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Researching the Law of the European Union
Sources, Strategies and Tips

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The following guide is intended to assist researchers who have little or no familiarity with researching the law of the European Union.  This guide does not purport to provide a comprehensive list of sources, nor does it offer sophisticated research techniques for the advanced researcher.

# ♠*Preparation for Research*

- Take time to think about your topic before starting research.

- Set preliminary boundaries for your topic.

- Note some important keywords and phrases.

- Plan to follow standard methods of legal research:
    - Secondary sources
    - Legislation
    - Case Law
    - Specialized sources
    - Update research

- Perhaps consult research guides to plan your research strategy.  *E.g.,*

    - This one!

    - Raisch, M. *European Union: Basic Legal Sources*, in Rehberg, J. and R. Popa, eds. *Accidental Tourist on the New Frontier: An Introductory Guide to Global Legal Research* (1998) [Ref Coll: Bibliog Accident].

    - Carpenter, L. *Legal Research and the Law of the European Union* (1997) (Ref Coll: Bibliog Carpente).

    - Harvard's *European Union Legal Research Guide* [http://www.law.harvard.edu/library/ref/ils_ref/eu_guide/eu_legal_research.htm].

    - Cornell's *Nuts and Bolts of European Union Law Research* [http://www.lawschool.cornell.edu/library/guides/eu/eusemb.html].

- Promise yourself to keep a research log.

# ♠*Secondary Sources*

Secondary source materials are typically found in *periodicals*, *books*, and *internet sources*.

## 1.  *Finding Periodical Sources*

- Periodical sources are best used for current analysis and specific topics.

- *To find periodicals:*

    o <u>Use subject periodical indexes to find relevant materials.</u>

        ▪ **In print…**

            • *Legal Journals Index* (1986-) [Ref Coll: Indexes Legal jo; also on WESTLAW (LJI-INDX)]. Indexes journals devoted to European law, including European Communities and Member States.

            • *European Legal Journals Index* (1993-) [Ref Coll: Indexes European]. Indexes journals published in Europe, in English, devoted to laws of European Communities and Member States.

            • *Index to Foreign Legal Periodicals* (1960-) [Ref Coll: Indexes Index to; also online, *see* below]. Indexes journals focusing on international law, comparative law, and the law of non-common law jurisdictions.

            • *Current Index to Legal Periodicals* (1961-) [Ref Coll: Indexes Universi; also on WESTLAW (CILP)]. Weekly index to very recent journal articles.

        ▪ **Online…**

            • *SCAD* [http://europa.eu.int/geninfo/info-en.htm]. Bibliographic database with references to 300,000 + documents. Periodical references include abstracts. Not updated after 3/1/01. (*See* "Using SCAD", below.)

- *European Integration Current Contents*
  [http://www.law.harvard.edu/programs/JeanMonnet/TOC/
  index.html]. Provides access to tables of contents of
  journals relevant to European Integration, including law.
  - ♠*Tip*:  Updated biweekly, so is a source of very
    current materials.
  - ♠*Tip*:  This site is linked through the Law Library
    homepage under its former title, *Harvard Jean
    Monnet Table of Contents Service*.

- *LegalTrac* [linked through Law Library homepage].
  Indexes articles in major law reviews, law journals and
  legal newspapers.  Includes European Union law.

- ♠*Tip*:  *European Integration online Papers*
  [http://eiop.or.at/eiop/].  A recent interdisciplinary online
  journal in the field of European integration research.


## *2.  Finding Books*

- Books are best used for overviews and less-current research; they tend not to be
  as timely or topical as periodical sources.

- *To find books*:

  - Use Lexcalibur, the Law Library's online catalog.

    - ♠*Tip*:  Start your search of the catalog with an "LC (Library of
      Congress) SUBJECT" search.  Use this search: *European union
      countries [keyword]*.  Refine your search by using the additional
      subject headings that appear in the entries you find.

    - ♠*Tip*:  To find basic treatises on European Union law, search
      under "law European economic community countries" or "law
      european union countries."

  - ♠*Tip*: Harvard's *European Union Legal Research Guide*
    [http://www.law.harvard.edu/library/ref/ils_ref/eu_guide/eu_legal_
    research.htm] includes a useful bibliography of basic book sources.

## 3. *Finding Internet Secondary Sources*

- A wealth of information on European Union law is available on the web, including secondary source materials.

- ***To find secondary sources on the Internet***:

    - <u>Use gateway websites that provide numerous links.</u>  *E.g.*,

        - ***Europa*** [http://europa.eu.int/; also linked through Law Library homepage]. The vast interinstitutional server of the European Union.
            - ♠*Tip*:  Many of the websites listed in this guide may be accessed directly through the Europa site.

