

Citing References: International Law

This document provides guidance on citing international legal materials and specific guidance for law students on citing references in assignments. If you wish to cite UK and EU legal materials, see *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf>.

IMPORTANT

If you are a **LAW** student, you should use this guide to help you cite international legal materials in your work. You should use the footnote system of referencing, which is conventional in legal academic writing.

If you are **NOT** a law student, you should **ONLY** use this guide to help you cite international cases and legislation. You should **NOT** use the footnote system of referencing. You should use instead the 'Author Date' method, as described in the *BU Guide to Citation in the Harvard Style* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-references.pdf>

This guide is the **BU version** of the Oxford Standard for the Citation of Legal Authorities (OSCOLA) guide, *Citing International Law* (2006) http://www.law.ox.ac.uk/published/OSCOLA_2006_citing_international_law.pdf. Please note that some changes have been made to the original guidance from OSCOLA.

1. Introduction

1.1 Why reference?

When writing a piece of work, you will need to refer in your text to material written or produced by others. This procedure is called citing or quoting references. Consistency and accuracy are important to enable readers to identify and locate the material to which you have referred. The same set of rules should be followed every time you cite a reference.

Failure to acknowledge your source every time you refer to someone else's work amounts to plagiarism, which is against the University rules and is a serious offence. Further information about plagiarism and self-plagiarism can be found on the 'How to avoid plagiarism' web page <http://www.bournemouth.ac.uk/library/how-to/plagiarism.html> and from the Academic Skills tab on myBU.

For a law assignment, you must cite references in two places:

- In the text of your work, using footnotes;
- In a list at the end of your work (a bibliography).

1.2 Footnotes (continues on next page)

To create a footnote, insert a superscript number at the end of the sentence (or directly after the word or phrase to which it relates, if that's clearer). Then, give a reference to the source in the corresponding numbered note at the bottom of the page.

Insert the superscript number after any punctuation at the end of a sentence. If the word or phrase you are footnoting is in brackets, insert the superscript number before the closing bracket. Close a footnote with a full stop. If you have more than one reference in a footnote, separate them with semi-colons.

For an assignment, number footnotes continuously (start with footnote '1' and continue in numerical sequence to the end of the assignment). For a dissertation, organize your footnotes

chapter by chapter (start each chapter with footnote '1' and continue in numerical sequence to the end of that chapter).

- Legislation: if the legislation title (e.g. International Covenant on Civil and Political Rights) is given in the text of your work, give only the legislation citation in a footnote.¹ If not, give a full reference to the legislation in a footnote.
- Cases: if the case name (e.g. *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*) is given in the text of your work, give only the case citation in a footnote.² If not, give a full reference to the case in a footnote.
- United Nations documents: give the full reference in a footnote.³
- Secondary sources (e.g. reports, books, journals, newspapers and websites): give the full reference in a footnote.⁴

1.3 Repeated references

You may refer to the same source several times in your work. The first time it is mentioned, you must use the guidance in 1.2. After that, you can reference the source in a footnote as follows:

a) Give a shortened form of the source name:

- Case – use one of the party names or a shortened title, e.g. *Construction of a Wall*;
- Legislation – use an abbreviation of the title, e.g. ICCPR for International Covenant on Civil and Political Rights;
- UN document – see section 4 for guidance on abbreviating references to UN documents;
- Secondary source – use the author's surname, e.g. Lowenfeld.

b) Indicate the footnote number where the full reference was last given (n...).

For example, the full reference to the case *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* is given in footnote 2. The next time the case is referenced in a footnote, it can be given as a repeated reference.⁵ This directs the reader to look back at footnote 2 for the full case citation.

1.4 Latin terms

Do not use Latin 'gadgets' such as *supra*, *infra*, *ante*, *id*, *op cit*, *loc cit* or *contra*. The abbreviation '*ibid*' (meaning 'in the same place') can be used to repeat a reference in the immediately preceding footnote.

1.5 Bibliography

A bibliography contains full references to all the sources you have used for your assignment or dissertation. The bibliography should be divided into the following categories, as appropriate:

- Treaties and agreements;
- Statutes (Acts);
- Statutory instruments;
- Cases;
- Official materials (e.g. United Nations documents);
- Books;
- Journal articles;
- Newspaper articles;
- Websites.

¹ (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171.

² (Advisory Opinion) [2004] ICJ Rep 136.

³ UN Security Council Resolution 1373 (28 September 2001) UN Doc S/RES/1373.

