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Around the World in Twenty Minutes: International Legal Research on the Web

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**Around the World in
Twenty Minutes:
International Legal
Research on the Internet**

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I. Introduction

a. Preliminary Definitions

Public International Law

a. Historical Definition:

- ◆ Law that governs the relationships between or among nation-states.

b. Modern Definition:

- ◆ Law that applies to the conduct of nation-states and of international organizations
- ◆ Law that applies to the relationships between nation-states and international organizations
- ◆ Law that applies to some relationships between nation-states or international organizations and persons.

The sources of public international law include:

- ◆ international agreements, conventions, treaties
- ◆ customary international law
- ◆ general principles of international law recognized by civilized nations
- ◆ judicial decisions and the teachings of highly-regarded publicists

Foreign Law: Law of jurisdictions other than the United States

Private International Law: Individual nations create rules to determine which nation's laws will

apply in a dispute involving entities in more than one jurisdiction. In the United States we generally refer to this as “conflicts;” in most other nations, it is called “private international law.”

Related term: *transnational law* - evolving legal framework governing economic and monetary transactions and contracts (involving two or more countries or parties from two or more countries): conventions, model laws, legal guides, and other documents and instruments that regulate private relationships across national borders

Comparative Law: not a legal system, but a methodology for studying the similarities and differences between the laws of two or more countries, or between two or more legal systems.

b. Internet as a Resource

A researcher in “international law” may need to locate primary sources such as international treaties, decisions of international and domestic tribunals, and foreign laws while also seeking secondary sources such as treatises and articles. The Internet has improved access to foreign and international materials immeasurably in the past few years. Items that formerly were not available in a published format might now be available with a click of the mouse. Many international organizations and countries are now placing primary legal materials on the Web, although not always in English and usually only for recent years. Like other areas of the Web, finding these materials is not always easy. The rapid growth of electronic materials in this area makes maintaining an accurate set of links impossible. However, many resources exist to help the researcher find relevant foreign and international information in this vast web of resources.

Note: both **Lexis and Westlaw** have a number of foreign and international databases. In Lexis, use the following libraries: INTLAW, WORLD, ITRADE, EUROPE, EURCOM, and individual country libraries. In Westlaw, look for the following databases: ILM, INT-ICJ, USTREATIES, TIA, INT-NEWS, IEL, INTLEVL, GATT, NAFTA, INOG.

II. Where to Start

Research Strategy

- ◆ Is there a research guide on my particular topic or jurisdiction?
- ◆ Is there a relevant treaty?

A good research guide is invaluable when using the Web to locate foreign and international legal materials. Some useful guides include:

ASIL Guide to Electronic Resources for International Law

<http://www.asil.org/resource/home.htm>

A development project of the American Society of International Law, the *ASIL Guide* focuses on Web resources but also discusses CD-ROM and other electronic resources. The Current chapters cover Human Rights; International Commercial Arbitration; International Criminal Law; International Economic Law; International Environmental Law; International Organizations; Lists, Newsgroups & Networks; Private International Law; Treaties; and the United Nations.

Law Library Resource Xchange (LLRX)

<http://www.llrx.com/resources4.htm>

LLRX maintains a number of research guides for foreign and international legal materials. Find

guides to researching the laws of a number of foreign jurisdictions, from Algeria

(<http://www.llrx.com/features/algerian.htm>) to the United Kingdom

(<http://www.llrx.com/features/uk2.htm>). Also look to LLRX for guides to researching various topics in international law, such as international intellectual property law

(<http://www.llrx.com/features/iplaw2.htm>) and international commercial arbitration

(<http://www.llrx.com/features/arbitration2.htm>).

Research Guide to International Law on the Internet

<http://www.spfo.unibo.it/spolfo/ILMAIN.htm>

From the University of Bologna, this site provides extensive coverage of a number of international legal topics, including international trade, human rights, international environmental law, the European Union, international peacekeeping operations, humanitarian law, international criminal law, and international organizations.

Strategies for Locating Foreign Government Information on the Internet

<http://www.libraries.psu.edu/crsweb/docs/forgate.htm>

This handy site for conducting foreign legal research integrates links into a series of strategies for locating foreign government information.

III. Sampling of Useful URLs for Foreign & International Materials

Note: the following sites were selected either because they provide the text of foreign and international legal materials or they provide numerous links to sites containing text.

Europa

<http://europa.eu.int>

Europa contains information and documents, including links to the EUR-LEX database (see below), and the European Court of Justice site (<http://curia.eu.int/>). The Europa site evidences the European Commission's commitment to making material accessible, but the sheer volume of information, especially given the numerous official languages of the EU, has proved difficult to organize. The site is searchable via a search engine, but savvy researchers tend to use the EUR-LEX database.

EUR-LEX

<http://europa.eu.int/eur-lex/en/index.html>

This free site serves as a portal to EU documents in all of the official EU languages. Many documents are available in multiple formats, such as HTML, TIF, and PDF. EUR-LEX is easy-to-use and includes, among many types of materials, the full-text of the founding treaties, legislation, opinions, resolutions, and case law.

European Union in the United States

<http://www.eurunion.org>

The site of the EU's Delegation in Washington, D.C. is geared toward Americans and is an excellent resource for EU information. Use the particularly useful online guide *Accessing European Union Information* at <http://www.eurunion.org/infores/resguide.htm> as a primer on the institutions and publications of the EU. This guide also provides links to numerous online sources of EU material.

