ACCESS TO FOREIGN AND INTERNATIONAL CASE LAW- A PRACTICAL GUIDE

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This document provides some guidance on how to access foreign and international judicial decisions. It provides a short description of -and links to- foreign and international judicial resources on the Internet.

I. GENERAL

There are three main databases that can be used to consult foreign and international case law. They are LexisNexis, Worldlii and Codices. In addition, Droit Francophone is a rather comprehensive database in French.

1. LexisNexis

Lexis Nexis has a collection of foreign case law for the following countries: Australia, Brunei, Canada, Hong Kong, India, Ireland, Malaysia, Mexico, New Zealand, Scotland, Singapore, South Africa, United Kingdom and the United States. For these countries, Lexis’ coverage is rather extensive. In some instances, it contains all the decisions of a certain court in a particular period. For the United States, its collection covers basically all case law there is. For US cases as well as most foreign cases, Lexis also offers case summaries. Boolean searches in Lexis around a certain topic are quite easy. One can search the case law of one single country or search through the entire commonwealth at once. Lexis however requires a subscription and is not freely available. The case law presented in Lexis is in English.

Access: www.lexisnexis.com (subscription required)

2. Worldlii

The Worldlii database covers a rather broad range of countries. In fact, it has the broadest country coverage of all databases. The database is best described a portal that connects you to publicly available case law databases around the world. It has different sub-databases for specific regions and/or specific countries. Because of the multiple sub-databases, it is not always possible to do Boolean searches for a single country. Case law for a specific country can often only be browsed. Even if this is so, it may still be possible to do Boolean searches in the regional sub-databases. While worldlii covers a broad range of countries, its coverage for different countries varies quite a bit. For some countries, coverage is rather comprehensive but for others there are only a few cases. Worldlii presents decisions either in their original language or in English. Decisions from Asian courts and European courts have in most cases been translated into English. But decisions from Francophone African courts are generally presented in French- as worldlii connects to the French ‘Droit Francophone’ database. Worldlii does not contain case law for any of the Latin American countries- although it does present some general legal information on these countries.
Access: www.worldlii.org

3. Codices
Codices is a case law project by the Venice Commission of the European Union. It aims to bring together case law from different countries around the world. The project is bilingual. Almost all decisions are translated in English and/or in French. The search engines are provided in both English and French. The Codices database covers all European countries as well as some African, Asian and American countries. The coverage for these countries is far from exhaustive. The database only contains a couple of dozen selected decisions for each country. The Codices database has a Boolean search engine that allows you to search all countries at once. The search results are quite handily presented per country on the left side of the search engine. By clicking a specific country, it is possible to obtain all decisions that match the search for that country. The result is the same as a country specific search- but with the advantage of a general overview of what has been decided on a specific issue in different countries.

Access: http://codices.coe.int

4. Droit Francophone
The worldlii database connects to the Droit Francophone database for case law in francophone countries. But it is also possible to use the Droit Francophone database directly. The entire database, including its search engines and explanations is in French. The database contains case law for the following countries: Benin, Burkina Faso, Mali, Niger, the Central African Republic, Senegal, Chad and Togo. The case law coverage is quite extensive. It covers a broad range of years, although not all decisions for these years are included. The database also contains basic legislative materials for numerous countries in francophone Africa, but also for countries in other parts of Africa, Europe, Asia Pacific and the Caribbean. The Droit Francophone database is publicly available and allows for Boolean searches, both per country and per region.

Access: http://droit.francophonie.org
II. FOREIGN CASE LAW: COUNTRY SPECIFIC INFORMATION

Albania
Database: Codices
Coverage: Constitutional Court, selected decisions 1995-2006
Language: English and French
http://codices.coe.int

American Samoa
Database: worldlii
Coverage: High Court (1998-)
Language: English
http://www.worldlii.org/as/

Argentina
Database: codices
Coverage: Supreme Court, selected decisions 1989-2006
Language: Spanish
http://codices.coe.int

Armenia
Database: codices
Coverage: Constitutional Court, selected decisions 1994-2005
Language: English and French
http://codices.coe.int

