

COUNCIL OF EUROPE

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I. Organization of the Council of Europe

The **Council of Europe** (<http://www.coe.int>) was created in 1949 with 10 founding members (*Statute of the Council of Europe*, 87 U.N.T.S. 103, E.T.S. 1). It is also called the Conseil de l'Europe, Consejo de Europa, Europarat, or Consiglio d'Europa. There are now almost 50 member states, and it is headquartered in Strasbourg, France. Its purpose is to achieve European unity and facilitate economic and social progress. The Council is primarily concerned with issues of human rights, education and cultural projects, sports, public health, and protection of the environment.

Although it has a close relationship with the European Union, the Council of Europe is *not part of the EU*. The Council of Europe is also *not affiliated with "European Council"* (Conseil européen, Consejo Europeo, Europäischer Rat, Consiglio europeo), which is a special meeting of the EU's Council of Ministers.

The main organs of the Council are the **Parliamentary Assembly**, which has mostly advisory powers; the **Committee of Ministers**, the decision-making body made up of the foreign ministers of the member countries; the **Congress of Local and Regional Authorities of Europe** whose function is to strengthen democratic institutions at the local level and assist the new democracies; and the **Secretariat**. The *Annuaire Européen/European Yearbook* (Periodicals) includes texts adopted by the Parliament, recommendations of the Committee of Ministers, texts of conventions open for signature, articles, a list of conventions and chart of signatures, and information about members of Council organizations. Selected documents of the Committee of Ministers are also individually catalogued or collected by subject. To find these materials using the online catalog (<http://find.library.duke.edu/?type=books>), search under "**Council of Europe Committee of Ministers**" in the author field.

For an overview of the Council of Europe and its accomplishments, see *The Council of Europe: Pioneer and Guarantor for Human Rights and Democracy* (KJC5132 .C48 2010). *Council of Europe Law: Towards a Pan-European Legal Area* (KJE125 .B4613 2005) provides an overview of Council of Europe law. To find additional titles in the online catalog, search for "Council of Europe" in the subject field.

II. Council of Europe Treaties

The Council of Europe has provided the framework for the negotiation and conclusion of more than 100 multilateral agreements among its member states (often called the “European treaties”). The texts of the treaties in French and English are officially published by the Secretary General in separate numbered booklets (which are bound together at the Law Library) in the *European Treaty Series* (E.T.S.); since 2004 the series has been called the *Council of Europe Treaty Series* (C.E.T.S.) (KJC39 .C97). The treaties are reprinted by the Council in *European Conventions and Agreements* (KJC39 .C96) which also has declarations and reservations by the parties, an explanation of the treaty process, and other useful information. The treaties can be found in other standard treaty sources and on the Council’s website (<http://conventions.coe.int>). The website provides information about signatures and ratifications as well.

III. Human Rights

The Council is best known in the area of human rights. The first major treaty of the Council was the *Convention for the Protection of Human Rights and Fundamental Freedoms* (also known as the *European Human Rights Convention*) (213 U.N.T.S. 221, E.T.S. 5) which was signed in 1950 and came into effect in 1953. *Collected Texts/Recueil des Textes* (KJC5132 .A35 E97 1987) includes the text of the Conventions, relevant protocols, rules of the Court, Commission and Committee of Ministers, as well as texts on human rights emanating from these bodies. *Theory and Practice of the European Convention on Human Rights*, 4th ed. (KJC5132 .A4195 V36 2006) and *A Practitioner’s Guide to the European Convention on Human Rights*, 3rd ed. (KJC5132 .R45 2008) are useful commentaries on the treaty. The Council of Europe homepage and the homepage of the **Commissioner for Human Rights** (<http://www.coe.int/en/web/commissioner/home>) provide links to the Court and to selected documents and treaties.

