

Researching International Human Rights

Kincaid C. Brown
American & Electronic Service Librarian
Current as of: September 30, 2004

I. Basic Research Reminders

- a. Start with secondary sources (see what someone else has written).
 - Secondary sources are a good introduction to a legal area, especially when it is foreign to you.
 - Secondary sources contain commentary, explanations or analysis of the law.
 - Secondary sources allow you to not reinvent the wheel. If someone has already done a survey of a particular point of law, you can cite to what they found, but you do not need to redo the entire survey.
 - Secondary sources will cite other secondary sources as well as primary materials that will want to consult for your research. If an article or a chapter in a book discuss your point to great length, the odds are that you will want to look at the sources they used as well.
- b. Be sure to keep track of where you have been and what you found.
 - Photocopy pages from a book; print online material; make a research log. Be sure to note the bibliographic information.
 - This will make the research process easier – no retracing your steps or wondering where you saw something.
- c. Be sure to cite your sources. Otherwise, it is plagiarism.
- d. If you are having trouble, ask a librarian.

II. Secondary Source Research

- a. How to find books:
 - Use Lexcalibur (<http://lexcalibur.lib.law.umich.edu/>) , the Law Library's online catalog.

- At first, it is easiest to use keyword searches to find books on your subject. Try to start off using more general words – your more narrow topic will be included within the more general subject.
- After you find books that are on point you can use the subject headings from those books to find more books that are on target. If your paper topic focuses on a major international treaty (e.g. the Geneva Conventions) you will be able to find secondary sources with commentary and interpretation on your topic with a subject search using the name of the treaty (in this case “Geneva Convention”).
- Books that appear to be on a general topic will often have chapters on more narrow sub-topics. We have started loading tables of contents into Lexcalibur so keyword searches will return hits for a chapter on your subject even if the larger work is more general.
- Don’t forget to use Mirlyn (<http://mirlyn.lib.umich.edu/>) the University Library’s online catalog. The University Library has a large collection and does include international, political science, and human rights materials that the Law Library does not have in its collection.

b. How to find articles:

- Do not use Lexcalibur, you will only be able to find the journals themselves, not articles within them. Instead, to find journal articles, use the indexes noted below, they are linked from the Law Library Electronic Resources List (<http://www.law.umich.edu/library/eres/ereslist/ereslistindex.htm>). Again, remember that it will often be best to start with a keyword search and then to search using the subjects listed on an on-point article. These indexes will generally use the same subjects as Lexcalibur so you should be able to transfer a good subject heading (e.g. “Geneva Convention”) between resources.
- *LegalTrac*. Indexes articles in United States, Canadian, United Kingdom, and Australian legal periodicals beginning in 1980.
- *Index to Legal Periodicals*. Indexes articles in United States, Canadian, English, Irish, Australian, and New Zealand legal journals, bar association journals, yearbooks, (some) government publications,

and law reviews beginning in 1981. Note that this is also a paper title going back to 1908 (in the Reference Collection).

- *Index to Foreign Legal Periodicals*. Indexes articles worldwide focused on international law, comparative law, and the law of foreign jurisdictions beginning in 1980. Note that this is also a print title going back to 1960 (in the Reference Collection).
- *HeinOnline*. Includes full text of most American law reviews back to the start of the journal. The search mechanism is not as good as Lexis or Westlaw though.
- *RAVE*. Indexes articles on international law and European law beginning in 1995.
- *Lexis* and *Westlaw*. Full text of most American law reviews and many English language legal journals beginning in 1980.