Austria
Database: Codices
Coverage: Verfassungsgerichtshof (Constitutional Court), selected decisions 1993-2005
Language: German
http://codices.coe.int

Australia
Database I: Worldlii
Coverage: High Court (1909-), most other courts
Language: English
http://www.worldlii.org/au/

Database II: LexisNexis
Coverage: different courts, rather extensive
Language: English

Azerbaijan
Database: codices
Coverage: Constitutional Court, selected decisions 1998-2003
Language: Russian and English
Barbados
Database: worldlii
Coverage: Supreme Court (1958-)
Language: English
http://www.worldlii.org/bb/

Belarus
Database: codices
Coverage: Constitutional Court, selected decisions 1996-2006
Language: English and Russian
http://codices.coe.int

Belgium
Database: codices
Coverage: Court of Arbitration/ la cour d’arbitrage (dealing with constitutional matters), selected decisions 1986-2006
Language: French, German and Dutch
http://codices.coe.int

Benin
Database I: worldlii/ Droit Francophone
Coverage: Cour Supreme (1972,-), Cour d’appel (1985-)
Language: French
http://www.worldlii.org/bj/

Database II: codices
Coverage: La Cour Constitutionelle, selected decisions 2001-2006
Language: French
http://codices.coe.int

Bosnia and Herzegovina
Database: codices
Coverage: Constitutional Court, selected decisions 1997-2006
Language: English, French and Bosnian
http://codices.coe.int

Botswana
Database: Worldlii
Coverage: High Court (2006-), Appeal Court (1996-), Selected decisions
Language: English
http://www.worldlii.org/bw/

Brunei
Database I: Worldlii
Coverage: High Court (1987-1997), Selected decisions
Language: English
http://www.worldlii.org/bn/

Database II: Lexis Nexis
Coverage: Cases from the Malayan Law Journal (1954-)
Language: English

**Bulgaria**
Database: codices
Coverage: Constitutional Court, selected decisions 1991-2000
Language: French and Bulgarian
http://codices.coe.int

**Burkina Faso**
Database: Worldlii/Droit Francophone
Selected decisions
Language: French
http://www.worldlii.org/bf/

**Cambodia**
Database I: Worldlii
Coverage: Constitutional Council (1999-), Arbitration Council (2003-), Selected decision
Language: English
http://www.worldlii.org/kh/

Database II: codices
Coverage: Conseil Constitutionnel, selected decisions 2001-2006
Language: French
http://codices.coe.int

**Canada**
Database I: Worldlii
Coverage: Supreme Court of Canada (1985-), various other courts, Selected decisions
Language: English, some in French
http://www.worldlii.org/ca/

Database II: Lexis Nexis
Coverage: virtually everything
Language: English

**Central African Republic**
Database I: worldlii/Droit Francophone
Coverage: Cour Supreme (1988-), Tribunal Administratif (1982-)
Chad
Database I: worldlii/ Droit Francophone
Coverage: Cour d’ Appel (1969-), Tribunal de Travail (1992-)
Language: French
http://www.worldlii.org/td/

Database II: codices
Coverage: Le Conseil Constitutionnel, selected decisions 1999-2001
Language: French
http://codices.coe.int

Congo
Database: codices
Coverage: La Cour Constitutionnelle, selected decisions 2003-2004
Language: French
http://codices.coe.int

Cook Islands
Database: worldlii
Coverage: High Court (1998-), Court of Appeal (1983-)
Language: English
http://www.worldlii.org/ck/

Croatia
Database: codices
Coverage: Constitutional Court, selected decisions 1997-2006
Language: English and Croatian
http://codices.coe.int

Cyprus
Database: worldlii
Coverage: Supreme Court (1996-)
Language: English
http://www.worldlii.org/cy/

Estonia
Database: codices
Coverage: Constitutional review chamber of the Supreme Court, selected decisions 1993-2006
Language: English and Estonian
http://codices.coe.int

France
Database: codices
Coverage: Le Conseil Constitutionnel, selected decisions 1958-2006
Language: French
http://codices.coe.int

