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Research Guide**

Human Rights of the European Union

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HUMAN RIGHTS LAW OF THE EUROPEAN UNION

The purpose of this research guide is to serve as a basic guide to those researching European Union Law, specifically that law relating to human rights in the Union. It presents a selection of print resources and electronic information.

Introduction

The European Union began in 1952 with the inception of the European Coal and Steel Community. Six countries—Germany, France, Belgium, Luxembourg, Italy and the Netherlands—agreed to place the control of those industries under a central authority. The success of that arrangement evolved into the European Economic Community and the European Atomic Energy Community with a progressive influx of new member countries: Denmark, Ireland and the United Kingdom in 1973; Greece in 1981; Spain and Portugal in 1986; Austria, Finland, and Sweden in 1995.

The [Treaty on European Union](#), signed at Maastricht on February 7, 1992, bestowed yet another name, that of the European Union, when it went into force on November 1, 1993. Among other things, the Maastricht treaty marked a considerable step in integrating human rights and democratic principles in Europe. Namely, its Common Foreign and Security Policy has as one of its objectives the “respect for human rights and fundamental freedoms,” and the treaty further states that “Community policy in this area shall contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms.”

The [Treaty of Amsterdam](#) brought the Union into the 21st century and created a new legal basis for the integration of human rights in the Union. The Treaty of Amsterdam inserts into the Treaty on the European Union a new Article 6, which states: “[The Union] is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States.” The Treaty of Amsterdam also provided for the first mechanism to address violations by member countries.

In addition the Union respects the principles laid down in the Universal Declaration on Human Rights and its attending International Covenant on Civil and Political Rights and the International Covenant on Economic, social and Cultural Rights. Additionally, the Union is bound by the European Convention on Human Rights, which is the main regional instrument for human rights protection.

Since 1952, the importance and impact of the European Union within its borders and the global economic system have been increasing, and the Union has been responding, at a pace surprisingly in step with technological advancement, to the global demands for access to information about its institutions.

The complete full texts of individual pieces of legislation and legislative proposals are available online gratis on the day of publication from the Office for Official Publications' [EUR-Lex](#)--the portal to EU law. Full texts can also often be located free of charge on the websites of the appropriate [Directorates General](#). Complete full texts of all Official Journals (both L and C versions) from [1998 onward](#) are now available free of charge on EUR-Lex, as well. Summaries of legislative documents can be found free of charge in [SCADPlus](#). The progress of legislation can be tracked using OEIL on the Parliament's website or the Commission's [PreLex](#). Press releases from the Commission, Council and other institutions and speeches of Commissioners are available on the day of issue via the RAPID database. CD-ROMs are available for EU trade data, macroeconomic and regional data, research and technology developments and the Official Journal. [EUR-Lex](#) is the most efficient gateway to the various EU law-related databases, documents and services.

Internet Resources

***Note-- New Internet resources pertinent to the Union appear nearly every week. Thus, given the vast array of resources, the list below is a mere sampling of those available. For a comprehensive list, in so far as one is possible, researchers should utilize the [A to Z Index of EU Websites](#) offered by the [Commission's Washington Delegation](#).

Researchers should also keep in mind the limitations in time. Those familiar with American legal research know that the farther one goes back in time, the less likely that the information will be available electronically. The Union is no exception to this maxim and the farther in time one regresses beyond 1995, the slimmer the chance that one will find information electronically.

[EUR-Lex](#)

This European Commission site gives access to a range of primary sources of European Union law including treaties, legislation and case law. It is also possible to access the Official Journal here, but access is limited to recent issues.

[EuroInternet](#)

A large collection of Internet resources on all issues concerning the integration of Europe.

[Europa](#)

The official website of the European Union with links to all its component institutions.

[European Commission](#)

The official website of the Commission.

[European Court of Human Rights](#)

Full text reports of the Court's judgments are available from this Web site.

[European Court of Justice](#)

Recent decisions in full text form of both the Court of Justice and the Court of First Instance can be accessed at this site.

[Council of Europe Human Rights](#)

[EU Charter of fundamental rights](#)

[European Convention on Human Rights](#)

[Council of Europe Human Rights](#)

[Glossary of European Communities and European Union](#)

[The Court of Justice's website](#)

Offers a basic guide to the rules of procedure, press releases on decisions, the weekly Proceedings of the Court, and a database for the texts of decisions as of July 1997.

