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Researching International Legal Issues

Updated by
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AN INTRODUCTION TO INTERNATIONAL LEGAL RESEARCH

Introduction

Abbott's Law Dictionary (1879) defines international law as the law of nations; that system of rules recognized by common consent among civilized peoples, by which subjects of common concern, such as the effect to be given by one to the laws of another; the conflict of laws of different sovereignties; the rights of commerce upon the high seas; the rights of emigration, asylum, and the return of fugitives; the conservation of peace; the obligation of neutrality; the conduct of war; and the effect of captures and conquests. – are adjudicated.

The purpose of this guide is to acquaint the researcher with the sources of international law and the basic tools available to find them. It is not a comprehensive guide to all international law research, but to those sources available to the Office of the Legal Adviser.

A good overview of international law can be found at www.law.gwu.edu/burns/guides/intl.pdf

Guides to International Law Research

The following sources provide introductory information and instruction in international legal research. Several of the titles below also provide assistance with specialized areas of international law research.

A Bibliography on Foreign and Comparative Law. Charles Szladits. Dobbs Ferry, N.Y.: Oceana, 1955+ (1984+ prepared by Vratislav Pechota).

An index to English language literature on foreign and comparative law. Private and public international law works are also represented. Coverage begins in 1790. Good coverage of non Anglo-American legal systems in the books and articles indexed. Entries are arranged according to detailed subject classification. A detailed table of contents, geographic index and author index provides access.

K 38 B53

Germain's Transnational Law Research: A Guide for Attorneys

(looseleaf). Ardsley-on-Hudson, N.Y.: Transnational Juris, 1991+.

This is a practical guide to approaching and using foreign and international law research materials. The major focus is on Europe, but many public international law sources are examined. The chapters are as follows: (I) Foreign and International Law: Procedural and Practical Issues; (II) Foreign and International Law: Substantive Issues; (III) Foreign and International Law Research Sources; (IV) Subjects (Air Law, Space Law, Antarctica, Antitrust Law, Arbitration, Banking, Bankruptcy, Biotechnology, Business Organizations, Commercial Law, Computers, Council of Europe, Criminal Law, Cultural Property, EEC, Environmental Law, (and others in preparation); and Countries (in preparation). Appendices include a list of publishers and of EC depository libraries in the U.S. An index and detailed table of contents provide access to the entire work.

K 85 G47 1991

Guide to International Legal Research, 5th ed. Charlottesville, VA.: LexisNexis, 2003.

Produced by the staff of the *George Washington University Journal of International Law and Economics*, this is an excellent comprehensive guide to international legal research. Of particular interest is the section of Internet resources for international and foreign legal resources.

KZ 1234 .G85 2003

International Legal Research Perspectives. Adolf Sprudz. Buffalo: Hein, 1988.

This collection reproduces several of Adolf Sprudz' writings on international legal research. Among the articles included are "Basic U. S. Sources for Current Research in International Law: An Elementary Vade-Mecum" (5 IJLL 347 (1977)); "Status of Multilateral Treaties -Researcher's Mystery, Mess, or Muddle?" (66 AJIL 365 (1972)); "Problems with Sources of Information in International Law and Relations: The Case of the World-Wide Treaty Jungle" (9 IJLL 195 (1981)); "Fundamentals of Foreign Treaty Research" (76 LLJ 458 (1983)); and "International Legal Research: An Infinite Paper Chase" (16 Vand.J.Trans.L. 521 (1983)).

K 85 .S68 1988

Practice and Methods of International Law. Shabtai Rosenne. New York: Oceana, 1984.

Many methodological, documentation and bibliographical problems encountered in researching public international law are addressed in this work. Chapters include: Some Fundamentals; Treaties: Conventional International Law; Customary International Law; Judicial Decisions; Resolutions of International Organizations; and Teaching of Publicists.

JX 3595 I8 R67 1984

General Texts, Encyclopedias, and Dictionaries

When approaching an international law question, consulting a general reference work or treatise is a good first step in order to frame the issues involved. The library has a number of texts that provide excellent introductions to basic international law concepts. The titles listed below are some of the more respected general treatises and reference works on the subject.

I. General Texts

Akehurst's Modern Introduction to International Law 7th ed. Peter Malanczuk. New York: Routledge, 1997.

Chapters include: history and theory, sources of international law, international law and municipal law, states and governments, international organizations, individuals, companies and groups, jurisdiction, immunity from jurisdiction, treaties, acquisition of territory, state succession, law of the sea, air space and

outer space, human rights, economy, environment, state responsibility, peaceful settlement of disputes between states, international wars, civil wars and the right to self-determination, means of waging war and criminal responsibility,, and the United Nations. Includes a table of cases, table of treaties, and index.
KZ 1242 .M35 1997

International Law. Antonio Cassese. New York: Oxford University Press, 2001.

It is divided into three areas: origin and foundations of the international community, creation and enforcement of international legal standards and contemporary issues in international law. A key feature is the companion website. Includes an index.
KZ 3395 .C25 A35 2001

International Law. 4th ed. Malcolm N. Shaw. New York: Cambridge University Press, 1997.

It begins with three tables: cases, treaties and agreements and abbreviations. Chapter headings are comprised of the nature and development of international law, international law today, sources, international and municipal law, the subjects of international law, the international protection of human rights, the regional protection of human rights, recognition, territory, air law and space law, the law of the sea, jurisdiction, immunities from jurisdiction, state responsibility, international environmental law, the law of treaties, state succession, the settlement of disputes by peaceful means, international law and the use of force by states, and the United Nations and international institutions. Includes an index.
KZ 3275 .S53 1997

An Introduction to International Law. 3rd ed. Mark W. Janis. New York: Aspen Law & Business, 1999.

Chapter titles include: The nature of international law, treaties, custom and other sources of international law, international law and municipal law, the international court, states and international law, international organizations and regimes, individuals and international law, international law and the International economy, and international conflict of laws. Additionally it includes an index and tables to municipal constitutions and statutes, treaties, and cases.
KZ 3140 .J36 A35 1999

The Law of Nations: An Introduction to International Law of Peace. 6th ed. James Leslie Brierly. New York: Oxford University Press, 1963

Chapter contents: The origins of international law, character of the modern system, the legal organization of international society, states, the territory of states, the jurisdiction of states, treaties, international disputes and the maintenance of international order, and international and resort to force. It also includes two indices, cases cited and subject.
JX 3225 .B7 1963a

Oppenheim's International Law. 9th ed. Sir Robert Jennings and Sir Arthur Watts, ed. (Lassa Oppenheim is the original author). New York: Longman, 1992. Volume 1 in 2 parts.

The first edition was published in 1905. Through nine editions this publication remains a classic. Older editions continue to be valuable source tools. Volume I concentrates on peace. At this time there is no new edition of volume II. In the past that volume featured disputes and armed conflicts. The book begins with a list of abbreviations and a table of cases. Chapters consist of: foundation of international law, international persons and position of states in international law and responsibility of states. Includes index.
JX 3264 .O6 1992

Principles of Public International Law 6th ed. Ian Brownlie. New York: Oxford University Press, 2003.

