War Crime Tribunals Seminar - Legal research strategies 2013

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Note there are several hyperlinks in this .ppt. All hyperlinks have been underlined.
Research Plan

- What are your options?
- Web sites, blogs, newspapers, books, periodicals etc.
- Problem:
  Your time constraints and perhaps getting too many results.
- How do you actually research something you know nothing about?
It is easy!

- All you need is
- RP, RL, LAU, 3c’s, 4 w’s…….
- + you need to know how to use Zotero.
- You also need to know how to stay updated: RSS feed’s in plain English.
- Locate a research guide via Google.
- E.g. [http://www.ll.georgetown.edu/guides/War Crimes.cfm](http://www.ll.georgetown.edu/guides/War Crimes.cfm)
Then you need to have a tool that can keep your research organized.

http://www.zotero.org/
- check out the audio tutorial. This is a free, easy-to-use Firefox extension that helps you collect, manage, and cite your research sources. It lives right where you do your work — in the web browser itself.
But you need to know how to decipher citations......

1. Consult *The Bluebook: A Uniform System of Citation*
2. *International Citation Manual*, Washington University Global Law Review

Other sources:

- **Cardiff Index to Legal Abbreviations**
  This website allows you to search for the meaning of abbreviations for English language legal publications from the British Isles, the Commonwealth and the United States, including those covering international and comparative law
- **Prince's dictionary of legal citations / a reference guide for attorneys, legal secretaries, paralegals, and law students**
- **Guide to foreign and international legal citations**. K89 .G85 2009
Research Guides

- Good research guides are essential to an efficient research effort involving foreign and international law. You can start with:
  - New England School of Law [http://www.nesl.edu/research/warcrim.cfm](http://www.nesl.edu/research/warcrim.cfm)
  - Georgetown School of Law all have excellent research guides devoted to war crimes. [http://www.ll.georgetown.edu/intl/guides/warcrimes/print.html](http://www.ll.georgetown.edu/intl/guides/warcrimes/print.html)
  - LLRX.com provides excellent research guides on international criminal law.

- ASIL Electronic Resource Guide
Strategy for picking a topic to write about

- **Jurist**, is a legal news and real-time legal research website maintained at the University of Pittsburgh School of Law. It provides excellent current awareness pages on international criminal tribunals and courts.
War Crimes in Mali

The Prosecutor of the International Criminal Court (ICC) has announced the opening of an investigation into alleged crimes committed in Mali since January 2012 — in attacking maraîters, terrorizing and dying — with a focus on the northern part of the country.

Rioting between government forces and Tuareg rebels caused the country's northern conflict, following which local officials opened a center in the area. The current clashes are the main, as is the conclusion of armed groups in the region, which are still in power in much of the area. The situation is critical, with thousands of people having taken over the country's north since January 2013, and more rioting and violence being reported.

The ICC Prosecutor, Fatou Bensouda, has stated that the conflict has escalated in recent days and that the situation is critical. The office has opened an investigation into the situation and is currently working to protect those affected.

Located in The Hague, the ICC is an independent, permanent court that has jurisdiction over the most serious crimes of international concern — namely genocide, crimes against humanity and war crimes.
Or locate a blog or newspaper on your chosen topic
Here is a link to my initial search via Google
Public International law consists of rules and principles which govern the relations and dealings of nations with each other.
WORLD LEGAL SYSTEMS

Africa
War crimes research often delve into associated topics such as human rights, treaty research and genocide.

Try to get some context before you start your research quest.
Start with some background information about the country you are researching

- CIA - The World Factbook
The World Factbook provides information on the history, people, government, economy, geography, communications, transportation, military, and transnational issues for 266 world entities. Our Reference tab includes: maps of the major world regions, as well as Flags of the World, a Physical Map of the World, a Political Map of the World, and a Standard Time Zones of the World Map.
How often is *The World Factbook* updated? Formerly our Web site and the published *Factbook* were only updated annually. In November 2001, we began more frequent online updating and for many years bi-weekly updates were the norm. In late 2010 we began to update the online *Factbook* on a weekly schedule. The CIA discontinued publishing the printed *Factbook* after the 2007 edition; subsequent annual editions have been published by the US Government Printing Office.

See: [FAQ](#)
CENTRAL INTELLIGENCE AGENCY
THE WORK OF A NATION. THE CENTER OF INTELLIGENCE.

Publications

THE WORLD FACTBOOK

AFRICA :: MAURITIUS

Page last updated on September 29, 2010

(CONTAINS DESCRIPTION)

Click flag or map to enlarge

Agalega Islands, Cargados Carajos Shoals, and Rodriguez are not shown.
Independence from the UK was attained in 1968 – is English one of the countries primary languages?

