

**KSL**  
**COMPREHENSIVE**  
**STYLE**  
**TO LEGAL**  
**CITATION**



**Kathmandu School of Law**



# **KATHMANDU SCHOOL OF LAW**

## **COMPREHENSIVE STYLE TO LEGAL CITATION**

---

Third Edition

**Chief Editor:**  
**Anuj Chand**

**Editors:**  
**Nirwan Jung Karki**  
**Prajwol Bickram Rana**  
**Rosy Shrestha**

**Contributors:**  
Ashwin Kumar K.C. • Nikhil Dongol • Prasansha Rimal • Sampurna Basnet • Sulav Jung Rayamajhi

**KATHMANDU SCHOOL OF LAW**

**Special Thanks to:**

Anjana Dhital • Anurodh Koirala • Arzoo Karki • Ashlesha Joshi • Pragya KC • Surakshya Baral

**Advisors:**

Prof. Madhav Prasad Acharya • Prof. Yubaraj Sangroula • Prof. Ben Saul • Prof. Geeta Pathak • Prof. Zhu Wenqi  
• Prof. Muhammad Amir Rana • Prof. Hongkong Rana • Prof. Evelyn L. Wilson • Prof. Nomita Aggarwal • Prof.  
Wang Sixin • Prof. Prakash K.C. • Prof. Zakir Hussain • Prof. Kumar Ingnam • Prof. Peter Crook • Mr. James Lin •  
Assoc. Prof. Prem Chandra Rai • Assoc. Prof. Atindra Dahal • Asst. Prof. Amritha Vishwanath Shenoy • Asst. Prof.  
Ravi Prakash Vyas

---

**Published by:**

Kathmandu School of Law (KSL)  
P.O. Box: 6618, Suryabinayak-04, Bhaktapur, Nepal  
Phone: 977-1-6634455, 6634663, Fax: 6634801  
Email: info@ksl.edu.np  
Website: www.ksl.edu.np  
© 2020 Kathmandu School of Law (KSL)

**Layout:**

Asterdio Inc, PL.

**Cover Design:**

Nirwan Jung Karki

**Printed at:**

Nebula Printers, Kathmandu

**Published year:**

2020

**ISBN:**

978-9937-8237-7-7

# MESSAGE FROM THE KSLR EDITOR-IN-CHIEF

---

I am pleased to share a few words on the third edition of the Kathmandu School of Law (KSL) Comprehensive Style to Legal Citation. The KSL Comprehensive Style has attempted to establish itself as a standard for legal citation in Nepal. This is especially important in Nepali legal arena which lacks any standard citation guide in a comprehensive manner.

Most of the publications in Nepal lack adherence to a proper and consistent citation format. In cases where consistency is observed, it is usually achieved based on internationally well-known citation guides such as OSCOLA and Bluebook. Although this may be helpful, use of international guides poses a significant problem in the citation of Nepali legal texts. This is where KSL Comprehensive Style seeks to present itself as the preferred alternative to legal researchers and authors in Nepal. To achieve such lofty ambitions, KSL Comprehensive Style has made necessary amendments to keep it more up-to-date with the changes in research methodology and Nepali legal regime.

More immediately, the amendment made to KSL Comprehensive Style addresses two key concerns. Firstly, make the erstwhile KSL Style Guide comprehensive for the purpose of Kathmandu School of Law Review (KSLR), which exclusively subscribes to KSL Comprehensive Style. Secondly, make the KSL Comprehensive Style more illustrative with multitude of examples which makes it easily comprehensible to the law students new to Law Schools.

The current edition is comprehensive as it includes various new rules, which were not present in the previous versions. What is more, this edition has also attempted to address the changes that have occurred in Nepali legal system triggered by the introduction of a new constitution and implementation of the federal system of governance. Finally, the introduction of dedicated chapters on international legal materials including the United Nations materials will be vital in filling the lacuna that existed in the earlier editions.

I would like to thank the editors, contributors and proofreaders who have invested great efforts in making all the necessary changes. I would also like to thank everyone directly and indirectly responsible for bringing out this edition of KSL Comprehensive Style in its current form. A note of gratitude is also due to everybody who has contributed in various capacities in the past for making the KSL Comprehensive Style what it is today. I hope that this version of the KSL Comprehensive Style will be helpful for all concerned.

**Prof. Dr. Yubaraj Sangroula**  
**Editor-in-Chief**  
**Kathmandu School of Law Review**

# PREFACE TO THE THIRD EDITION

---

The current edition, renamed as "Kathmandu School of Law Comprehensive Style to Legal Citation", acknowledges the legacy of the preceding editions and builds upon those foundations to take it one step further. The work for this edition began following a chance talk between two Kathmandu School of Law Review (KSLR) editors. A need was felt and what followed was months of work to get to a document in the present form.

The third edition of KSL Comprehensive Style is aimed primarily at footnote citations. Therefore, it does not completely encompass all facets of academic writing (for example: within Kathmandu School of Law, one should follow KSL Comprehensive Style for citation purposes in their dissertation but for other general rules of dissertation writing, please refer to the rules drafted by the KSL Research Department).

This edition is directed at two key audiences: firstly, potential authors seeking publication in the KSLR and secondly, students new to law schools (especially students in B.A.LL.B. first and second year). This means that the KSL Comprehensive Style primarily aims at, but not limited to, footnote citations in journal articles and term papers. Consequently, we have attempted to make the KSL Comprehensive Style comprehensive (pun intended) enough for publication purposes and comprehensible enough to those starting afresh in the footnote citation realm.

The aspirations, therefore, are simple to begin with: to provide law school students with sufficient tools to familiarize themselves with fundamentals of citation. This simple aspiration does not, however, eschew the ultimate aspiration: that of having one single standard citation guide in Nepal. We are aware that any prospective standard as such will not endorse this document in all its glory, but this could be a start, a guide to work towards uniformity. We would be overjoyed if our contributions would someday contribute in some form to create one single Nepali Citation Guide.

The present edition is longer, larger, more expansive and elaborate. It includes chapters that did not exist in the previous editions and expounds upon those areas that were not adequately addressed in the earlier versions. We believe that the present edition will solve a few problems previously encountered while citing from the erstwhile Style Guide.

The current edition has been well defined and divided into FIVE CHAPTERS for better clarity and ease of access. The basic rules of footnote citations have been labelled "fundamentals" of citation. There is an example for almost every rule, sometimes more than one. The rules and examples have been separated from the body of the text and placed in boxes, which makes referencing easier and quicker. Much changes have been made in the citation requirements for the Domestic Sources. Likewise, notable additions have been made through Chapters on International Materials and Foreign Materials. These changes and additions have been made to reflect the changes in Nepali legal setup and to address the uncertainty caused by dearth of rules and examples for the citation of international materials (most markedly, UN Documents) in the previous editions.

