions and Orders of the Permanent Court of International Justice and the International Court of Justice (1922-2000) (2002).

This one volume is a guide to 79 cases and advisory opinions of the PCIJ and 98 cases and 23 advisory opinions of the ICJ. Although most of the cases have final judgments, a few are still not complete. It gives a long list of types of information in each entry, e.g., title, citation, claim, grounds for jurisdiction, list of rules involved, dates of oral argument, and judgment.

## ***IV. Foreign Law***

## **A. Constitutions**

Constitutions of the Countries of the World: A Series of Updated Texts, Constitutional Chronologies and Annotated Bibliographies, (A.P. Blaustein and G.H. Flanz, 1971- ). Location: Law K3157 .A2 B62.

The Law Library's paper copy has not been updated since August 2003. The web resource is only accessible to subscribers. Anyone affiliated with UC can access it from a terminal at UC, through UC's internet access from home, or through the proxy server. Search "ccw" as a title in UCLID. The record has a link. Each constitution is in English or has an authoritative English translation.

University of Richmond's Constitution Finder <http://confinder.richmond.edu/> (last visited June 30, 2006).

The introduction says, "This index offers constitutions, charters, amendments, and other related documents. Nations of the world are listed alphabetically, and each is linked to its constitutional text posted somewhere on the Internet."

## **B. Municipal Courts**

It is not unusual for national courts to use international law in settling disputes. The UC Law Library has several series that publish the cases of national courts that use international law as well as cases of international tribunals.

Butterworths Human Rights Cases (1997 – ). Location: Law Morgan Hum Rts K3239.23.B88.

This set publishes cases from both international and national tribunals world wide that affect principals of human rights. It covers all the continents quite evenly. Each volume contains a list of cases reported, a list of legislation and other primary sources considered, and cases judicially considered.

International Law Reports. (1919 – ). Location: Law Intern'l JX68.A5.

This series publishes decisions of national courts that deal with major points of human rights law or that "are a matter of wider interest to public international lawyers." In the early years it published only a summary of the facts and the holding of each case. Now it publishes whole judgments except parts that have nothing to do with international law. At the end of each case is a citation to the original source of the text of the judgment.

American Society of International Law, International Legal Materials (1962 – ). Location: Law Intern'l KZ64.I58.

This series reprints selected judicial, legislative, and administrative materials of all types of both international and municipal bodies. It is available on Lexis in full text.

## **C. All Other**

The Law Library systematically collects the law of England and Canada and has some primary sources from other European countries. It only has secondary sources of other countries' law. Much more foreign law is available on the web than in the Law Library's paper collection. The sites listed below are a selection of those.

## **1. General**

Government Gazettes Online <http://www.lib.umich.edu/govdocs/gazettes/> (last visited June 30, 2006).

Governments on the WWW <http://www.gksoft.com/govt/en/> (last visited June 30, 2006).

This site provides links to all the divisions of every government that has a web site.

Harvard Law School's Guide to Researching Foreign Law on the Internet [http://www.law.harvard.edu/library/services/research/guides/international/web\\_resources/internet\\_foreign\\_law.php](http://www.law.harvard.edu/library/services/research/guides/international/web_resources/internet_foreign_law.php) (last visited June 30, 2006).

Library of Congress: Guide to Law Online: Nations of the World <http://www.loc.gov/law/guide/nations.html> (last visited June 30, 2006).

Northwestern University Library: International Documents: Foreign Governments <http://www.library.northwestern.edu/govpub/resource/internat/foreign.html> (last visited June 30, 2006).

Social Science Information Gateway <http://www.sosig.ac.uk/roads/subject-listing/World-cat/juris.html> (last visited June 30, 2006).

University of Houston Law Center: Foreign Primary Law on the Web <http://www.law.uh.edu/libraries/fi/foreignlaw.html> (last visited June 30, 2006).

World Law Institute <http://www.worldlii.org/catalog/215.html> (last visited June 30, 2006).

## **2. Reference Works**

Ralph Gaebler, Amber Lee Smith & Maria Smolka-Day. Sources of State Practice in International Law (2005- ). Location: LAW Reference KZ64 .S67

This new loose-leaf consists of substantial bibliographies and bibliographic essays on state practice in international law of 17 countries. Thirteen of these are European while the rest are former British colonies: Australia, South Africa, and the United States. The final chapter is entitled Multi-jurisdictional Collections by Subject and covers international organizations and treaty regimes such as the UN and foreign investment. It lists substantive monographs and treatises, reprints and indexes of primary documents, and bibliographies of both primary and secondary documents. It covers all areas of practice. The authors plan on extending it to other countries in the future.

International Encyclopedia of Comparative Law (Konrad Zweigert & Ulrich Drobnig eds., 1973- ). Location: LAW K530 .I57. Law has all of v. 1, and parts of 2-4, and 6-17.

This massive encyclopedia has been published over such a long time that the early fascicles are out-of-date. Although it is still being published, we have only the early parts. They are, nevertheless, still useful for the periods that they cover. Volume 1 contains descriptions of the legal systems of "more than 150" countries. Each article describes the constitutional system, sources of law, historical evolution of private and commercial law, private law, commercial law, state

direction of trade, industrial property rights and copyright, principles of judicial procedure in civil and commercial cases, private international law and international law of procedure, and a selective bibliography. The section on sources of law gives all the necessary information for citation or interlibrary loans. The choice of the languages used is not clear. It appears that titles in European languages are given in those languages, but titles in less common European and non-European languages are transliterated into Latin characters. Other volumes compare legal systems in certain subject areas such as persons and family, restitution, and civil procedure.

