Researching International Cases

Updated June 2013

I. Introduction

This guide covers resources and strategies for researching the decisions of international tribunals. The pathfinder also discusses various multi-jurisdictional sources that can be used to locate decisions from the domestic courts of other countries that consider international law related issues. Additional guidance on researching the court decisions of other countries is available in the library’s guides entitled Foreign Law Research and Guide to Foreign Law in English Translation.1

II. Secondary Authority

Usually the most efficient way to begin your research is by using secondary sources, such as treatises, law review articles and research guides. These sources can explain the jurisdiction and procedural rules of the tribunal being researched, identify and analyze cases addressing particular legal issues, and provide guidance on international case law resources.

A. Research Guides and Texts

Research guides and textbooks covering international tribunals are available both electronically and in print. Such sources list important research resources, may cover research strategies, and are particularly useful if you are doing in-depth research. To locate research guides on the internet, try searching by tribunal name or by topic and add in the words “law” and “research” to your query. For example, “international court of justice law research” or “international human rights law research.”

The following sources discuss strategies and resources for researching international cases:

GlobaLex, New York University School of Law.
Site: http://www.nyulawglobal.org/globalex/
   This highly useful site contains research guides covering international topics and organizations, as well as guides discussing domestic legal research resources for over 100 countries.

1 Available at http://mcgeorge.edu/Library_Home/Research_Guides.htm.
This publication is part of West’s Nutshell series. It provides an overview of both foreign and international legal research. Chapter six discusses international case law.

A legal research textbook focusing on international and foreign law research. Chapters seven and twenty-two include coverage of international judicial decisions. An electronic version is available on Ebrary (a library subscription database) and through the book’s record in the library’s online catalog.

Site: http://libguides.law.harvard.edu/intlcourtstribunals
Covers specific research resources for over a dozen international courts and tribunals.

**B. Treatises and Practice Materials**

There is very limited coverage of international cases in treatises or practice guides available through Westlaw and Lexis. Such resources are mainly available only in print through the library. Use the online catalog to search the library’s print collection. There are two main approaches to locating these works: searching by tribunal or by topic. Some commentaries focus specifically on particular tribunals, and can be readily identified by running a keyword search that includes the tribunal name. Searching by topic allows you to locate cases relating to a specific subject area and not necessarily those of a particular tribunal.

Some treatises covering international cases can be accessed through internet search engines and catalogs. Google Books (http://books.google.com/) allows full-text searching of millions of books and can help you to identify relevant legal treatises that may not be available in our library’s collection. These texts will sometimes be retrieved in full through the search engine, but in many instances only a preview consisting of a limited number of pages from the work will be provided. WorldCat (http://www.worldcat.org/) is a catalog that allows you to search the holdings of numerous libraries located within and outside of the United States. If you have identified a title that is not held in our library, we may be able to borrow it for you from another library through our interlibrary loan service.

**C. Law Review Articles**

Law review articles covering international case law and tribunals can be located through a combination of full-text resources and periodical indexes. The main sources are: the full-text law review databases on Lexis, Westlaw, and HeinOnline (Law Journal Library); free Internet resources including Google Scholar and law review websites; and periodical

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2 Available at http://gocat.law.pacific.edu/
3 To request an interlibrary loan for specific titles, please email ILLMcGeorge@pacific.edu or call 916-739-7240. This service is only available for faculty and currently enrolled students.
4 Available at http://scholar.google.com/.
indexes. In addition to indexes such as LegalTrac that primarily focus on U.S. law reviews, it may also be helpful to try the following two indexes which concentrate on non-U.S. publications:

Index to Foreign Legal Periodicals (1960-).
Indexes over 500 periodicals, most of which are published in non-common law countries. It also includes selected international and comparative law journals from the United States, United Kingdom and the Commonwealth. An electronic version is available through HeinOnline and can be accessed through the library’s Databases page at http://libguides.mcgeorge.edu/databaselists.

Legal Journals Index (1986-).
Indexes articles from over 430 legal journals published in Europe. This index is particularly useful for United Kingdom and European Union research. Available through Westlaw Classic – use the following path to locate the database: Directory > International/Worldwide Materials > European Union.