**Population:**
1,284,264 (July 2010 est.)

**Age structure:**
- 0-14 years: 22.5% (male 147,136/female 142,121)
- 15-64 years: 70.4% (male 449,176/female 455,057)
- 65 years and over: 7.1% (male 36,309/female 54,465) (2010 est.)

**Ethnic groups:**
- Indo-Mauritian 68%, Creole 27%, Sino-Mauritian 3%, Franco-Mauritian 2%
Government type: parliamentary democracy

Constitution:
12 March 1968; amended 12 March 1992

Legal system:
Based on French civil law system with elements of English common law in certain areas; accepts compulsory ICJ jurisdiction with reservations.
After 50 years of discussion and documentation on the need for an international criminal court, the Rome Statute of the International Criminal Court was adopted on 17 July 1998 and entered into force on 1 July 2002, establishing "an independent permanent International Criminal Court in relationship with the United Nations system, with jurisdiction over the most serious crimes of concern to the international community as a whole."

The texts of most major multilateral treaties are easy to locate online.

**Online Sources**
- EISIL (American Society of International Law) also has a list of conventions.
- United Nations Treaty Collection (Online) (Search for it via the catalog)
- Westlaw (USTREATIES database)
- Lexis - US Treaties on Lexis (Legal > Area of Law - By Topic > International Law > Treaties & International Agreements)
- The Human Rights Library (University of Minnesota) offers a list of conventions on war crimes, crimes against humanity and genocide and a list of law of armed conflict conventions.
- International Humanitarian Law Database (International Committee of the Red Cross)
- The Laws of War (Avalon Project at Yale Law School)
Websites

- **Links**
  - International Criminal Tribunal for Rwanda (ICTR)
  - International Criminal Tribunal for the former Yugoslavia (ICTY)
  - International Criminal Court (ICC)
  - Special Court for Sierra Leone
  - International Court of Justice (ICJ)

- [http://www.yale.edu/cgp/news.html](http://www.yale.edu/cgp/news.html) (Khmer Rouge Tribunal)
- Rome Statute of the International Criminal Court [pdf] This treaty established the International Criminal Court.
- ICC-tools project
Courts and tribunals

International Law

Courts and Tribunals

- International Court of Justice
- International Tribunal for the Law of the Sea
- International Criminal Tribunal for the Former Yugoslavia
- International Criminal Tribunal for Rwanda
- International Criminal Court
- United Nations Administrative Tribunal
- Legal Documentation
- Treaties
- International Law Pathfinder

Principal Legal Bodies of the United Nations

- Sixth Committee of the General Assembly
- International Law Commission
- United Nations Commission on International Trade Law

Introduction

International law is a primary concern of the United Nations. The mandate for the activities in this field emanates from the Charter of the United Nations, which, in its Preamble, sets the goal “to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained.”
● Use the advanced features on Google when searching.
● The problem with searching the internet is that you get too many or too few results..... Need something in .pdf? ad .pdf to your search query.

● Google books search for: “Milan Martic”
https://www.google.com/search?q=%22milan++martic%22&btnG=Search+Books&tbm=bks&tbo=1
Westlaw - International Criminal Tribunal - Combined [INT-ICT] Coverage begins with 1995. This database has case law from both the ICTY and the ICTR. (Lexis does not have complete ICTR / ICTY case coverage. Source: www.ll.georgetown.edu/guides/WarCrimes.cfm

Note: not all int. materials have be merged to WLNEXT and LN advanced – yet.
What does our library have to offer?
- **HeinOnline: Treaties and Agreements Library** This library includes all U.S. treaties, whether currently in-force, expired, or not-yet officially published. This is the world's largest and most complete online collection of U.S. treaties and agreements and includes such prominent collections as the United States Treaties and Other International Agreements set (commonly referred to as the "Blue set"), as well as famous sets from Bevans, Miller, Malloy and others.

- **World Trials Library** This collection includes more than 3,200 trials including complete sets of American State Trials, Howell's State Trials, and the Nuremburg Trials. It also includes famous trials from Philadelphia's Jenkins Law Library, Cornell University, and the University of Missouri-Columbia's trials collections. It contains trial transcripts, critical court documents, and trial-related resources such as monographs which analyze and debate the decisions of famous trials, as well as biographies of many of the greatest trial lawyers in history.
• **TIARA** Treaties and international agreements researchers' archive KZ118 .T73 1996 – we also have the electronic source.

• Finding bilateral and older multilateral treaties online can be more difficult. This is when you might want to consult some of the larger online treaty collections or use a treaty index. Below are listed some of the best sources to get you started. For more detailed information on researching treaties, see **Treaty Research Guide**.
Note on differences between online & print document availability:

Researchers delving into the trial documents of the ICTY and the ICTR frequently seek specific materials. Experience has shown that not all trial documents are available online or in all of the print sources.