It contains chapters on preliminary topics, personality and recognition, territorial sovereignty, law of the sea, common amenities and co-operation in the use of resources, state jurisdiction and rules of attribution. Includes bibliographical references, index, abbreviations, table of cases and glossary.
KZ 3225 .B76 A37 2003

Public International Law in a Nutshell, 3rd ed., Buergenthal, Thomas. St. Paul, Minn. : West Pub. Co., 2002.
KZ 3410 .B84 2002

Sources of International Law. Martti Koskenniemi, ed. Burlington, VT: Ashgate Publishing, 2000. This is a collection of essays written by leading authorities of international law. Subjects and authors include: Sources Theory, Oscar Schachter, Robert Y. Jennings, Gerald G. Fitzmaurice, and David Kennedy; Relative Normativity, Prosper Weil, Ulrich Fastenrath, Jan Klabbers, and John Tasioulas; Customary Law, Michael Akehurst, Anthony D'Amato and Ted L. Stein; General Principles and Equity, Martti Koskenniemi and Vaughan Lowe; and The Completeness of the Law, Hersch Lauterpacht, Julius Stone, W. Michael Reisman, Gerry J. Simpson, and Martti Koskenniemi.
KZ 3410 .S57 2000

II. ENCYCLOPEDIAS

Encyclopedia of Public International Law published under the auspices of the Max Planck Institute for Comparative Public Law and International Law under the direction of Rudolf Bernhardt. Amsterdam, North- Holland, 1981+ .
Each entry is written by an expert in the area and includes a short bibliography. Many references to primary sources are included, as well as cross-references to other entries. Use the list of topics at the end of volume 12 as a guide to the entire set.
Volumes are as follows:

- (1) Settlement of Disputes
- (2) Decisions of International Courts. and Tribunals and International Arbitrations
- (3 & 4) Use of Force; War and Neutrality, Peace Treaties
- (5) International Organizations in General
- (6) Regional Cooperation, Organizations and Problems
- (7) History of International Law; Foundations and Principles of International Law; Sources of International Law; Law of Treaties
- (8) Human Rights and the Individual in International Law; International Economic Relations
- (9) International Relations & Legal Cooperation; Diplomacy & Consular Relations
- (10) States; Responsibility of States; International and Municipal Law
- (11) Law of the Sea; Air and Space
- (12) Geographic Issues

JX 1226 E51 1992

Encyclopedia of Public International Law. New York: North-Holland Pub. Co.; New York :1992-.

This is a reprint with addenda and some revisions of articles published in the 12 volume set of the same name listed above.

JX 1226 .E51 1992

Encyclopedia of the United Nations and International Agreements. Edmund Jan Osmanczyk. Philadelphia: Taylor and Francis, 1985.

Entries include information on the structure and operation of the U.N. and other international governmental and non-governmental organizations, information on thousands of international agreements (some of them printed in full text), and definitions of thousands of political, economic, geographic, diplomatic, military and international legal terms. Cross-references, lists of sources, and a subject index are also included.

JX 1977 O8213 1985

Encyclopaedic Dictionary of International Law. Clive Parry and John P. Grant, et. al. New York: Oceana, 1986.

Entries are alphabetical, covering substantive international law topics including discussions of specific judicial and arbitral decisions. Includes cross references, table of abbreviations, and documents section.
L/CID JX 1226 P33 1986

Modern Legal Systems Cyclopedia. Kenneth Robert Redden, ed. Buffalo, NY: W.S. Hein, 1984+. This 10 volume looseleaf set covers, North America, Pacific Basin, Western Europe, Middle East, Africa, Central America & Caribbean, Eastern Europe, Asia, and South America. Entries vary from country-to-country with most containing background and history, judicial system, law reporting, and recent developments.

K 530 .M62 1984

III. DICTIONARIES

The International Law Dictionary. R.L. Blesdoe & B. A. Boczek. Santa Barbara, CA: ABC- CLIO, 1987.

Entries are arranged in alphabetical order within topics. The historical and current relevance of each term is analyzed. Topics include: International Law in General; States as Subjects of International Law; Individuals, Human Rights and International Organizations; Jurisdiction and Jurisdictional Immunities; Treatment of Aliens; Territory: Land; Air, Outer Space, and Telecommunications; Law of the Sea; Treaties; Peaceful Settlement of Disputes; Coercive Measures, Including Resort to Force and War; and Laws of War and neutrality. Includes cross-references and index.

REF JX 1226 B57 1987

SOURCES OF INTERNATIONAL LAW

Article 38 of the Statute of the International Court of Justice (ICJ) lists the following sources of international law: (a) international conventions [treaties], whether general or particular, establishing rules expressly recognized by the contesting states; (b) international custom, as evidence of a general practice accepted as law; (c) the general principles of law recognized by civilized nations; (d) and as subsidiary means, the ...judicial decisions and the teachings of the most highly qualified publicists of the various nations.

I. TREATIES

With the treaty's importance as the primary means for regulating interstate relations, familiarity with the major compilations of treaty texts and the reference tools necessary to locate them is an essential research skill.

1. Selected Treatises on the Law of Treaties

Breach of Treaty, Rosenne, Shabtai, Cambridge: Grotius, 1985.

JX 4171 .V5 R67 1985

The Concept of Treaty in International Law, Klabbers, Jan,
Hague: Kluwer Law International, 1996.
KZ 1301 .K58 1996

The Law of Treaties, McNair, Arnold Duncan McNair, Baron,
Oxford: Clarendon Press, 1961.
JX 4165 .M36 1961 or KZ 1301 .M36 1961

The Law of Treaties Between States and International Organizations, Menon, P. K, Lewiston, N.Y.: Edwin Mellen Press, 1992.
KZ 1293 .M46 1992

The Treaty Maker's Handbook, Blix, Hans. Dobbs Ferry, N.Y.: Oceana Publications,
1973.
JX 4165 .B55 1973

The Vienna Convention on the Law of Treaties, Sinclair, I. M. (Ian McTaggart),
Sir, Manchester [Greater Manchester]; Dover, N.H.: Manchester University Press,
1984.
JX 4165 .S55 1984

a. Works on Treaty Practice

The Law of Treaties in Russia and the Commonwealth of Independent States : Text and Commentary, Butler, W. E., editor.
Cambridge; New York: Cambridge University Press, 2002.
KLB 2400 .A31 1995 A4 2002

Modern Treaty Law and Practice, Aust, Anthony, New York :
Cambridge University Press, 2000.
KZ 1301 .A93 2000

National Treaty Law and Practice : Austria, Chile, Colombia, Japan, the Netherlands, United States. Leigh, Monroe, et al. editors.
Washington, D.C.: American Society of International Law, 1999.
K 3342 .N383 1999

National Treaty Law and Practice : France, Germany, India, Switzerland, Thailand, United Kingdom. Leigh, Monroe and Merritt R. Blakeslee, editors. Washington, D.C : American Society of International Law, 1995.
K 3342 .N37 1995

The National Law of Treaty Implementation, Moore, John Norton,
Durham, N.C. : Carolina Academic Press, 2001.
KZ 5660 .M66 2001

Treaties and Other International Agreements: the Role of the United States Senate: a Study. United States Senate. Committee on Foreign Relations. Washington, D.C.: Government Printing Office, 2001.
KF 4989 .A25 2001

Treaty-Making in the Council of Europe. Polakiewicz, Jörg, Strasbourg: Council of Europe Pub., 1999.
KJE 121 .P65 1999

Treaty Making : Expression of Consent by States to be Bound by a Treaty / Edited by Council of Europe and British Institute of International and Comparative Law = Conclusion des Traités : Expression par les États du Consentement à Être Liés Par un Traité / Conseil De L'europe ; Institut Britannique de Droit International et de Droit Comparé, The Hague; New York: Kluwer Law International, 2001.
KJC 5397 .T73 T74 2001

