

# *Human Rights Law*

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## Introduction

The [Universal Declaration of Human Rights](#) adopted by the U.N. General Assembly in 1948 lists the **fundamental human rights** that are common to all people. These rights include the right to life, the prohibition against slavery, torture and arbitrary arrest, equality before the law, and the freedom of movement, peaceful assembly, and participation in government. Subsequent international human rights treaties and state practice have elaborated upon and expanded these rights, thus making international human rights a large and complicated field.

Researchers in the field of international human rights must navigate a sometimes confusing array of treaties, reports, case law and other documents. This guide is intended to lead researchers through the primary materials and introduce important secondary sources.

Books and treatises on Human Rights can be found in the Law Library between call numbers K3230 – 3249; Humanitarian Law, KZ6471; and International Tribunals and the International Criminal Court, KZ6310.

Links to many of the human rights organizations and resources listed in this research guide can be found on the UI Law Library website – Legal Research – [International Law](#).

## Background Sources

- *International Human Rights in a Nutshell* (4th edition) Law Library Reserve  
K3240.4.B84 2009
- *A Handbook of International Human Rights Terminology* (2nd edition)  
Law Library Reference K3239.3.C66 2004
- *International Human Rights : Law, Policy, and Process* (3rd edition) Law Library  
K3240.4.N39 2001
- *International Encyclopedia of Human Rights* Law Library JC571 M3243 2000
- *Parry and Grant Encyclopaedic Dictionary of International Law* (3rd edition)  
Law Library Reference KZ1161.P37 2009

# International Human Rights Systems: Treaties and Treaty Bodies

This section will give you an **overview** of the international human rights systems, both the United Nations and the regional systems. This section focuses on the **major human rights treaties**. There are many other additional human rights treaties in force. For more detailed information on how to locate the text and check the status of individual treaties, see our research guides on locating [U.S. and Non-U.S. Treaties](#).

## United Nations Human Rights Treaties and Their Corresponding Treaty Bodies

There are seven main U.N. human rights treaties. Each treaty has a corresponding "**treaty body**" which administers the treaty, keeps track of state parties and their reservations and declarations, receives and responds to **reports** compiled by state parties, and often **hears complaints** lodged pursuant to the treaty.

*Note:* See the next section, Human Rights Case Law, for information on how to **find decisions** of the U.N. treaty bodies, courts and commissions.

<b>Text of Treaty</b>	<b>Corresponding Treaty Body</b>
<a href="#">International Covenant on Civil and Political Rights</a>	<a href="#">Human Rights Committee (HCR)</a>
<a href="#">International Covenant on Economic, Social and Cultural Rights</a>	<a href="#">Committee on Economic, Social and Cultural Rights (CESCR)</a>
<a href="#">International Convention on the Elimination of All Forms of Racial Discrimination</a>	<a href="#">Committee on the Elimination of Racial Discrimination (CERD)</a>
<a href="#">Convention on the Elimination of All Forms of Discrimination against Women</a>	<a href="#">Committee on the Elimination of Discrimination against Women (CEDAW)</a>
<a href="#">Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</a>	<a href="#">Committee against Torture (CAT)</a>
<a href="#">Convention on the Rights of the Child</a>	<a href="#">Committee on the Rights of the Child (CRC)</a>
<a href="#">International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</a>	<a href="#">Committee on Migrant Workers (CMW)</a>

## Finding Reports, Concluding Observations, Comments and Other Documents Relating to Treaty Bodies

Theoretically, there is a **dialogue** between the treaty body and the individual state parties to the U.N. treaties. Pursuant to the terms of the treaties, state parties are **required to report** on their progress towards attaining the goals of the treaties. In response, the treaty bodies provide the state parties with observation and comments on their reports. These documents are an important part of human rights research.

Below are some sources for locating these types of documents.

- [Bayefsky.com](http://Bayefsky.com)  
This site provides links to reports, concluding observations, ratifications, reservations and declarations, jurisprudence and other types of documents on the major U.N. human rights treaties. It is searchable by type of document, country or subject matter.
- [United Nations Document System](http://United Nations Document System) (ODS)  
ODS is a source for **pdf copies** of U.N. documents of all sorts, including treaty body materials. It is best used when you have a U.N. document number (e.g. CERD/C/225/Add.1) and want the full-text of the document.

## Regional Human Rights Systems

There are regional human rights systems **Europe, the Americas and Africa**. Below are listed the major human rights treaties for each region.

- Europe: [Convention for the Protection of Human Rights and Fundamental Freedoms](#)
- Americas: [American Convention on Human Rights](#)
- Africa: [African Charter on Human and Peoples' Rights](#) (Banjul Charter)

## Additional Sources for Human Rights Treaties

Texts of international human rights instruments are usually easy to find on the internet. Here are some frequently-used online sources, as well as a selection of print resources.

- [Bayefsky.com](http://Bayefsky.com)
- EISIL, [International Human Rights](#)
- University of Minnesota, [Human Rights Library](#)
- Multilaterals Project, [Human Rights](#)
- U.N. High Commissioner for Human Rights, [International Human Rights Instruments](#)
- Netherlands Institute of Human Rights, [Human Rights Instruments](#)
- *Human Rights : A Compilation of International Instruments* Law Library Reference K3238.H85 2002
- *International Instruments of the United Nations* UI Main Library K3238.I68 1997

# Status of Instruments

**What does it mean** to check the status of an international instrument or treaty? Checking the status includes:

- determining if the treaty is **in force**, and when it entered into force
- finding out if a country has **ratified** a treaty and has become a **state party**
- locating any **reservations or declarations**

There are many sources for status information. Consult sources from the body that issued that international instrument (the U.N. committee, the Council of Europe, etc.). For more detailed information about status information on the internet, see ASIL Guide to Electronic Resources for International Law: [Human Rights](#) and [Treaties](#).

- [Bayefsky.com](#)  
This free website includes an extensive documents library organized by country and subject matter. You can find information on ratification, reservations and declarations, state reports, and other key documents on this site.
- *Multilateral Treaties Deposited with the Secretary-General* UI Main Library JX1985.U442. This publication contains the **current status of 517 (as at 1 January 2006) multilateral treaties** deposited with the Secretary-General.
- UNHCHR, [Treaty Body Database](#)
- Council of Europe, [Treaty Office](#)  
Provides status information, signatures and ratifications, and declarations / reservations.
- U.S. Dept. of State, [Treaties in Force](#). Update this publication with [Current Treaty Actions](#).
- *International Legal Materials*, Law Library Periodicals. A journal providing the official text of many newly published treaties. Also available on HeinOnline.

## Human Rights Case Law:

## International Courts, National Courts, Commissions & Treaty Bodies

**International human rights courts**, such as the European Court of Human Rights, frequently post their decisions online. Case law from these courts can also be found in the print reporters, published in the language of the court.

In terms of **national court decisions**, usually only important cases from the highest courts and/or the constitutional courts are selected for publication in commercial reporters. Occasionally, human rights decisions from national courts can be located online. Another option for finding national case law is to consult an **official reporter** from that jurisdiction. The [Foreign Law](#)

[Guide](#) (access restricted to UI community) will help in identifying the reporters for a given jurisdiction. The official reporter will always be published in the language of the country.

Commercial print reporters, such as *International Human Rights Reports*, often publish a **combination of cases** from international courts and national courts.

Finally, many **treaty bodies** (e.g. the U.N. Human Rights Committee) also hear complaints and publish decisions. Although not the same as a decision from a national or international court, these treaty body decisions are easily grouped together with other case law materials for the purposes of human rights research.

## Multi-Institutional Sources

- *International Human Rights Reports* Law Library Periodicals
- [Lexis](#): Human Rights Cases Database [Legal > Area of Law, by Topic > International Law > Human Rights Cases]

## Sources for Specific Courts, Commissions and Other Bodies

- *European Court of Human Rights / European Commission of Human Rights*
  - [Hudoc](#) (European Court of Human Rights)
  - [Westlaw](#): EHR-RPTS Database (1979 - present) (Court & Commission)
  - Print: *Leading Cases of the European Court of Human Rights*, Law Library KJC 5132 A52 G85 1997
  - Print: *Theory and Practice of the European Convention on Human Rights*, Law Library KJC 5132 D55 2006
- *Inter-American Court of Human Rights / Inter-American Commission on Human Rights (OAS)*
  - [Decisions and Judgments](#) (1987 - present) (IA Court website)
  - [Cases Published by the IACHR](#) (selective 1974 - present) (IA Commission website)
  - [Westlaw](#): IACHR-OAS Database (1994 - present) (Commission)
  - Print: *The Inter-American Human Rights System*, Law Library KDZ578 I5 D38 1997
  - Print: *Practice and Procedure of the Inter-American Court of Human Rights*, Law Library KDZ579 I58 P376 2003
- *U.N. Human Rights Committee (HRC)*
  - [Bayefsky.com: CCPR Jurisprudence](#)
  - [Treaty Body Database](#) (choose CCPR, then jurisprudence)
  - U. of Minnesota Human Rights Library: [Decisions and Views of the HRC](#)
  - Print: *Selected Decisions under the Optional Protocol* UI Main Library K3239.52.U55

- *U.N. Committee on the Elimination of Racial Discrimination (CERD)*
  - [Bayefsky.com: CERD Jurisprudence](#)
  - [Treaty Body Database](#) (choose CERD, then jurisprudence)
  - U. of Minnesota Human Rights Library: [Opinions of the CERD](#)
  
- *U.N. Committee on the Elimination of Discrimination Against Women (CEDAW)*
  - [Bayefsky.com : CEDAW Jurisprudence](#)
  - U. of Minnesota Human Rights Library: [CEDAW Jurisprudence under the Optional Protocol](#)
  
- *U.N. Committee Against Torture (CAT)*
  - [Bayefsky.com: CAT Jurisprudence](#)
  - [Treaty Body Database](#) (choose CAT, then jurisprudence)
  - U. of Minnesota Human Rights Library: [Decisions and Views of the CAT under Article 22 of the Convention](#)

## Country Reports

Many international organizations and some governments produce reports on the **human rights conditions in various countries**. Human rights activists and lawyers rely on these reports for asylum proceedings and when appearing before various treaty bodies and tribunals. These reports may contain detailed information on issues such as human trafficking, FGM, rape, extra judicial killings, and political prisoners, to name a few topics.

- Amnesty International, *Annual Reports* (1993 - present)
  
- U.S. Department of State, *Country Reports* (1993 - present). See also the [Annual Report on International Religious Freedom](#) (1999 - present) and the [Trafficking in Persons Report](#) (2001 - present).
- Human Rights Watch, *World Report* (1989 - present)
  
- International Committee of the Red Cross, *Annual Report* (1994 - present)
  
- Inter-American Commission on Human Rights, [Publications](#) (selected documents, 1962 - present)  
Website includes annual reports, country reports and other publications.  
Many of these are available in print.
- United Nations High Commissioner for Refugees (UNHCR), *The State of the World's Refugees* (five editions, published in 2006, 2000, 1997, 1995 & 1993)  
Also available in print (2000, 1997, and 1995) UI Main Library K3230.S677.
- UNICEF, *The State of the World's Children* (1997 - present)
  
- United Nations Development Programme (UNDP), *Human Development Report* (1990 - present)

- Freedom House, *Freedom in the World* (2002 - present)

## Foreign Law

While the Law Library does have selected publications from other countries, we do not collect materials from other countries on a comprehensive basis. See below for a **list of top resources** to help you get started.

### Constitutions

- *Constitutions of the Countries of the World*, Law Library Reference K3157.A2B5  
Contains the full text of constitutions from over 190 countries, plus introductory and comparative notes that review recent amendments and provide historical and political information.
- *Constitutions of Dependencies and Territories*, Law Library Reference K3157.E5C65  
Contains English translations of the constitutions of territories and dependencies and relevant federal constitutional provisions that define the relationship between the state and dependencies and territories. Also included is commentary that describes the interaction of the federal constitution with that of the dependency or territory.

### Specific Topics in Foreign Legislation

- [Foreign Law Guide](#) – Access restricted to UI community. The **number one resource** for foreign law research, this database provides the researcher with relevant information on sources of foreign law, including complete bibliographic citations to legislation, the existence of English translations whenever possible, and selected references to secondary sources in English. It is arranged by country and includes an introduction to the legal system of that country as well as the availability of codes, session laws, and court reports. Each chapter contains a section arranged by subject that outlines the major laws for a given subject and provides references to English translations, when available.
- [Global Legal Information Network \(GLIN\)](#) - The Global Legal Information Network (GLIN) is a **database of laws, regulations, and other complementary legal sources** from various countries in the Americas, Africa, Asia and Europe. The basic elements of this database are: (1) full texts of the documents in the official language of the country of origin; (2) summaries or abstracts in English; and (3) 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.
- [Annual Review of Population Law](#) (Harvard)  
Links to **national legislation** on a variety of topics that relate to human rights, including HIV/AIDS, domestic violence, female genital mutilation, and laws relating to children.
- [Legislationline](#) (OSCE Office for Democratic Institutions and Human Rights)  
Legislationline is another source for **national legislation** on human rights related topics, including gender, human trafficking, freedom of assembly, migration and citizenship.

Coverage is limited to OSCE member states. Many--but not all--of the laws are translated into English.