III. United Nations Documents

a. UN Documents in paper and microfiche

- UN documents and sales publications are issued in mimeographed form and are identified most often by a UN document number.
- The Law Library has the mimeographed documents and the UN Official Records on microfiche from 1946-present (*Readex Microfiche Collection*; call # Micro-10 UN). There is an online index to the microfiche set, *Access UN*, that is available from the Law Library Electronic Resources List (<http://www.law.umich.edu/library/eres/ereslist/ereslistindex.htm>).
- The Law Library also holds in paper the UN Official Records from 1946-1980 and a variety of UN sales publications.
- The Hatcher Graduate Library, which is a United Nations Depository Library, has paper UN documents, including the Official Records, from 1945-present. The Graduate Library also has the Readex microfiche set. For any documents not included in the Readex microfiche set, the Documents Center (2d floor of the North Graduate Library building) is a good place to check for those documents because they should have all published UN documents.

b. UN Documents Online

- The *UN Documentation Centre* (<http://www.un.org/documents/>) includes documents, primarily from the major UN bodies – the General Assembly, the Security Council, and the Economic and Social Council.
- The *UN Treaty Body Database* (<http://www.unhchr.ch/tbs/doc.nsf>) includes documents by the committees set up to monitor the implementation of major multi-lateral treaties and covenants including the Human Rights Committee and the Committee on the Elimination of Discrimination Against Women (CEDAW).
- Documents from many UN subgroups and committees will not always be included in the Readex set or in the above documents databases. A good place to further look for those documents is on that group's own web site. For example, the UN High Commissioner for Human Rights has a searchable documents database (<http://www.ohchr.org/english/docsearch.htm>) and the CEDAW web site (<http://www.un.org/womenwatch/daw/cedaw/index.html>) also includes an area of documents and publications.

c. Treaties

- The Law Library holds major UN treaties publications (e.g. *United Nations Treaty Series* and *Multilateral Treaties Deposited with the Secretary-General*) in paper.
- The Law Library also has access to the full-text searchable online resource *United Nations Treaty Collection*, available from the Law Library Electronic Resources List (<http://www.law.umich.edu/library/eres/ereslist/ereslistindex.htm>).
- Note also that the UN High Commissioner for Human Rights has good list of full text Human Rights treaties on its web site (<http://www.ohchr.org/english/law/index.htm>).
- To find citations for paper or microfiche sources for UN treaties you can use:
 1. *Multilateral Treaties Deposited with the Secretary-General*.
 2. *United Nations Treaty Collection* electronic database.
 3. The citations noted in secondary sources that you have found.

4. *Hein's United States Treaties and Other International Agreements* (this will include UN treaties where the US has signed or ratified). There is also a microfiche set associated with this index that includes many of the indexed treaties.
5. *Treaties in Force* (this will include UN treaties that the US has signed and ratified).
6. *Access UN* to find treaties in the *Readex Microfiche Set*.

IV. Decisions of International Tribunals

a. International Court of Justice

- The ICJ was created by the Charter of the United Nations and its jurisdiction extends to all states, whether or not they are UN members.
- The Law Library holds the ICJ reporter, *Report of Judgments, Advisory Opinions and Order* (call #: JX6 4.4 R3). The Law Library also holds the ICJ title that is similar to briefs and records of American courts, *Pleadings, Oral Arguments, and Documents* (call #: JX6 4.4 P7).
- The International Court of Justice web site (<http://www.icj-cij.org/>) has the texts of all ICJ decisions as well as basic ICJ documents including the Charter of the United Nations, the Statute of the Court, and ICJ Court Rules.

b. European Court of Human Rights

- The ECHR decisions are published in the following sets: *Publications, Series A – Judgments and Decisions* (covers period 1961-1996, call #: JX9 CE.55 H95pa); *Reports of Judgments and Decisions* (covers period 1996-1998, call #: JX9 CE.55 H95re), and *Reports of Judgments and Decisions* (covers period 1999-, call #: JX9 CE.55 H95rep). The Law Library also holds the ECHR title that is similar to briefs and records of American courts, *Publications, Series B – Pleadings, Oral Arguments and Documents* (this title ceased in 1995, call #: JX9 CE.55 H95pb).
- ECHR decisions are also available on the ECHR web site (<http://www.echr.coe.int/>).

c. International Criminal Tribunal for the Former Yugoslavia (ICTY)