Despite the hard work, it is inevitable that we may yet have missed out on a few things. In that scenario, we suggest the

authors use their best judgment, in line with the spirit of this Comprehensive Style to find an apt solution. Common sense, in this sense, should prevail.

In the end, we would like to remember the contributors to the past editions. To honor this legacy, we have decided to reproduce acknowledgement from the second edition of the KSL Comprehensive Style, which also pays apt tribute to the first edition. Unfortunately, the first edition of the KSL Comprehensive Style lacked a preface, therefore we are unable to reproduce anything of that ilk. We would also like to extend warm gratitude to Mr. Ravi Prakash Vyas, for sanctioning the team and also having patience in repeatedly granting us extensions (the work took longer than what was anticipated at the beginning).

On a personal note, I would like to specially thank three key individuals who made crucial contribution to this work and are thus indispensable to this third edition: Mr. Prajwol Bickram Rana, the KSLR editor with whom I had the chance talk on the need to revise the then KSL Style Guide, the talk that made this edition possible; Mr. Nirwan Jung Karki, mastermind behind the cover of this work and much of its design whose constructive criticism has made the work better; and Ms. Rosy Shrestha, who must have a PhD in the war of attrition, she was the embodiment perseverance during the preparation of this Comprehensive Style. All three of them made sustained contributions to this publication from day one till last.

I would also like to thank the other members of the Team, who made varying contributions on varying matters including, Mr. Ashwin Kumar KC, Mr. Nikhil Dongol, Ms. Prasansha Rimal, Mr. Sampurna Basnet and Mr. Sulav Jung Rayamajhi.

Special thanks are also due to Ms. Anjana Dhital, Mr. Anurodh Koirala, Ms. Arzoo Karki, Ms. Ashlesha Joshi, Ms. Pragya KC and Ms. Surakshya Baral who played a vital role in the editing phase of this work.

I hope this work does justice to everyone who will follow it in the course of their work.  
To consistency and uniformity! To hard work!

**Anuj Chand**  
**Chief Editor**  
**KSL Comprehensive Style To Legal Citation**  
**1 August 2020**

# **ACKNOWLEDGEMENT**

## **(From the Second Edition)**

---

A debt of gratitude is owed to Dr. iur. Lukas Heckendorn, a KSL alumnus who drafted the first edition of KSL Style Guide, our own comprehensible guideline for academic writing that we used tirelessly for years. This edition of KSL Style Guide would be incomplete without incorporating the succinct words he used in the first edition. Part I of the style guideline noticeably retains most of Dr. Lukas's contributions while part II features some of his prescribed rules of citation that we considered superlative to other options. In a proper sense, the new style guide is an amendment, albeit a necessary one.

This edition of style guide also owes significant acknowledgment to the newly formed young editorial team of Kathmandu School of Law Review (KSLR). As the Editor-in-Chief of the review I take all the limelight but I am just a small guidance to immensely talented and hard-working team members; Yugichha Sangroula, Prassidha Pandey, Poonam Kaphle, Sushma Thapa, Saroj Pathak, Prakat Khati, Anish Bastola, Pushpa Palanchoke and Deepshikha Adhikari. The tireless hard work put in by them cannot be expressed in few words instead the style guide stands as a testament to it. This effort would not have been possible without the help and support of Sushila Karki, Executive Editor of the review. I thank you all for your dedication and professionalism.

Last but not least, I extend my sincere thanks to Executive Director, Prof. Geeta Pathak Sangroula, for entrusting us with this responsibility. We could not have carried through this project successfully without her encouragement. Her constant guidance and valuable advice cannot be put in words.

**Ravi Prakash Vyas**  
**Founder Editor-in-Chief**  
**Kathmandu School of Law Review**

# TABLE OF CONTENTS

## **1. GENERAL RULES 1**

1.1 FORMAT .....	1
1.2 LANGUAGE .....	4
1.3 DATE.....	4
1.4 AUTHORS.....	5
1.5 QUOTATIONS.....	6
1.6 FOOTNOTING.....	7
1.7 SUBSEQUENT CITATION.....	9
1.8 WEBSITE (URL).....	10
1.9 ITALICS .....	10
1.10 PINPOINTS.....	11
1.11 INTRODUCTORY SIGNALS.....	12
1.12 PUNCTUATIONS.....	12
1.13 NON-TEXTUAL REPRESENTATION.....	13
1.14 MISCELLANEOUS .....	14
1.15 BIBLIOGRAPHIES.....	14

## **2. DOMESTIC SOURCES 18**

2.1 CASES OF NEPALI JURISDICTION.....	18
2.2 DOMESTIC LEGAL TEXTS.....	20

## **3. SECONDARY SOURCES 24**

3.1 BOOKS .....	24
3.2 JOURNAL ARTICLES.....	26
3.3 CONFERENCE PAPER.....	28
3.4 REPORTS.....	29
3.5 WORKING PAPERS / DISCUSSION PAPERS .....	31
3.6 INTERVIEW .....	32

3.7 NEWSPAPER .....	32
3.8 DIGITAL, AUDIO AND VIDEO MATERIAL .....	34
3.9 THESIS/DISSERTATION .....	35

## **4. INTERNATIONAL MATERIALS      36**

4.1 INTERNATIONAL TREATIES AND CONVENTIONS .....	36
4.2 RESOLUTIONS .....	38
4.3 DECLARATIONS.....	40
4.4 CASES OF INTERNATIONAL JURISDICTION .....	41

## **5. FOREIGN DOMESTIC MATERIALS      48**

5.1 CASES OF FOREIGN JURISDICTION .....	48
5.2 FOREIGN CONSTITUTIONS .....	49
5.3 FOREIGN LEGISLATIONS.....	50

This page is left blank intentionally.

This page is left blank intentionally.

# 1. GENERAL RULES

## 1.1 FORMAT

### 1.1.1 Font

The prescribed font and font size are:

- Prescribed font: 'Garamond'.
- Prescribed size: 12 points.

### 1.1.2 Layout

The margins of a page should be customized according to the specifications below:

- 1-inch margin on top, right and bottom.
- 1.50-inch margin on the left.
- The alignment must be in 'justified' style (this allows the text to be evenly distributed between the margins).
- The line spacing for the text should be of 1.5 points.