- [NATLEX](#) (ILO)  
A database of national **labor laws**.
- [International Digest of Health Legislation](#) (World Health Organization)  
Browse by country or topic. Topics include **health** education, family health, care of elderly and disabled, environmental protection and many others.

## Periodical Literature

If we don't have the journal electronically, check the [library catalog](#) for a print version or request the article through [interlibrary loan](#).

## Indexes & Periodicals Databases

Periodical literature is a good way to obtain background information, locate the text of a foreign law, a citation, or locate information about a subject. To obtain the **best results**, use periodical indexes to locate relevant citations.

Below are listed a few of the **most commonly used journal indexes**. The [UI Main Library](#) also subscribes to many non-legal databases that may be useful when researching human rights law.

- [Current Index to Legal Periodicals](#)
- [Index to Legal Periodicals and Books](#)
- [HeinOnline](#)
- [LegalTrac](#)

## Selected Specialized Journals and Yearbooks

Frequently the library does not have electronic access to journals that are published outside of the United States. These journals may be available in print in the library or you can request an article through interlibrary loan. In the area of human rights, it is often useful to **explore a non-U.S. perspective** on a topic.

Non-U.S. journals are generally not available in Lexis and Westlaw, so if you limited your research to only these two databases, you may miss some crucial material. It is better to augment your Lexis and Westlaw research with the **journal indexes** listed above.

Some non-U.S. journals, as well as a sampling of U.S. journals are listed below. **Electronic access** - when available - is indicated below. Note that the library may have **older** or most **recent issues** of a journal that are not available electronically.



## Journals

- *African Human Rights Law Journal*, HeinOnline.
- *Asia-Pacific Journal on Human Rights and the Law*, HeinOnline.
- *Columbia Human Rights Law Review*, Law Library Periodicals and HeinOnline.
- *Harvard Human Rights Journal*, Law Library Periodicals and HeinOnline.
- *Human Rights Law Review*, Law Library Periodicals and HeinOnline.
- *International Journal on Minority and Group Rights*, HeinOnline .
- *South African Journal on Human Rights*, Law Library Periodicals and HeinOnline.
- *Yale Human Rights & Development Law Journal*, Law Library Periodicals.

## Yearbooks

Yearbooks are similar to journals, but - as the name implies - are published only annually. Some yearbooks cover a topic (e.g. human rights or environmental law), some are published by a country and reflect that country's state practice (e.g. Israel Yearbook on Human Rights), while others cover an individual institution or an international treaty (e.g. the Torture Convention). Here are a few yearbooks devoted to human rights issues.

- *Human Rights Year Book*, Law Library Periodicals
- *The United Nations and the Protection of the Rights of Women*, Law Library HQ1236.U62 2005
- *Yearbook of International Humanitarian Law*, Law Library KZ6442.Y43.

# IGOs and NGOs Concerned with Human Rights

There are many international organizations which focus on human rights. Some organizations promulgate instruments and adjudicate human rights issues. Non-governmental organizations play an important role in the development of norms, institutions, and procedures for protecting human rights. A great deal of information is produced by both IGOs and NGOs. Author searches by the name of the organization will often result in a list of the reports and documents produced by the organization. Keyword searching is another option. Many of these organizations post their reports and other documents on the internet.

## Selected Inter-Governmental Organizations

- [U.N. Human Rights Council](#)
- [U.N. High Commissioner for Human Rights](#)

- [International Labour Organization](#)
- [Council of Europe](#)
- [Organization of American States](#)
- [Organization for Security and Co-operation in Europe](#)
- [African Union](#)

## Selected Non-Governmental Organizations

- [Amnesty International](#)
- [Human Rights Internet](#)
- [Human Rights Watch](#)
- [Human Rights First](#)
- [International Committee of the Red Cross](#)

# Bibliographies and Other Research Guides

## Bibliographies

Bibliographies **do some of your research for you!** They're usually a list of articles and books on a specific topic. They can save you a lot of time in your research. Human rights law is an area that offers a **wide range of bibliographies**, both general and topic-specific (trafficking, crimes of honour, human rights in Asia, etc.)

- Bibliographies from the University of Minnesota [Human Rights Library](#)
- ASIL Guide to Electronic Resources for International Law: [Human Rights](#)
- [United Nations Documentation: Research Guide on Human Rights](#)
- [International Human Rights Research Guide](#) (GloboLex)
- [Human Rights Research: Get Started Online](#) (Harvard)
- [Human Rights Research: Frequently Asked Questions](#) (Columbia)
- [Human Rights Education Associates](#) (HREA) Guides on various topics.

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