- ICTY judgments are published on the ICTY web site (<http://www.un.org/icty/>).
 - Selected decisions are also included in *Annotated Leading Cases of International Criminal Tribunals* (call #: JX6 6 A615 L43).
- d. International Criminal Tribunal for Rwanda (ICTR)
- ICTR judgments are published on the ICTR web site (<http://www.icttr.org/>)
 - Selected decisions are also included in *Annotated Leading Cases of International Criminal Tribunals* (call #: JX6 6 A615 L43).
- e. European Union Courts of Justice and First Instance
- These courts are the judicial organ of the European Union and interpret and apply the EU treaty and law.
 - The Law Library holds the reporter for these courts, *Reports of Cases Before the Court of Justice and the Court of First Instance* (call 3: JX9 EC.6 R425).
 - Decisions are also available on the court web site (<http://curia.eu.int/en/index.htm>).
- f. Inter-American Court of Human Rights
- The Inter-American Court of Human Rights publishes 5 series of documents relating to the cases it hears. The Law Library holds all in paper:
 1. *Series A: Judgments and Opinions* (call #: JX9 OAS.743 S485a). These opinions are also available on the Court web site (http://www.corteidh.or.cr/index_ing.html) under the heading “Advisory Opinons.”
 2. *Series B: Pleadings, Oral Arguments, and Documents* (call #: JX9 OAS.743 S485b). This series ceased in 1996.
 3. *Series C: Decisions and Judgments* (call #: JX9 OAS.743 S485c). These opinions are also available on the Court web site (http://www.corteidh.or.cr/index_ing.html) under the heading “Decisions and Judgments.”
 4. *Series D: Pleadings, Oral Arguments and Documents* (call #: JX9 OAS.743 S485d).

5. *Series E: Provisional Measures* (cal #: JX9 OAS.743 S485e).

These orders are also available on the Court web site

(http://www.corteidh.or.cr/index_ing.html) under the heading

“Provisional Measures.”

- The Law Library also subscribes to the Court’s *Annual Report* (call #: JX9 OAS.743 A615e). 1998- are also available on the Court web site (http://www.corteidh.or.cr/index_ing.html).
- See also an index to the Court’s documents that covers the period 1980-1995: *Index to the documents of the Inter-American Commission on Human Rights, 1960-1995 and the Inter-American Court of Human Rights, 1980-1995* (call #: Microfilm Room Books I38 D63 I61).

V. **Organization of American States Documents**

- a. The Law Library subscribes to the OAS Official Records microfiche set (call #: Micro-10 S430). Our microfiche holdings cover the period 1986-present, although the fiche is at this point 5 years behind. The microfiche set has an associated index/document finding list that has changed titles a number of times (call #: Microfilm Room Books D6374 O32a-e).
- b. The Law Library should hold most OAS documents prior to 1986 in paper. You will need to find the call number for specific documents in Lexcalibur (<http://lexcalibur.lib.law.umich.edu/>). Many documents since 1986, especially those in series, the Law Library will have in paper as well.
- c. Most recent and many historical OAS documents, including treaties, resolutions, and other official documents, are also available on the OAS web site (<http://www.oas.org/main/english/>) under the heading “Documents & Reports.” The OAS also has a separate treaties web page (<http://www.oas.org/treaties/treaties.htm>) that contains the texts of treaties.
- d. OAS Inter-American Commission on Human Rights documents are included in the microfiche set, noted above. Also, the IACHR web site (<http://www.cidh.org/>) also includes the texts of OAS human rights documents, and IACHR’s annual, special and country reports.
 - See also an index to the Commission’s documents that covers the period 1960-1995: *Index to the documents of the Inter-American Commission on Human Rights, 1960-1995 and the Inter-American*

Court of Human Rights, 1980-1995 (call #: Microform Room Books I38 D63 I61).