#### NOTE

To achieve a 'justified' style of alignment, go to the navigation panel, find 'alignment' and find the option with evenly distributed four lines. It looks like "≡". MS Word describes the alignment as 'Justified style gives the document a cleaner crispy look thus it looks more polished'. Alternatively, the 'justified' style of alignment can be achieved through the shortcut key of 'Ctrl+j'.

Line spacing option in MS Word can be accessed through 'line and paragraph spacing' option in the navigation panel.

### 1.1.3 Title and Heading

The title must be written in bold letters. The main title (topic on which one is writing) may be written in uppercase while the subheadings should be written in lowercase in bold.

### 1.1.4 Italic and Bold

The general rule for 'Italics' is that Non-English words, such as Latin and Greek words/terminologies must be italicized. This includes Nepali words, phrases and sentences that are written in English.

For consistency purposes, the KSL Comprehensive Style generally requires the name of the source authority for any proposition, when mentioned in the main body of the text to be italicized. This includes the long names and popular names of cases, statutes, books, articles and reports.

Generally, the source authority is required to be italicized in the footnotes too. However, there are certain exceptions. (See below for the fundamentals of footnote citations).

The general rule for writing in 'Bold' is usually used to indicate that the writing in bold is either the title or that it emphasizes a certain point. The use of bold for title and heading purposes has been addressed above (see section 1.1.3). With regards to the use of bold within the text, it is preferable to keep the use of words in bold to a minimum.

Emphasis may also be made by the use of 'underline' in the text.

#### NOTE

Avoid using the uppercase to show emphasis. Keep the use of uppercase words in the text to a minimum.

### 1.1.5 Rules of Footnotes

Proper citations must be made while supplying information from other sources. Citations must be made for a direct quotation or while paraphrasing another source. Citations may take the form of footnotes, in-text citations, or endnotes.

For the purposes of the KSL Comprehensive Style, every citation takes the form of **'footnotes' and footnotes only**. Every footnote takes the form of sentence. Thus, by virtue of general rules of grammar, a footnote should always start with a capital letter and end with a full stop.

In this sense, a footnote is subject to certain rules on its construction. Some of the most important rules to be observed in every footnote are:

- Complete detail of the source should be provided every time a new entry is made in the footnotes.
- The footnotes should be of 10 points in size, with 'left alignment'.

#### NOTE

Using 'justified' alignment in footnotes creates aesthetic issues while citing web links (or URL).

Line spacing between footnotes should be of 1.15 points.

- Footnotes should be written by using a superscript. (A superscript appears like this: "xyz<sup>1</sup>")
- Superscripts should be provided to the referred part of the text, which may be at the end or in the middle of a sentence or clause.

#### NOTE

Superscript in the text can be entered either through the use of the shortcut key of "Alt+Ctrl+F" or through the references pane. For the latter, find 'References' section in the MS Word ribbon, and click on 'insert footnote'.

- The basic idea is to supply such superscript immediately after the direct quote to clearly indicate exactly what part of the sentence or paragraph is not one's own words.
- Construct the sentences and paragraph as:

## EXAMPLE

Both the loosely structured interview format and the open-endedness of the questions allowed the interviews to take on a more conversational tone. This was important to ensure that the questions were put forth to the respondents in an “unbiased manner”. The respondents, therefore, did not feel like they were being judged, be it for their private lives or their professional duties.<sup>1</sup>

---

<sup>1</sup> Robert Yin, *Case Study Research: Design and Methods*, Thousand Oaks: Sage Publications, 3rd edition, 2003.

- There is a difference between giving a superscript before a full stop and after a full stop. When superscript is given after full stop, it generally means that the whole sentence is being cited. If superscript is given before the full stop, it means that the particular word/phrase is being cited. If the superscript is inside an inverted comma or a bracket, then it indicates that the content within the bracket or inverted comma is being cited.

## EXAMPLE

ASEAN developing countries have made enormous progress to reduce both ‘the prevalence and absolute number of the the undernourished’<sup>1</sup>. This is the outcome of tremendous economic growth<sup>2</sup> achieved in its journey of more than 50 years. The major role in this regards has been paid by ASEAN free trade agreement.<sup>3</sup>

---

<sup>1</sup> Roehlano M. Briones, ‘Regional Cooperation for Food Security: The Case of Emergency Rice Reserve in the ASEAN Plus Three’, *Working Paper no. 18*, Asian Development Bank, 2018, p. 2.

<sup>2</sup> Fidel Valdez Ramos, ‘From ‘Sports-Shirt’ Diplomacy to a Model Rules-Based Organization’, in Surin Pitsuwan et al. (eds), *The ASEAN Journey: Reflections on ASEAN Leaders and Officials*, Economic Research Institute for ASEAN and East Asia, Philippines, volume 1, 2017, p. 43.

<sup>3</sup> Ajit Singh, ‘ASEAN Revitalized: The Golden Years’, in Surin Pitsuwan et al. (eds), *The ASEAN Journey : Reflections on ASEAN Leaders and Officials*, Economic Research Institute for ASEAN and East Asia, Philippines, volume 1, 2017, p. 121.

## 1.2 LANGUAGE

- American English should be used.
- Gender-neutral language should be used.
- The pronoun 'he' or 'she' alone should not be employed as the supposedly neutral third-person singular. It is acceptable to use 'he or she', 's/he' or 'they' as neutral singular pronoun.
- The words such as 'chairman', 'spokesman' should be avoided and be replaced by words 'chairperson', 'spokesperson'.

## 1.3 DATE

### 1.3.1 Format for date

- Day Month Year (If the date is in Nepali *Bikram Samwat*, BS, convert it into AD; both the dates may be mentioned with one of them enclosed in parentheses).
- The day should not be in ordinal number. It should be numerically represented.
- The name of the month should not be abbreviated. For example: write August and not Aug.
- Avoid the use of comma.

#### EXAMPLE

15 June 2019 instead of 15<sup>th</sup> June, 2019

### 1.3.2 Format for span of time in years

- While mentioning span of years within the same century, mention the full year of the first or beginning year and change only the last two digits for the end year.
- This is not the same in case of span of years, which stretches across two centuries.
- This is important for citation of events which might have been held for an extended period.

#### EXAMPLE

For span of years within the same century:  
1999-98

For span of years across different century:  
1999-2019

### 1.3.3 Format for span of days

- Span of days within the same month should be separated by an ‘en-dash’.
- Span of days stretching across different months should be mentioned in full, separated by an ‘en-dash’.