        - ***Jurist Europe*** [http://www.fd.unl.pt/je/index.htm]. "Academic gateway" to European Union law.

        - ***Europa@Internet*** [http://www.uv.es/cde/euinternet/]. Directory of sites with official and unofficial European Union information.

        - ***European Union Internet Resources*** [http://www.lib.Berkeley.edu/GSSI/eu.html]. Another directory of EU web sites.

        - ***EuroInternet*** [http://eiop.or.at/euroint/] Yet another one.

    - ♠*Tip*:  Most of these sites also have links to primary sources.

- ♠*Tip*:  There is so much EU information available on the web that you may be in danger of becoming overwhelmed or chasing red herrings.  Keep your searches as specific as possible to focus your internet secondary source research.

- ♠*Tip*:  As with all internet research, be certain that you check the date and source coverage of the site, and that it bears indicia of reliability (through its author, sponsoring organization, etc.).  The *Europa* site, for example, would appear at first glance to be much more reliable than *Joe's Web Site of European Union Law*, where Joe does not identify himself or his sources.

- ♠*Tip*:  If you find information you believe is useful, print it! (or otherwise make it permanent).  Even in the arcane realm of EU law, what's here online today may be gone tomorrow, when you find you need it.

### *4. Once You've Found Your Secondary Source Citations…*

- Pull your print sources!

    - Most European Union law sources in print format will be found in the JX collection, on the Library's Sub-2 level.

        - Materials with call numbers <u>JX9 EAEC</u>, <u>JX9 EC</u>, <u>JX9 EEC</u>, and <u>JX9 ECSC</u> are shelved in the European Community Document Center, a separate room located through the security gate and behind the Circulation Desk. Most of these materials may only be used in the secure area.

        - Other JX sources are located in the outside stacks on Level Sub-2, against the back wall.

        - Microforms may be requested from the Circulation Desk on Level Sub-2.

        - ♠*Tip*: "Ref Coll" refers to the Reference Collection. All materials with the call number "Ref Coll" are located on the Library's Sub-1 level, in the public area behind the Reference Desk.

- Read all sources for content and to refine your topic and keywords.

- Mine the footnotes by looking up articles cited in your sources; look up the articles cited in those sources, etc.

- You'll know you're done when you start seeing the same sources cited.


## ♠*Primary Sources*

The University of Michigan Law Library is a European Depository Library. We therefore automatically receive all official EU documents, and we collect many commercial publications as well.

### *1. European Union Institutions and Their Role in the Legislative Process*

- <u>Commission</u>: Acts as the "government" in a Parliamentary system by initiating legislation and submitting proposals to the Council of Ministers.

- <u>Council of Ministers</u>: Represents the Member States. Acts on Commission proposals, and is the final legislative authority. May request the Commission to propose legislation.

- <u>European Parliament</u>: Composed of Representatives directly elected by populations of the Member States. Acts as a forum for debate and comment upon proposed legislation. Committees review proposed legislation, and draft a report and opinion for consideration by the plenary.

- <u>Economic and Social Committee</u>: Composed of members appointed by Member States, representing industry, labor and consumers. May be asked to give an opinion on proposed legislation.

- <u>European Court of Justice</u>: Highest level of authority in the EC. Decides cases interpreting legislation.

## *2. Types of EU Legislation*

- <u>Primary Legislation</u>: The founding Treaties, as amended, and other European Union agreements.

- <u>Secondary Legislation</u>:

  o <u>Regulations</u>: Community laws adopted by the Council of Ministers upon a proposal by the Commission. Directly binding on all Member States, with the force and effect of a national statute.

  o <u>Directives</u>: Community laws adopted by the Council of Ministers upon a proposal by the Commission. Binding upon Member States to which they are addressed with respect to the results to be achieved; Member States may individually choose methods of implementation.

  o <u>Decisions</u>: Community laws, issued by the Commission or Council. Directly binding on those to whom decision addressed.

  o <u>Recommendations</u>: Adopted by the Commission or Council. Have no binding force.

  o <u>Opinions</u>: Written statements by the Commission, Council or Committees. Have no binding force, but indicate policy.

## *3. Finding Treaties*

- All EU legislation is adopted under an article or provision of the Community treaties. Treaties are therefore considered the primary European Union law.

- *To find treaties:*

  - **In print…**

    - *Official Journal of the European Communities, L Series* (*see* below).

    - *International Legal Materials* (1962-) [JX2 A516i]. Current source for treaties and other international agreements.
      - ♠*Tip*: To find a treaty, use the annual table of contents that appears in the November issue of each year.

    - *Encyclopedia of European Union Law: Constitutional Texts* (1996-) [JX9 EC.62 E57c 1996]. Also contains a subject index to treaties.

  - **Online…**

    - **CELEX** (*see* "Using CELEX", below).

