



## Foreign and International Law Research Treaties - Introduction

There are two kinds of treaties, bilateral and multilateral. A bilateral treaty is an agreement between two individual countries, while a multilateral treaty is an agreement between multiple countries. Bilateral treaties are also referred to as conventions.

The Constitution gives the President the power to conclude treaties with foreign governments subject to the advice and consent of the Senate. Once the Senate ratifies a treaty and the President proclaims it, the treaty becomes part of U.S. domestic law.

There is also a second type of agreement called an Executive Agreement. This is an agreement that the President or a member of the Executive Branch may conclude with a foreign government that does not require Senate approval. Typically, an agreement of this type may be the implementation details of an already approved treaty, or an agreement to between the governments to act in a particular way towards each other.

### **Treaties - Consideration by the Senate**

The process for ratification is relatively straightforward. The President transmits a treaty to the Senate, and Senate publishes the text along with the Presidential message of transmittal as a Treaty Document. They are numbered according to the congress and number in which they were received. Unlike bills or resolutions, treaties do not die at the end of a congressional session. They may be considered by subsequent congresses. The treaty is assigned to the Senate Foreign Relations Committee (<http://www.senate.gov/~foreign/>), which examines the treaty as it would legislation. The Committee may hold hearings, or not, and ultimately sends its recommendation to the full Senate in a document known as an Executive Report. These contain the committee's recommendation for passage of the treaty along with any qualifications the Committee may place on the text or interpretation of the treaty. These are contained in the text of the Resolution of Adoption, which is included in the Executive Report. Executive Reports are numbered according to congress and its numerical issue. These, as well as treaty documents, are available on GPO Access (<http://www.gpoaccess.gov/>) from the 104<sup>th</sup> congress to the present. There is no correspondence between the numbering of Treaty Documents and Executive Reports.

### **Text of U.S. Treaties**

The full text of United States treaties is located in a number of sources. [Bevan's Treaties and Other International Agreements of the United States of America, 1776 - 1949](#). Cited as Bevans. There are a number of other treaty series that have been published by the United States, such as the Miller and Malloy compilations, but the Bevans set has largely superseded these.

Executive Agreement Series 1929-1945. Cited as EAS. Contains Executive Agreements through 1945 and incorporated into Bevans. United States Treaties and Other International Agreements continued these.



United States Statutes at Large 1799-1949. Treaties were included in Statutes at Large until they were transferred to United States Treaties and Other International Agreements when it started publication in 1950.

Treaty Series (nos. 498-812) 1910-1944. Cited as TS.

Treaties and Other International Acts 1946 to date. Cited as TIAS. These are issued as pamphlets containing individual treaties. They are numbered individually and cited as TIAS.

United States Treaties and Other International Agreements 1950 to date. These are bound volumes that replace the TIAS pamphlets as a permanent volume. Publication is approximately 15 years behind the current date. Consequently, there are a large amount of TIAS pamphlets that act as supplements to this set.

Treaties are also available on Lexis and Westlaw through their various international law databases. The State Department does not publish the text of treaties through their web site at this time. However, the W.S. Hein Company has placed the many of these treaty documents and indexes listed below on their HeinOnline commercial database. They are word searchable, and individual documents are downloadable in PDF format. The following list will indicate the current coverage of available items:

United States Treaties and Other International Agreements Volumes  
1-35 (1950-1984)

Treaties and Other International Agreements of the United States of America 1776-  
1949 (Bevans) Volumes 1-13 (1776-1949)

Treaties, Conventions, International Acts, Protocols and Agreements (Malloy)  
Volumes 1-4 (1776-1937)

Treaties and Other International Acts of the United States of America (Miller)  
Volumes 1-8 (1776-1863)

Treaties and International Act Series (TIAS)  
TIAS 11060 to TIAS 12734

KAV Agreements  
KAV 1-6311

International Legal Materials  
Vols. 1-41 (1962-2002)

Treaties in Force  
1955-2003



Guide to Treaties in Force 1982-2003 International Legal Materials Vols. 1-41  
(1962-2002)

### **Treaty Indexes and Citations**

Treaties In Force as of January 1, 2003. This volume is published by the State Department and available (in current and past editions) on the Department Web Site (<http://www.state.gov/>). This book is divided in two sections, containing references to bilateral and multilateral treaties. The bilateral section is organized by country and then by topic. There are no lists for treaties by their identifying numbers. The multilateral section is organized by topic. Each entry in both sections will indicate all existing citations to a treaty source and the dates of entry into force for the United States. Multilateral entries will also give the names of the various governments that are also a party to the treaty.