#### EXAMPLE

Within the same month:

11-14 January

For different months:

12 October-25 December 2019

For dates spanning across years:

1 January 2018-9 October 2019

## 1.4 AUTHORS

- Write the name of the author(s) the way it is mentioned in the source. Use the full name if so given, and use only the initials if only initials are mentioned.
- The format for the name shall be: First/Given Name, Middle Name (can be excluded if unavailable) and Surname/Family Name.
- The initials should be capitalized.
- Do not include any designation (like Dr., Prof. or Sir) before the name of an author.
- In cases, where there are two authors, mention the names of both the authors, separated by an ampersand (&).
- If the source has three authors, mention the names of all three authors. Use comma to separate the name of the first and the second author. The name of the third author should be separated from the second author by an ampersand (&).
- In case of more than three authors, mention the name of the first author followed by ‘et al.’ Please note the ‘full stop/period’ immediately following ‘al’ in ‘et al.’.

#### EXAMPLE

...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup>

<sup>1</sup> Carles Boix & Susan C. Stokes, *The Oxford Handbook of Comparative Politics*, Oxford University Press, USA, 2007, pp. 297-321.

<sup>2</sup> John Baylis, Steve Smith & Patricia Owens, *The Globalization of World Politics: An introduction to international relations*, Oxford University Press, UK, 6th edition, 2014, pp. 17 - 19.

<sup>3</sup> Mitsuo Matsushita et al., *The World Trade Organization: Law, Practice, and Policy*, Oxford University Press, United Kingdom, 2015, p. 795.

#### NOTE

Please note that here onwards the example of a cited sentence with footnote is symbolized by ‘...<sup>1</sup>’ throughout this guideline.

## 1.5 QUOTATIONS

Any source cited *verbatim* should be duly acknowledged by the use of single quotation mark.

- a. Short quotations (of three lines or less) should be incorporated within a single quotation mark.

**EXAMPLE**

‘Survival is the best revenge, rather than reprisal.’

- b. A long quotation (more than three lines) should appear indented. The indentation should be from both left and right. There should not be the use of any quotation marks.

**EXAMPLE**

The moment of euphoria at the end of the Cold War generated an illusion of harmony, which was soon revealed to be exactly that. The world became different in the early 1990s, but not necessarily more peaceful; Change was inevitable; progress was not. A similar illusion of harmony flourished, briefly, at the end of each of the twentieth century’s other major conflicts.

- c. A quotation within a quotation should be supplied by double quotation mark.

**EXAMPLE**

‘You do not rise to the level of your goals. You fall to the level of your “systems”.’

- d. Omission of any part of the original text should be substituted by an ellipsis, (...).

**EXAMPLE**

‘The Second World War knocked out the fascist story, and from the late 1940s to the late 1980s the world became a battleground between (...) communism and liberalism.’

- e. Alteration of words should be recognized as [text].  
f. Significant error in original text may be recognized as [sic].

**EXAMPLE**

‘Law abiding citizen was introduced in Mussigun [sic.] Jail and Elmira Jail respectively.’

**NOTE**

The original quote contained the word ‘Mussigun’. The actual spelling is ‘Michigan’. As the original quotation has been used along with the mistake, the use of [sic] is required.

- g. Within a quotation, few words or phrases can be emphasized by adding (emphasis added).

**EXAMPLE**

‘Nationalism meant differentiating between the nation and the state (emphasis added), and it was clear that no government could take upon itself the rights of a nation.’

**NOTE**

Please note the use of round brackets.

## 1.6 FOOTNOTING

Every footnote takes the form of citation sentences. This means that it should start with a capital letter and end with a full stop. In this sense, a footnote is subject to certain rules on its construction. Important rules to be observed in every footnote are:

- Full details of the source should be provided every time a new entry is made.
- Superscripts should be provided to the referred part of the text which may be at the end or the middle of a sentence or a clause. The basic idea is to supply such superscript immediately after the direct quote to clearly indicate the exact part of the sentence or paragraph that is not one’s own words. Construct the sentences and paragraphs in the following way:

**EXAMPLE**

Winding up of a company is the process whereby its life is ended and its property administered for the benefit of its creditors and members.<sup>1</sup> The existence of a company is brought to end by winding up and ultimately dissolution.<sup>2</sup>

- References to more than one work (authority) in the same footnote are separated from one another with the use of a semi-colon (;).

**EXAMPLE**

...<sup>1</sup>  
\_\_\_\_\_

1 *Nepal ko Sambidhan* (Constitution of Nepal), art. 34(3); *Nepal ko Antarim Sambidhan 2063* (Interim Constitution of Nepal 2007), art. 30.

- Footnotes are generally used for citation. However, they are also used to further elucidate the expressions of the main text. In such cases, the elucidations should be as short as possible. The following style is suggested:

**EXAMPLE**

The Interim Constitution of Nepal 2063 BS included a fundamental guarantee of ‘right to dignified life’.<sup>1</sup>

---

<sup>1</sup> Unlike the Indian Constitution where there is no explicit fundamental right provision of ‘right to life’.

**NOTE**

For other rules of footnoting, refer to section 1.1.5 above.

## 1.7 SUBSEQUENT CITATION

When a particular source is cited more than once in a paper, all the details such as edition, title of publication, publication year, etc. need not be provided each time in a footnote. Such citation is referred to as a repeated/ subsequent citation. For the present purpose, we have considered two forms of subsequent citations:

### 1.7.1 Immediately following a footnote

If the former footnote mentions only one source, *Ibid* (meaning *ibidem* or in the same place) should be used along with the page number/s referred to (if different), separated by a comma in between.

#### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> James Crawford, Special Rapporteur on State Responsibility, *Fourth Report on State Responsibility*, 2001, U.N.Doc.A/CN.4/517, para. 3.5.

<sup>2</sup> *Ibid*, para. 4.5.

#### NOTE

Although '*ibid*' is a Latin phrase and is italicized in the main body of the text, while using the word in footnote, *ibid* should be used without italicization (*Ibid/ibid* and not *Ibid/ibid*).

### 1.7.2 Not immediately following a footnote

- a. When the same publication by an author is being referred again but not immediately after the footnote, the prescribed citation is: Author's last name, first citation number (n x), pinpoint.

#### EXAMPLE

...<sup>8</sup>

<sup>8</sup> Brownlie (n 2), pp. 430-435.

- b. In case of subsequent citation of legislations and directives, the popular or short title of such legislation is prescribed.
- c. Similarly, subsequent citation of case law should be indicated by the popular name or a short name of the case followed by the referred page/paragraph number.

#### EXAMPLE

...<sup>9</sup>

<sup>9</sup> *Oil Platforms Case* (n 3), para. 50.

- d. Alternate forms of subsequent citation such as *supra*, *infra*, *ante*, *id*, *op cit* and *loc cit*, are to be avoided since these are not widely understood. *Contra* and *cf* are also to be avoided. When such forms are encountered in other publications, it is prescribed to find out their particular usages to avoid incorrect citation.