    - **WESTLAW (EU-TREATY)** (*see* "Using WESTLAW and LEXIS", below).

    - **LEXIS (TREATY)** (*see* "Using WESTLAW and LEXIS", below).

    - *Europa* [http://europa.eu.int/abc/treaties_en.htm] Full text of selected treaties.

## *4. Finding Legislation*

- The major source of European Union regulations, directives, and other legislation is the *Official Journal of the European Communities ("OJ")*. Published in several series, plus annex.

  - **In print…**

    - *L Series (Legislation)* (1973-) [JX9 EC.2 J86L E]. Contains enacted regulations, directives, decisions, recommendations, opinions.

- **C Series (Information and Notices)** (1973-) [JX9 EC.2 J86c E]. Contains proposed legislation, draft legislation, communications, announcements.

- **Annex (Extracts from the Debates of the European Parliament)** (1973-) [JX9 EC.2 J86d E]. Contains full text of debates of the Plenary Sessions of the European Parliament.

- **Online...**

  - **EUR-Lex** [hppt://europa.eu.int/eur-lex/en/oj/index.html; also linked through Law Library's homepage]. Full text of the *OJ* available within 24 hours of publication.
    - ♠*Tip*: Only archives texts for approximately one month.

  - **CELEX** (*see* "Using CELEX", below).

  - **WESTLAW** (*see* "Using WESTLAW and LEXIS", below).

  - **LEXIS** (*see* "Using WESTLAW and LEXIS", below).

- ♠*Tip*: Prior to the accession of the United Kingdom and Northern Ireland in 1972, the *Official Journal* was not published in English. Therefore, all pre-1973 citations are made to the French **Journal Officiel des Communautés Européenes ("JO")**. All legislation in force has subsequently been translated into English in a special edition of the *Official Journal* (1952-1972) [JX9 EC.2 O32s (Eng ed)].

- ***To find legislation in the OJ when you have an OJ cite:***

  - Look it up...

    - Bluebook citation form:      1981 O.J. (L. 338) 27

      - [year] [series number] [page number]

    - *OJ* Index form:      338 27 25.11.1981

      - [series number] [page number] [day.month.year]

    - Another citation form:      OJ L338 25.11.1981 p27

      - [series number] [day.month.year] [page number]

- ▪ ***To find legislation in the OJ when you have a legislative reference or accession number:***

  - o Formats of legislative reference numbers:

    - ▪ Regulation:  (EC) 2913/92

      - • [Community initials] [number of regulation] [year]

    - ▪ Directive or other legislation: 93/13 (EC)

      - • [year] [number of act] [Community initials]

    - ▪ ♠*Tip*:  Note that regulations are listed with the year last, while other forms of legislation are listed with the year first.  This means that directives, commission decisions, and recommendations can have the same citation!  For example, 93/13 (EC) could refer to a directive or a decision.  Therefore, you must know what type of legal act you have in order to cross-refer to an *OJ* cite.

  - o Use an index that cross-references legislative reference numbers and *OJ* cites.

    - ▪ **In print**…

      - • ***Index to the Official Journal of the European Communities*** (1978-) [JX9 EC.2 J86X5 E] Appears monthly and is cumulated annually.  The ***Methodological*** section, organized by type of legislation, lists legislation numerically by legislative reference number.

      - • ***European Communities Legislation: Current Status (the "Gray Books")*** (1988-) [Ref Coll: Indexes European]. Subject-indexed.  Use to convert non-*OJ* cites to *OJ* cites. Covers legislation from 1952 to present.
        - o ♠*Tip*:  In this work, under each year, regulations are given first and directives, etc. follow.

      - • ***Directory of Community Legislation in Force*** (1984-) [Ref Coll: Indexes Director; JX9 EC A D598 C73 L5 (all but latest)].  Subject-indexed.  Use to convert non-*OJ* cites to *OJ* cites.  Published every six months, in June and December. (Also online; *see* below.)

- Online…

  - *Directory of Community Legislation in Force* [http://www.europa.eu.int/eur-lex/en/lif/index.html]. The online version is updated monthly; covers both proposed and enacted legislation. Full-text retrieval is also available for most acts indexed.

  - *SCAD* [http://europa.eu.int/geninfo/info-en.htm] (s*ee* "Using SCAD", below).

  - *WESTLAW, LEXIS* (*see* "Using WESTLAW and LEXIS", below).

- *To find legislation by topic:*

  - Use a subject index.

    - In print…

      - Use any of the cross-referencing indexes listed above.