⁴ Andreas Lowenfeld, *International Economic Law* (2nd edn, OUP 2008).

⁵ *Construction of a Wall* (n 2).

Citing References: International Law

List sources in alphabetical order within each category. Separate cases and legislation from different jurisdictions, e.g. list UK cases first, then EU cases and then international cases.

NB an author's name is referenced differently in the bibliography and the footnotes. In the bibliography, give the author's surname first, followed by the author's initial(s) and a comma:

e.g. Lowenfeld A, *International Economic Law* (2nd edn, OUP 2008)

2. Treaties and Agreements:

Please note: these guidelines apply whether you found the legislation in print or online.

2.1 International Treaties

If parties can accede to the treaty, cite the full date that the treaty was opened for signature. Otherwise, cite the date that it was signed or adopted. If available, then give the date that it entered into force.

(a) United Nations Treaty Series

The preferred source for UN Treaties is the United Nations Treaty Collection <http://treaties.un.org/>

title | (opened for signature date OR signed/adopted date, entered into force date) | volume
| treaty series | page

e.g. International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171

(b) League of Nations Treaty Series

The preferred source for League of Nations Treaties is the United Nations Treaty Collection <http://treaties.un.org/>

title | (opened for signature date OR signed/adopted date, entered into force date) | volume
| treaty series | page

e.g. Slavery, Servitude, Forced Labour and Similar Institutions and Practices Convention (adopted 25 September 1926, entered into force 9 March 1927) 60 LNTS 253

(c) Bilateral treaties

Include parties to a bilateral treaty in parenthesis after the title, with the names of the parties separated by a dash. There is no preferred source for locating bilateral treaties.

title | (parties to bilateral treaty) | (opened for signature date OR signed/adopted date, entered into force date) | treaty series reference

e.g. Rehabilitation and Development Co-Operation Agreement (Australia–Nauru) (entered into force 5 May 1994) ATS 1994 15

(d) GATT/WTO agreements

GATT documents date from before 1 January 1995. WTO documents date from 1 January 1995 onwards.

- GATT agreements

The preferred source for GATT documents is the *BISD 68 (Basic Instruments and Selected Documents)*. You can find *BISD 68* on Lexis Library as follows:

- Login to Lexis Library from <http://www.bournemouth.ac.uk/library/resources/law.html>;
- Enter: basic instruments and selected documents in the 'Find a Source' box;
- Click 'Find';
- Tick the box next to GATT Basic Instruments and Selected Documents;
- Click 'OK – Continue';
- Search for required GATT document.

title | (date) | series | supplement number/page number

e.g. Declaration on Trade Measures Taken for Balance-of-Payments Purposes (28 November 1979) BISD 26S/205

- WTO agreements

The preferred source for WTO documents is the WTO Online Database <http://docsonline.wto.org/>

title | (date) | treaty reference number

e.g. Agreement on Agriculture (15 April 1994) LT/UR/A-1A/2

2.2 Regional Treaties

(a) European treaties

See *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for guidance on how to cite a European treaty.

(b) Other regional treaties

Follow the same pattern as for United Nations treaties, as far as possible. Some regions or countries may have their own specific treaty series, e.g. the Organization of American States Treaty Series (OAS Treaty Series). However, if cited in the United Nations Treaty Series, League of Nations Treaty Series or *International Legal Materials*, use that source.

2.3 Pinpoint

To cite an article from a treaty or GATT/WTO agreement, use 'article' or the abbreviation 'art' in the text and the abbreviation 'art' in footnotes, followed by the article number. If the article has a title, do not include this.

e.g. Convention Relating to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954) 189 UNTS 137, art 33

3. International Cases and Decisions

Please note: these guidelines apply whether you found the case in print or online.

3.1 International Court of Justice

The Permanent Court of International Justice (PCIJ) (1922–45) preceded the ICJ. Yearbooks, judgments, opinions and related documents (Series A–F) from the PCIJ are available from <http://www.icj-cij.org/homepage/index.php>. International Court of Justice (ICJ) decisions are compiled in the series *Reports of Judgments, Advisory Opinions and Orders* available from <http://www.icj-cij.org/homepage/index.php>.

case name | (type of document) | [year] | report series | first page

e.g. *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004] ICJ Rep 136

3.2 Other Sources of International Decisions

Other general sources of reports on international cases include *International Legal Materials*, *Oxford Reports on International Law* and the *International and Comparative Law Quarterly*. See *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for guidance on how to reference law report series and law journals.