Fiji
Database: worldlii
Coverage: Supreme Court (1909-), High Court (1988-), Court of Appeal (1959-) and more
Language: English
http://www.worldlii.org/fj/

Gabon
Database: codices
Coverage: La Cour Constitutionelle, selected decisions 2001-2003
Language: French
http://codices.coe.int

Georgia
Database: codices
Coverage: Constitutional Court, selected decisions 1996-2006
Language: English and German
http://codices.coe.int

Germany
Database I: codices
Coverage: Bundesverfassungsgericht (Constitutional Court), selected decisions 1993-2006
Language: English
http://codices.coe.int

Database II: constitutional court website
Coverage: Constitutional Court, all decisions 1998-2007
Language: German
http://www.bundesverfassungsgericht.de/en/designations.html

Ghana
Database: worldlii
Coverage: Land Law decisions (1872-)
Language: English
Hong Kong
Database: Lexis Nexis
Coverage: important decisions from all courts (1946-)
Language: English
http://www.worldlii.org/gh/

India
Database I: worldlii
Coverage: Supreme Court (1950-), different district High Courts
Language: English
http://www.worldlii.org/in/

Database II: Lexis Nexis
Coverage: Supreme Court (1999-), reported and unreported decisions
Language: English

Indonesia
Database: worldlii
Coverage: Supreme Court (2003,-), Constitutional Court (2006-)
Language: English
http://www.worldlii.org/id/

Ireland
Database I: worldlii/ Ballii
Coverage: Supreme Court (1965), High Court (1933-), different specialized courts
Language: English
http://www.worldlii.org/ie/
http://www.bailii.org/

Database II: Lexis Nexis
Coverage: Criminal Court (1950-), Supreme Court (2004-), different high courts
Language: English

Israel
Database: codices
Coverage: Supreme Court, selected decisions 1999-2006
Language: English
http://codices.coe.int
See also: http://elyon1.court.gov.il/eng/verdict/search_eng/verdict_by_misc.html

Jamaica
Database: worldlii
Coverage: Supreme Court (1994), Court of Appeal (2000-)

http://www.worldlii.org/gh/
Japan
Database I: worldlii
Coverage: Supreme Court (1950-)
Language: English
http://www.worldlii.org/jp/

Database II: codices
Coverage: Supreme Court, selected decisions 1969-2006
Language: English
http://codices.coe.int

Kiribati
Database: worldlii
Coverage: High Court (1975-), Court of Appeal (1988-)
Language: English
http://www.worldlii.org/ki/

Korea (South)
Database: worldlii
Coverage: Constitutional Court (1998,-), Supreme Court (2000-)
Language: English
http://www.worldlii.org/kr/

Latvia
Database: codices
Coverage: Constitutional Court, selected decisions 1997-2006
Language: English and Latvian
http://codices.coe.int

Lesotho
Database: codices
Coverage: High Court dealing with constitutional matters, selected decisions 1998-2005
Language: English
http://codices.coe.int

Liechtenstein
Database: codices
Coverage: Constitutional Chamber of Supreme Court, selected decisions 1996-2006
Language: German
http://codices.coe.int

Lithuania
Database: codices
Coverage: Constitutional Court, selected decisions 1993-2006
Language: English and Lithuanian
http://codices.coe.int

Luxembourg
Database: codices
Coverage: La Cour Constitutionelle, selected decisions 1998-2006
Language: French
http://codices.coe.int

Macedonia
Database: codices
Coverage: Constitutional Court, selected decisions 1998-2006
Language: English and Macedonian
http://codices.coe.int

Madagascar
Database: codices
Coverage: La haute Cour Constitutionelle, selected decisions 1997-2006
Language: French
http://codices.coe.int

Malaysia
Database: Worldlii
Coverage: Federal Court (2001-), Court of Appeal (1989-)
Language: English
http://www.worldlii.org/my/

Database II: LexisNexis
Coverage: Malayan Law Reports (1946-)
Language: English

Malawi
Database I: worldlii
Coverage: Industrial Relations Court (2000-)
Language: English
http://www.worldlii.org/mw/