The **European Commission of Human Rights** was established in 1954 and the **European Court of Human Rights** in 1959. The Commission, which screened human rights complaints for the Court, was abolished in November 1998. Individuals can now bring claims of violations of the Convention directly to the Court. *Short Guide to the European Convention on Human Rights*, 3rd ed. (KJC5132 .G66 2005) is a good introduction to the Convention and the case law and procedures of the Court. *European Human Rights Law: Text and Materials*, 2d ed. (Perkins KJC5132 .J36 2000) provides a more comprehensive overview of the European human rights system.

IV. Court Reports & Digests

The European Court of Human Rights (ECHR) **HUDOC website** (<http://www.echr.coe.int/>) contains judgments beginning in 1959, along with reports, decisions and resolutions, court rules, press releases and information about pending cases. Selected judgments of the Court, selected reports and decisions of the Commission, and settlements and resolutions of the Committee of Ministers relating to human rights are published in a commercial reporter called *European Human Rights Reports (E.H.R.R.)* (KJC5138.A5 E97). ECHR opinions are also available in Westlaw (EHR-RPTS database; coverage begins in 1979, with some judgments dating back to 1960) and in Lexis Advance (International > European Union > European Union Case Law; separate databases for ECHR cases 1960-2010 and 2011-current).

The official reporter of the Court is *European Court of Human Rights Reports of Judgments and Decisions* (earlier title *Publications of the European Court of Human Rights*) (Eur. Ct. H.R.) which was received at Duke until 1978 (Perkins KJC5132 .A52 P8352; check catalog for availability). Some later cases are individually cataloged. You can find them by searching “European Court of Human Rights” in the author field in the online catalog. The official reporter of the Commission is *Collection of Decisions/Recueil de Décisions*, 1960-74 (Perkins KJC5132 .A15 E976), continued by *Decisions and Reports*, 1975-81 (Perkins KJC5135.A5 E87).

Decisions, along with many basic documents, are also published in the *Yearbook of the European Convention on Human Rights/Annuaire de la Convention Européenne des Droits de L’homme* (Periodicals). Summaries of cases are published in *Case Law of the European Court of Human Rights* (KJC5132 .A52 B4713). The *Human Rights Case Digest* (KJC5132 .A52 H85) reprints selected Resolutions of the Committee of Ministers as well as summaries of decisions. The *European Journal of Migration and Law* publishes summaries of case reports of the European Court of Human Rights, and it is available through HeinOnline. Decisions are also selectively published in *International Legal Materials* (Periodicals & HeinOnline) and *International Law Reports* (KZ199 .A56). *Taking a Case to the European Court of Human Rights*, 2d ed. (KJC5138 .L43 2005) provides advice about the practice and procedures of the court.

The *Digest of Strasbourg Case-Law Relating to the European Convention on Human Rights* (updated through 1998) (KJC5132.A52 D55 1984), *A Systematic Guide to the Case-Law of the European Court of Human Rights* (KJC5132.A52 S97 1996), and *Harris, O’Boyle & Warbrick: Law of the European Convention on Human Rights*, 3d ed. (KJC5132 .H374 2014), which are organized by article of the Convention, provide subject access to the cases. *European Human Rights: Taking a Case Under the Convention*, 2d ed. (KJC5132 .C53 1999), a useful guide to the Court, also prints lists of cases with citations to the various reporters. *European Court of Human Rights: Case-law of the Grand Chamber, 1998-2006* (KJC5138 .A6 S56 2007) includes useful case-finding aids.

V. Research Guides

For more information on researching the Council of Europe, see *History, Role and Activities of the Council of Europe: Facts, Figures and Information Sources* (http://www.nyulawglobal.org/globalex/Council_of_Europe1.htm) and *European Human Rights System* (http://library.law.columbia.edu/guides/European_Human_Rights_System).

VI. Citation Rules

Rule 21.5.3 of *The Bluebook* explains how to cite documents of the Court and the Commission. **Rule 21.10** explains how to cite other Council of Europe materials.