CTIA: Consolidated Treaties and International Agreements 2011, Volume 5, Oceana Editorial Board, Oceana Editorial Board Staff, Oxford University Press, 2013, 0199959404, 9780199959402, . Consolidated Treaties and International Agreements is the only up-to-date publication available that offers the full-text coverage of all new treaties and international agreements to which the United States is a party. Treaties that have been formally ratified but not officially published, as well as those pending ratification, are included to guarantee the most comprehensive treaty information available. Executive agreements that have been made available by the Department of State in theprevious year are also included. A unique and thorough indexing system, with indices appearing in each volume, provides readers with quick and easy access to treaties..

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The Diamond Law Library is a great place to find the text of treaties. We have access to all of the resources described in this guide, and many others not mentioned. But even with the right tools, treaty research can be quite difficult and time consuming. This is especially true if you do not have a good understanding of treaties and how they are formed.

A treaty (sometimes called a convention, covenant, protocol, charter, pact, etc.) is an agreement between two or more nations or international organizations. It may be bilateral (between two countries), or multilateral (between three or more countries). The treaty text may provide for the manner by which it takes effect. Often, the agreement will enter into force when it has been signed and ratified by a certain number of parties. Unless restricted by the terms of the treaty, parties may ratify a treaty with reservations or other declarations. A reservation is a country's attempt to modify certain terms of the agreement, as between itself and other countries.

The Vienna Convention on the Law of Treaties sets forth the law relating to treaties and is useful in understanding how treaties are made and other fundamental concepts. The text of this treaty is available at the website of the International Law Commission. For more information on the Vienna Convention and the treaty making process, see the following sources:

Pursuant to Article II, Section 2 of the United States Constitution, treaty-making power lies with the President, with consent of the Senate. That means that the President (usually the President's

representatives) negotiates, drafts, and signs all treaties. Until the Senate consents, however, the signed treaty has no force. The President may choose to submit the treaty to the Senate immediately, or wait until there is a greater likelihood of obtaining the necessary two-thirds vote. Many treaties signed by the United States have never been ratified, not because Senate rejected them, but because they were withdrawn from the Senate or never submitted by the President. If the Senate approves, the treaty is officially ratified and proclaimed by the President. Note that "executive agreements" (which are less formal than treaties) may be concluded by the President without consent of the Senate, under his constitutional authority to conduct foreign affairs. For further information, see Congressional Research Service, Library of Congress, Treaties and Other International Agreements: The Role of the United States Senate(Comm. Print 1993), 4th Floor, KF 4989 .A25 1993.

Services such as Lexis, Westlaw, HeinOnline, and TIARA can be extremely useful in several situations. First, if you do not need an official source, databases offer quick access to the treaty texts. Second, if you are collecting sources for a law review article, or an official treaty version, electronic resources can be efficient ways to find citations. Third, you may need to search online to find the text of treaties not yet available in print. Note that none of these databases currently includes UST pagination.

HeinOnline started with law journals, but in early 2004 added a formidable array of treaty sources in PDF format. Bevans, UST, and TIAS (all described below) are reproduced in full. Hein's own KAV series (also described below) is also included, and may be useful for treaties not yet printed in UST or TIAS. Of particular interest is the powerful search mechanism which effectively incorporates and utilizes Hein's United States Treaty Index (described below). Searchable fields in the Treaties and Agreements library include title, parties, date, and subject; fulltext searching is also available.

This database is enormous in scope with over 13,000 fulltext documents. Lexis claims two important improvements over TIARA. First, it has broader coverage of historical, unratified treaties. Second, it is more frequently updated, and has more current information. All documents are obtained through official government sources, such as the State Department, the U.S. Senate, and publications like UST, TIAS, and Bevans. Like TIARA, it allows for various searching options. This database has several relatively short gaps in coverage, so there's a chance you might not find existing documents.

TIARA, a commercial service published by Oceana, features the text of over 12,000 treaties ratified by the U.S. from 1783 to present. You can search in indexed fields (country, date, location, subject, etc.) and in full-text. TIARA is a great place to go for unofficial treaty texts, and for parallel citations. Note that only one user can access TIARA at a time, so if someone else is logged on (or has forgotten to log off!), you will need to wait or try something else.