United States Treaty Index: 1776-1990 Consolidation: 2001 Revision (W.S. Hein and Co.), compiled and edited by Igor I. Kavass. This set is the most complete index to foreign agreements of the United States. Some volumes have been replaced with revised editions that include material through the year 2000. One of the most complete treaty indexes for U.S. international agreements. For treaties that do not have assigned TIAS or UST, or other identifying number, the author applies his own numbering system, called KAV numbers. Given that treaties are usually officially published many years past their creation, KAV numbers are de facto reference numbers when no other is available.

The organization of the set gives a more flexible approach to treaty finding, as it also includes numerical lists. Such a list is not present in the State Department publication *Treaties In Force*.

Volume 1. Master guide (in numerical order) TS, EAS, and AD series. Volume 2. Master guide (in numerical order) TIAS series (numbers 1501-4721) Volume 3. Master guide (in numerical order) TIAS series (numbers 4722-7987) Volume 4. Master guide (in numerical order) TIAS series (numbers 7988-11057) Volume 5. Master guide (in numerical order) KAV series (numbers 1-2500) Volume 6. Chronological index, 1776-1967  
Volume 7. Chronological index, 1968-1990 Volume 8. Country index, Abu Dhabi to Luxembourg  
Volume 9. Macao to Zimbabwe and Multilateral Volume 10. Subject index, A-K Volume 11. Subject index, L-Z. Volumes 12 and 13: Geographical Subject Index

Current treaty index (W.S. Hein and Co.), compiled by Igor I. Kavass and Adolf Sprudz. This is a companion service to the United States Treaty Index 1776 - 1990 which brings that treaty indexing service up to date.

### **International Treaty Compilations**

#### **League of Nations Treaty Series**

An international treaty series that began with the League of Nations, with coverage from 1920 to 1946. The series is continued by the United Nations Treaty Series.



### **United Nations Treaty Series**

UN Treaty Series contains texts of treaties member states deposit with the Secretary General. The texts usually reproduce copies in all languages used in perfecting the treaty.

Consolidated Treaty Series (Oceana). This multi-volume set covers treaties between foreign nations from 1648 to 1918.

European Treaty Series (European Council). Coverage starts with the first treaty in 1949. Available online at <http://conventions.coe.int/>.

Entities such as the Organization of American States (OAS) place their treaties online. They are available at <http://www.oas.org/treaties/treaties.htm>. One strategy for locating treaties that involve organized groups of states is to look to the entity's web site, i.e. NATO.

The Fletcher Multilaterals Project, <http://fletcher.tufts.edu/library/Default.asp>. Treaties are organized by subject and chronologically.

International Legal Materials (ILM) is a publication of the American Society of International Law. Each issue contains the text of important treaties, court decisions, national resolutions, documents of world organizations, and other current documents relating to international law. Published bimonthly.

### **Online Resources**

The Official Department of State Web Site

<http://www.state.gov/>

The Political Database of The Americas (Georgetown University and The Organization of American States) <http://www.georgetown.edu/pdba/>.

Global Legal Information Network (The Library of Congress)

<http://www.loc.gov/law/glin/GLINv1/>. The Global Legal Information Network (GLIN) maintains and provides a database of laws, regulations, and other complementary legal sources. Contains full texts of documents in the official language of the country of origin, summaries or abstracts in English, and thesauri in English and in as many official languages as are represented in the database. The summaries or abstracts are linked electronically to the corresponding full texts. Currently, information can be searched in English using the instructions appearing on the screen.

Environmental Treaties and Other Instruments from ECOLEX.

<http://www.ecolex.org/ecolex/index.php>.