(a) International Criminal Court

Cases from the International Criminal Court are available from http://www.icc-cpi.int/EN_Menu/icc/Pages/default.aspx

case name | (type of document) | case reference | (date)

Prosecutor v Lubanga Dyilo (Judgment) ICC-01/04-01/06 (14 March 2012)

(b) International Criminal Tribunals for the former Yugoslavia and Rwanda

Cases from the International Criminal Tribunal for the former Yugoslavia (ICTY) are available from <http://www.icty.org/> Cases from the International Criminal Tribunal for Rwanda (ICTR) are available from <http://www.unicttr.org/>.

- ICTY

case name | (type of document) | case reference | (date)

e.g. *Prosecutor v Tadic* (Judgment in Sentencing Appeals) IT-94-1-A (26 January 2000)

- ICTR

case name | (type of document) | case reference | (date)

Prosecutor v Akayesu (Judgment) ICTR-96-4-T (2 September 1998)

(c) Nuremberg Tribunal

Judgments of the Tribunal are published in the *American Journal of International Law*.

case name | (year) | volume | journal abbreviation | first page

e.g. *Judgment of the Nuremberg International Military Tribunal 1946* (1947) 41 AJIL 172

(d) GATT/WTO decisions

- GATT decisions

The preferred source for GATT documents is the *BISD 68 (Basic Instruments and Selected Documents)*. You can find *BISD 68* on Lexis Library as follows:

- Login to Lexis Library from <http://www.bournemouth.ac.uk/library/resources/law.html>;
- Enter: basic instruments and selected documents in the 'Find a Source' box;
- Click 'Find';
- Tick the box next to GATT Basic Instruments and Selected Documents;
- Click 'OK – Continue';
- Search for required GATT document.

case name | (date) | series | supplement number/page number

e.g. *Swedish Anti-Dumping Duties* (1955) BISD 3S/81

- WTO decisions

The preferred source for WTO documents is the WTO Online Database <http://docsonline.wto.org>

case name | (date) | reference number

e.g. *India: Measures Affecting the Automotive Sector—Report of the Appellate Body* (19 March 2002) WT/DS146/AB/R and WT/DS175/AB/R

(e) International Labour Organization (ILO) recommendations

The preferred source for ILO recommendations is <http://www.ilo.org/dyn/normlex/en/f?p=1000>:

ILO Recommendation | reference number: | title | (conference session | location | date)

e.g. ILO Recommendation R020: Labour Inspection Recommendation (Recommendation Concerning the General Principles for the Organization of Systems of Inspection to Secure the Enforcement of the Laws and Regulations for the Protection of the Workers) (5th Conference Session Geneva 29 November 1923)

(f) Permanent Court of Arbitration

The main awards and adjudications of the PCA are published in Scott (ed), *Hague Court Reports* (1916, 1932). Other awards are published in Moore, *History and Digest of the International Arbitrations to which the United States has been a Party* (1898) 6 vols. You can find both of these publications on HeinOnline as follows:

- Login to HeinOnline from <http://www.bournemouth.ac.uk/library/resources/law.html>;
- Select 'Legal Classics';
- Click on 'H'.

case name | (date) | volume | report series | first page

e.g. *North Atlantic Coast Fisheries Case (GB v USA)* (1910) 1 Scott Hague Court Rep 141

e.g. *Alabama Claims Arbitration* (1872) 1 Moore Intl Arbitrations 495

(g) Inter-American Court of Human Rights

You can find case law from this court at <http://www1.umn.edu/humanrts/iachr/iachr.html>

case name, | type of document | reference number, | report series | case number | (date)

e.g. *Juridical Condition and Rights of the Undocumented Migrants*, Advisory Opinion OC-18, Inter-American Court of Human Rights Series A No 18 (17 September 2003)

3.3 Regional case law

(a) European case law

See *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for guidance on how to cite a European case law.

3.4 Pinpoint

To pinpoint a page from a law report, give the relevant page number after the citation. To pinpoint several pages, insert a dash between the first and last page number.

e.g. *Judgment of the Nuremberg International Military Tribunal 1946* (1947) 41 AJIL 172, 175-176

To pinpoint a paragraph from a judgment, give the relevant paragraph number in square brackets after the citation. To pinpoint several paragraphs, insert a dash between the first and last paragraph number.

e.g. *Prosecutor v Tadic* (Judgment) IT-94-1-A (26 January 2000) [10]-[11]

4. United Nations Documents

Please note: these guidelines apply whether you found the document in print or online.