      - *European Current Law Monthly Digest* (1992-) [Ref Coll: FL6 E893 C976 L41]. Contains subject indexes of regulations and directives.
        - ♠*Tip:* This digest is cumulated annually and published as *European Current Law Yearbook* (1992-) [Ref Coll: FL6 E893 C976 L41]. The precursor to this digest, dating from 1973-1991, is entitled *European Law Digest* [JX9 EC.62 E89Ld].

      - *Index to the Official Journal of the European Communities* (1978-) [JX9 EC.2 J86X5 E] Appears monthly and is cumulated annually. The *Alphabetical* section is indexed by subject.

      - *European Union Law Reporter (CCH)* (1962-) [LLF Common Mkt]. Contains a "Topical Index."

      - *Encyclopedia of European Community Law* (1973-) [JX9 EC.62 E56 1973]. Part C "Secondary Legislation" arranged by topic.

- Online…

  - Use any of the online sources listed for cross-referencing, above.

- ♠*Tip:* When using subject indexes for EU law, you may find that common American law subject headings are not useful; the European legal vocabulary, even in English, can be somewhat different. If you are having trouble locating a relevant subject, look at your secondary sources and determine what language the author is using to describe your issue; try using that language as a subject heading.

## 5. *Finding Legislative Documents*

- ### *To find Commission Documents ("COM docs"):*

  - These are working documents of the Commission, including proposed legislation, broad policy documents, or reports on policy implementation. Some COM docs called "white papers" or "green papers." Useful for determining legislative intent.

  - Citation form: COM(82) 192

    - [Committee initials] [(year)] [consecutive number]

  - **In print…**

    - ***Commission of the European Communities Documents*** (1983-) [JX9 EC.21 C734d (latest three years); earlier volumes on microfiche at Micro 10 S208]
      - ♠*Tip:* Many COM docs are also published in the C series of the OJ, but these do not include the important Explanatory Memorandum.

    - ***Bulletin of the European Union*** (1968-) [JX9 EC.2 B93e; also online (*see* below)]. Reports on the activities of the Council and Commission. Discusses proposed legislation, including information about its purpose and background. Includes numerous footnotes and references to the *OJ.*
      - Each volume is indexed, and a cumulative index is published annually.
      - ♠*Tip:* The *Bulletin* usually runs four to six months behind in publication.

- - - *General Report on the Activities of the European Communities* (1967-1994) [JX9 EC.21 G326]. Annual report of the Commission.  Provides concise outline of major actions, policy developments and Commission activities.
      - ♠*Tip:*  Later reports are available online (*see* below).

  - o **Online...**

    - - *Legislative Observatory* [http://www.europarl.eu.int/r/dors/oeil/en/default.htm]. Gives bibliographic references for all documents transmitted by the Commission to the Parliament.  Includes status of legislative proposals.

    - - *PreLex* [http://www.europa.eu.int/prelex/apcnet.cfm?CL=en]. Follows all Commission proposals and other communications through the legislative process.  Tells what stage a proposal has reached.

    - - *Bulletin of the European Union* [http://europa.eu.int/abc/doc/off/bull/en/welcome.htm]. Online version of the print source, from 1996 forward.  Not indexed online.

    - - *General Report on the Activities of the European Union* [http://europa.eu.int/abc/doc/off/rg/en/welcome.htm]. Online continuation of the print source.  Contains reports from 1997 forward.

- - ***To find Parliamentary Documents***: These are working documents of the European Parliament, including committee action, explanatory reports, draft opinions, opinions, and voting records.

  - o Legislative reference format:  Doc A3 0380/91

    - - [document designation] [series] [document number] [year]

  - o **In print...**

    - - *Session Documents/Report*  (1985-) [microfiche at Micro 10 S428]. Contains committee action, explanatory reports, and draft opinions.

- o **Online…**

  - ▪ *EUROPARL* [http://www.europarl.eu/int/sg/tree/en/lm.htm] Homepage of the European Parliament.  Contains Parliamentary Dossiers and Procedures.

  - ▪ *SCAD* [http://europa.eu.int/geninfo/info-en.htm] (s*ee* "Using SCAD", below).

  - ▪ **CELEX** (*see* "Using CELEX", below).

- o ♠*Tip:* Parliamentary Opinions and Minutes (including voting records) are published in the C series of the *OJ.*


- ▪ ***To find Council Documents***:  Very little working documentation is published by the Council of Ministers.

  - o **In print…**

    - ▪ ***Review of the Council's Work*** (1972-) [JX9 EC.25 A641a] Contains a summary of the Council's activities in a given year.

  - o **Online…**

    - ▪ *SCAD* [http://europa.eu.int/geninfo/info-en.htm] (s*ee* "Using SCAD", below).

    - ▪ **CELEX** (*see* "Using CELEX", below).

  - o ♠*Tip:* The Council's Common Positions are published in the C series of the *OJ.*


- ▪ ***To find Economic and Social Committee Documents***:  This Committee publishes its opinions and other communications.