Database II: codices
Coverage: High Court and Supreme Court of Appeal, dealing with constitutional matters, selected decisions 1995-2006
Language: English
http://codices.coe.int
Mali
Database: worldlii/droit francophone
Coverage: Cour Supreme (1985-)
Language: French
http://www.worldlii.org/ml/

Database II: codices
Coverage: la Cour Constitutionnelle, selected decisions 1997-2002
Language: French
http://codices.coe.int

Marshall Islands
Database: worldlii
Coverage: Supreme Court (1982-), High Court (1995-), Tradition Rights Court (2000-)
Language: English
http://www.worldlii.org/mh/

Mauritius
Database I: worldlii
Language: English
http://www.worldlii.org/mu/

Database II: codices
Coverage: Supreme Court, selected decisions 1972-2004
Language: English
http://codices.coe.int

Micronesia
Database: worldlii
Coverage: Supreme Court (1981-), several state courts
Language: English
http://www.worldlii.org/fm/

Morocco
Database: codices
Coverage: Le Conseil Constitutionnel, selected decisions 2000-2002
Language: French
http://codices.coe.int

Namibia
Database: worldlii
Coverage: High Court (1997-), Supreme Court (2000-)
Language: English
http://www.worldlii.org/na/
Nauru
Database: worldlii
Coverage: Supreme Court (1969-)
Language: English
http://www.worldlii.org/nr/

New Zealand
Database I: worldlii
Coverage: Court of Appeal (1999-), Supreme Court (2004-), different lower courts
Language: English
http://www.worldlii.org/nz/

Database II: Lexis Nexis
Coverage: wide range of courts
Language: English

Niger
Database: worldlii/ Droit Francophone
Coverage: Cour Supreme (1962-)
Language: French
http://worldlii.org/ne/

Nigeria
Database: worldlii
Coverage: Supreme Court (1921-2002)
Language: English
http://www.worldlii.org/ng/

Niue
Database: worldlii
Coverage: Court of Appeal (1995-) High Court (1997-)
Language: English
http://www.worldlii.org/nu/

Palau
Database: worldlii
Coverage: Supreme Court (1994)
Language: English
http://www.worldlii.org/pw/

Papua New Guinea
Database: worldlii
Coverage: National Court (1975-), Supreme Court (1963-), different lower courts
Language: English
http://www.worldlii.org/pg/
Poland
Database: codices
Coverage: Constitutional Court, selected decisions 1993-2005
Language: English, French, German and Polish
http://codices.coe.int

Romania
Database: codices
Language: English, French, Romanian
http://codices.coe.int

Russia
Database: codices
Coverage: Constitutional Court, selected decisions 1995-1997
Language: English, French, German and Russian
http://codices.coe.int

Samoa
Database: worldlii
Coverage: High Court (1998-), Supreme Court (1962-), Court of Appeal (1982-), different lower courts
Language: English
http://www.worldlii.org/ws/

Senegal
Database: worldlii/ Droit Francophone
Coverage: Cour de Cassation (199,-)
Language: French
http://www.worldlii.org/sn/

Seychelles
Database: codices
Coverage: Constitutional Court, selected decisions 1999-2002
Language: English
http://codices.coe.int

Singapore
Database I: worldlii
Coverage: Supreme Court (2005-), District Court (2006-)
Language: English
http://www.worldlii.org/sg/

Database II: Lexis Nexis
Coverage:
Language: English
**Slovenia**
Database: codices
Coverage: Constitutional Court, selected decisions 1991-2006
Language: English and Slovene
http://codices.coe.int

**Solomon Islands**
Database: worldlii
Coverage: Court of Appeal (1980,-), High Court (1983-)
Language: English
http://www.worldlii.org/sb/

**South Africa**
Database I: Worldlii
Coverage: Constitutional Court (1995), different High Courts (2005,-), Supreme Court (2001-)
Language: English
http://www.worldlii.org/za/

Database II: Lexis Nexis
Coverage: Butterworth Law Reports (1994-), full coverage for Constitutional Court and some of the high courts
Language: English

