



William Taylor Muse Law Library
University of Richmond School of Law

Research Guide : Researching Treaties and Agreements

Introduction

Agreements among nations pass under a variety of different terms, including treaties, international conventions, international agreements, covenants, final acts, charters, protocols, pacts, accords and constitutions for international organizations. The differing names have no real legal significance and all similar documents may be referred to permanently as treaties. Treaties may be bilateral, meaning between two parties, or multilateral, meaning among several parties. Treaties are only binding upon the signatories to the agreement. This guide presents a selection of the resources available in the library to assist a researcher in finding treaties.

Treaties

Treaties to which the United States is a party are equivalent to federal legislation. Under U.S. law, a treaty is an agreement made by and with the advice and consent of the Senate, pursuant to Article II, section 2, clause 2 of the Constitution. Negotiation of treaties is the responsibility of the Executive Branch. The U.S. Department of State Foreign Service division generally conducts treaty negotiations. Once terms are agreed to, the President submits the treaty to the Senate for consideration. The Senate Foreign Relations Committee considers the treaty and reports to the full Senate. The Senate must approve the treaty by a two thirds majority. After approval, the President proclaims that the treaty has entered into force. There are other international agreements entered into by the United States that do not constitute treaties and do not require the advice and consent of the Senate to be binding. Such agreements are generally referred to as executive agreements.

Indexes Useful in Researching U.S. Treaties and Agreements

Treaties in Force (TIF) [Ref. KZ235 .T73]

- annual publication listing and briefly summarizing all U.S. treaties and agreements still in force
- arranged by country and subject
- includes bilateral and multilateral treaties and gives both U.S.T. cites and T.I.A.S. numbers to the extent available

A Guide to the United States Treaties in Force (Kavass) [Ref. KZ235 .G85]

- comprehensive resource for locating current bilateral and multilateral agreements
- subject and T.I.A.S. indices
- brief description of the agreement
- date of entry into force
- expanded and annotated version of *Treaties In Force*

United States Treaty Index: 1776-1990 [KZ235 .U55]

- comprehensive resource for U.S. treaty information
- subject, chronological and country indices
- supplemented by Current Treaty Index

Current Treaty Index [KZ235 .U55 supp.]

- loose-leaf index listing current treaties and agreements published in slip form in T.I.A.S.

CCH Congressional Index [Ref. KF49 .C6]

- Senate volume includes section on treaties pending before the Senate and information on the status of treaties

Congressional Record Indices [KF35 .A2]

- a listing of treaty actions and discussion appearing in the Congressional Record under the heading “Treaties” and occasionally under the name of a particular treaty or its subject matter
- may provide the text of a treaty or reservation to a treaty and is often a good source for the legislative history of a treaty
- available via
Thomas at <http://thomas.loc.gov>
GPO Access at <http://www.gpoaccess.gov/cri/index.html>

Full-text Sources

Treaties and Other International Acts of the United States of America (T.I.A.S.) [KZ235.32 .U57]

- contains full text of treaties from 1776-1863
- first official publication of new treaties and agreements – slip treaty – later bound in U.S.T.
- time lag 5 years

United States Treaties and Other International Agreements (U.S.T.) [KZ235.3 .U5]

- cumulative collection of T.I.A.S. (slip copies of treaties)
- current official collection of U.S. treaties and agreements
- long delay in the publication of this resource, as much as 12 years

Treaties, Conventions, International Acts, Protocols, and Agreements Between the U.S.A. and Other Powers 1776-1909 (Mallory) [KZ236 .1910]

- contains text of treaties from 1776 to 1937
- volume 4 has a cumulative index and chronological list of treaties

Treaties and Other International Agreements of the United States, 1776-1949 (Bevans)

[KZ236.1968 .U5]

- text of treaties and agreements in chronological order by date of signature
- divided into bilateral treaties and multilateral treaties

Statutes at Large [Ref. KF50 .U5]

- from 1776-1950, treaties and international agreement were published in the *Statutes at Large*
- volume 8 contains all treaties between the U.S. and other countries from 1778-1845
- volume 64, part 3 contains a cumulative list of all treaties and agreements included in volumes 1-64

Hein's United States Treaties and Other International Agreements Current Service [KZ235.3 .U55a]

- use United States Treaty Index and the Current Treaty Index to locate the correct microfiche
- excellent source for recent treaties

Status, Updating and Ratification

Once the researcher has located the text of the agreement, the status of the document must be determined. This includes determining the parties of a multilateral agreement, entry into force date, amendments to the original agreement. Un-ratified treaties do not die at the end of a Congressional session, thus it is important to determine where a treaty is in the ratification process. The following can all be used to accomplish the task:

Treaties in Force (see above)

A Guide to the United States Treaties In Force (see above)

CCH Congressional Index (see above)

Current Treaty Index (see above)

U.S. Senate Website, Legislative Activities

- lists treaties received from the President
- treaties on the Executive Calendar
- treaties approved by the Senate
- recent treaty status actions,
- treaties rejected by the Senate
- treaties withdrawn by the President during the current session of Congress
- <http://www.senate.gov/index.htm>

U.S. State Department

- Current Treaty Actions provides information on current treaties.
- Dispatch* provided information on treaty actions
- Office of Treaty Affairs at (202) 647-1345 provides up-to-date treaty information
- <http://www.state.gov/s/l/treaty/>

Legislative Histories and Treaty Interpretation Resources

Congressional Committee hearings, especially the Senate Foreign Relations Committee at <http://foreign.senate.gov/>

State Department documents at <http://www.state.gov/redesign/tier2/media/>

Presidential documents, including *Weekly Compilation of Presidential Documents, Public Papers of the President of the United States* [J80 .A284 microfiche]

Treaties by Popular Names Resources.

Shepard's Acts and Cases by Popular Names [Ref. KF90 .S52 1999]

Treaties and Other International Agreements of the United States of America [KZ 236.1968 .U5]

Avalon Project at <http://avalon.law.yale.edu/default.asp>

Internet

Avalon Project (Yale Law School) at <http://avalon.law.yale.edu/default.asp>

DOSFAN Electronic Research Collection (U.S. Dept. of State Foreign Affairs Network) at <http://dosfan.lib.uic.edu/ERC/index.html>

Investment Agreements in the Western Hemisphere: A Compendium (OAS, Foreign Trade Information System) at <http://www.sice.oas.org/bitse.asp#Bilateral%20Investment%20Treaties>

Private International Law Database (U.S. Dept. of State) at <http://www.state.gov/s/l/c3452.htm>

U.S. Income Tax Treaties at <http://www.irs.gov/businesses/international/article/0,,id=96739,00.html>

Fletcher-Ginn Multilaterals Project at <http://www.fletcher.tufts.edu/multilaterals.html>

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