VI. United States Government Publications

- a. The US State Department publishes documents focused on human rights. To find state department documents, use the Law Library's or Graduate Library's online catalogs (<http://lexcalibur.lib.law.umich.edu/> or <http://mirlyn.lib.umich.edu/>). The Graduate Library gets many more US Government documents that the Law Library, though not all documents are cataloged in Mirlyn. If you do not find the document you are looking for in Mirlyn, you may need to go to the Documents Center (2d floor of the North Graduate Library building).
- b. *Country Reports on Human Rights Practices* is a major human rights publication of the US State Department. The Law Library holds 1979-present in paper (call #: JX3 C85727 R425 H92). 1993- is also available from the State Department's "Major State Department Publications" page (<http://www.state.gov/r/pa/ei/rls/dos/221.htm>) under the heading "Human Rights."
- c. The United States Congress also publishes materials that discuss human right. The Law Library will have most major Congressional documents either in paper or microfiche. Many documents are also available online or at the Graduate Library Document Center. For more information on finding US Congressional documents, see "Introduction to United States Legislative Materials and Legislative Histories" (<http://www.law.umich.edu/library/refres/resguides/pdfs/uslegmats.pdf>).
- d. Finding treaties to which the US is a party.
 - The Law Library holds *United States Treaties and Other International Agreements* and *Treaties and International Acts Series* in paper, though the US Government is far behind in publishing volumes.
 - *Hein's United States Treaties and Other International Agreements* (this will include treaties where the US has signed or ratified). There is also a microfiche set associated with this index that includes many of the indexed treaties. This set is often called Kavass after the editor.
 - *Treaties in Force* (this will include treaties that the US has signed and ratified).

- For US signed and ratified UN treaties, see the UN treaty resources noted above.
- Senate Treaty Documents since 1970 (prior to 1981 they were called Senate Executive Documents) are included in the *CIS Congressional Document and Legislative History* microfiche set. The indexes to this set are in the Reference Collection. Senate Treaty Documents prior to 1970 are included in the *CIS US Senate Executive Documents & Reports* microfiche set. The indexes are in the Reference Collection. Beginning in 1995, Senate Treaty documents are available online at <http://www.gpoaccess.gov/serialset/cdocuments/about.html>.
- Heinonline (linked from the Law Library Electronic Resources List <http://www.law.umich.edu/library/eres/ereslist/ereslistindex.htm>) includes a searchable full text page views of *UST*, *TIAS*, *Kavass*, *Treaties in Force* and other major US treaty resources.

VII. Other Human Rights and International Resources

- a. The University of Minnesota Human Rights Library (<http://www1.umn.edu/humanrts/>) contains a wealth of human rights materials including treaties, UN documents, US legislation and documents, research guides and links organized by document, organization-type, region, or topic.
- b. The University of Michigan Law School Refugee Caselaw Site (<http://www.refugeecaselaw.org/Refugee/Default.asp>) contains court decisions from Australia, Austria, Canada, Germany, New Zealand, Switzerland, the United Kingdom, and the United States that interpret the legal definition of “refugee.” Eventually this site will expand to include more jurisdiction as well as caselaw interpreting the rights of refugees.
- c. European Union law. The University of Michigan Law Library is an EU Depository and holds most of the legal material published by the European Union. Additionally, much EU legal material can be found on the EU web site, Europa (<http://europa.eu.int/index.htm>), Celex (http://europa.eu.int/celex/htm/celex_en.htm), and Eur-Lex (<http://europa.eu.int/eur-lex/en/index.html>). Note that the Celex (previously a for-fee research database) and Eur-Lex databases will be merging in the future, the details of which have not yet been decided. For more information on

European Union research see “Researching the Law of the European Union”
(<http://www.law.umich.edu/library/refres/resguides/pdfs/eu.pdf>).

- d. Web sites of non-governmental organizations that are focused on human rights in general (e.g. Amnesty International or Human Rights Watch) or on a particular area within human rights (e.g. International Committee of the Red Cross) are also good places to look for information and commentary on human rights issues (especially dealing with recent or current events).