D. Yearbooks

Yearbooks covering international tribunals or your research topic may be available electronically or in print. Such sources will often describe the activities of courts and may summarize or even provide the full-text of decisions. For example, *The Global Community: Yearbook of International Law and Jurisprudence* provides excerpts from leading international tribunal cases as well as articles on recent international case law developments.5

For print titles, search the library’s online catalog by keyword using the terms “yearbook” or “year book” along with the tribunal name or your subject area of interest. Some yearbooks are also available electronically through HeinOnline (Foreign & International Law Resources Database), which is accessible through the library’s online catalog and its Databases webpage.

E. Digests

Digests organizing international cases by topic are available to a limited extent. There are no case law digests that provide universal coverage of international decisions, but a few digests do cover individual tribunals or cases addressing specific topics. The following are a few examples of digests available through the library or internet. Additional digests may be located by searching the library’s online catalog by keyword using the term “digest” along with terms based on your topic or tribunal of interest. Digests may also be located through research guides and texts (see § II.A).

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Provides excerpts from ICC cases accessible by topic and by the court’s statute, rules and regulations.

Covers foreign cases and arbitral decisions construing the United Nations Convention on Contracts for the International Sale of Goods. It is also available on HeinOnline (United Nations Law Collection).

World Court Digest.
Organizes International Court of Justice decisions by subject matter. Coverage is from 1986 forward.

**F. Current Awareness Resources**

A number of resources are available for following current international case law developments. Many international courts provide docket and other information on their websites for cases currently pending before the tribunal. These sites will also frequently contain press releases and other documents that describe recent decisions or other actions taken by the court. These websites can be readily identified through internet search engines by searching under the institution’s name as well as through research guides (see § II.A). The following are selected resources that cover recent international case law developments:

**ASIL Insights.**
Site: http://www.asil.org/insights.cfm
An electronic newsletter from the American Society of International Law that provides analysis of recent noteworthy international law developments, including case law. Typically published two or three times per month.

**International Judicial Monitor.**
Site: http://www.judicialmonitor.org/current/index.html
Includes information on recent international case law, plus brief articles discussing assorted issues that impact international tribunals. Published several times per year by the International Judicial Academy.

**International Law in Brief.**
Site: http://www.asil.org/libmenu.cfm
Provides abstracts of and links to the full-text of documents relating to the latest developments in international law. Usually published twice monthly by the American Society of International Law.
International Trade Reporter (BNA).
Subscription Database: http://libguides.mcgeorge.edu/databaselist
Current awareness service for trade developments affecting the U.S. Available through Bloomberg Law and Bloomberg BNA, both of which are library subscription databases.

Lexis.
Subscription Database: http://libguides.mcgeorge.edu/databaselist
Includes an alert feature that allows you to automatically run searches in specified databases on a schedule you choose.

Oxford Reports on International Law.
Subscription Database: http://libguides.mcgeorge.edu/databaselist
This library database (see § III.A.) allows the user to sign up for email alerts and/or RSS feeds indicating new case law additions to the service.

Westlaw.
Subscription Database: http://libguides.mcgeorge.edu/databaselist
Provides an alert feature that allows the user to automatically run searches in selected databases.

III. Selected Full-Text International Case Law Resources

The following is a selected list of full-text international case law resources. Additional relevant sources may be available. To facilitate locating these materials, check research guides and texts (see § II.A). You can also directly search the library’s online catalog for print and electronic resources. Run a keyword search using terms based on your topic or tribunal of interest, plus the word “cases.”

There are three main sources for the full-text of international cases: library subscription databases, free internet websites, and print case reporter sets. Library subscription databases can be accessed through the library’s Databases webpage, or by running a title search in the library’s online catalog using the database name.

Free internet websites can most easily be identified by using research guides and texts (see § II.A) and internet search engines (search under the topic or tribunal of interest). Especially useful are the tribunals’ websites, which often provide the full-text of decisions plus other materials, such as docket information, press releases, and sometimes the parties’ pleadings.