  - o **In print…**

    - ▪ ***Economic and Social Committee of the European Communities Bulletin*** (1974-)  [JX9 EC.28 E19 B936].  Monthly report on the activities of the Committee, including summary of opinions adopted.

    - ▪ ***Annual Report*** (1973-) [JX9 EC.28 E19 A615]. Summarizes and documents the work of the Committee in a given year.

- Online…

    - *SCAD* [http://europa.eu.int/geninfo/info-en.htm] (s*ee* "Using SCAD", below).

    - **CELEX** (*see* "Using CELEX", below).

- ♠*Tip:* Opinions of the Economic and Social Committee are published in the C series of the *OJ*.


## *6. Finding National Implementing Legislation*

- EU directives are implemented individually by Member States as part of States' national law.

- *To find national implementing legislation:*

    - **In print…**

        - *National Implementing Measures to Give Effect to the White Paper of the Commission on the Completion of the Internal Market* (1994-) [JX9 EC.21 N277 I34 M48 I6]. Issued twice yearly. Indexes EU legislation broadly by subject, including official citations, deadlines for implementation, and citations to official sources for Member States' legislation.

        - *European Current Law Monthly Digest* (1992-) [Ref Coll: FL6 E893 C976 L41] and *European Current Law Yearbook* (1992-) [Ref Coll: FL6 E893 C976 L41]. Both have cumulative tables of national implementing legislation.

    - **Online…**

        - *CELEX* (*see* "Using CELEX," below).

        - *SCAD* [http://europa.eu.int/geninfo/info-en.htm] (*see* "Using SCAD," below).
            - ♠*Tip:* Choose the heading "European Union Policies—Summaries and Legislative Follow-up." Select a topic, then click on "National Implementing Measures."

- ♠*Tip:* These lists of national implementing legislation tend to be very out of date. While they provide a good starting point, be sure to update your Member States research carefully!

## 7. Finding Case Law

- EU case law is reported in opinions issued by the European Court of Justice and the Court of First Instance.

- ♠*Tip:*  Cases are initially published in French (the operating language of the court) and in the language in which the case was argued.  All cases are eventually translated into all languages of the European Community, but this can take up to two years.

- *To find cases when you have a citation*:

  - **In print…**

    - If your citation is to **E.C.R.**, look in *Reports of Cases before the Court of Justice and the Court of First Instance (European Court Reports)*  (1954-) [JX9 EC.6 R425].
      - The official reporter of the Courts.  It contains both court decisions and opinions of the Advocates-General.
      - The Law Library collects this reporter in both English and French, and also subscribes to slip opinions for both courts in both languages.  French language slip opinions are usually available before the English.
      - ♠*Tip:*  The official reporter is less current than the commercially published reporters, typically running from several months to several years behind.

    - If your citation is to **C.M.L.R.**, look in *Common Market Law Reports*  (1962-) [JX9 EEC.5 C73].
      - The most commonly cited commercial reporter.  Much more current than the official reporter, however it does not reprint all cases.  It also contains selected national court decisions.

    - If your citation is to **CEC (CCH) or to Common Mkt. Rep. (CCH)**, look in *European Union Law Reporter*  (1962-) [LLF: Common Mkt].
      - Very current looseleaf service.  Does not reprint all cases. Also contains selected national court decisions.
      - ♠*Tip:*  This reporter was formerly entitled *Common Market Reports* (1962-1988) and *Common Market Reporter* (1989-Feb. 1997).
      - ♠*Tip:* Beginning in 1991, bound volumes entitled *European Community Cases* [LLF: Common Mkt] periodically replace looseleaf pages.

- o **Online**…

  - ▪ *European Court of Justice homepage* [http://europa.eu.int/cj/en/index.htm] Full text of *Proceedings and Press Releases* and recent cases (1997-) in full text.

  - ▪ *CELEX* (*see* "Using CELEX", below).

  - ▪ *WESTLAW, LEXIS* (*see* "Using WESTLAW and LEXIS", below).

- ▪ *To find cases by topic:*

  - o Use a digest or similar case-finding tool:

    - ▪ **In print**…

      - • *European Current Law Monthly Digest* (1992-) [Ref Coll: FL6 E893 C976 L41]. Very current source. Subject index of recent cases. Includes abstract of case.
        - o ♠*Tip:* This digest is cumulated annually and published as *European Current Law Yearbook* (1992-) [Ref Coll: FL6 E893 C976 L41]. The precursor to this digest, dating from 1973-1991, is entitled *European Law Digest* [JX9 EC.62 E89Ld].