- For example, in the ICTR case of Alfred Musema (ICTR-96-13), the original indictment charged Musema with "genocide, conspiracy to commit genocide" and other charges. The amended indictment charged him with "genocide, or in the alternative, complicity in genocide, conspiracy to commit genocide" and other charges. The charge of complicity in genocide was omitted from the original indictment. The ICTR website only provides the amended indictment. The print source Reports of Orders, Decisions and Judgements (ICTR) KZ1201.A2 T75 I (item will have to be interlibrary loaned) likewise only includes the amended indictment (although it is not labeled "amended").

- The only sources that reprint the original indictment (the indictment not including the complicity in genocide charge) are the Global War Crimes Tribunal Collection KZ1190.G56. The bottom line: for the most thorough research, be sure to compare online and print availability of ICTR and ICTY documents!

Source: http://www.law.georgetown.edu/library/research/guides/WarCrimes.cfm

The “Global War Crimes Tribunal” collection can be located at KZ1190.G56 in the WULAW library. Check out the browse by call number feature once you have identified a title or call number that looks interesting.
Online research databases at WULAW:
Has someone done the job for you?

- The library catalog is your friend [http://catalog.wustl.edu/](http://catalog.wustl.edu/).
- It is ok to go local – then global and then back to local by doing an electronic shelf browse by the newly discovered call number of interest at another library.
Major treatises

Examples of LC subject headings you may be interested in:
Hint: search by subject heading and the sort by most recent book that has been published.
- International Criminal Court.
- International criminal courts -- Cases.
- International law -- Yugoslavia -- Cases.
- Crimes against humanity
- International crimes Criminal liability (International law)
- Genocide
- Crimes against humanity International crimes
- Criminal liability (International law)
- Genocide
- Political atrocities
- Human rights
- Crimes against humanity.

- International criminal justice: a critical analysis of institutions and procedures / edited by Michael Bohlander. KZ6310 .I582 2007

- Internationalized criminal courts and tribunals: Sierra Leone, East Timor, Kosovo, and Cambodia / edited by Cesare P.R. Romano, André

- International law and international relations: bridging theory and practice / Thomas J Biersteker LC: KZ1250
- *Consolidated legal texts for the Special Court for Sierra Leone* / by Charles Jalloh  KZ6310 .J35 2007


You can also browse the shelf electronically for titles once you identify a title that seems promising or search by author.
Still not satisfied? Feel free to search for sources on WorldCat/FirstSearch.

Did you locate a title that seems interesting – but you are in a time crunch? Try searching for the same call number in our catalog. Use the electronic browse feature in the catalog to identify a book of interest to your.

Why? Your challenge as a student: Time. Why wait to have a book interlibrary loaned to you when you can find a book with a similar content in our library.
Subject search: War crime trials -- Yugoslavia.
Records found: 687 (English: 508) then I narrowed to the most recent and came across the book below. Note we have this book in the library.
I then tried searching via author: Leila Sadat and narrowed my findings to 2013 and I came across the book below.
No time for books?

Try searching for articles on your topic by author/title/keyword search.
Your options:
   Index to Legal Periodicals (1980-current)
   Index to Legal Periodicals Retro database (goes back to 1908)
   Legal Track (1982-current)
   Index to foreign legal periodicals
Click here to access them: http://www.law.wustl.edu/library/database/liblegal.asp

Go to Westlaw International (WLD-INT) There are 1000 foreign legal periodicals in this database. You can also search for articles in LexisNexis. Remember: Use Shepard's and KeyCite to expand to other secondary sources.

Working papers: Science Research Network for publications:
International WULAW databases:
Locating journals:

- **LegalTrac** indexes law review articles including legal news and some full-text.
- **Index to Legal Periodicals & Books Full Text** and **Index to Legal Periodicals Retrospective: 1908-1981** index law reviews, yearbooks, institutes, statutes, bar association publications, university publications, and government publications and some full-text.
Internet Caveats

- Anybody can post anything to the Web, it is therefore important to evaluate information with a critical eye.
- Not everything is available on the Web.
- If you don't know the source of the information, take it with two grains of salt!

(Washington University in St. Louis School of Law Library)
What I hope you learnt:

- That legal research is easy as long as you have a plan.
- The online catalog and WorldCat are your friends.
- How to establish electronic alerts to your electronic search queries.
- How to become an efficient researcher when researching War Crime Tribunals.
Sources

- Research guides mentioned in this .ppt
- How to find the law / by Cohen, Berring and Olson (1989)
- Tove Klovning .ppt “International Legal Process War Crimes Tribunals - Research Techniques: