

INTERNATIONAL LAW ON THE INTERNET

Uncovering Global Resources: A Practitioner's Guide to Researching International Law on the Internet

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The networked computer is a tremendously powerful instrument for bringing together scattered information—data, texts, images, increasingly also sound—from all over the world, and indeed for building up out of that information new edifices of knowledge. The computer enables one to study reference material in a breadth hitherto inconceivable, and in a depth not practicable in the convention of the printed medium.¹

The Internet links a myriad of computers to produce a virtually unlimited database of valuable information.² This low cost access to vital legal information can provide attorneys with a competitive advantage. With only basic computer technology and a few Internet-specific searching skills, an attorney can uncover vast quantities of information.³ This section is intended to guide practitioners in researching international

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1. See J.C. Nyíri, *Cyberspace: A Planetary Network of People and Ideas*, UNESCO COURIER, June 1997, at 26.

2. People and organizations make valuable resources available as a public service, to sell advertising space for their Web sites, or in hopes that other services or products can be sold later for a fee. BRYAN PFAFFENBERGER, *WEB SEARCH STRATEGIES 2* (1996).

3. At the time of publication, the fastest home systems contained Pentium II microprocessors running at 333Mhz and the fastest modems connected at 56Mhz. However, reliable, stable Internet access could be obtained with a 486 IBM compatible machine running at 66Mhz and a 28.8Mhz modem. This Internet-ready machine could be obtained for under \$400.

law on the Internet. In addition, this section provides a descriptive list of some useful international law sites, available as of April 1998.

I. THE "NET": A GLOBAL PERSPECTIVE

Today the most commonly known aspect of the Internet, the World Wide Web, consists of over 100 million Web pages with approximately 200,000 additions made daily.⁴ The World Wide Web (Web) is a compilation of "on screen documents, known as pages, that can contain words, pictures, data files, audio snippets and video clips."⁵ One can instantly move between these pages by clicking highlighted words, known as hypertext links.⁶

The resources found on the Internet contain largely international content because of the global nature of the forum. As of January 1997, almost sixty million people had access to the Internet in 194 countries.⁷ Only fifty-eight percent of Internet users accessed the Internet from within the United States.⁸ Currently the number of users represents less than two percent of the world's population and less than sixteen percent of the U.S. population aged fifteen and older.⁹ Experts estimate that the number of Internet users around the world is growing at an annual rate in excess of 200 percent.¹⁰

II. ACCESSING THE INTERNET

Obtaining access to the resources of the Internet is achieved through either on-line services or Internet service providers (ISPs).¹¹ Users who simply draw upon information from the Internet, rather than engage in online discussion groups and forums, may find such on-line features extraneous. Online services such as CompuServe, Prodigy and American Online, presently provide these services at a flat rate which are higher

4. See *Tech.Sight*, SCIENCE, Aug. 15, 1997, at 973.

5. See Chris O'Malley, *Drowning in the Net*, POPULAR SCI., June 1995, at 78, 80.

6. While the term "Web" is often used synonymously with "Internet," the Web is actually a recent addition to the "loose confederation" of computers, linked by phone lines, known as the "Internet." See *id.* at 82-83. Because access to both is virtually identical and the difference for most users is irrelevant, the two terms will be used interchangeably throughout this guide.

7. See Rodger Doyle, *Access to the Internet*, SCI. AM., July 1997, at 26.

8. *Id.*

9. *Id.*

10. Brian C. Fenton, *Death of the Internet*, POPULAR MECHANICS, Jan. 1997, at 41.

11. See O'Malley, *supra* note 5. This applies to nonstudents because most universities are connected to the Internet and allow their students and instructors to gain access with little or no charge. See *id.*

than rates charged for basic access by ISPs.¹² Even an online service specific to lawyers, called Counsel Connect, has recently entered this competitive arena.¹³

Local and national ISPs can be more cost-effective than on-line services, because they provide the option to add features selectively at an incremental cost. The main advantage of national providers, such as Netcom and MCI, is that they offer local access numbers across North America.¹⁴ Thus, national providers offer flexibility for attorneys who travel frequently.¹⁵

Local newspapers or various computer magazines contain contact numbers for various online services and local and national Internet service providers. A comparative analysis can easily be conducted by asking a few basic questions:

- Do you offer a flat rate?
- Do you offer free hook-up?
- Do you offer a free trial period?
- Are non-toll call local numbers available?
- How is technical support provided? (phone, e-mail)
- Can non-proprietary Internet browsers such as Internet Explorer or Netscape Navigator be used?¹⁶
- Do you provide training for Internet novices?

III. LOCATION TOOLS FOR INTERNATIONAL LAW RESEARCH

The sheer size and continuous growth of the Internet makes quick and accurate search methods invaluable. Information is located on the Internet through the use of directories and search engines. Directories are produced by millions of man-hours of categorization. Essentially, human reviewers catalog the Web and produce links to the best sites. Directories,

12. See Yeal Li-Ron, *The No-Nonsense Guide to Internet Providers*, PC WORLD, July 1996, at 114.

13. See <<<http://www.counsel.com/inside>>> (800-569-4086). This service advertises allowing users to attend CLE seminars online, conduct research, network with other lawyers, generate new business as well as obtain legal materials from the Internet.

14. Li-Ron, *supra* note 12, at 114.

15. See *id.*

16. See O'Malley, *supra* note 5, at 80. A Web browser, "is essentially an online document viewer. It lets you see words, pictures, colors, and layouts of the on screen 'pages' exactly as they were originally created. It also lets you move from one page to the next, either by clicking on highlighted words known as hypertext links, or by clicking on the Forward and Back buttons. There is also a place to type in the long electronic address (called a 'uniform resource locator' or URL) of a Web page if you want to go directly to a particular document." An example of a URL is (<http://www.law.tulane.edu/journals/jicl.htm>). Typing in this address will take you to the homepage for the journal in which this article is published.

such as Yahoo!, the largest service provider, contain links to over 370,000 of the most comprehensive Web sites.¹⁷ However, because the staggering growth in the number of Internet sites makes an exhaustive and accurate cataloging difficult, one must utilize search engines.

Generally, search engines ask users to input keywords, then return a list of "hits," which are documents that in some way match the keywords.¹⁸ Normally, the retrieved list is organized according to a relevancy ranking—the higher the number the more relevant the document is to the keywords.¹⁹

One well-respected and efficient search engine is HotBot.²⁰ This engine, which contains an index of over 53 million Web documents, can narrow results by geographical location, dates, or even media type.²¹ Furthermore, users can save search settings for future use.²²

Another efficient engine, containing an index of more than 30 million Web pages, is AltaVista.²³ This engine is particularly useful for attorneys who practice international law because it allows searches in multiple languages from Chinese to Swedish.²⁴ Furthermore, this search engine allows the use of boolean operators such as "and," "or," "not," and "near," commonly used with pay services such as Westlaw and Lexis.²⁵ Yet another engine, Infoseek,²⁶ offers four unique methods for searching its fifty-million-document database.²⁷

Researchers may opt for a hybrid combination of search engine and directory, such as that provided by Lycos²⁸ and Excite.²⁹ The engine

17. See <<<http://www.yahoo.com>>>.

18. See Tech.Sight, *supra* note 4, at 976. Three components make up each search engine: the spider, the index, and the query module. By using its own specific algorithm for finding and navigating, the spider "moves" on the Net in search of new documents. These recently added documents are then added to the search engine's primary database. This database is then organized by an index specific to its contents. Thus when users input keywords for a search engine, they are actually searching the engine index through a predefined query module rather than browsing the Net in real time upon each search.

19. See PFAFFENBERGER, *supra* note 2, at 53. Relevancy is calculated by determining the frequency of the inputted search terms or key words in the retrieved documents.

20. See <<<http://www.hotbot.com/>>>.

21. See Tech.Sight, *supra* note 4, at 977.

22. See *id.*

23. See <<<http://altavista.digital.com/>>>.

24. See Tech.Sight, *supra* note 4, at 977.

25. See Alan Phelps, *Going Online—Narrowing Down Web Searches*, SMART COMPUTING, July 1997, at 60. Most major search engines use variations of boolean logic to create queries; however, the specifics differ between competing search engines. To determine the exact terms and conventions used, one should click the "Help" or "Advanced" feature of any search engine.

26. See <<<http://www2.infoseek.com/>>>.

27. See PFAFFENBERGER, *supra* note 2, at 59.

28. See <<<http://www.lycos.com/>>>.

29. See <<<http://www.excite.com/>>>.

aspect of Lycos, LycosPro, accesses a database of over 100 million Web pages with limited search options.³⁰ The “human-edited” (as opposed to “computer-edited”) directory portion is divided into eighteen categories, features the top five percent Web sites, and provides 100 new reviews each week.³¹ The search engine portion of Excite, Powersearch, also provides limited capabilities in comparison to search-only services.³² The Excite directory system is broken down into fourteen channels with access to fifty million Web pages and 150,000 sites.³³

Metacrawler is a unique and valuable search engine.³⁴ Search reports returned by Metacrawler are compiled by simultaneously sending a query to several engines and producing a composite report.³⁵ This engine removes duplicate results and ensures that the most popular documents are obtained. However, Metacrawler does not offer the advanced search options that some of the best engines and directories allow.³⁶

While differences between searching devices exist, a fundamental rule of thumb pervades: the more information the user enters into the search device, the less information that device will retrieve.³⁷

IV. SPECIALIZED PERSONNEL

Internet resources are ideal for locating information about attorneys, law firms, government agencies, and other legal organizations. For example, West’s Legal Directory is free, efficient, and highly comprehensive.³⁸ This massive database, containing information on more than 800,000 attorneys, is organized by legal specialty, location and law school.³⁹ This service provides an obvious means for international lawyers to make known their specialized field of practice to other individuals. Various other sites, such as Hieros Gamos (Lex Mundi),⁴⁰

30. See Tech.Sight, *supra* note 4, at 977.

31. See *id.*

32. See *id.*

33. See *id.*

34. See <<<http://www.metacrawler.com/>>>.

35. See Tech.Sight, *supra* note 4, at 977.

36. See *id.*

37. Phelps, *supra* note 25, at 60.

38. See <<<http://www.wld.com/ldsearch.htm>>>.

39. Ira P. Rothken, *Is Cyber Counsel Credible?*, HOME OFF. COMPUTING, Aug. 1996, at 96-97.

40. This directory is available in five languages (German, Spanish, French, Italian, and English) and attempts to list “every organization, association, law school, firm, vendor, consultant etc. directly or indirectly involved with the legal profession.” <<<http://www.hg.org/hg.html>>>.

the International Law Forum,⁴¹ and Law Lists,⁴² provide similar types of information.

V. ORGANIZING VALUABLE SITES

A fundamental benefit of researching via the Internet is the user's ability to instantly return to valuable Web sites. This allows one to periodically look for updates as laws, treaties, legal trends or related current events develop. To exploit this benefit one must use hotlists (also referred to as "favorites" or "bookmarks").⁴³ These functions save the World Wide Web addresses of Web pages so they can be easily accessed during subsequent search sessions. Basic hotlists are standard in most browsers. Add-on programs, known as Hotlist managers, are available for advanced Internet users.⁴⁴ Add-on programs allow functions such as organizing bookmarks into folders, automatic notification of changes to existing bookmarks, automatic receipt of bulletins regarding changes to specific sites, and saving successful searches.⁴⁵

VI. INTERNATIONAL LAW INTERNET SITES

The following descriptive list includes examples of the best international law Internet sites:

1. *The United Nations:* <<<http://www.un.org/law/>>>

This primary United Nations site contains sections on codification, development and promotion of international law, international trade law, international law of the sea, the International Court of Justice, and the full text of UN treaties through the United Nations Treaty Service (UNTS). This site contains the texts of over 30,000 bilateral and multilateral treaties in their authentic languages, along with English and French translations. Access to the treaties requires the user to register through a brief procedure on the site page. The treaty database is completely searchable.⁴⁶ Field restrictions can be made by type of agreement, signature/adoption date, date of entry into force, participants, popular name or subject terms. A section dedicated to the International Criminal Tribunal for the former Yugoslavia (ICTY) is also available.

41. See <<<http://www.ljxcom/lawonline/dir/lawyer.html>>>.

42. See <<<http://www.lib.uchicago.edu/cgi-bin/law-lists>>>.

43. PFAFFENBERGER, *supra* note 2, at 69.

44. *Id.* at 70.

45. *Id.* at 75.

46. The term "searchable" indicates that the site contains a built-in search engine that facilitates retrieval.

2. *The U.S. Department of State, Private International Law Database*
<<<http://www.his.com/~pildb/>>>

At the U.S. Department of State Private International Law Database (PILDB) users can view or download, at no cost, documents originating with the UN Commission on International Trade Law (UNCITRAL), the Hague Conference on Private International Law (Hague Conference), the International Institute for the Unification of Private Law (UNIDROIT) or the Organization of American States (OAS) in connection with the Inter-American Specialized Conference on Private International Law (CIDIP). These sections address international law topics relating to Electronic Commerce (EDI), Arbitration, Receivables Financing, Finance and Banking, Contracts/Sale of Goods/Procurement, Cross-Border Insolvency/ Assignment of Claims, Family Law, International Support Enforcement, Jurisdiction/Judgments Convention, and Cultural Property.

3. *The Official Web Site of the European Union*
<<<http://europa.eu.int/index-en.htm>>>

Europa is the official Web site of the European Union. It serves the Parliament, the Council, the Commission, the Court of Justice, the Court of Auditors, and other EU bodies. Users can access official press releases and policies of the European Union, and obtain answers to frequently asked questions related to citizenship, legislation, and necessary documentation. This searchable site contains vital EU statistics, and describes the various roles of the EU institutions and bodies.

4. *The World Intellectual Property Organization*
<<<http://www.wipo.org>>>

The World Intellectual Property Organization (WIPO) site contains numerous, full-text, international trademark, copyright, and patent treaties. WIPO's recent releases are also available at this site. Users can search and view text in English, Spanish or French. Specialized topics include: the ratification status of intellectual property treaties, information on the Patent Cooperation Treaty (PCT), the Madrid System concerning international registration of marks, the Hague Agreement concerning the international deposit of industrial designs, and the WIPO Arbitration and Mediation Center. The site also includes statistics and WIPO standards, as well as press releases and updates.

5. *International Trade Law Monitor*
<<http://ananse.ircv.uit.no/trade_law/nav/trade.html>>

The award winning International Trade Law Monitor site contains a comprehensive subject index, links to all major international

organizations (i.e. UN, International Monetary Fund (IMF), WorldBank, the Multilateral Investment Guarantee Agency (MIGA), International Chamber of Commerce (ICC), International Organization for Standardization (ISO), World Trade Organization (WTO)) and the full text of the UN Convention on Contracts for the International Sale of Goods (CISG), Principles of International Commercial Contracts, Principles of European Contract Law, the UN Model Law on Electronic Commerce, the UN Convention on the Recognition and Enforcement of Foreign Arbitral Awards, the UN Arbitration Rules, the UN Model Law on International Commercial Arbitration, and the UN Notes on Organizing Arbitral Proceedings.

6. *The National Law Center for Inter-American Free Trade*
<<<http://natlaw.com>>

The National Law Center for Inter-American Free Trade Web site allows free access to treaties, Free Trade Agreements & International Agreements such as NAFTA (in English and Spanish), MERCOSUR, G-3, CAMERE, and CARICOM. In addition, the site includes an extensive compilation of links to organizations that promote trade among the Americas, such as the Arizona-Mexico Commission, the Center for the Study of Western Hemisphere Trade, the Council of the Americas, and the International Trade Administration. Access to the *InterAm* database, a Latin American legal pay service database that contains laws of most South and Central American nations is also available through this site.

7. *The American Society of International Law*
<<<http://www.asil.org/info.htm>>>

The American Society of International Law (ASIL) site provides links to sites that include the status of multilateral treaties, U.S. Department of State Foreign Affairs Network, International Law Student Associations, and leading International Law publishers. Through this site, users can obtain online access to the ASIL Newsletter, a bimonthly publication that contains articles on recent developments and a discussion forum for international attorneys.

8. *The Foreign and International Law Web*
<<<http://lawlib.wuacc.edu/washlaw/forint/forintmain.html>>>

This site, known as the Foreign and International Law Web, is sponsored by the Washburn University School of Law. It provides numerous links to primary foreign and international legal resources. The directory is divided into selected topics containing information, by region, on constitutions, economic resources, genealogy, human rights,

intellectual property, international treaties, public international law, and laws concerning space, tax, trade, crime, and the environment. In addition, the site includes a comprehensive list of links to international and multilateral treaties.

9. *The Legal Information Institute of Cornell University*

<<[http://www.law.cornell.edu/source.html#foreign and intl.](http://www.law.cornell.edu/source.html#foreign%20and%20intl)>>

This Internet legal site, sponsored by Cornell Law School, is known as the Legal Information Institute. The international and foreign section provides comparative law links, UN materials, international trade law materials, environmental law treaties, decisions of the International Court of Justice, and constitutions of the world, in addition to links to other sites.

10. *The United States Library of Congress* <<<http://www.loc.gov/>>>

This site provides both access to the Library of Congress's immense catalogues, and a vehicle for tracking proposed legislation affecting international law. Access to the Global Legal Information Network (GLIN), a database of national law from over thirty-five contributing countries is also available through this site. This database contains searchable legal abstracts in English, and in some cases the full texts of laws in their original language.

11. *International Legal Studies/Harvard University*

<<<http://www.law.harvard.edu/library/ils/ilslink2.html>>>

The Harvard Law School Library provides "an annotated guide to web sites around the world." The links are extensive and include subjects such as general international law, treaties, human rights, environmental law, international tribunals, and international organizations. This site also provides national law links to twenty-one different countries.

12. *Louisiana State University*

<<<http://www.lsu.edu/guests/wwwlawl/links.htm#FOREIGN>>>

This Louisiana State University School of Law site provides links to major international sites. It features a chronological list and full text of multilateral conventions dating from 1899. In addition, the site includes links to major international organizations such as the American Society for International Law, the Council of Europe, and the International Court of Justice.

13. *Catalaw* <<<http://catalaw.com>>>

CATALAW is a searchable metaindex of legal and government resources on the Internet that proudly refers to itself as "the Internet's Grand Central Legal Station." Although not specific to international law, the map and search functions allow users to quickly hone searches and locate useful international law sites.

14. *FindLaw* <<<http://www.findlaw.com/12international/index.html>>>

The Foreign and International Resources section of FindLaw allows precise country searches through the use of a LawCrawler International, a legal-specific search engine. European, Asian, and other regional legal news sections are also available through this site.

15. *The World Wide Web Virtual Library*

<<<http://www.law.indiana.edu/law/v-lib/non-us.html>>>

The Foreign and International Law section of the World Wide Web Virtual Library, sponsored by the Indiana School of Law Library, contains a searchable, and alphabetically-ordered, list of links to international law resources. The topics available range from Australian law to Zambian law. Links to law office Web sites, located within numerous countries around the world is also available.

16. *Institute of International Commercial Law/Pace University School of Law* <<<http://www.cisg.law.pace.edu/>>>

The Pace University School of Law and the Institute of International Commercial Law's joint Web site is the definitive resource for any practitioner whose work references the CISG. This site includes the full text of the CISG, and legislative history, case interpretation, and editorial and scholarly analysis of each article.

17. *U.S. House of Representatives Internet Law Library*

<<<http://law.house.gov/52.htm>>>

The U.S. House of Representatives Internet Law Library contains the laws of 196 other nations. U.S. State Department releases and some scholarly works related to each country can be found at this site, as well as one of the most comprehensive lists of links to treaties and international laws available.

18. *Bologna University*

<<<http://www.spfo.unibo.it/spolfo/ILMAIN.htm>>>

This comprehensive and well-organized site was compiled by a professor of International Law at the Political Science Faculty of Bologna

University. It includes topics such as peace and security, human rights, international criminal law, international trade law, and a link to the school's international law library.

19. *University of Western Australia*

<<<http://www.law.ecel.uwa.edu.au/intlaw/>>>

This University of Western Australia site maintains general international law links as well as coverage of topics such as the United Nations, International Court of Justice, war and peace, crime, nuclear, states, Middle East, treaties, human rights, indigenous peoples, women, environment, international trade law, Europe, seas, Arctic and Antarctic, air, space, and communications.

20. *University of Chicago*

<<www.lib.uchicago.edu/~llou/intlaw.html>>

This site is organized by one of the leaders in international law research on the Internet and embodies the two most desirable qualities of a Web site; it is extensive and consistently updated. The table of contents is a vital time saver and the links to further research guides are exhaustive. Topics include: constitutions and constitutional courts, comparative law, laws of foreign countries, treaties, U.S. foreign affairs, European Union, Council of Europe, United Nations, other international organizations, war crimes, human rights, international trade, intellectual property, and international law journals.