      - • *Butterworth's EC Case Citator and Service* [Ref Coll: Indexes Butterwo]. Listing of cases by official case number, name of first party, treaty provision, regulation, directive, decision, name in common usage, keyword.
        - o ♠*Tip:* This service is updated by supplements, which appear approximately twice yearly.

      - • *European Union Law Reporter* (1962-) [LLF: Common Mkt]. Volume 4 of this service contains a subject index under the "Topical Index" tab.

      - • *Digest of Case Law Relating to the European Communities* (1981-) [JX9 EC.6 D572 1981]. Not very current; typically runs three to four years behind.

  - o **Online**…

    - ▪ *SCAD* [http://europa.eu.int/geninfo/info-en.htm] (*see* "Using SCAD," below).

    - ▪ *CELEX* (*see* "Using CELEX", below).

- *European Court of Justice Homepage*
  [http://europa.eu.int/cj/en/act/index.htm].  Searchable on "words in text."

- *WESTLAW, LEXIS* (*see* "Using WESTLAW and LEXIS", below).

# ♠*Updating Your Research*

- Before completing your research, you will want to make sure that it is as current as possible, and that you are aware of any planned or proposed changes in policy or legislation or any upcoming cases that may affect your issues.

- *To update your research*:

  o Use current awareness tools.

    - **In print**... *E.g.,*

      - *Bulletin Quotidien Europe* (1977-) [JX9 EC E89db]. Daily current awareness bulletin. Includes news of internal institutional developments, political events and articles mentioning proposed legislation.
        o ♠*Tip*: The Europe Documents section may give texts of proposed legislation.  The European Library section provides full bibliographic information and brief summaries of recent publications.
        o ♠*Tip*:  Commonly referred to as *Agence Europe*, after its publisher.

      - *Proceedings of the Court of Justice and of the Court of First Instance of the European Communities* (1973-)  [JX9 EC.6 A188 E; also online (*see* below)]. Weekly publication containing summaries of judgments and Advocates-General opinions, as well as listings of new cases to be brought before the Court.
        o ♠*Tip*:  Issues are generally received eight to ten weeks after the judgment is handed down.

    - **Online**...

      - ♠*Tip*:  If you are doing research online, the currency of your research will depend on the currency of your database.  ALWAYS check the scope notes for date coverage and frequency of updates; if these notes are not readily available, run a simple date search to determine currency.

- *Spicers Centre for Europe Abstracts* [available on WESTLAW; *see* "Using WESTLAW and LEXIS for EU Legal Research", below]. An abstracting service that indexes and cross-references a large body of materials, including all official documents originating from the Commission and other Community institutions, as well as many official and quasi-official news releases and press sources covering all EU affairs.

- *European Report* [available on WESTLAW, LEXIS (*see* "Using WESTLAW and LEXIS ", below)].

- *Legislative Observatory* [http://www.europarl.eu.int/r/dors/oeil/en/default.htm]. (*See* "To Find Commission Documents", above.)

- *PreLex* [http://www.europa.eu.int/prelex/apcnet.cfm?CL=en]. (*See* "To Find Commission Documents", above.)

- *European Integration Current Contents* [http://www.law.harvard.edu/programs/JeanMonnet/TOC/index.html]. (*See* "Finding Periodical Sources", above.)

- *Proceedings of the Court of Justice and of the Court of First Instance of the European Communities* [http://europa.eu.int/cj/en/act/index.htm]. Weekly bulletin summarizing opinions and judgments of very recent cases.
  - o ♠*Tip*: Online between one and two weeks after a judgment is handed down.

- *Other current awareness tools on WESTLAW and LEXIS* (*See* "Using WESTLAW and LEXIS", below.)

# ♠*Using SCAD*

- *SCAD (Service Centrale Automatisé de Documentation)* **[http://europa.eu.int/geninfo/info-en.htm]** is the bibliographic database of the European Union.

- *SCAD is no longer being updated as of 3/1/01. Although SCAD is currently still available as an archive, it is unclear how long this will continue to be the case.*

- The database is divided into four "sectors":

    o Sector A:  Community legislation
    o Sector B:  Official publications
    o Sector C:  Articles from periodicals
    o Sector D:  Opinions from the two sides of the industry
    o In addition, a "News Update" section provides access to a selection of the most recent documents on the activities of the European Union.

- Indexes sources from the *L* and *C Series* of the *OJ*, documents from the European Parliament, other official publications published by EU institutions, articles from over 1500 journals dealing with EU issues, and opinions and position papers from EU-related industries.

- The database is searchable in two ways:

    o General Search:  Permits searching on such terms as sector, domain, words in title or abstract, etc.
        - ♠*Tip:*  Do a broad search on one term first, then limit by adding other terms.

    o Search on a Number:  Permits searching for a legislative document when the legislative reference number or *OJ* cite is known.
        - ♠*Tip*:  The result will include the legislative reference num

- Search results may be displayed by cite, bibliographic fields, text fields, or all fields.
    o ♠*Tip*:  Use the all fields display.  This supplies numerous pieces of information about a reference, including keywords and domains, which may then be searched to provide additional relevant references.