2. Treaties of the United States

a. Full Text Sources

Treaties and Other International Acts Series (TIAS), Washington, D.C.: Dept. of State, 1946-. Individual pamphlets issued in this series represent the first official publication of a U.S. treaty in its final form. This source covers treaties not yet published in the bound *United States Treaties and Other International Agreements (UST)* series. Each publication is numbered chronologically.
JX 235.9 .A32

United States Treaties and Other International Agreements (UST), Washington, D.C.: Dept. of State, 1952-. *UST* is the official bound publication of U.S. Treaties arranged chronologically, with a *TIAS* to *UST* conversion table. This set also includes relevant presidential proclamations, diplomatic correspondence, and conference documents.
JX 236 1950

International Legal Materials (ILM), Washington, D.C.: American Society of International Law, 1962-. Bimonthly. *ILM* is a very current source for selected treaty texts, texts of significant agreements, and some draft treaties.
KZ 64 .I58

Senate Treaty Documents/Senate Executive Documents/Senate

Executive Reports:

- ***Senate Treaty Documents*** were called Senate Executive Documents before 1981. They contain the texts of treaties as submitted to the Senate for its advise and consent, along with accompanying messages from the President and the Secretary of State. *Senate Treaty Documents* are numbered sequentially within each Congress (e.g., Treaty Doc. 99-1). (Library does not have them in a print format).
- ***Senate Executive Documents*** were originally lettered sequentially within each session of Congress (e.g., Exec. Doc. A). Beginning in 1981, *Senate Executive Documents* were replaced by *Senate Treaty Documents*. (Library does not have them in a print format).
- ***Senate Executive Reports***, issued by the Senate Foreign Relations Committee after its consideration of individual treaties, they contain the committee's analysis and recommendations regarding approval by the whole Senate. Once a treaty is submitted to the Senate, it retains its treaty number (e.g. Treaty Doc. 99-1), through subsequent Congresses, until it is ratified, defeated, or withdrawn. (Library does not have them in a print format).

United States Statutes at Large, Washington: U.S. G.P.O.

The texts of all U.S. treaties before 1950 appeared in *Statutes at Large*. This statutory compilation served as the predecessor to *UST*. Volume 8 of *Statutes at Large* includes the texts of all U.S. treaties from 1776-1845.

KF 50 .U52

Treaties and Other International Agreements of the United States of America, 1776-1949 (Commonly known as ***Bevans***),

Washington: Dept. of State, 1968-1976.

This is an **unofficial** source for the text of all treaties appearing in *Statutes at Large* and other series. Volumes 1-4 are multilateral agreements arranged chronologically by signature date while volumes 5-12 are bilateral agreements arranged by country.

JX 236 1968 .A5

Unperfected Treaties of the United States of America, 1776-1976,

Dobbs Ferry, N.Y.: Oceana Publications, 1976-1994.

This set provides the texts of proposed U.S. treaties never entered into force (U.S. Senate did not give its advice and consent).

JX 236 1776 .U56

3. Indexes to U.S. Treaties

Treaties in Force : a List of Treaties and Other International Agreements of the United States in Force on (TIF), Washington: U.S. G.P.O. Annual.

Treaties in Force (TIF) indexes only U.S. treaties in force as of January 1 of each year. Treaties are arranged by broad topics and by country. Entries provides citations to the *UST* or *TIAS*. series as appropriate. To identify new treaties that the U.S. has become a party to since January 1, or to determine if any new parties have acceded to a particular multilateral agreement, it is necessary to consult other more current sources.

JX 236.5 .U58

United States Statutes at Large, Washington : U.S. G.P.O...
Volume 64 at page 1107 indexes all U.S. treaties published in *Statutes at Large* for the period 1776 - 1949 by country.
KF 50 .U52

United States Treaty Index : 1776-1990 Consolidation,
Buffalo, N.Y. : W.S. Hein, 1991-.

This is an index to U.S. treaties, 1776-1990 which is updated with periodic updates. This set includes legislative history information and subsequent amendments.

JX 231 .U58 1991

International Legal Materials (ILM)

As noted in section 1 above, *ILM* is a very current source for selected treaty texts, texts of significant agreements, and some draft treaties.
KZ 64 .I58

4. Worldwide Treaties (U.S. may be a party)

a. Full Text Sources

International Legal Materials (ILM), Washington, D.C.:
American Society of International Law, 1962-. Bimonthly.
ILM is a very current source for selected treaty texts, texts of significant agreements, and some draft treaties.
KZ 64 .I58

United Nations Treaty Series, (UNTS), New York: United Nations, 1946-.

This is the official set for texts of multilateral and bilateral agreements on a worldwide basis for 1946 to date. Texts are provided in multiple languages.
JX 170 .U6

League of Nations Treaty Series (LNTS), London: Harrison and

Sons, Ltd., 1920-45.

As the predecessor treaty compilation to UNTS, this set provides texts of treaties from 1920 to 1945. Index volumes are available with the set but lack an overall cumulation.

JX 170 .L4

Consolidated Treaty Series (CTS), Dobbs Ferry, N.Y.: Oceana Publications, [1969]-1981. The major worldwide compilation of treaties 1648 to 1919.

Provides coverage prior to the League of Nations and the United Nations treaty compilations, but note that this is a **unofficial** publication. There are no subject indexes, only chronological and party indexes.

JX 120 .P3

5. Indexes to Worldwide Treaties (U.S. may be a party)

Multilateral Treaties Deposited with the Secretary-General, New York : United Nations, 1982-. Annual.

This is an index to over 500 major multilateral treaties deposited with the United Nations. Citations are given to the official *United Nations Treaty Series (UNTS)*, if available. If no *UNTS* citations are available, references are given to other United Nations documents containing the text of the treaty. Information about the date of entry into force and a list of participants is also given.

JX 171 .U372a

Multilateral Treaties: Index and Current Status, Bowman, M.J. and D.J. Harris, London: Butterworths, 1984.

This is a useful index for locating multilateral treaties throughout the world for the period 1856-1983. Citations are given to official and unofficial treaty sources, with detailed information about dates, signatories, status, and parties.

JX 171 .B68 1984

Multilateral Treaty Calendar = Repertoire des Traités Multilatéraux, 1648-1995. Wiktor, Christian L. The Hague: M. Nijhoff Publishers, 1998.

This is an excellent source for locating the texts of multilateral treaties to which the U.S. may or may not be a party. The *Multilateral Treaty Calendar* contains a detailed subject index and a chronological list of all multilateral treaties concluded between 1648-1995. For each treaty entry, citations to relevant print treaty compilations are included. Information concerning treaty amendments, modifications, extensions, and terminations is also included.

KZ 118 .W55 1998

6. Locating Status and Amendment Information

a. U.S. Treaties

CCH Congressional Index. Updated weekly.

Senate action on a particular treaty is listed in the "Treaties-Nominations" section of the *Congressional Index* Senate binder. Treaty entries are arranged by Senate Treaty Document number. A subject index is also included.

KF 49 .C6

Legislative Activities: Treaties

(U.S. Senate website)

This site provides a document that identifies treaties that have had Senate floor status actions (other than simply actions pertaining to treaties received and referred) during the current Congress. The date and a brief description of each floor action is provided. The most recent floor action for each treaty is listed first, with additional actions listed in reverse chronological order.

http://www.senate.gov/pagelayout/legislative/d_three_sections_with_teasers/treaties.htm

Treaties in Force (TIF). Annual.

TIF covers only U.S. treaties currently in force on the date of publication.

JX 236.5 .U58

b. Worldwide Treaties (U.S. may be a party)

Multilateral Treaties Deposited with the Secretary-General, New York: United Nations, 1982-.