The library’s collection also contains both official and unofficial case reporters for various courts and topics. Some of these reporters include cumulative or annual subject indexes. When citing to an international case, keep in mind that the citation style manual that you are using may require you to cite to preferred sources, often the official reporter for the tribunal. International and foreign cases are covered in *The Bluebook: A Uniform System of Citation*

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6 Resources listed in the library’s online catalog that include the full-text or substantial excerpts from cases will always have the word “cases” add to its subject headings (for example, “international crimes – cases”).
under Rules 21.5 (international law cases) and 20.3 (foreign cases).\footnote{7} International and foreign case citation rules can also be found in the \textit{ALWD Citation Manual: A Professional System of Citation}, rules 21.4 and 21.5.\footnote{8} \textit{The Bluebook} in particular is useful for identifying potential sources for a tribunal’s decisions.

\textbf{A. Selected Multi-Topic International Law Case Resources}

The following resources include cases addressing international law issues in a number of different topical areas.

Consists of annotations (articles), each covering a narrow area of international law. Each annotation explains how international tribunals, foreign courts, and U.S. courts have addressed the particular international issue. Unlike the other components of ALR, it is not available electronically on Lexis or through the law school’s subscription to Westlaw.

\textit{HeinOnline}.
Subscription database: http://libguides.mcgeorge.edu/databaselist
The Law Journal Library includes \textit{International Legal Materials} (selected international law cases, 1962-). The Foreign & International Law Resources Database provides \textit{International Labour Law Reports} (labor law decisions from the high courts of a number of jurisdictions), \textit{Hague Permanent Court of International Justice} (official reporter for the court), and \textit{Reports of International Arbitral Awards} (international arbitration disputes between nation states and/or intergovernmental organizations). The United Nations Law Collection includes \textit{International Court of Justice Reports of Judgments, Advisory Opinions and Orders} (official reporter for the court).

\textit{International Law Reports} (1919-). Location: Stack-1, JX68 .I55.
Subscription database: http://libguides.mcgeorge.edu/databaselist
This publication is one of the leading international case law resources. It contains selected public international law cases from a wide variety of settings, including international tribunals, ad hoc arbitrations between states, and domestic courts. Where applicable, the decisions have been translated into English. The library’s print subscription ceased in 2009 (volume 134).

Contains selected decisions from international and national tribunals pertaining to international law. Coverage starts in 1962. Also available on HeinOnline (Law Journal Library), Lexis and Westlaw (coverage in Westlaw is only from 1980 to present, and is only partial).

Lexis.
Subscription database: http://libguides.mcgeorge.edu/databaselist
Cases may be found in court specific or topical databases. Coverage includes: International Court of Justice; European Court of Human Rights; European Union cases; selective decisions from human rights tribunals and committees (1996-); and WTO, GATT and NAFTA dispute resolution decisions. Selective international law decisions are published in International Legal Materials (1962-). Content varies by court and jurisdiction, so check the database scope notes.

Much of this content has not been migrated to Lexis Advance and is only available on traditional Lexis. Most international case law resources on traditional Lexis can be found under the following two trails: Legal > Area of Law - By Topic > International Law > Find Cases; Legal > Area of Law - By Topic > International Trade > Find Cases.

Oxford Reports on International Law.
Subscription database: http://libguides.mcgeorge.edu/databaselist
Provides full-text decisions from many international tribunals, including the following: International Court of Justice; Permanent Court of International Justice; European Court of Human Rights; Inter-American Court of Human Rights; International Centre for the Settlement of Investment Disputes; International Tribunal for the Law of the Sea; and the Permanent Court of Arbitration. This database also contains selected domestic court decisions in English from over seventy countries that address international law issues.

Westlaw.
Subscription database: http://libguides.mcgeorge.edu/databaselist
Provides coverage of a range of tribunals, including the International Court of Justice; International Criminal Tribunal for the Former Yugoslavia; International Criminal Tribunal for Rwanda; European Court of Human Rights; Iran-United States Claims Tribunal; Inter-American Commission for Human Rights; WTO, GATT and NAFTA dispute resolution decisions; and European Union cases. Westlaw also has a good collection of commercial arbitration decisions. Selective decisions are also published in International Legal Materials (1980-). Check the scope note for each database for information on dates of coverage and comprehensiveness.