- ♠*Tip*:  The result will include the legislative reference number AND *OJ* cite for every legislative document referenced.  Therefore, SCAD may be used as a cross-reference tool.


# ♠*Using CELEX*

- *CELEX (Communitatis Europae Lex)* is the document database of the European Union.

- CELEX includes four principal groups of documents:

    o Legislation: Includes treaties, international agreements, EU secondary legislation, and national implementing legislation of Member States.

- o Case Law: Includes decisions from the European Court of Justice, the Court of First Instance, and opinions of the Advocates-General.

- o Preparatory Documents: Includes Commission proposals, Common Positions of the Council, and opinions of the Economic and Social Committee.

- o Parliamentary Questions: Includes written and oral questions of the European Parliament addressed to the Commission and the Council.

- The CELEX document database includes:

  - o ***Official Journal***: Includes the entire content of the *L Series* of the *OJ*. It offers partial coverage of the *C Series* (the information section of the *C Series* is not available).

  - o ***European Court Reports***: Includes all case law from the European Court of Justice and the Court of First Instance.

- The CELEX database is available online at three sites:

  - o *"Real" CELEX* **[http://europa.eu.int/celex/htm/celex en.htm]**.

    - This site is available by subscription only. The Law Library subscribes and can provide you with a password.

    - Real CELEX is fully searchable in each of the 11 official languages of the EU. Most documents are full-text.

    - The database is updated weekly; most of the *OJ* is online within days of its publication.

    - ♠*Tip:* Real CELEX is not a particularly user-friendly database. Searching is complicated, and results can be difficult to interpret. If you plan to use real CELEX, go first to "About CELEX" and follow the links to the "Online User Guide" and the "Online Demonstration" and spend some time getting used to the database before you start research.

  - o *CELEX on WESTLAW*

    - The CELEX database on WESTLAW is made up of six subsidiary databases (Legislation, Treaties, Preparatory Documents, Cases, Parliamentary Questions, National Provisions), which can be searched individually or as a whole.

- ♠*Tip*: Attached to this research guide is a sheet with database identifiers, quick tips and strategies for searching CELEX on WESTLAW.

- The CELEX database runs from eight to 12 weeks behind the publication of the *OJ*.

- ♠*Tip*: WESTLAW CELEX is more familiar and user-friendly than Real CELEX, but it's less current. It's a trade-off.

  o **CELEX on LEXIS (NOTE <u>WARNING</u> BELOW)**

   - Legislation and legislative documents from the CELEX database appear in the file <u>European Communities Law</u> (ECLAW). This file is composed of five individually searchable subfiles (<u>EC Legislation</u> (LEGIS), <u>EC Parliamentary Questions</u> (PARLQ), <u>EC Preparatory Acts-Abstracts</u> (PREP), <u>EC Treaties</u> (TREATY), <u>National Provisions Implementing Directives</u> (NATPRV).

   - Cases from the CELEX database appear in the file <u>European Court of Justice Cases</u> (ECJ).

   - ♠<u>Warning</u>: The CELEX files on LEXIS are no longer being updated!! Therefore, the material on LEXIS is NOT necessarily current. If using CELEX on LEXIS, remember to update your research!


# ♠*Using WESTLAW and LEXIS for EU Research*

## *WESTLAW*

- **Find <u>Legislation and Treaties</u> in the following databases…**

  o **<u>EU-LEG</u>**: Comprehensive and current materials from the *L Series* of the *Official Journal*.
  o **<u>EU-TREATIES</u>**: Treaties concluded between Member States, including Founding Treaties and Accession Treaties.
  o **<u>EU-ACTS</u>**: Proposed legislation and opinions on proposed legislation.
  o **<u>EU-OJCSERIES</u>**: The *C Series* of the *OJ.*
  o **<u>EU-QUESTIONS</u>**: Parliamentary questions.
  o **<u>SPICERSEU</u>**: Abstracts of legislation, regulations, directives, decisions, proposals, notices, background information, press releases, newsletters, written European Parliament questions, and Court of Justice cases. Concentrates on material from the *Official Journal "C" and "L"* series and Commission Documents; and also draws upon 70 other sources of European Union information.

- **Find <u>Cases</u> in the following database…**
    - **<u>EU-CS</u>**:  Official case reports included in *European Court Reports.*
    - **<u>SPICERSEU</u>**:  *See* above.