This annual index to over 500 major multilateral treaties deposited with the United Nations also includes the texts of reservations, information about the date of entry into force and a list of treaty participants as of the date of publication.

JX 171 .W372a

7. Specialized Treaty Databases on LEXIS

Treaties and International Agreements

- ASIL Publications
- EC Treaties in BDIEL
- CELEX EU Law Database
- GATT Basic Instruments and Selected Documents
- International Legal Materials
- NAFTA
- U.S. Treaties-in-Force
- U.S. Treaties on Lexis from 1776

8. Specialized Treaty Databases on Westlaw

- American Society of International Law (ASIL)

- Uruguay Round General Agreement on Tariffs and Trade (GATT) from April 1994
- International Legal Materials (ILM) from 1980
- U.S. Treaties and Other International Agreements (USTREATIES) from 1778
- United States Treaties in Force (USTIF)

9. Internet Sites

- **Australian Treaties Library**
www.austlii.edu.au/au/other/dfat
- **Avalon Project at the Yale Law School**
www.yale.edu/lawweb/avalon/avalon.htm
- **ECOLEX**
www.ecolex.org
- **European Union Treaties**
<http://europa.eu.int/abc/obj/treaties/en/entoc.htm>
- **Hague Conventions on Private International Law**
www.hcch.net/e/conventions/index.html
- **International Humanitarian Law Database**
www.icrc.org/ihl
- **International Treaties (NYU)**
www.law.nyu.edu/library/foreign_intl/treaties.html
- **Multilateral Project - The Fletcher School. Tufts University**
<http://fletcher.tufts.edu>
- **Organizations of American States - Treaties**
www.oas.org/juridico/english/treaties.html
- **Treaty Actions**
www.state.gov/s/l/c3428.htm
- **Senate, House and Treaty Documents**
www.access.gpo.gov/congress/cong006.html
- **United Nations Treaty Collection**
<http://untreaty.un.org> This is a fee-based service. ID and password are required. Contact the Library Staff to retrieve documents.
- **University of Minnesota Human Rights Treaties**
<http://www1.umn.edu/humanrts/treaties.htm>

- **Washburn University - Treaties**
www.washlaw.edu/forint/alpha/t/treaties.htm

II. INTERNATIONAL CUSTOMARY LAW

1. Introduction

Customary international law is particularly important as a source of international law in absence of a treaty or other controlling rule. J. L. Brierly, in *The Law of Nations: an Introduction to the International Law of Peace* states that in order to determine what international customary law is on a particular subject "we must look at what states do in their relations with one another and attempt to understand why they do it, and in particular whether they recognize an obligation to adopt a certain course, or, in the words of Article 38, we must examine whether the alleged custom shows 'a general practice accepted as law.'"

Ian Brownlie, in *Principles of Public International Law* lists the following sources of custom as "diplomatic correspondence, policy statements, press releases, the opinions of official legal advisers, official manuals on legal questions, e.g. manuals of military law, executive decisions and practices, orders to naval forces etc., comments by governments on drafts produced by the international Law Commission, state legislation, international and national judicial decisions, recitals in treaties in the same form, the practice of international organs, and resolutions relating to legal questions in the United Nations General Assembly."

a. Selected Treatises on Customary International Law

Commitment and Compliance : the Role of Non-binding Norms in the International Legal System, Dinah Shelton, ed., New York : Oxford University Press, 2000.
KZ 1301.2 .C66 2000

Customary International Law and Treaties : a Manual on the Theory and Practice of the Interrelation of Sources, 2nd ed., Villiger, Mark Eugen, The Hague; Boston: Kluwer Law International, 1997.
JX 4165 .V55 1997

2. Sources for U.S. Practice in International Law

The following digests collect sources such as diplomatic correspondence, court opinions on international law issues, statutes and regulations, treaties, and other documentary materials in a subject arrangement in order to illustrate U.S. practice in particular areas of international law. Generally, these digests provide

historical coverage, but the State Department has just resumed publication of a contemporary digest of U.S. practice.

a. Digests of Practice

Cumulative Digest of United States Practice in International Law, 1981-1988. Marian Nash (Leich) ed. Washington, DC: Office of the Legal Adviser, Dept. of State, 1993-1995. 3vs.
This three-volume set is a continuation of former **Digest of International Law** series produced by the Office of the Legal Adviser.
JX 21 .R68

Digest of International Law. Green Haywood Hackworth, ed. Washington, DC. U.S. Government Printing Office, 1940-1944. 8vs.
This set continues the **Digest of International Law** by Moore.
JX 21 .H3

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,... John Bassett Moore ed. Washington, DC: U.S. Government Printing Office, 1906. 8vs.
This is an extension of the ***Digest of International Law*** edited by Wharton. It includes a list of authorities, and index. Topics include: States: Their Characteristics and Classification; States: Their Recognition and Continuity; Sovereignty: Its Acquisition and Loss; National Jurisdiction: Territorial Limits; National Jurisdiction: Its Legal Effects; Exemptions from Territorial Jurisdiction; The High Seas; Interoceanic Communications; Nationality, Domicile, Passports, Aliens, and Extradition; Intercourse of States, Consuls, Treaties, Conventional and Diplomatic Relations; Intervention; The Monroe Doctrine; Claims, Modes of Redress; War, Maritime War, Prize Courts and Procedure, Contraband, Blockade, and Neutrality.
JX 21 .M7

Digest of International Law. Marjorie M. Whiteman, ed. Washington, DC: U.S. Government Printing Office, 1963-1973. 15vs.
This is the successor digest to Hackworth's ***Digest of International Law***. Volume 15 contains the index.
JX 21 .W55

A Digest of the International Law of the United States Taken From Documents Issued by Presidents and Secretaries of State... 1st and 2nd eds. Francis Wharton, ed. Washington, DC: U.S. Government Printing Office, 1886, 1887. 3vs.
Under the general topics the material is arranged by messages of Presidents and documents emanating from the Secretaries of State in chronological order, opinions of Federal courts, and opinions of the Attorneys-General.
JX 21 .W52

Digest of the Opinions of the Attorneys General of the United States, with References to Leading Decisions of the Supreme Court. Christopher Columbus Andrews ed. Washington, DC: A.O.P. Nicholson, 1857.
It includes decisions of the Attorneys General from the beginning of the Federal government to 1856. While limited in scope it does serve a useful purpose. It is

the only Digest covering the construction of treaties and the political relationship between the U.S. and foreign nations prior to the *Digest of the Law of the United States*.... Topics of interest are aliens, claims, foreign courts, extradition, foreigner, law of nations, State Department and treaties.
KF 5406 .A65 A6 1857

Digest of the Published Opinions of the Attorneys-General, and of the Leading Decisions of the Federal Courts, with Reference to International Law, Treaties, and Kindred Subjects., Rev. ed., Cadwalader, J.L. comp., Buffalo, N.Y.: W.S. Hein, 1998.
Cadwalader's work was the first subject compilation of official texts on American practice in international law according to the *Guide to International Legal Research*. It has been more or less superseded by Moore's *Digest*.
KF 6236 .A5522

Digest of United States Practice in International Law. Arthur W. Rovine ed. Washington, DC: Office of the Legal Adviser, Dept. of State, 1974-1980.
Coverage includes; International Law in General, Subjects of International Law, The Individual in International Law, State Representation, The Law of Treaties and Other International Agreements, State Territory, Jurisdiction, and Jurisdictional Immunities, Law of the Sea and International Waterways, Aviation and Space Law, State Responsibility for Injuries to Aliens, International Economic Law, Environmental and Health Affairs, Scientific, Educational and Cultural Affairs, Peaceful Settlement of Disputes, Legal Regulation of Use of Force, and Private International Law. Each volume is individually indexed with a separate cumulative index volume.
JX 21 .R68