Includes coverage of international treaties beginning with volume 8 of Statutes at Large (1778) through volume 64 (1949) when United States Treaties and Other International Agreements (UST) became the official publication. Also includes TIAS (1979 to present), Senate Treaty Documents (1993 to present), and State Department Documents (1989 to present). Doesn't have the coverage of TIARA or Lexis, but this is a good source for recent treaties and related documents.

If the treaty is in force, use Treaties In Force; a List of Treaties and Other International Agreements of The United States (3rd Floor Reference, KZ235 .T74); or Kavass, A Guide to the United States Treaties in Force (4th Floor, KZ235 .G85 or in Hein Online). If it is out of force, try United States Treaty Index (4th Floor, KZ235 .U58 1991), HeinOnline, TIARA, Lexis, or Westlaw.

Published annually by the State Department, this is the official index to treaties in force. It is also the foundation upon which Kavass' Guide to the United States Treaties in Force (see below) is built. It has a single volume, comprised of two lists. The first is for bilateral agreements, and is organized by country. The second is for multilateral agreements, and is arranged by subject. There is no subject index for bilateral treaties. (Also available on the State Department website, on Lexis (INTLAW;USTIF), on Westlaw (USTIF) and on HeinOnline).

Published annually by William S. Hein & Co., this three-volume set is an expanded version of Treaties in Force (discussed above). The most recent version is in reference office, and previous editions (back to 1984) are on the 2nd floor. Also available electronically through HeinOnline. The guide includes various finding aids, including:

By Country: Alphabetical list of countries with which the United States has a current treaty. Note that there are separate lists for bilateral, and multilateral treaties, so if you're not sure, you'll have to look in both places. For each country, there is a brief subject heading (e.g., postal matters, cultural relations, etc.) and a list of citations.

Also published by Hein, this comprehensive tool covers U.S. treaties from 1776 to present, whether ratified or not. Most volumes are revised through 1995, but there is a consolidated, bound supplement. You can access the set by treaty number, subject, country, title, and date. The first five volumes contain the "master guide," organized by treaty number. For each treaty in this section, you will learn if there are parallel citations, when and where it was signed, when it entered into force, and subsequent activity. It does not tell you whether the treaty is currently in force (see Treaties in Force). The other indexes only provide enough information to lead you back to the Master Guide.

The Current Treaty Index is a looseleaf service (revised twice a year) that exists as a companion to the United States Treaty Index. Because it is less than a year out of date, it can be especially useful for finding information about recent U.S. treaties. You can search by cite, country, date, or subject.

Recent U.S. treaties generally do not find their way into print for a year or more. There are, however, sources available that either provide full-text or status updates. Many of these are electronic. For example, Westlaw and Lexis (described above) tend to upload treaty documents relatively quickly. Another option is to search the web site of the Federal agencies affected by the subject matter of the treaty you're seeking. For instance, try the Commerce Department or U.S. Trade Representative's pages for commercial or free trade agreements (see Part 3 below). For recent U.S. agreements not available elsewhere, it may be possible to get assistance from the Treaty Affairs staff in the Legal Advisor's Office of the U.S. State Department (by phone at 202-647Â--1345, or via email at treatyoffice@state.org). The following are some other options.

Recent editions in reference, earlier in cellar. The Congressional Index includes a "Treaties - Nominations" section that summarizes treaty documents, and provides citations to Senate Executive Reports when available. This section also includes a subject index. Published by CCH, the Congressional Index is regularly supplemented, and is currently less than one month out of date.

This is the first place where ratified U.S. treaties and executive agreements are officially published. Note that the treaties often include both English and the language of the other party or parties. They arrive in individually paginated pamphlets, and are kept on reserve. Originally they were consecutively numbered. Since 2002, they are numbered using their in force date, so a document with the number 02-306 came into force on March 6, 2002. Periodically these are bound and moved to the 2nd floor. TIAS is approximately five years out of date. According to the bluebook, cite only to TIAS when the treaty has not yet been printed in UST. (rule 20.4.5). Available electronically through HeinOnline. The State Department also publishes some years of TIAS on their website.

This set is virtually the same as TIAS, except it comes out irregularly in annual, pre-bound chunks. UST is terribly out of date - often more than 15 years ago. According to the bluebook, however, researchers should cite to UST whenever possible (rule 20.4.5(a)(i)). When there are more than two parties, cite to UST and an inter-governmental source such as UNTS (rule 20.4.5(a)(ii)). Available electronically through HeinOnline.