Modern Legal Systems Cyclopedia (Kenneth Robert Redden & Linda L. Schlueter eds., 1984- ). Location: LAW Reference K530 .M62 1984.

This work now has 21 volumes and is constantly being revised. The articles do not seem to follow a uniform outline; articles on different countries may cover very different topics or the same topics. Its primary purpose is to explain the structure and workings of the legal system of countries, regional and sub-regional organizations, and a few topics that cut across geography such as ecclesiastical law, rabbinical law, Islamic law, the law of the sea, the bibliography of Latin American law, and human rights systems. Some of these articles will mention the major legal publications in the course of describing legal institutions and some will have bibliographies at the end.

Thomas H. Reynolds & Arturo A. Flores, *Foreign Law: Current Sources of Codes and Legislation in Jurisdictions of the World* (1989- ). Location: LAW Reference K38 .R49 1989.

This loose-leaf provides references to the sources of law of the countries of the world. It is arranged alphabetically by the name of the country or, in some cases, regional international organization. Each article contains a history of the country's legal system; a list of the major publications (e.g. codifications, gazette, session laws, and court reports); and a listing by subject of the laws on those subjects. Use it to confirm a citation to a foreign law before requesting it over ILL.

## ***V. UNITED STATES PRACTICE IN INTERNATIONAL LAW***

### **A. DIGEST OF US PRACTICE IN INTERNATIONAL LAW**

Francis Wharton, *A Digest of the International Law of the United States, Taken from Documents Issued by Presidents and Secretaries of State, and from Decisions of Federal Courts and Opinions of Attorneys-General* (2d ed. 1887). Location: LANGSAM Stacks JX237 .W5 1887

John B. Moore & Francis Wharton, *A Digest of International Law as Embodied in Diplomatic Discussions, Treaties and Other International Agreements, International Awards, the Decisions of Municipal Courts, and the Writings of Jurists* (1906). Location: KZ237.7 .M62

Office of the Legal Adviser, Department of State, United States, *Digest of United States Practice in International Law* (1974-1986). Location: S 7.12/3:. and KZ21 .R68. Covers 1973-80

Marian L. Nash, *Cumulative Digest of United States Practice in International Law* (1993-1995). Location: S 7.12/3:. LANGSAM Reference JX21 .U5 1981/88 .

Office of the Legal Adviser, Department of State, United States, Digest of United States Practice in International Law (2001- ). Location: KZ21 .R68, 1989 - present and available at <http://www.state.gov/s/l/c8183.htm>

## **B. LEGISLATION**

Igor I. Kavass & Michael J. Blake, United States Legislation on Foreign Relations and International Commerce: A Chronological and Subject Index of Public Laws and Joint Resolutions of the Congress of the United States (1977- 1997). Location: LAW Stacks KF4650 .A3.

International Human Rights Law Group, U.S. Legislation Relating Human Rights to U.S. Foreign Policy (4th ed., 1991- ). Location: LAW Morgan Hum Rts KF4650 .A3 1991 LIB USE ONLY.

Staff of the Senate Committee on Foreign Relations and the House of Representatives Committee on International Relations, 95<sup>th</sup> - Cong., Legislation on Foreign Relations (Comm. Print 1977- ). Location: Y 4.F 76/2:L 52/; Y 4.F 76/2-10: . LAW Microforms Y 4.F 76/2-10: LIB USE ONLY

Legislative Review Activities of the Committee on Foreign Affairs, H. R. Rep. No. 95-1824, 101-1016, 102-1079, 103-880, 107-803, 108-809 (1980- ). Location: Y 1.1/8: .

Legislative Review Activities of the Committee on International Relations United States, Hearing before the H. Committee on International Relations, 107<sup>th</sup> Cong., (1997). Location: Y 1.1/8: . LAW Microforms Y 1.1/8: 107-803 LIB USE ONLY.

## **C. RESTATEMENTS**

American Law Institute, Restatement of the Law, Second: Foreign Relations Law of the United States (1965). Location: KF4651. A75 1965

American Law Institute, Restatement of the Law, Third, Foreign Relations Law of the United States (rev. and enl. ed. 1987). Location: LAW MAIN KF4651 .R47.

## **D. STATE DEPARTMENT PUBLICATIONS**

Bureau of Public Affairs, Department of State, United States, US Department of State Dispatch (1990-99). Location: S 1.3/5: and KZ231.U83 1990-99.

Office of the Historian, Department of State, United States, American Foreign Policy: Current Documents (1984- ). Location: KZ231 .A437 1990

Office of Media Services, Department of State, United States, The Department of State Bulletin (1939-1989). Location: KZ231 .U83

Department of State, United States, Foreign Affairs Manual. Available from [http://foia.state.gov/REGS/Search.asp\\_2005](http://foia.state.gov/REGS/Search.asp_2005).

Department of State, United States Foreign Affairs Handbooks. Available from [http://foia.state.gov/REGS/Search.asp\\_2005](http://foia.state.gov/REGS/Search.asp_2005).

Department of State, United States, Treaties in Force: List of Treaties and Other International Agreements of the United States in Force on January 1, (1944- ) Location: KZ235 .T74. Law Library has 1968, 1970, 1972, 1980 - .

National Archives and Records Administration, United States, Code of Federal Regulations: Title 22, State Department. Federal Register Room.

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<sup>i</sup> Brill Academic Publishers at [http://www.brill.nl/m\\_catalogue\\_sub6\\_id18425.htm](http://www.brill.nl/m_catalogue_sub6_id18425.htm) accessed on May 12, 2005.