Digest of United States Practice in International Law. Sally J. Cummins and David P. Stewart, eds. Washington, DC: International Law Institute, 2000+
Chapter headings include; Nationality, Citizenship and Immigration, Consular and Judicial Assistance and Related Issues, International Criminal Law, Treaties and Other International Agreements, Federal Foreign Affairs Authority, Human Rights and Humanitarian Law, International Organizations and Multilateral Institutions, International Claims and State Responsibility, Diplomatic Relations, Continuity and Succession of States, Immunities and Related Issues, Trade, Commercial Relations, Investment and Transportation, Territorial Regimes and Related Issues, Environment and Other Transnational Scientific Issues, Private International Law, Sanctions, and Use of Force and Arms Control. A table of cases and index are also included.
JX 21 .R68

United States Practice in International Law. Murphy, Sean D. Vol. 1, 1999-2001. Cambridge: Cambridge University Press, 2002.
KZ 3410 .M87 2002

b. U.S. Diplomatic Correspondence

American Foreign Policy: Current Documents, Washington, D.C.: Dept. of State: U.S. Government Printing Office, 1984-1991.

JX 1417 .A33

Department of State Bulletin. [Washington, D.C.?]: Office of Public Communication, Bureau of Public Affairs: U.S. Government Printing Office, 1939-1989.
Considered by the State Department as "[t]he official monthly record of United States foreign policy. Continued by the *U.S. Department of State Dispatch*.
Periodicals
Online: Lexis and Westlaw

U.S. Department of State Dispatch, Washington, DC: Office of Public Communication, Bureau of Public Affairs: U.S. Government Printing Office, 1990-1999.
This is the successor publication to the *Department of State Bulletin*.
Periodicals
Online: Lexis and Westlaw
U.S. State Dept. website: Current U.S. foreign policy documents: <http://dosfan.lib.uic.edu/ERC/index.html>

Foreign Relations of the United States, Washington: U.S. Government Printing Office.
The official State Department record of the foreign policy and diplomacy of the U.S. from 1932 to present (latest volume is for 1968).

JX 233 .A3

Online: *U.S. State Dept. website* (1945-1976):
<http://www.state.gov/r/pa/ho/frus/c1716.htm>
UW-Madison Libraries website (digitized collection–1863-1958):
<http://digital.library.wisc.edu/1711.dl/FRUS>

c. Other Sources for U.S. Practice

Restatement of the Law, Third : the Foreign Relations Law of the United States, Rev. and enl., St. Paul, Minn.: American Law Institute Publishers, 1987-.
According to its introduction, the *Restatement of the Law, Third : the Foreign Relations Law of the United States*, is an attempt to articulate "the rules that an impartial tribunal would apply if charged with deciding a controversy in accordance with international law." Be advised that, while this is not an official statement of U.S. practice in the area of international law, it is considered highly authoritative. The Restatement is divided into nine main parts: I. International Law and Its Relation to United States Law; II. Persons in International Law; III. International

Agreements; IV. Jurisdiction and Judgments; V. The Law of the Sea; VI. The Law of the Environment; VII. Protection of Persons (Natural and Juridical); VIII. Selected Law of International Economic Relations; and IX. Remedies for Violations of International Law.
KF 395 .A2 F6 1987 and REF KF 395 .A2 F6 1987
Online: Lexis and Westlaw

3. Sources of Practice for Other States

Yearbooks on international law are an excellent source of information regarding a state's practice in the field of international law. Often they include cases from national courts interpreting international law, reviews of the international practice of particular states or regions, essays by scholars on topics of contemporary importance, and excerpts from national statutes that touch upon international law issues. Following is a list of the more significant yearbooks held by the Office of the Legal Adviser Law Library:

a. International Law Yearbooks

African Yearbook of International Law = Annuaire Africain de Droit International, Dordrecht: M. Nijhoff , 1994-.
K 1 .F74

Annuaire de l'Institut de droit international, Gand: Bureau de la Revue de droit international, 1877- .
K 1 .N555

Annuaire Europeen = European Yearbook, The Hague: Nijhoff.
JN 3 .A5

Asian Yearbook of International Law, Dordrecht: M. Nijhoff , 1993-.
K 1 .S44

The Australian Year Book of International Law, Sydney: Butterworths, 1966-.
K 1 .U877

Yearbook of International Law, The Hague: Kluwer International, 2002-.
K 2 .A48

The British Yearbook of International Law, London: H. Frowde, Oxford University Press.
K 2 .R58

The Canadian Yearbook of International Law. = Annuaire Canadien de Droit International, Vancouver: University of

British Columbia Press.
K 3 .A53

Chinese Yearbook of International Law and Affairs [Baltimore, MD]:
Occasional Papers, 1999-.
K3 .H56

The Finnish Yearbook of International Law, Helsinki: Ius
Gentium Association, 1990-.
K 6 .I7

***German Yearbook of International Law = Jahrbuch für
Internationales Recht***, Berlin: Duncker & Humblot.
K 7 .E76

***Hague Yearbook of International Law = Annuaire de la Haye de
Droit International***, Dordrecht: M. Nijhoff , 1988-.
K 1 .N5522

Inter-American Yearbook of Human Rights, Dordrecht: Martinus Nijhoff,
1999-.
KDZ 574 .A85 I68

International Organizations and the Law of the Sea, London:
Graham & Trotman/Martinus Nijhoff, 1987-.
JX 4408 .I62

Israeli Yearbook on Human Rights, [Tel Aviv]: Faculty of Tel Aviv
University, 1971-
K 9 .S66

The Italian Yearbook of International Law, Napoli: Editoriale
Scientifica; [Dobbs Ferry, N.Y. : Distributed by Oceana Publications,] 1976-.
K 9 .T35

Max Planck Yearbook of United Nations Law, London; Boston:
Kluwer Law International, 1998-.
KZ 21 .M39

Michigan Yearbook of International Legal Studies, Ann Arbor, MI:
University of Michigan Press, 1979-.
K 13 .I36

Netherlands Yearbook of International Law, Leiden: A.W. Sijthoff,
1970-.
K 14 .E5

Ocean Yearbook, Chicago: University of Chicago Press, [n.d.]

K 15 .C4

The Palestine Yearbook of International Law, Nicosia, Cyprus:
Al-Shaybani Society of International Law, 1984-.

K 16 .A24

The Polish Yearbook of International Law, Wroclaw: Zaklad
Narodowy Im. Ossolinskich,.

K 16 .O4

***South African Yearbook of International Law = Suid-Afrikaanse
Jaarboek vir Volkereg***, Pretoria: VerLoren Van Themaat Centre for
International Law, University of South Africa.

K 23 .O98

Spanish Yearbook of International Law, Dordrecht: M. Nijhoff ;
Norwell, MA, 1994-.

K 23 .P36

United Nations Juridical Yearbook, New York: United Nations, 1963-
JX 1977 .A1 U54

University of Miami Yearbook of International Law, Coral Gables :
International Law Society of the University of Miami School of Law,
1991-1998.

K 25 .N5876

Yearbook: Commercial Arbitration Deventer, Netherlands: Kluwer, [n.d.]
L/CID K 2400 .A53 Y4

Yearbook: International Court of Justice, The Hague: The Court, [n.d.]
JX 1976.1 .A25

Yearbook: International Tribunal for the Former Yugoslavia, [The
Hague: The Tribunal], 1995-.