Effective October 10, 2006, the State Departmentupdated regulations regarding implementation of 1 U.S.C. 112(a) and 112(b). According to the final rule available at 71 Fed. Reg. 53007-53009,the State Department will no longer publish certain categories of international agreements in TIAS and UST. How this will effect the already woefully out-of-date publishing schedule of these official U.S. treaty series remains to be seen.

After signing, treaties are referred by the president to the Senate for ratification. All treaties and conventions submitted to the Senate for consideration, whether or not they ever go into force, are published individually as Treaty Documents. (The predecessor, Executive Documents, published selected treaties from 1921 until 1980). From 1981 (97th Congress) to 1992 (102nd Congress), Treaty Documents were bound in annual installments. Starting in 1993 (103rd Congress), however, each treaty document has been individually bound and cataloged. Starting with the 104th Congress, Treaty Documents are available on GPO's Federal Digital System (FDsys).

Treaties presented to the Senate are referred to the Foreign Relations Committee. After a time, the committee may vote favorably on the treaty, thereby passing it to the full Senate for consideration. When it does so, it issues a report which includes the full text of the treaty plus recommended reservations. These reports do not always become part of the Serial Set. The microfiche set covers the 15th through 91st Congresses (1817 - 1969). Starting with the 104th Congress, Executive Reports are available on GPO's Federal Digital System (FDsys).

You may run across KAV numbers during treaty research, especially when using other Kavass products like Guide to the United States Treaties in Force, or the Current Treaty Index. KAV is a citation to the Hein microfiche set which is generally used as a source for current treaties. Note that Hein issues KAV numbers even for treaties it does not have on hand -- consequently the fiche set has some gaps. Cite to KAV only when TIAS is not yet available. Available electronically through HeinOnline.

Conceived as a current document service when it began in 1991, CTIA continues to publish both ratified and not-yet-ratified U.S. treaties and executive agreements, in numerical order. It is issued quarterly by Oceana, and generally stays current to within a year or so. Documents are published in CTIA before the government issues TIAS numbers, so you won't have access that way. If you know when the treaty you are interested in was signed, or you have a state department or treaty document number, this is a fast resource.

Before 1950, Statutes at Large was the official source for treaties. Volumes 7 and 8 include all treaties from 1776-1845 -both of these volumes are available electronically through the Library of Congress American Memory Project. From then on, treaties were published by session. With the inception of UST in 1950, Statutes at Large ceased publication of treaties. These volumes of Statutes at Large are also available in PDF format via HeinOnline, Lexis (LEGIS;STATLG) and Westlaw (US-STATLRG). Hein's handy browse feature allows researchers to view those agreements published in Statutes at Large by tribe name for "Indian Treaties" and by country name for "Other Treaties."

This set replaces two earlier compilations (Malloy and Miller - see below) by reprinting all pre-UST, United States treaties. The first four volumes contain multilateral treaties in chronological order. Volumes 5-12 include bilateral treaties arranged by country. The index appears in volume 13. Available electronically through HeinOnline.

Researching treaties to which the United States may not be a party can be a challenge. Multilateral treaties are usually the easiest, as they are published in sets like the United Nations Treaty Series (UNTS), and on various web sites. Of course, only those treaties deposited with the UN Secretary General will become part of the UNTS. Although most multilateral (and many bilateral) treaties are deposited with the UN, states are under no obligation. For more information on the role of the UN as a treaty depository, see the Summary of Practice of the Secretary-General as Depository of Multilateral Treaties on the UN website, or consult the Treaty Handbook, 2nd Floor, JX 1976 A49 V T712 2001 - both were written by the Treaty Section of the U.N. Office of Legal Affairs. To contact the U.N. Office of Legal Affairs, Treaty Section, call (212) 963-2523 or email them at treaty@un.org.

Bilateral, obscure, or historic instruments are frequently more difficult. These agreements are often published only in the treaty series' or gazettes of the parties, or in commercially-produced, topical compilations. Before beginning to search, gather your information. What parties were definitely

involved? When was the treaty signed? What was the subject matter? Is it in force? Whether you're seeking multilateral or bilateral treaties, the answers to these questions can streamline the process significantly.

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