Database III: Codices
Coverage: Supreme Court, Constitutional Court, selected decisions 1994-2009
Language: English
http://codices.coe.int

**Sri Lanka**
Database: worldlii
Coverage: Court of Appeal (1980-), Supreme Court (1979-)
Language: English
http://www.worldlii.org/lk/

**Swaziland**
Database: worldlii
Coverage: High Court (1996,-), Court of Appeal (1998-)
Language: English
http://www.worldlii.org/sz/

**Taiwan**
Database: worldlii
Coverage: Constitutional Court (1949-)
Language: English
http://www.worldlii.org/tw/

**Thailand**
Database: worldlii
Coverage: Supreme Court (1994-), Constitutional Court (1998-)
Language: English
http://www.worldlii.org/th/

**Togo**
Database: worldlii/ Droit Francophone
Coverage: Cour Suprême (1974, 1975)
Language: French
http://www.worldlii.org/tg/

**Tonga**
Database: worldlii
Coverage: Supreme Court (1946-), Court of Appeal (1991-), Privy Council (1887-)
Language: English
http://www.worldlii.org/tg/

**Tuvalu**
Database: worldlii
Coverage: High Court (1987-)
Language: English
http://www.worldlii.org/tv/

**Uganda**
Database: worldlii
Language: English
http://www.worldlii.org/ug/

**United Kingdom**
Database:
Coverage: House of Lords, Privy Council, different lower tribunals, rather extensive
Language: English
http://www.bailii.org/

Database: LexisNexis
Coverage: House of Lords, Privy Council, some lower tribunals, rather extensive
Language: English

**Vanuatu**
Database: worldlii
Coverage: Supreme Court (1980-), Court of Appeal (1982-), Magistrates Court (1982-), different other lower courts
Language: English
http://www.worldlii.org/vu/

Zambia
Database: worldlii
Coverage: Supreme Court, Industrial Relations Court, High Court, Land Tribunal
Language: English
http://www.worldlii.org/zm/
III. INTERNATIONAL CASE LAW

**International Criminal Tribunal for Yugoslavia (ICTY)**
Database I: worldlii
Coverage: all decisions
Language: English
http://www.worldlii.org/int/cases/ICTY/

Database II: ICTY website
Coverage: all decisions
Language: English and French
www.un.org/icty/cases-e/index-e.htm
www.un.org/ictr/cases-f/index-f.htm

**International Criminal Tribunal for Rwanda (ICTR)**
Database I: worldlii
Coverage: all decisions
Language: English
http://www.worldlii.org/int/cases/ICTR/

Database II: ICTR website
Coverage: all decisions
Language: English and French
http://69.94.11.53/default.htm
http://69.94.11.53/FRENCH/index.htm

**International Criminal Court**
Database: ICC website
Coverage: all, but no decisions have been issued yet
Language: English and French
http://www.icc-cpi.int/cases.html

**International Court of Justice**
Database I: worldlii
Coverage: all decisions
Language: English
http://www.worldlii.org/int/cases/ICJ/

Database II: ICJ website
Coverage: all
Language: English and French
African Commission on Human and People’s Rights
Database: commission website
Coverage: communications, decisions on communications
Language: English and French
http://www.achpr.org/english/_info/decisions_en.html
http://www.achpr.org/francais/_info/index_decisions_fr.html

African Court on Human and People’s Rights
No database available yet

European Court of Human Rights
Database I: worldlii
Coverage: all
Language: English
http://www.worldlii.org/eu/cases/ECHR/

Database II: European Court of Human Rights website
Coverage: all
Language: English and French
http://cmiskp.echr.coe.int/tkp197/search.asp?sessionid=1808706&skin=hudoc-en
http://www.echr.coe.int/ECHR/FR/Header/Case-Law/Hudoc/Hudoc+database/

Database III: codices
Coverage: selected decisions 1961-2006
Language: English and French
http://codices.coe.int

Inter-American Court of Human Rights
Database I: worldlii
Coverage: all
Language: Spanish
http://www.worldlii.org/int/cases/IACHR/

Database II: codices
Coverage: selected decisions 2003-2006
Language: English
http://codices.coe.int