JX 5445 .I588

Yearbook: International Tribunal for the Law of the Sea, Boston:
Kluwer Law International, 1999-.

KZA 5205 .I583

Yearbook of International Environmental Law, London; Boston:
Graham & Trotman, 1991-.

K 29 .E245

Yearbook: United Nations Commission on International Trade Law,
New York: United Nations, 1968-.

K 1004.5 .U55

4. Documents and Resolutions of International Organizations

International organizations play an important role in the development of international law. The resolutions and declarations of competent international organizations often provide a first glimpse of developing international customary law. In addition, international organizations also work to systematize international rules in order to foster international cooperation in specific fields of endeavor. For example, Article 13 of the United Nations Charter provides that the General Assembly is charged with the responsibility of "encouraging the progressive development of international law and its codification." In this effort, the U.N.'s International Law Commission has completed a number of important international conventions codifying customary international law.

- **American Society of International Law**
www.asil.org
- **Council of Europe**
www.coe.int
- **European Union**
<http://europa.eu.int/>
- **Hague Academy of International Law**
www.hagueacademy.nl/
- **Hague Conference on Private International Law**
www.hcch.net/e/index.html
- **International Bar Association**
www.ibanet.org/
- **International Centre for Settlement of Investment Disputes**
www.worldbank.org/icsid/index.html
- **International Law Commission**
www.un.org/law/ilc/
- **North Atlantic Treaty Organization**
www.nato.int/
- **Organization for Economic Co-operation and Development**
www.oecd.org
- **Organization for Security and Co-operation in Europe**
www.osce.org

- **Organization of American States**
www.oas.org/
- **United Nations**
www.un.org/
- **United Nations Commission on International Trade Law**
www.uncitral.org/en-index.htm
- **United Nations Conference on Trade and Development**
www.unctad.org
- **United Nations High Commission for Human Rights**
www.unhchr.ch/
- **World Bank**
www.worldbank.org
- **World Trade Organization**
www.wto.org
- **Yahoo "international organizations" links**
http://dir.yahoo.com/Government/International_Organizations/

III. GENERAL PRINCIPLES OF LAW

The third source of international law as enumerated in Article 38 are "general principles of law" recognized by "civilized" nations. A highly regarded treatise on the subject is Bin Cheng's *General Principles of Law : as Applied by International Courts and Tribunals*, London : Stevens, 1953. (JX 3225 .C45 1953a)

General principles of law are used primarily as "gap fillers" when treaties or customary international law do not provide a rule of decision. Scholars have suggested that as new treaties and customary law develop to address areas of international concern not previously covered, the significance of general principles will fade as these gaps in international law are filled.

IV. DECISIONS OF INTERNATIONAL JUDICIAL OR ARBITRAL TRIBUNALS

Article 38(1)(d) identifies judicial decisions of state and international courts as a subsidiary means for determining international law. In aggregate, such decisions assist in articulating and solidifying international legal norms.

A. Permanent Court of International Justice (PCIJ)

The Permanent Court of International Justice was established pursuant to Article 14 of the Covenant of the League of Nations. Between 1922 and 1946, when it was replaced by the International Court of Justice, the court issued 27 opinions under its "advisory jurisdiction", and 32 judgments under its "contentious jurisdiction." Following are the various digests and reports held by the Law Library which provide access to this Court's jurisprudence

- **Permanent Court of International Justice**
www.worldcourts.com/pcij/eng

Decisions and Opinions

- ***The Case Law of the International Court: a Repertoire of the Judgments, Advisory Opinions and Orders of the Permanent Court of International Justice and of the International Court of Justice.*** Leyden: A.W. Sijthoff, 1952-1968.
JX 1971.5
- ***Collection of Judgments: Publications of the Permanent Court of International Justice, Series A and A/B.*** Buffalo, NY: William S. Hein, 1996
JX 1971.5 .A61

This is a reprint of the early decisions of the Permanent Court of International Justice. The subsequent series are called ***Publications of the Permanent Court of International Justice (JX 1971.5 A6)***.
- ***World Court Reports : a Collection of the Judgments, Orders and Opinions of the Permanent Court of International Justice.***, Washington: Carnegie Endowment for International Peace, 1934-1943.
JX 1971.5 .A63

B. International Court of Justice (ICJ)

The International Court of Justice (ICJ), the main judicial body of the United Nations, was established in 1945 as a product of the drafting of the Charter of the United Nations. The Court's constitutive statute was subsequently annexed to the Charter. All members of the UN are *ipso facto* parties to the statute of the Court. (Art. 93(1), UN Charter). A state which is not a member of the UN may become a party to the Statute of the ICJ on conditions determined by the General Assembly upon the recommendation of the Security Council. (Art. 93(2), UN Charter).

The Court has both advisory and contentious jurisdiction. Under Article 96 of the UN Charter the "General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question." (Art. 96(1), UN Charter) In addition, "other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on

legal questions arising within the scope of their activities." (Art. 96(2), UN Charter).

Under its contentious jurisdiction (cases between states' parties), the Court may hear cases "which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force. " (Art. 36(1) of the Statute of the ICJ). While under Article 59 of the statute of the Court, decisions have no binding force except between the parties, the Court's rulings are authoritative statements of international law and are widely cited both by the Court itself, and by international law scholars.

The Law Library receives the opinions of the ICJ as well as the selected pleadings, oral arguments and other documents issued by the Court during its deliberations. In addition, the library has digests that provide subject access to the decisions of the ICJ. Also, many secondary sources are available that describe in detail the procedures of the Court and critically analyze its jurisprudence.

The ICJ's website <http://www.icj-cij.org/> provides information about pending and past cases before the Court. The site includes docket information, court documents, case summaries, and rules of the court.

General Works

- ***The Future of the International Court of Justice.*** Leo Gross, ed., Dobbs Ferry, N.Y.: Oceana, 1976.
JX 1971.6 .F84 1976
- ***The International Court of Justice, 1946-1996.*** Eyffinger, Arthur. Boston: Kluwer Law International, 1996
KZ 6275 .E98 1995
- ***The Law and Practice of the International Court, 1920-1996,*** 3rd ed., Rosenne, Shabtai., The Hague; Boston: M. Nijhoff, c1997.
JX 1971.6 .R622 1997
- ***The World Court : What It Is and How It Works,*** 5th completely rev. ed, Rosenne, Shabtai, Boston: Kluwer Academic Publishers, 1995.
JX 1971.6 .R64 1995

Decisions and Opinions

- ***Reports of Judgments, Advisory Opinions and Orders.*** International Court of Justice. Leyden: A.W. Sijthoff's, 1947+
Judgments, opinions and orders from the International Court of Justice. Each volume has an individual index.
JX 1971.6 .A244
Online: *WESTLAW: INT-ICJ* (1947-)

Digest of Decisions

The following digests provide subject access to the decisions of the International Court of Justice. Generally, most provide a subject outline of international law topics, and under each topic, an abstract is included which identifies ICJ cases that have dealt with that issue. Each entry includes a short excerpt of the relevant language from the opinion and a citation to where it can be found. The researcher should also note the dates of coverage of each of the digests listed below. There is no cumulative digest to ICJ jurisprudence save searching the INT-ICJ database in WESTLAW.