## 1.8 WEBSITE (URL)

If books, journals, articles or any other material used in the paper are extracted from the internet, it is necessary to mention the link to the website, which leads to the source used in the paper.

However, please note that the Comprehensive Style does not require the mention of the weblink/URL for the case law of the Supreme Court of Nepal obtained from its official website ([www.nkp.gov.np](http://www.nkp.gov.np)).

The format is:

- Write the full citation for the material.
- After the citation, write 'available at' before mentioning the link.
- Mention the link, remove the underline and make its color consistent with the rest of the footnote.
- After including the link, give a comma. Write 'accessed on' and mention the last accessed date of the website.

### RULE

Full citation of the source, available at weblink, accessed on date.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> Patricia Kameri Mbote & Migai Akech, 'Kenya - Justice Sector and the Rule of Law', *Open Society Foundation*, 2011, p. 14, available at <https://www.opensocietyfoundations.org/uploads/38762285-51db-4bac-b8f9285cf0ef2efc/kenya-justice-law-20110315.pdf>, accessed on 23 September 2019.

## 1.9 ITALICS

- Words of foreign origin, including Latin and Greek words/phrases/expressions like *stare decisis*, *quantum meruit*, *jus ad bellum* must be italicized.

### EXAMPLE

*Stare decisis* ensures that cases with similar facts are approached in the same way.

- Nepali words and phrases like *Karaar Ain*, *Gaunpalika* should be italicized.

### EXAMPLE

The study was carried out in *Phedikhola Gaunpalika*.

- Long names and popular name of cases, statutes, books, articles, reports and title and name of other sources should be italicized, whether used in the main text or footnote.

**EXAMPLE**

*Fisheries Case* is one of the most important judgments rendered by the ICJ.

## 1.10 PINPOINTS

Following abbreviations may be used as pinpoint for all the prescribed forms of citations in this Comprehensive Style:

PINPOINTS	USE
p.	when a particular page number is referred
pp.	when multiple pages are referred
s.	section
ss.	sections
chp.	chapter
art.	article
arts.	articles
para.	paragraph
paras.	paragraphs
sch.	schedule
pt.	part
div.	division
no.	number
reg.	regulation

**NOTE**

The 'full stops/periods' used at the end of each abbreviated form of pinpoint.

## 1.11 INTRODUCTORY SIGNALS

Introductory signals are used before a citation to show the nature of link between the text and the source from which it was obtained. It must be noted that these signals must not be used when a source is directly quoted or paraphrased.

INTRODUCTORY SIGNAL	MEANING
(no signal)	Source directly supports the statement.
E.g.	Other authorities (not cited) also support the stated.
See	Source gives implicit or qualified support.
See generally	Source provides background information on topic.
Contrasted with (instead of <i>cf</i> )	Source provides support by analogy (contrast).
Contradicts with (instead of <i>contra</i> )	Source is in direct contradiction with the statement.
But see	Source is in partial contradiction with the statement.

### EXAMPLE

The Supreme Court has explained on the Directive Principles of State Policy in several occasions.<sup>1</sup>

<sup>1</sup> See *Lok Bahadur Karki and others v. Government of Nepal*, NKP 2072 (2015), volume 2, Decision no. 9346.

## 1.12 PUNCTUATIONS

- Full stops should be used to mark the end of a sentence or at the end of footnotes.
- *Inter alia*, commas should not be used before brackets (any type of bracket: be it round brackets or square brackets).
- Colon, ':' should be used to separate the volume and issue number of foreign case/journal/international cases.
- Semicolon, (;) should be used to separate footnotes.

## 1.13 NON-TEXTUAL REPRESENTATION

- The source(s) in the form of graphs, diagrams, tables and charts that are not one's original work should be mentioned in the following manner:

### RULE

*Source: Name of the Source, Year of publication/dissemination*

- If there are more than one non-textual representation, all of them should be coded with numerical serial numbers on the basis of the sections where they appear.

For example, if a table appears in section A, the serial number should be Table A.1, (Table A.2, Table A.3 and so on). Subsequent references should go by respective numbering. For example, See below Table A.1)

Table A.1. Food security in South Asia in terms of availability of food

Indicator	Assessment Parameter	Bangladesh	India	Nepal	Pakistan	Sri Lanka
Average Food Supply	kcal/capita/day	2281	2353	2360	2293	2361
Dependency on Chronic Food Aid	Qualitative assessment (0-2)	0	1	1	1	1
Political Stability Risk	(0-100)	70	25	65	65	45

*Source: Global Food Security Index, 2012*

## 1.14 MISCELLANEOUS

- Use books written by qualified scholars and articles published on peer-reviewed journals as they are highly authoritative.
- Avoid referring to websites that are unofficial or those whose credibility is controversial (e.g. Wikipedia).
- Avoid referring to guides, handouts, class notes, lectures.
- Prefer printed material to online materials as a general rule. However, it must be noted that at present many of the official websites of courts like the Inter- American Court of Human Rights and Reporters like the *Nepal Kanoon Patrika* of Nepal publish the decided cases with all the relevant information. Noting this increasing reliance on the websites for official version of cases, the rule is that one need not include reference to the website of the cases (see below, Chapter on Cases for further detail).
- Prefer original sources over the sources referring to other sources.

## 1.15 BIBLIOGRAPHIES

Bibliography is a consolidated list, which includes all the cited and non-cited sources referred to by the researcher during their research. Even the sources that were not directly mentioned in the text or footnotes but that were relied upon during the research form part of a bibliography.

### NOTE

Bibliography does not include primary legal sources such as Acts, Regulations, Cases, etc. These may be included in separate tables (table of statutes, table of cases) for a larger volume of work such as a thesis, a dissertation or a book. However, such a table is neither mandatory nor preferred for shorter works such as journal articles and term papers.

The bibliography listing all secondary sources should be provided after the main body of the text and appendices (if any). It means that the bibliography appears at the end of the work. Items in bibliography are alphabetically arranged in ascending order.

Items in bibliography take the same form as the fundamentals of respective footnotes as detailed in the Comprehensive Style. However, there are three major exceptions. They are:

- i. Given name (including middle name) of author(s) follow the family name, separated by a comma. The rule applies to each author involved.

CITATION in a footnote

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> Philippe Sands, *Principles of International Environmental Law*, Cambridge University Press, New York, 2nd edition, 2003, p. 327.

## CITATION in a bibliography

### EXAMPLE

Sands, Philippe, *Principles of International Environmental Law*, Cambridge University Press, New York, 2nd edition, 2003

## CITATION in a footnote

### EXAMPLE

...<sup>1</sup>  
<sup>1</sup> T.R. Subramanya & Shuvro Prosun Sarker, 'Emergence of Principle of Sic Utere Tuo Ut Alienum Non-Laedes in Environmental Law and Its Endorsement by International and National Courts: An Assessment', *Kathmandu School of Law Review* p.1, volume 5:2, 2017, p. 12.

## CITATION in a bibliography

### EXAMPLE

Subramanya, T.R. & Sarker, Shuvro Prosun, 'Emergence of Principle of Sic Utere Tuo Ut Alienum Non-Laedes in Environmental Law and Its Endorsement by International and National Courts: An Assessment', *Kathmandu School of Law Review* p. 1, volume 5:2, 2017

### NOTE

Where two authors have the same surname, the authors should be sorted alphabetically according to their first names. Where more than one work by an author is listed, the works should be listed in chronological order (see below).

- ii. A bibliography section may be subdivided into categories as below. However, such categorization is not mandatory.
  - A. Books and Theses
  - B. Journal and Review Articles
  - C. Newspaper articles and websites
- iii. The entries should not have a full stop at the end. Similarly, the pinpoint should also be omitted.

## Several works by the same author

- Multiple works by the same author should be listed in chronological order (starting with the oldest).
- Multiple works with multiple authors that share the same first author should be arranged alphabetically (but an author's co-authored work should be placed before that author's sole-authored works).
- If one is citing more than one work by the same first author and co-author, arrange the works in chronological order (starting with the oldest).

## EXAMPLE

Sangroula, Yubaraj, Pathak, Pradeep & Rai, Prem Chandra, *Situational Analysis and Baseline Study "Torture & Improper Use of Force in Nepal"*, Kathmandu School of Law, Bhaktapur, 2017

Sangroula, Yubaraj & Karki, Rohit (eds), *Geo-Strategic Challenges to Nepal's Foreign Policy And Way Forward*, Kathmandu School of Law, Bhaktapur, 2015

Sangroula, Yubaraj & Pathak, Geeta, *Gender and Laws: Nepalese Perspective*, Pairavi Prakashan, Putalisadak, 2002

Sangroula, Yubaraj, *Jurisprudence and Legal Theory*, Kathmandu School of Law, Bhaktapur, 6th edition, 2009

Sangroula, Yubaraj, *Jurisprudence: The Philosophy of Law*, Kathmandu School of Law, Nepal, 1st print, 2010

Sangroula, Yubaraj, *Jurisprudence: The Philosophy of Law*, The Loquitur Publishing Company PLC, New Delhi, 2nd edition, 2014

Sangroula, Yubaraj, *Right to Have Rights*, Lex & Juris Publication, Bhaktapur, 2018

A bibliography section to a work appears as provided below (divided into categories):

### **Bibliography**

#### A. Books and Theses

Baylis, John, Smith, Steve & Owens, Patricia, *The Globalization of World Politics: An introduction to international relations*, Oxford University Press, UK, 6th edition, 2014

Pandey, Shashank, *Arsenic Bio sand Filter: Study on the effect of air space between the resting water and the diffuser basin on arsenic removal and determination of general flow curve*, Honor's Degree, Kathmandu University, July 2004

#### B. Journal and Review Articles

Subramanya, T.R. & Sarker, Shuvro Prosun, 'Emergence of Principle of Sic Utere Tuo Ut Alienum Non-Laedes in Environmental Law and Its Endorsement by International and National Courts: An Assessment', *Kathmandu School of Law Review* p.1, volume 5:2, 2017

Osui, Ben, 'Local community projects to create opportunities and tackle problems', *31st FIHRM Conference*, UNDP, Liverpool, 10-12 October 2012

C. Newspaper articles and websites

Koirala, Saroj, 'Is electricity cheap enough to replace cooking gas?', *The Kathmandu Post*, Kathmandu, 3 September 2019

Jordan, Miriam, 'Refugee Cutbacks Could Isolate Rohingya Children in the U.S.', *The New York Times*, New York City, 22 September 2019, available at <https://www.nytimes.com/2019/09/22/us/rohingya-refugees-us.html>, accessed on 23 September 2019

## 2. DOMESTIC SOURCES

### 2.1 CASES OF NEPALI JURISDICTION

#### 2.1.1 NKP (*Nepal Kanoon Patrika*) Cases

The fundamentals for citation of a case published in the NKP (i.e. official publication of cases decided by the Supreme Court of Nepal) are:

##### RULE

*Popular name (if any), name v. name*, NKP year (year in A.D.), volume, Decision no., pinpoint.

##### Explanation

NKP cases can be located either in the printed form or through the website ([www.nkp.gov.np](http://www.nkp.gov.np)). While pinpointing from a printed NKP, the first page number of the case is required. However, while citing from the website iteration of the NKP case, pinpoint is not required.

Also, note that the NKP website is an easily accessible alternative to NKP cases. Therefore, considering its ease of access and authenticity, it is not required to mention the URL link of NKP cases while citing them. Hence, NKP cases citation format remains the same in the case of NKP print and NKP website (except for the rule of pinpoint).

##### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Nepal Government v. Mahesh Mahar (Mahara) and others*, NKP 2076 (2019), volume 1, Decision no. 10178, p. 136.

<sup>2</sup> *Lok Bahadur Karki and others v. Nepal Government*, NKP 2072 (2015), volume 2, Decision no. 9346.

##### NOTE

The second example above does not mention any pinpoint which means, this case has been cited from the NKP website.

##### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Nepal Government v. Charles Gurumukh Shovraj*, NKP 2074 (2017), volume 4, Decision no. 9796, p. 586.

## 2.1.2 Non-NKP Cases

The fundamentals for citation of a case of Nepali jurisdiction not published in NKP are:

### RULE

*Popular name (if any), name v. name, jurisdiction, phase (if any), year (year in A.D.), Case no. or Writ number, pinpoint.*

### Explanation

- a. The name of the report series could be official as well as unofficial or published as well as unpublished report series.
- b. Same rule is followed for decisions of provincial, district and other special courts. The name of the provincial court, district court or other special courts should be mentioned in the element of 'jurisdiction'. For Example: High Court, Patan.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *His Majesty Government v. Bhisma Bahadur Rsaiju*, Lalitpur District Court, 2062 (2005), Case no. 427, p. 18.