Some of these resources have not been migrated to WestlawNext and are only available on Westlaw Classic. Decisions on Westlaw Classic may be located under the following trails: Directory > International/Worldwide Materials > Multi-National Materials > Court & Tribunal Cases; Directory > International/Worldwide Materials (check under the appropriate region for decisions from regional tribunals); Directory > International/Worldwide Materials > Multi-National Materials > International Practice Areas > Arbitration > Awards & Case Law; Directory > Topical Materials by Area of Practice > International Law.
World Legal Information Institute, International Courts and Tribunals Collection.
Site: http://www.worldlii.org/int/cases/
  Full-text searchable database covering numerous international tribunals in areas such as
  international criminal law, human rights, and trade. Also includes the International
  Court of Justice and Permanent Court of International Justice, as well as several
  regional courts. Coverage varies by tribunal.

B. Selected Subject Specific Resources

International Arbitration

ICSID Reports: Reports of Cases Decided Under the Convention on the Settlement of
Investment Disputes Between States and Nationals of Other States, 1965 (1993-).
  Arbitral awards and decisions given under the auspices of the International Centre for
  the Settlement of Investment Disputes or pursuant to other multilateral or bilateral
  investment treaties, including NAFTA. Includes both annual and cumulative indexes.

Investor State Law Guide.
Subscription database: http://libguides.mcgeorge.edu/databaselists
  Provides multilateral and bilateral investment treaties (BITs) and arbitral awards that
  apply these agreements.

Subscription database: http://libguides.mcgeorge.edu/databaselists
  Provides extensive access to primary and secondary sources related to international
  arbitration. Includes court decisions and arbitral awards from numerous jurisdictions
  and tribunals.

  Contains selected arbitration decisions between countries and/or intergovernmental
  organizations going back to the 1700s. Available in print, HeinOnline (Foreign &
  International Law Resources Database) and at

International Criminal Law

Klip, Andre & Goran Sluiter, eds., Annotated Leading Cases of International Criminal
  Provides the full-text of decisions from the International Criminal Tribunal for the
  former Yugoslavia, International Criminal Tribunal for Rwanda, Special Court for
  Sierra Leone, International Criminal Tribunal for Timor-Leste and the International
  Criminal Court. Brief explanatory commentaries are included with the cases.
Provides excerpts from ICC cases accessible by topic and by the court’s statute, rules and regulations.

**International Environmental Law**

**ECOLEX.**
Site: http://www.ecolex.org/
Environmental law database operated by the Food and Agriculture Organization, International Union for Conservation of Nature, and the United Nations Environment Programme. Provides access to a wide variety of international environmental law related documents, including cases decided by the E.U. and the national courts of numerous countries.

International environmental law cases decided by international and national tribunals.

**International Human Rights**

**European Human Rights Reports** (1979-). Location: Stack-1, K3239.23 .E95.

Decisions from human rights bodies, including U.N. human rights committees, the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, the African Commission on Human and Peoples' Rights, and the international criminal tribunals for the former Yugoslavia and Rwanda. Coverage starts in 1992. This publication includes cumulative and annual indexes. Our subscription to this journal ceased in 2010.

**International Trade**

Site: http://www.wto.org/english/res_e/booksp_e/gatt_ai_e/gatt_ai_e.htm
Lists dispute resolution reports, drafting history documents, and other materials by GATT article. Coverage is from 1947-1995. Includes a subject index.
This annual American Law Institute publication provides yearly analysis of WTO dispute resolution decisions.

WorldTradeLaw.net.
Subscription database: [http://libguides.mcgeorge.edu/databaselist](http://libguides.mcgeorge.edu/databaselist)
The site’s Case Law Index organizes WTO and GATT dispute resolution reports by the treaty article and by topic. The text and a commentary are also provided for each report. Also includes NAFTA decisions, except arbitrations under Chapter 11.

Contains the full-text of WTO Panel and Appellate Body reports. Includes a subject index to each report and annotations which summarize the major issues discussed in each report. A cumulative index lists decisions by treaty article.