- ***The Case Law of the International Court; a Repertoire of the Judgments, Advisory Opinions and Orders of the Permanent Court of International Justice and of the International Court of Justice***, Leyden, A.W. Sijthoff, 1952-1968.
JX 1971.6 .A615
- ***Digest of the Decisions of the International Court of Justice, 1959-1975 = Repertoire des Decisions de la Cour Internationale de Justice, 1959-1975 = Handbuch der Entscheidungen des Internationalen Gerichtshofs 1959-1975***. New York: Springer, 1978.
JX 1971.6 .B46 1978
- ***Repertory of Decisions of the International Court of Justice (1947-1992)***, Ziccardi, Giuliana Capaldo, Norwell, Mass.: M. Nijhoff Publishers, 1995.
JX 1971.6 .R47 1995
- ***World Court Digest***, New York : Springer, c1993-.
This two volume set continues *Digest of the Decisions of the International Court of Justice, 1976-1985* and covers the period 1986-1990, 1991-1995, and 1996-2000. A subject outline format is utilized.
<http://www.virtual-institute.de/en/wcd/wcd.cfm>
KZ 213 .W67 1993

Records

- ***Pleadings, Oral Arguments, Documents***, The Hague: International Court of Justice. 1948-.
This set, which supplements the *Reports of Judgments* below, compiles the written pleadings, motions and oral arguments made to the ICJ. Volumes are arranged by case and by year.
JX 1971.6 .P54

C. Other International Courts and Tribunals

Besides the decisions of the International Court of Justice and its predecessor the Permanent Court of International Justice, other *ad hoc*

international courts and tribunals have been convened over the years by *comprimis* between parties to resolve disputes concerning particular questions of international law such as international boundaries, human rights etc. The following sources provide access to the decisions of these courts and tribunals:

- **Court of Justice of the European Communities**
www.curia.eu.int/en/index.htm
- ***Decisions and Reports***. European Commission of Human Rights. Strasbourg: The Commission, 1975-1998
A collection of selected decisions from the European Commission of Human Rights.
KJC 5135 .A5 C612
- **European Court of Human Rights**
www.echr.coe.int
- ***Fallos y Opiniones, Serie A y Serie B = Judgments and Opinions, Series A and Series B***. Inter-American Court of Human Rights. San Jose, Costa Rica: Secretariat of the Court, 1982+
Contains advisory opinions and principle documents from the Inter-American Court of Human Rights.
KDZ 574 .A52 I58
- **Germain's International Court of Justice Research Guide**
www.lawschool.cornell.edu/lawlibrary/Finding_the_Law/Guides_by_Topic/icj.htm
- ***The Hague Court Reports (Second Series) : Comprising the Awards, Accompanied by Syllabi, the Agreements for Arbitration, and Other Documents In Each Case Submitted to the Permanent Court of Arbitration and to Commissions of Inquiry Under the Provisions of the Conventions of 1899 and 1907, for the Pacific Settlement of International Disputes***, New York: Oxford University Press; London: H. Milford, 1916.
The First Hague Peace Conference established the International Commission of Inquiry. This set reprints the reports of their awards.
JX 1991 .A22
- ***History and Digest of the International Arbitrations to Which the United States Has Been a Party : Together With Appendices Containing the Treaties Relating to such Arbitrations, and Historical and Legal Notes on Other International Arbitrations Ancient and Modern, and On the Domestic Commissions of the United States for the Adjustment of International Claims***, Moore, John Bassett, Washington: G.P.O., 1898.
JX 1987 .A2 1998a
- **Inter-American Court of Human Rights**
<http://www.umn.edu/humanrts/iachr/iachr.html>

- ***International Adjudications, Ancient and Modern: History and Documents, Together with Mediatorial Reports, Advisory Opinions, and the Decisions of Domestic Commissions on International Claims***, Moore, John Bassett, New York: Oxford University Press, 1929-1936.
JX 1991 .M6 1929
- **International Court of Justice**
www.icj-cij.org/
- **International Courts**
www.worldcourts.com
- **International Criminal Court**
www.un.org/law/icc/index.htm
- **International Criminal Tribunal for Rwanda**
www.ictt.org/
- **International Criminal Tribunal for the Former Yugoslavia**
www.un.org/icty/
- ***International Law Reports***. Hersch Lauterpacht, ed. London: Butterworth, 1956+.
The original series was called **Annual Digest of Public International Law Cases** and was comprised of volumes 1-16 (1919-1949). John Fischer Williams and Hersch Lauterpacht were the editors. Each volume includes a table of cases reported, table of cases cited, and a list of abbreviations. The subject matter for the cases includes; International Law in General, States as International Persons, State Territory, Jurisdiction, State Responsibility, the Individual in International Law, Diplomatic and Consular Intercourse and Privileges, Treaties, International Organization and Administration, Disputes, and War and Neutrality. Each volume contains an individual index. There are separate consolidated indices for volumes 1-80 and volumes 81-100.
JX 68 .A65
- **Permanent Court of Arbitration**
www.pca-cpa.org/
- **The Project on International Courts and Tribunals**
www.pict-pcti.org/home.html
- ***Répertoire de la jurisprudence arbitrale internationale = Repertory of international arbitral jurisprudence***, Coussirat-Coustere, Vincent, Dordrecht, Netherlands; Boston, [Mass.]: M. Nijhoff ; Norwell, MA, U.S.A. : Kluwer Academic, 1989-.
JX 1937 .C68 1989

- ***Reports of International Arbitral Awards = Recueil des Sentences Arbitrales***, [Lake Success?, N.Y.]: United Nations, 1948-. The United Nations continued the Hague Court compilation with *Reports of International Arbitral Awards*, with began with retrospective coverage back to the end of the *Hague Court Reports* and continues to the present.
JX 1991 .A25
- ***Reports of Judgments and Decisions***. European Court of Human Rights. Koln, Carl Heymanns Verlag, 1994+
Selected judgments from the Court of Human Rights.
KJC 5138 .A5 E882
- ***Survey of International Arbitrations, 1794-1989***, 3rd, updated ed., Stuyt, A. M., Dordrecht ; M. Nijhoff Publishers, 1990.
JX 1937 .S85 1990

V. TEACHINGS OF THE MOST HIGHLY QUALIFIED PUBLICISTS

Article 38(d) of the statute of the International Court of Justice lists "...the teachings of the most highly qualified publicists of the various nations" as a subsidiary means of determining international law on a particular subject. There are a number of reference tools available in the Law Library to assist you with locating relevant scholarship on the international law relevant to your area of interest.

1. Collections of Lectures

- ***Recueil des Cours/Collected courses of the Hague Academy of International Law***, Paris : Hachette, 1925-. *Recueil des Cours* collects lectures presented by eminent scholars at the Hague Academy of International Law. Indexes are available for volumes 1(1923) - v. 280 (1999).
JX 74 .H3

2. Law Reviews and Journals

The Law Library has most of the international law reviews and journals from U.S. universities. Also, we have a selection from foreign countries. This is contains only a few of the journals/reviews provided by the Law Library.

- ***American Journal of Comparative Law***. Berkeley, CA: American Society of Comparative Law, Vol. 1, 1952+ Quarterly.
K 1
- ***American Journal of International Law***. Washington, DC: American Society of International Law, Vol. 1, 1907+ Quarterly. With an annual proceedings volume.
JX 1 .A6
- ***European Journal of International Law***. Oxford: Oxford University Press, Vol. 1, 1952+ Quarterly.