Fletcher School's Collection of Multilateral Treaties

<http://fletcher.tufts.edu/multilaterals.html>

This ongoing project by the Fletcher School of Law & Diplomacy at Tufts University makes

available the texts of international multilateral conventions and other instruments. The collection is organized into the following subjects: Atmosphere and Space, Flora and Fauna (Biodiversity), Cultural Protection, Diplomatic Relations, General Human Rights, Marine and Coastal, Other Environmental, Trade and Commercial Relations, Rules of Warfare& Arms Control, and Gulf Area Borders. 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.

Global Legal Information Network (GLIN)

<http://www.loc.gov/law/glin>

This database of official foreign laws and regulations is maintained at the Library of Congress. Although the full text of official laws and regulations is only available to contributors (generally government entities), some law libraries are associate members and can provide limited access to the texts. Anyone can sign into the system as *guest* and view the bibliographic records, which include citations and summaries. The database is searchable by jurisdiction, subject, date, and type of legal instrument. The texts are available in their original language, while the summaries are in English and occasionally in a second language.

Hieros Gamos

<http://www.hg.org>

Hieros Gamos, the self-proclaimed “Comprehensive Legal and Government Portal” is the creation of the Lex Mundi consortium, comprised of more than 125 independent law firms from around the world. The researcher can search by subject, run a search through the entire site, or

run a search through multiple legal sites. Hieros Gamos is truly comprehensive, including nearly everything from international indexes to law journals to employment guides. Look for information and links on foreign governments, international organizations, and a plethora of legal subjects (international and domestic). Especially useful are the *Doing Business Guides* written by member firms about the business law in their respective countries.

International Court of Justice (ICJ)

<http://www.icj-cij.org>

This official site of the World Court is available in English and French. Includes decisions of the ICJ, the Court's docket, basic documents, court publications, press releases, and biographies of the justices.

NAFTA Secretariat

<http://www.nafta-sec-alena.org/english/index.htm>

The Secretariat maintains this site with the full text of the North American Trade Agreement, dispute resolution reports, additional NAFTA resources, and links to other NAFTA sites.

Organisation for Economic Co-operation & Development (OECD)

<http://www.oecd.org/>

OECD's official site provides a wealth of documents, statistics, press releases, and communications between OECD member countries.

United Nations

<http://www.un.org/>

The UN's official site is packed with documents, press releases, links to UN agencies and related entities. The site also includes the UN Treaty Collection, a reasonably-priced subscription database providing access to the thousands of treaties deposited with the United Nations.

University of Minnesota Human Rights Library

<http://www.umn.edu/humanrts/>

This is a comprehensive, easy-to-use site for human rights documents. The site provides a metasearch engine for searching multiple human rights Web sites with one search query. It also includes text of documents from major human rights organizations, including the UN Human Rights Commission and the Inter-American Human Rights System. Look here for treaties, bibliographies, educational materials, and much more.

World Intellectual Property Organization

<http://www.wipo.org>

WIPO's official site includes the text of intellectual property treaties administered by the organization along with numerous other documents, guidebooks, studies, press releases and indexes. A free Intellectual Property Digital Library Web site provides access to various intellectual property data collections currently hosted by WIPO.

World Trade Organization

<http://www.wto.org>

The WTO site is an excellent source for full-text trade documents, panel reports in dispute resolutions, press releases, articles, guides, statistics, and other trade-related publications.

IV. Electronic Discussion Lists and Bulletin Boards

Often, the best research resource is a colleague knowledgeable in the jurisdiction or subject. The Internet provides valuable assistance in locating and communicating with these “people” resources. Examples include e-mail listservs on topics ranging from international legal research in general to substantive discussions of specific topics, such as international environmental law. Use the chapter on “Lists, Newsgroups & Networks” in the *ASIL Guide to Electronic Resources for International Law* at <http://www.asil.org/resource/lists1.htm> to identify relevant fora and for guidance on subscribing and posting messages. Additional legal listservs and subscription instructions are available at “Law Lists” maintained at <http://www.lib.uchicago.edu/cgi-bin/law-lists>.

V. A Note re Foreign Language Materials on the Web

Many of the foreign and international materials found on the Web are available in English. However, for those available only in a foreign language not understood by the researcher, many search engines now provide an automated translator. AltaVista was the first search engine to provide this useful tool. Babelfish, available at <http://babelfish.altavista.com>, is an automated translation service that allows the user to enter either plain text or a Web address and specify which translation is desired (e.g., Spanish to English, English to German, etc.). The languages currently available are: Chinese, French, German, Italian, Japanese, Korean, Portuguese, and Spanish. Because the service is automated, the translations are nowhere near perfect, but they can still be useful in determining the gist of a site. Google, available at <http://www.google.com>, also

provides automated translations.

VI. Using Search Engines to Locate International Organization Sites

When using a search engine to locate materials of an international organization, it is useful to limit your search by the domain “.int” which only applies to Web sites maintained by international organizations such as the United Nations. For example, a query in AltaVista of `domain:int terrorism` will only retrieve Web pages with the .int domain. Most search engines also allow for restriction by language, which may come in handy if the researcher only wants foreign legal materials in the original language.