World Trade Organization, Dispute Settlement Gateway.
Site: [http://www.wto.org/english/tratop_e/dispu_e/dispu_e.htm](http://www.wto.org/english/tratop_e/dispu_e/dispu_e.htm)
Gateway to WTO dispute resolution reports. Includes the *WTO Analytical Index*, which lists reports and decisions by the relevant treaty articles, and is current through September 2011. A supplement on the site further updates the *WTO Analytical Index*.

C. Selected Official Case Sources

European Court of Human Rights / European Commission of Human Rights

Decisions from the European Commission of Human Rights. Some volumes in this set are not held by the library.

Decisions from the European Commission of Human Rights. Set includes cumulative indexes.

European Court of Human Rights.
Site: [http://www.echr.coe.int/](http://www.echr.coe.int/)
Provides comprehensive coverage of decisions from the European Court of Human Rights. HUDOC, the court’s case law database, allows full-text searches of both the court’s and the commission’s decisions.

Series A covered decisions of the court from 1960-95. Series B published the pleadings, oral arguments and other documents from 1961-88.
Reports of Judgments and Decisions (1996-). Location: Stack-1, K3239.23 .E98. Cases decided by the European Court of Human Rights. Coverage is only selective starting in 1998, and currently is several years out of date. For comprehensive access to decisions, use HUDOC, the court’s case law database (see above).

European Union

EUR-Lex.
Legal portal for the European Union. Includes decisions and opinions from the European Court of Justice, the General Court and the Civil Service Tribunal. Coverage begins in 1954.

Reports of Cases Before the Court of Justice and the Court of First Instance. Location: Treatise, KJE924.5 .C69.
Decisions and opinions from the European Court of Justice and Court of First Instance. Coverage starts in 1954. The set normally is a couple years out of date. Prior to 1990, the reporter is entitled Reports of Cases Before the Court.

Inter-American Court of Human Rights / Inter-American Commission on Human Rights

Inter-American Commission on Human Rights.
Site: http://www.oas.org/en/iachr/
Website of the Inter-American Commission on Human Rights. The annual reports include cases considered by the commission (1970 to present). Lists of cases by type and year are also available.

Inter-American Court of Human Rights.
Site: http://www.corteidh.or.cr/
Cases considered by the court from 1987 on, searchable by keyword or by year.

International Court of Justice

International Court of Justice.
Site: http://www.icj-cij.org/
The court’s website includes judgments, advisory opinions, orders, written and oral pleadings, and other materials.

The library has coverage in microfiche from 1949-75, and selective coverage in print from 1976 forward. Written and oral proceedings are also available on the court’s website at http://www.icj-cij.org/.

9 Additional information on European Union case law research can be found in the library’s E.U. research guide, at http://mcgeorge.edu/Library_Home/Research_Guides.htm.
10 The Court of First Instance was renamed the General Court in 2009.
Reports of Judgments, Advisory Opinions and Orders (1947-). Location: Stack-1, JX1971.6.A244.
Coverage starts in 1947 and tends to be over five years out of date at any given time. Available electronically through HeinOnline (United Nations Law Collection). The library’s print coverage starts in 1976.

Permanent Court of International Justice

Publications of the Permanent Court of International Justice (1922-).

IV. Citators

Citators are generally not available for decisions from international tribunals or the domestic courts of countries that follow the civil law tradition. Limited citators are available through the databases listed below.

Oxford Reports on International Law.
Subscription database: http://libguides.mcgeorge.edu/databaselists
Includes the Oxford Law Citator, which provides a report for each case listing links to cases and other documents in Oxford databases that cite to your original decision. Each citator report also provides the history of the case.

Westlaw Classic.
Subscription database: http://libguides.mcgeorge.edu/databaselists
KeyCite includes coverage of both Canadian and Australian court decisions. The United Kingdom Case Law Locator database covers British decisions and provides the case history and links to later cases that cite to the original decision (Directory > International/Worldwide Materials > Databases Listed Alphabetically by Country or Region > United Kingdom (England, Scotland, Wales & N. Ireland) > Cases).

World Legal Information Institute, International Courts & Tribunals Collection.
Site: http://www.worldlii.org/int/cases/
Includes LawCite, a basic citator that lists cases and other documents available in World Legal Information Institute databases that cite to your original case.