K 5

- ***International Lawyer***. Chicago: American Bar Association, Vol. 1, 1966-67+ Quarterly.
K 9
- ***International Legal Materials***. Washington, DC: American Society of International Law, Vol. 1, 1962+ Bi-monthly.
KZ 64 .I58

3. Indexes

- ***Index to Foreign Legal Periodicals***. London: Institute of Advanced Legal Studies, 1960-84, Berkeley, Ca.: U. of Calif. Press, 1986+. Quarterly.
A subject index of selected legal periodicals dealing with municipal, comparative and international (public and private) law in countries other than the United States, Great Britain, and commonwealth countries. Materials Indexed are in many languages. Geographic and author indexes.
Ref K 33 I38
Available online through Westlaw.
- ***Index to Legal Periodicals and Books****. New York: H. W. Wilson Co., 1926+ Monthly.
Indexes scholarly articles, book reviews, notes and comments on cases and statutes appearing in legal periodicals published in the U.S., Great Britain, Canada, Ireland, Australia and New Zealand. Indexes include subject, author, table of cases, table of statutes (since 1980), and book reviews.
Ref K 9 N32
Available online through LexisNexis, and Westlaw.
*Note: Prior to 1994 Index to Legal Periodicals did not index books.

4. Miscellaneous

- ***The Bluebook: A Uniform System of Citation*** 17th ed. Cambridge, MA: Harvard Law Review Association, 2000.
The book contains three major parts, standards and style, rules, and tables. The front and back covers contain a quick reference guide to the most commonly used sources. Pages 157-181 cover international materials.
KF 245 .B58

Foreign Law: Current Sources of Codes and Basic Legislation in Jurisdictions of the World. Thomas H. Reynolds and Arturo A. Flores. Littleton, CO: Rothman, 1989+.
It is arranged geographically with volume I covering the Western Hemisphere, volume II covering Europe, and volume III covering Africa, Asia, and Australasia.
Countries/jurisdictions are arranged alphabetically within each volume. Each country entry begins with background information, then a list of major publications, major codifications, official gazettes, session laws, court reporters, and Internet resources. This is followed by an arrangement of some 60-subject areas with cross-references.
K 38 .R49 1989
- ***The International Lawyer's Deskbook***. Lucinda A. Low, et al. [Chicago, IL]: American Bar Association, Section of International Law and Practice, 1996.

Lawyers individually author each of the twenty-four chapters with expertise in that area of law. Topics include: international commercial transactions, international financing, environmental law, customs law, international litigation, legalization of documents for use abroad, and immigration and nationality.

K 48 .I57 1996

- ***Restatement of the Law, The Foreign Relations Law of the United States***, 3rd ed. St. Paul, MN: American Law Institute, 1987. 2vs.
This treatise provides insight into how international law applies to the United States and domestic law that has significance for the foreign relations of the U.S.
KF 395 .A2 F6 1987

5. International Law on Lexis and Westlaw

- **LexisNexis**

- International Law

- A. Cases (A strong emphasis on cases from the United Kingdom)

- 1. CELEX European Union Cases from 1954 (includes the European Court of Justice)
 - 2. European Court of Justice selected by Butterworth's Court of Justice from 1954
Court of First Instance from 1954
 - 3. International Law, Federal Court Cases
 - 4. Supreme, Appellate and District Court Cases
 - 5. Human Rights Cases
European Court of Human Rights from 1960
Butterworth's Human Rights Cases from 1996

- B. Statutes and Legislative Materials (A strong emphasis on laws from the United Kingdom)

- 1. US-CIS Legislative Histories – International Law – Go to the Table of Contents (List of legislative histories that cover federal legislation on international law)

- C. Administrative Materials and Regulations

- 1. U.S.
 - 2. Canada
 - 3. CELEX EU Law Database
 - 4. China

- D. Law Reviews and Journals (selected titles)

- 1. American Journal of International Law from 1980
 - 2. Foreign Affairs from 1981
 - 3. International Law Review Articles
 - 4. International Lawyer from Winter 1980
 - 5. International and Comparative Law Quarterly from 2001
 - 6. Journal of International Law and Business from Spring 1982

- E. Treatises and Analytical Materials

1. Martindale-Hubbell International Law Digest
2. Restatement on Foreign Relations 3d

F. Legal News

1. ASIL Newsletter from 1993-1996
2. International Law Newsletters
3. Department of State Dispatch from 1990-1999

G. General News and Information (Very limited)

H. Legal Reference Materials

1. Butterworth's Law Directory
2. Combined Legal Dictionaries
3. Martindale-Hubbell Law Directory – International Law Listing

- **WESTLAW**

Directory

International/Worldwide materials

A. Multi-National Materials

B. Court & Tribunal Cases

1. International Court of Justice (INT-ICJ) from 1947
2. International Criminal Tribunal for Rwanda (INT-ICTR) from 1995
3. International Criminal Tribunal for the Former Yugoslavia (INT-ICTY) from 1995
4. Iran-United States Claims Tribunal Decisions (INT-IRAN) from 1981

C. Legal News, Highlights & Current Awareness (Some of the materials in this category are not part of the flat-fee contract)

D. Texts & Treaties

1. Restatement of the Law – The Foreign Relations Law of the United States (REST-FOREL)

E. International Organizations (Most of the materials in this category are not part of the flat-fee contract)

6. International Law Websites

GENERAL

- **ASIL Guide to Electronic Resources for International Law**
www.asil.org/resource//ergintr1.htm
- **EISIL – Electronic Information System for International Law**
www.eisil.org

Created as a teaching tool, this website is an excellent resource for finding international law on the Internet.

- **Guide to Foreign and International Legal Databases - New York University Law Library**
www.law.nyu.edu/library/foreign_intl/
- **Hieros Gamos Guide to International Law**
www.hg.org/internat.html
- **International & Foreign Legal Research - Georgetown University Law Library**
www.ll.georgetown.edu/intl/guides/intlaw/intlaw_2.html
- **International Law and Organization**
www.lib.jmu.edu/polisci/interlaw.html
- **International Law Guides**
www.llrx.com/international_law.html
- **Legal Research on International Law Issues Using the Internet - Lyonette Louis-Jacques**
www.lib.uchicago.edu/~llou/forintl.html

CURRENT AWARENESS

- **International Law in Brief**
www.asil.org/ilibindx.htm
- **Jurist: World Legal News**
<http://jurist.law.pitt.edu/issues/index.htm>
- **Law Lists Info**
www.lib.uchicago.edu/~llou/lawlists/info.html
- **What's Online in International Law**
www.asil.org/wonindx.htm
- **Free Legal Current Awareness Sources**
www.venables.co.uk/aware.htm
- **LLRX.com**
www.llrx.com

7. Abbreviations and Acronyms

- A.J.I.L. – American Journal of International Law
- A.S.I.L. – American Society of International Law
- B.Y.I.L. – British Yearbook of International Law
- ICJ – International Court of Justice
- ILC – International Law Commission
- I.L.M. – International Legal Materials
- I.L.R. – International Law Reports
- L.N.T.S. – League of Nations Treaty Series
- PCIJ – Permanent Court of International Justice
- R.I.A.A. – UN Reports of International Arbitral Awards
- T.I.A.S. – U.S. Treaties and Other International Acts Series
- T.I.F. – Treaties in Force
- UNCTAD – UN Conference on Trade and Development
- UNITRAL – UN Commission on International Trade Law
- UNIDROIT – International Institute for the Unification of Private Law
- UN.R.I.A.A. - UN Reports of International Arbitral Awards
- U.N.T.S. – UN Treaty Series
- U.S.T. – US. Treaties and Other International Agreements
- Y.B. Int'l L. Comm'n – Yearbook of the International Law Commission