Hague Convention on Private International Law

<http://www.hcch.net/e/conventions/>

International Institute for the Unification of Private Law (UNIDROIT)

<http://www.unidroit.org/english/conventions/c-main.htm>



International Labour Organization

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

Treaties Administered by the World Intellectual Property Organization (WIPO)

<http://www.wipo.int/treaties/index.html>

World Trade Organization Legal Documents

[http://www.wto.org/english/docs\\_e/legal\\_e/legal\\_e.htm](http://www.wto.org/english/docs_e/legal_e/legal_e.htm)

Documents from the NAFTA Secretariat

[http://www.nafta-sec-alena.org/DefaultSite/legal/index\\_e.aspx?ArticleID=267](http://www.nafta-sec-alena.org/DefaultSite/legal/index_e.aspx?ArticleID=267)

Robert E. Dalton: National Treaty Law and Practice: United States, Chapter 6 Excerpt from National Treaty Law and Practice, eds. Monroe Leigh, Merritt R. Blakeslee, and L. Benjamin Ederington (ASIL 1999).

<http://www.asil.org/dalton.pdf>

The European Union places many of their documents, including decisions by the various European courts, including the European Court of Justice, online through an extensively developed web site (<http://www.europa.eu.int/>). The site is mirrored in the many languages of the EU member states, although documents may be limited in the number of languages in which they are available.

Law Reviews

There is a large selection of law reviews devoted to international law. These are normally placed in a library with the international materials rather than with the general law reviews, although this practice will vary from library to library. Check the OPAC for a call number and location for a particular title. These are indexed in The Index to Legal Periodicals and Books (W.S. Wilson and Co.), Current Law Index (Gale), and online through InfoTrac, and various databases on Lexis and Westlaw.

Foreign Law Reviews are indexed in the Index to Foreign Legal Periodicals.

### **Foreign Primary Law**

Libraries collect primary foreign legal documents such as statutes and cases to varying degrees. Larger schools with a strong international component to their curriculum tend to carry such materials in print, if they are available. Most academic libraries, however, tend to have strong collections of British and Canadian material. The most likely holding in a library will be a commentary on the laws of a foreign nation. Usually devoted to a single subject, it is typical to find titles such as Commentary on the Civil Code of Germany, or Doing Business in Egypt, rather than the actual laws of those countries. Typically, libraries include a set of world constitutions and summary collections of foreign law.

Many foreign governments are starting to put documents up on their web sites, although many of these documents may not be available in English. Various legal publishers have been at odds to create English versions of foreign primary materials, as the market does not yet support this effort. The source for many materials in paper and online is usually a foreign government, or a private



publisher who has taken the effort to document the law of a specific country. These collections suffer from defects in their quality, content, timeliness, and status as an “official” document

Given this situation, a researcher should check a government’s public web site, a commercial information supplier, or a library with a strong international collection for foreign legal materials. WordCat is a good place to locate the libraries that collect specific legal materials.

The Library of Congress has started a web site that collects as much primary law as possible in a set of links organized by country. The collection is known as the Global Legal Information Network (GLIN). The summaries of documents are available through searches. The full text, however, is only available to members, which includes an annual fee for access. The page is at <http://www.loc.gov/law/glin/>.

### **Lexis**

Lexis includes a database that contains the text of treaties in the State Department’s Treaties In Force index. The current text is updated as of 2000. Follow the path Legal > Area of Law - By Topic > International Law > Treaties & International Agreements > U.S. Treaties in Force to get to a search page.

The text of U.S. Treaties, including those superceded or out of force are available on Lexis through the following path on their web site: Legal > Area of Law - By Topic > International Law > Treaties & International Agreements > U.S. Treaties on Lexis. Coverage starts in 1776 and continues through current dates.

Lexis contains a collection of foreign law databases. They vary widely in their content and coverage, based on the availability of documents. Look for the link Legal (excluding U.S.) on the main directory page to get to this material.

### **Westlaw**

The Westlaw database USTIF contains the text of treaties that appear in the 2003 edition of the State Department publication Treaties in Force. The database also contains the latest Treaty Actions published on the Department of State website. See the scope note for this database for more detailed information about its content.