4.1 General guidance

Cite from UN documents at <http://www.un.org/en/documents/>. Use the following general style when citing UN documents:

author | title | (date) | UN Doc | document number

After the first mention, abbreviate 'United Nations' to 'UN'; 'UN Security Council' to 'UNSC'; 'UN General Assembly' to 'UNGA' and 'Resolution' to 'Res'. Cite the full names of lesser known, or more specialized, UN bodies. Do not cite resolution titles. See below for specific examples.

(a) UN Security Council (UNSC)

author | title | (date) | UN Doc | document number

e.g. UNSC Res 1373 (28 September 2001) UN Doc S/RES/1373

(b) UN General Assembly (UNGA)

author | title | (date) | UN Doc | document number

e.g. UNGA Rules of Procedure of the General Assembly (2008) UN Doc A/520/Rev.17

(c) UN Sixth Committee

author | title | (date) | UN Doc | document number

e.g. UNGA Sixth Committee Report of the Working Group on Measures to Eliminate International Terrorism (29 October 2001) UN Doc A/C.6/56/L.9

(d) UN Secretary-General

Documents of the Secretary-General are usually cited by reference to the UN body to which the Secretary-General's documents are addressed.

author | title | (date) | UN Doc | document number

e.g. UNCHR Report of the Secretary-General on Rape and Abuse of Women in the Territory of the Former Yugoslavia (30 June 1993) UN Doc E/CN.4/1994/5

(e) UN Commission on Human Rights (UNCHR)

author | title | (date) | UN Doc | document number

e.g. UNCHR Report of the Working Group on Arbitrary Detention (21 January 1992) UN Doc E/CN.4/1992/20

(f) UN Special Rapporteurs or Representatives

author | title | (date) | UN Doc | document number

e.g. UNHCR (Sub-Commission) Report by Special Rapporteur Kalliopi K. Koufa (27 June 2001) UN Doc E/CN.4/Sub.2/2001/31

4.2 Pinpoint

To pinpoint a page from a UN document, give the relevant page number after the citation. To pinpoint several pages, insert a dash between the first and last page number.

UNGA Sixth Committee Report of the Working Group on Measures to Eliminate International Terrorism (29 October 2001) UN Doc A/C.6/56/L.9, 4-5

5. Books

If you are a law student, see *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for guidance on how to reference books using OSCOLA.

If you are not a law student, see the *BU Guide to Citation and Referencing in the Harvard Style* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-references.pdf> for guidance on how to reference books.

6. Yearbooks

(a) United Nations Year Book (UNYB)

Cite from <http://unyearbook.un.org/>

author, | 'title' | (year) | journal abbreviation | first page of article

e.g. UNGA, 'Report of the Ad Hoc Committee' (1979) UNYB 1146

(b) International Yearbooks

Cite these in the same way as law journals. If the Yearbook uses roman numerals for volume numbers, use roman numerals in your citation.

author, | 'title' | (year) | volume | journal abbreviation | first page of article

e.g. M Akehurst, 'Jurisdiction in International Law' (1972-1973) 46 BYBIL 145

If you are a law student, see *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for more detailed guidance on how to reference journals. If you are not a law student, see the *BU Guide to Citation and Referencing in the Harvard Style* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for guidance on how to reference journals.

Pinpoint

To pinpoint a page from a yearbook, give the relevant page number after the citation. To pinpoint several pages, insert a dash between the first and last page number.

e.g. M Akehurst, 'Jurisdiction in International Law' (1972-1973) 46 BYBIL 145, 149-150

7. Law Journals

If you are a law student, see *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for guidance on how to reference journals using OSCOLA.

If you are not a law student, see the *BU Guide to Citation and Referencing in the Harvard Style* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-references.pdf> for guidance on how to reference journals.

8. Newspaper articles

If you are a law student, see *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for guidance on how to reference newspaper articles using OSCOLA.

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If you are not a law student, see the *BU Guide to Citation and Referencing in the Harvard Style* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-references.pdf> for guidance on how to reference newspaper articles.

9. Websites

If you are a law student, see *Citing References: Law* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-refs-law.pdf> for guidance on how to reference websites using OSCOLA.

If you are not a law student, see the *BU Guide to Citation and Referencing in the Harvard Style* <http://www.bournemouth.ac.uk/library/local-assets/how-to/docs/citing-references.pdf> for guidance on how to reference websites.

10. Further Information

You can find *Quick Guides to Referencing* at <http://www.bournemouth.ac.uk/library/how-to/citing-refs-law.html>.

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