- c. If the name of the court makes the jurisdiction clear, then the further name of the bench is not required. But if the court's name does not specify the jurisdiction, bench should be mentioned after the court's name separated by a comma. For Example: High Court, Patan, Hetauda Bench.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Nagmati Kumari Rana v. Purnawas Municipal Executive Office and others*, High Court, Dipayal, Mahendranagar Bench, 2075 (2018), Writ no. 075-WO-0017.

<sup>2</sup> *Bal Bahadur Singh v. Nepal Government*, High Court, Surkhet, 2075 (2018), Case no. 304607.

- d. If any case is to be cited from an unofficial source, the general rule is to proceed to the original text and cite according to the rule. However, if the original source could not be found, following fundamentals shall be mentioned:

### RULE

*Popular name (if any), name v. name, year BS (year in A.D), Writ no. or Case no., cited at author/s (separated by '&' if more than one author) title, publisher, place, year, volume, pinpoint.*

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Unity Life International Ltd. v. Office of the PM and Council of Ministers and others*, 2068 (2012), Writ no. 066-WO-1293, cited at Lohit Chandra Shah & Bhim Nath Ghimire (eds), *Some Decisions of The Supreme Court Nepal*, Supreme Court, Kathmandu, 2013, volume 5, p. 222.

<sup>2</sup> *His Majesty Government v. Ram Bahadur Adhikari and others*, 2062 (2005), Decision no. 7598, cited at Narendra Prasad Pathak, *Najir Kosh*, Pairavi Prakashan, Kathmandu, 2066, volume 5, p. 59.

- e. In case of other official publications of the Supreme Court, for example, Supreme Court Bulletin , the following fundamentals shall be mentioned:

**RULE**

*Popular name (if any), name v. name*, Supreme Court Bulletin year (year in A.D.), volume, Case no., pinpoint.

**EXAMPLE**

...<sup>1</sup>

<sup>1</sup> *Narbada Shrestha v. Home Ministry, Singhadurbar and others*, Supreme Court Bulletin 2076 (2019), volume 4, Case no. 074-WH-0056, p. 3.

- f. Likewise, in case of NKP Constitutional Bench Volume, the following fundamentals shall be mentioned:

**RULE**

*Popular name (if any), name v. name*, NKP Constitutional Bench Volume year (year in A.D.), volume, Decision no., pinpoint.

**EXAMPLE**

...<sup>1</sup>

<sup>1</sup> *Madhav Kumar Basnet and others v. Honorable Prime Minister Baburam Bhattarai and others*, NKP Constitutional Bench Volume 2075 (2018), volume 1, Decision no. 0004, p. 54.

## 2.2 DOMESTIC LEGAL TEXTS

Generally, the fundamentals for citation of domestic (Nepali) legal texts are:

**RULE**

*Nepali name of the text with year in BS* (English translated name of the text with year in AD), source authority promulgating the text, pinpoint.

**NOTE**

Although Nepali legislations and rules (like Treaties and Conventions in UNTS) are also grouped in categories, namely in *Ain Sangraha* and *Niyam Sangraha*, it is not required to include the source of such legislations and rules.

## 2.2.1 Constitution

The fundamentals for citation of Constitution (past and present) derives from the fundamentals for citation of legal texts (see above). However, the source authority promulgating the Constitution is not required. Therefore, the fundamentals for the citation of Constitution are:

### RULE

*Nepali name of the Constitution with year in BS* (English translated name of the Constitution with year in AD), pinpoint.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Nepalko Sambidhan* (Constitution of Nepal), art. 34(3).

### NOTE

The present Constitution of Nepal does not include any date (year) in its title, hence, there is no need to mention the date while citing the present Constitution of Nepal.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Nepalko Antarim Sambidhan 2063* (Interim Constitution of Nepal 2007), art. 30.

<sup>2</sup> *Nepal Adhirajyako Sambidhan 2047* (Constitution of the Kingdom of Nepal 1990), art. 12(2)(c).

## 2.2.2 Primary Legislation

In Nepal, a primary legislation may derive from one of three sources: bicameral federal parliament, unicameral provincial parliament and the local level.

The fundamentals for the citation of primary legislation remain the same as above. As far as the source authority promulgating the text is concerned, the following is prescribed:

Federal Parliament	Nepal
Provincial Parliament	Name of the concerned Province, Nepal
Local Level	Name of the concerned local level (with the mention of Metropolitan City, Sub-metropolitan City, Municipality or Rural Municipality), Nepal.

a. Federal Legislation

RULE

*Nepali name of the primary legislation with year in BS* (English translated name of the primary legislation with year in AD), Nepal, pinpoint.

EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Trade Union Ain 2049* (Trade Union Act 1992), Nepal, s. 2(b).

<sup>2</sup> *Aniwayarya tatha Nisulka Sikshya Sambandi Ain 2075* (The Act Relating to Compulsory and Free Education 2018), Nepal, ss. 9, 32.

b. Provincial and Local Legislation

RULE

*Nepali name of the primary legislation with year in BS* (English translated name of the primary legislation with year in AD), name of the province/name of the local level, Nepal, pinpoint.

EXAMPLE

...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup>

<sup>1</sup> *Pradesh Sanstha Darta Ain 2075* (Provincial Institution Registration Act 2018), Bagmati Province, Nepal, s. 5.

<sup>2</sup> *Arthik Ain 2076* (Finance Act 2019), Sudur Paschim Province, Nepal, s. 8.

<sup>3</sup> *Prashasakiya Karyabidhi Ain 2075* (Administrative Procedure Act 2018), Lalitpur Metropolitan City, Nepal, s. 3.

### 2.2.3 Bills

RULE

*Nepali name of the bill* (English translated name of the bill), year of presentation of the bill in BS (in AD), type of bill, name of the person proposing the bill, authority before which the bill is under consideration, pinpoint.

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Suchana Prabidhi sambandhama byawastha garna baneko Bidbeyak* (Bill made in relation to Information Technology), 2075 (2019), Government Bill, Ministry of Communications and Information Technology, House of Representative, Nepal, s. 5.

## 2.2.4 Other Legal Texts (Policies, Directives, Circulars)

### RULE

*Nepali name of the text with year in BS* (English translated name of the text with year in AD), authority promulgating the text/publication, pinpoint.

### NOTE

While pinpointing, make sure to refer to the original sources. For example, bylaws have variably been spelled as bylaws and bye-laws. Also, individual rules within a bylaw have been variably referred to as bylaw, bylaw number, number or rules. Therefore, the actual reference to the rules has to be deduced from within the concerned text.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Yogdan ma Aadharit Samajik Suraksha Niyamawali 2075* (Contribution Based Social Security Regulation 2018), Ministry of Labour, Employment and Social Security, Government of Nepal, rule 3.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Company Niradeshika 2072* (Company Directive 2015), Office of the Company Registrar, Nepal, s. 19.