Pay Services

[Lexis](#)

European Court of Justice Decisions from 1954; Court of First Instance decisions from December 1989. Other: see online database list.

[Westlaw](#)

European Court of Justice Decisions from 1954; Court of First Instance Decisions from 1989. Other: see online database list.

PRINT RESOURCES

Background Publications

***The following is a list of excellent publications that are useful for those who need a general overview of EU governmental organizations and their interplay before beginning a more in-depth human rights inquiry.

Carpenter, Liz. Legal Research and the Law of European Communities.

Chalmers, Damian. European Union Law.

Folsom, Ralph Haughwout. European Union Law in a Nutshell, 3d ed.

Mathijson, P.S. R.F. A Guide to European Union Law, 7th ed.

Medhurst, David, A Brief and Practical Guide to EU Law, 3rd ed. KJE949.M43
Professional Center Library, Wake Forest University School of Law

Monar, Jorg. Butterworth's Expert Guide to the European Union.

Nugent, Neill. The Government and Politics of the European Union, 4th ed.
JN15.N84 Z. S. Reynolds Library, Wake Forest University

Roney, Alex. The European Union: A Guide Through the EC/EU Maze.

Roney, Alex. EC/EU Fact Book: A Complete Question and Answer Guide (1989).
HC241.2.R65 Z.S. Reynolds Library, Wake Forest University

Human Rights Publications

***Call numbers refer to the Worrell Professional Center Library of Wake Forest University

Philip Austin, ed., The EU and Human Rights (Oxford University Press, 1999).
KJE5123.E9

Indexed with Biographical References to topics including environmental rights; refugee and asylum policies; roles of Parliament, Council and Court of Justice in European Human Rights protection.

J.G. Merrills, Development of International Law by the European Court of Human Rights (Manchester University Press, 1995) KJC5138.M47

Monograph on the development of international law by the Court of Human Rights

Linda Hancock, ed., *Rewriting Rights in Europe* (Ashgate, 2000). KJE5132.R49

Deals with Issues of Sovereignty, Citizenship, and Minority Rights

Leif Berg, ed., *Bringing Cases Before the European Commission and Court of Human Rights* (Abo Akademi University, 1997) KJC5135.B75

Info on actions and defenses as well as the Rules of Practice before the Court of Human Rights

Vincent Berger, tr., *Jurisprudence de la Cour European des Droits de l'Homme/ Case Law of the European Court of Human Rights* (UNIFO, 1989)

English translation of cases and commentary

Nanette A Neuwahl, ed., *European Union and Human Rights* (Kluwer Law International, 1995). KJE5132.E87

Explores the Treaty on the EU and subsequent legislation

H. Petzold, ed., *European System for the Protection of Human Rights* (Dordrecht, Boston, 1993). KJC5132.E97

Explores many concepts germane to the Union, such as subsidiarity, proportionality, and many individual rights, including the right to life, protection of property, freedom of expression, parental rights and education

Recueil des Cours de l'Academie de Droit Europeen (Dordrecht, Boston, 1991) KJE937.C65 Item has Multiple Volumes

Collected Courses of the Academy of European Law

Brian Doolan, *Lawless v. Ireland (1957-1961): the First Case Before the European Court of Human Rights; An International Miscarriage of Justice?* (Ashgate,2000). KDK106.L39 D77

Interesting look at the first case before the European Court of Human Rights, hypothesizing that the Court failed the Convention

Kim Feus, ed., *EU Charter of Fundamental Rights: test and commentaries* (Federal Trust, 2000).

KJE960.E8

Various topical commentaries dealing with many rights issues like discrimination, entrenchment, etc.

European Human Rights Reports

Item has multiple volumes

Unofficial reporter with decisions of the European Commission of Human Rights and the European Court of Justice

International Law Reports

Item has multiple volumes

One of the most comprehensive English accumulations of full text judicial materials in international law, with specific coverage of the European Court of Human Rights

Yearbook of the European Convention on Human Rights KJC5132.A52 D63

Item has multiple volumes

CURRENT EVENTS

[The Week in Europe](#)

Europe: Magazine of the European Union. By the Washington Delegation of the Commission of the European Communities. Actually began circulation in 1954 with the beginning of the European Community for Coal and Steel. Can be found on most newsstands and in bookstores.

EUFOCUS: Essential Developments in EU Law and Policy. A monthly publication beginning in 1996.