The Westlaw database USTREATIES contains full text United States treaties to which the United States is a party for international (1787- ) and Native American Treaties (1797-). The database contains parallel citations to multiple treaty compilations when available.

Westlaw also features laws by country. They are organized by subject and then by country. The collection of materials varies greatly among countries and subject, as it draws on a number of official and unofficial sources. Use the Westlaw Directory on the Westlaw web site to locate specific materials.



## United Nations

Libraries do not usually catalog documents generated by the United Nations, and consequently, UN documents infrequently appear in WorldCat or other bibliographic databases. The UN publishes some of the core documents on their site in HTML and PDF formats. Typical documents researchers will look for are Resolutions of the Security Council, which are located at <http://www.un.org/documents/scres.htm>, with coverage back to the first Resolution issued in 1946. For treaties, see the treaty section of this document. The UN Documentation Center, <http://www.un.org/documents/>, contains links to other documents relating to the General Assembly, The Economic and Social Council, the Secretariat, the Trusteeship Council, and the International Court of Justice. A full organizational chart of the UN is located at <http://www.un.org/aboutun/chart.html> with full clickable links to each subdivision.

## United Nations Dag Hammarskjöld Library

The Hammarskjöld Library, <http://www.un.org/Depts/dhl/index.html>, also contains electronic copies of documents, including selected landmark documents of the UN, a UN System Pathfinder, Reference Guides, and of particular interest, a Research Guide that explains the nature and organization of UN documents, and contains links to UN organizations and documents where possible. The Research Guide located at <http://www.un.org/Depts/dhl/resguide/>.

## UN Document Symbols

The Hammarskjöld Library's Research Guide is useful for explaining UN Document Symbols, which are classification numbers for UN Documents. They are similar to SUDOC numbers for United States government documents, or other types of catalog numbers found in a library OPAC. A typical bibliographic record would have the following information:

E/CN.4/Sub.2/AC.2/1987/WP.4/Add.1

Economic and Social Council, Commission on Human Rights, Subcommission on Prevention of Discrimination and Protection of Minorities, Working Group on Contemporary Forms of Slavery, year: 1987, working paper no. 4, addendum no. 1

The symbol as listed here represents the classification of the document, the title of which is listed below it.

## UN Document Indexes

The paper index for UN documents is called UNDOC, and is published by the Hammarskjöld Library. The first issue appeared in 1979, with coverage starting from that point. The index is issued in two yearly volumes. The first is a document list by UN symbol, personal/corporate name, and title. Volume 2 is a subject index. UNDOC ceased publication in 1998 and is continued by the United Nations Document Index. The United Nations Document Checklist appeared briefly between



the publication of UNDOC and the Index.

Access UN (provided by Newsbank) is an online bibliographic index for UN documents with coverage from 1991 to the present. The database contains full text for selected records, but is mostly a bibliographic database than a source for UN documents. However, the database is useful for verifying the title, source, and reference numbers for individual documents. Access UN is available through the DePaul Libraries Database web page (limited to DePaul users).

There is no coverage for UN documents on Lexis or Westlaw.

The International Court of Justice

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

The International Court of Justice is the principal court of the United Nations. It sits at The Hague in the Netherlands. The Court replaced the Permanent Court of International Justice with the inception of the UN in 1946. Selected decisions of the Court as far back as 1947 appear on the Court's web site, along with its docket, rules, enabling documents, and other miscellaneous material.

IJC materials are not on Lexis. They do appear on Westlaw in the INT-IJC database with coverage beginning in 1947.

Other UN Resources on the web:

Yale University United Nations Scholar Workstation

<http://www.library.yale.edu/un/>

Stanford University Model UN Research

<http://www.stanford.edu/group/Jonsson/mun.html>

Conventions and Other Texts from the International Law Commission

<http://www.un.org/law/ilc/convents.htm>

International Human Rights Instruments from the United Nations High Commissioner for Human Rights

<http://www.unhchr.ch/html/intlinst.htm>

Environmental Legal Instruments from the United Nations Environment Programme (UNEP)

<http://www.unep.org/SEC/>

International Agreements for Oceans and Law of the Seas

<http://www.un.org/Depts/los/index.htm>