- **Find <u>Current Awareness Tools</u> in the following databases…**

    - **<u>EURUPDATE</u>**:  Documents prepared by DRT Europe Service, SA covering a broad range of issues and industries in the. Documents analyze EU policy, EU legal topics, and other topics, and include references to the *OJ.*
    - **<u>PTS NEWS</u>**:  Full text of specialized newsletters that focus on international and EU topics.
    - **<u>EUROREP</u>**: The *European Report,* a newsletter containing European Union information.
    - **<u>SPICERSEU</u>**:  *See* above.

- ♠*<u>Tip</u>:*  Some searching tips…
    - For <u>legislation</u>:
        - To search by cite:
            - find oj 1990 L352/1
            - eu: decision 90/647/eec
        - To search by document title:
            - ti (directive & electronic /1 commerce)
    - For <u>cases</u>:
        - To search by cite:
            - find ecr 1-7235
            - find eu: case c-150/94

## *LEXIS*

- **Find <u>Legislation and Treaties</u> under folder "Legal (excluding US)", subfolder "European Union", in the following files…**

    - **<u>European Communities Law (ECLAW)</u>**:  EC Treaties, Legislation, Preparatory Documents, National Provisions, Implementing Directives, and Parliamentary Questions as provided by CELEX.  ***See WARNING below.***
        - **<u>EC Legislation (LEGIS)</u>**:  EU secondary legislation as provided by CELEX.  ***See WARNING below.***
        - **<u>EC Parliamentary Questions (PARLQ)</u>**: Parliamentary Questions as provided by CELEX.  ***See WARNING below.***
        - **<u>EC Preparatory Acts-Abstracts (PREP)</u>**:  Proposed legislation and related opinions as provided by CELEX.  ***See WARNING below.***
        - **<u>National Provisions Implementing Directives (NATPRV)</u>**: National provisions implementing Commission directives as provided by CELEX.  ***See WARNING below.***

- **EC Treaties (TREATY)**:  Primary legislation of the European Union as provided by CELEX.  *See **WARNING** below.*

  o  **EC Treaties in BDIEL (BDIEL)**:  EU treaties as found in *Basic Documents of European Law.*  *See **WARNING** below.*

  o  **Business Guide to EU Initiatives (EUINIT)**:  Overview of pending and
     recently adopted European Union legislation on business-related policy issues.

  o  **ENFLEX European Union Environmental Regulations and Directives (EUENV)**:  Full-text translations of pertinent law and regulations governing environmental, occupational health and safety, and hazardous materials transportation activities.

- **Find <u>Cases</u> under folder "Legal (excluding US)", subfolder "European Union", in the following files...**

  o  **European Court of Justice and European Court of Human Rights Cases (ECCASE)**:  Selected cases from the European Court of Justice (1954-), the Court of First Instance (Dec. 1989-) and the Court of Human Rights (1979-).  Includes Advocates-General opinions.

  o  **European Court of Justice Cases (ECJ)**:  Full-text decisions from the Court of Justice of the European Communities and the Court of First Instance as provided by CELEX.  *See **WARNING** below.*

  o  **EC Decisions Relating to Competition (COMDEC)**:  Decisions applying the fair competition rules under Articles 85 and 86 of the EEC Treaty and corresponding provisions of the other treaties.  *See **WARNING** below.*

- **Find <u>Current Awareness Tools</u> under folder "Area of Law—by Topic", subfolder "International Law", subfolder "General News & Information" in the following files...**

  o  **EC News-International Law (EC News)**:  Includes daily press releases, updates on tender offers, legislative summaries and other news publications.

  o  **European Report (EURRPT)**:  Newsletter containing European Union information.  *See **WARNING** below.*

  o  **RAPID (RAPID)**:  Includes press releases, news items, memos and speeches made available through the EC Commission's Spokesman's Service.  Updated daily.

- o **European Insight (EURINS):** Weekly newsletter providing information about the week's EU-related happenings.

- ♠*WARNING:* Some files are not currently being updated!! Do not assume that the information contained therein is current!! Update your research!!

- ♠*Tip:* Some searching tips...

  - o For legislation:

    - To search by cite:
      - cite (1995 oj l 48)
    - To search by document type
      - type (regulation) beef and date aft 1993
    - To search by document title:
      - title (accession and austria) and agriculture

  - o For cases:
    - To search by cite:
      - cite (1988 ecr 905)
    - To search by name
      - name (yves saint laurent and dreyfus)
    - To search by headnote
      - headnote (animal w/s protection)

# ♠*Tip: If you have questions…*

- Ask a librarian!! Please do not waste your valuable time and energy wondering about any aspect of EU legal research. The Reference Desk is staffed daily from 9 a.m. to midnight; professional librarians are either at the Desk or available to assist you from 9 a.m. to 6 p.m., Monday through Friday. We are here to help you; in fact, it would make our day! Come see us...