<sup>2</sup> *ACU Karobar Sambandi Byawastha 2074* (Provision regarding ACU Transaction 2017), Foreign Exchange Management Department, Nepal Rastra Bank, Nepal, Unified Directive 02/2074, no. 4.

### NOTE

For Nepal Rastra Bank publications, also mention document number (if applicable).

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Wi-Fi Hotspot Sanchalan Sambandhi Biniyamawali 2075* (Wi-Fi Hotspot Operation Bylaw 2018/19), Nepal Telecommunications Authority, bylaw 10.

<sup>2</sup> *Udhyog Banijyatatha Apurti Mantralayako Suchana 2076* (Notice of Ministry of Industry, Commerce and Supplies 2019), Nepal Rajpatra, notice 1.

# 3. SECONDARY SOURCES

## 3.1 BOOKS

The fundamentals for citation of books are:

### RULE

Name of the author(s), *Title of the Book*, name of the publishing house, place of publication, volume/edition, year, pinpoint.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> John Baylis, Steve Smith & Patricia Owens, *The Globalization of World Politics: An introduction to international relations*, Oxford University Press, UK, 6th edition, 2014, pp. 17-19.

<sup>2</sup> Philippe Sands, *Principles of International Environmental Law*, Cambridge University Press, New York, 2nd edition, 2003, p. 327.

### 3.1.1 Author

- a. Write the name of author(s) as mentioned in the book. Use full name if given, but in case only initials are mentioned, use only the initials.
- b. The format for the name shall be: First/Given Name, Middle Name (can be excluded if unavailable), Surname /Family Name.
- c. The initials shall be capitalized.
- d. Do not include any designation before the name of the author like Dr., Prof. & Sir.
- e. In case the book is written by two authors, mention the name of both the authors separated by an ampersand (&).
- f. If the book has three authors, mention the name of all three authors. Use comma to separate the names of the first and the second author and name of the third author is to be separated by an ampersand (&).
- g. In case of more than three authors, mention the name of the first author followed by et al.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> Mitsuo Matsushita et al., *The World Trade Organization: Law, Practice, and Policy*, Oxford University Press, United Kingdom, 2015, p. 795.

### 3.1.2 Editor

- a. If the book has an editor, the name of the editor shall appear in the same manner as that of the author.
- b. Name of the editor shall follow the name of the author.

While citing a book that contains a collection of various articles, the author of individual articles within the book is the author and the title of his/her individual work within the book needs to be cited alongside in quotation marks. The name of the editor(s) mentioned in the book along with the name of the book needs to be disclosed.

The fundamentals for citation of a book with an editor are:

#### RULE

Name of the author, 'Title of the individual work/chapters in the book', in Name of the editor(s) (ed/eds), *Title of the Book*, name of the publishing house, place of publication, volume/edition, year, pinpoint.

#### EXAMPLE

...<sup>1</sup>  
<sup>1</sup> Anna Paula Dourado, 'Is this a pipe? Validity of a tax reform for a developing country', in Yariv Brauner & Miranda Stewart (eds), *Tax, Law and Development*, Edward Elgar, Cheltenham, 2013, p. 157.

- c. The name of the editor should be followed by (ed) for one editor and (eds) for more than one editor.

#### EXAMPLE

...<sup>1</sup>  
<sup>1</sup> Jason W Neyers, Erika Chamberlain & Stephen G A Pitel (eds), *Emerging Issues in Tort Law*, Hart Publishing, England, 2007, p. 5.

### 3.1.3 Title

- a. The title of the book should appear in italics.
- b. The name of the book shall be as provided in the book cover. Generally, the first letter of each word needs to be in uppercase.

### 3.1.4 Publication Details

- a. Publication details contains name of the publishing house, location, edition or volume and year of publication.
- b. If the information about the edition or volume and details like location of publisher is not mentioned then it can be omitted in exceptional circumstances.
- c. Name of the publishing house, location, volume, edition, year of publication and pinpoint are to be separated by comma (.).

### 3.1.5 Place of Publication

- a. Mention the location of the publishing house.
- b. Either the city or country can be mentioned.

### 3.1.6 Year of Publication

- a. In the year of publication, the publication date of the cited book should be mentioned not the date of first edition of that book. The latter edition of books also mentions dates of previous editions which should not be cited.

### 3.1.7 Volume/Edition

- a. 'Revised', 'Expanded' or 'Updated' (if mentioned so in the publication) should be included. For example: '2nd revised edition'.
- b. While mentioning volume, write it as 'volume 1'.
- c. In presence of both the volume and edition of the book, mention the volume of the book followed by edition of the book.

### 3.1.8 Pinpoint

- a. To refer to a particular page, use p.

EXAMPLE

p. 310.

- b. To refer to multiple pages appearing serially, use pp.

EXAMPLE

pp. 23–33.

- c. In case of two or more isolated pages, use: pp. 349, 601.

## 3.2 JOURNAL ARTICLES

The fundamentals for citation of a journal article are:

RULE

Name of the author(s), 'Title of article', *Name of the Journal* first page of the article, volume: issue no., year of publication, pinpoint.

EXAMPLE

...<sup>1</sup>  
<sup>1</sup> T.R. Subramanya & Shuvro Prosun Sarker, 'Emergence of Principle of Sic Utere Tuo Ut Alienum Non-Laedes in Environmental Law and Its Endorsement by International and National Courts: An Assessment', *Kathmandu School of Law Review* p.1, volume 5:2, 2017, p. 12.

### **3.2.1 Author**

Refer to the book section above.

### **3.2.2 Title of the Journal Article**

- a. It should be written with single quotation mark ('xyz').
- b. The capitalization should be as it appears in the title of the journal article.
- c. Note that there is no italicization.

### **3.2.3 Volume and Issue number**

- a. The volume and issue number are represented by the respective numbers.
- b. If the issue no. is not mentioned then it can be skipped.
- c. Volume and issue number should not be separated by commas. They follow the format "x:y", where x and y are volume and issue number respectively.

### **3.2.4 Name of the Journal**

- a. Name of the journal should be italicized.
- b. Full name of the journal should be used as it appears on the title page, do not use abbreviation.

### **3.2.5 First Page of the Article**

- a. The starting page number of the article (being used) in the journal shall be mentioned alongside the name of the journal without separating it with comma.
- b. It should be followed by year of publication, which is to be separated by comma (,).

### **3.2.6 Year of Publication**

- a. Year of publication shall succeed the first page of the article, which is to be separated by comma.

### **3.2.7 Pinpoint**

Refer to the book section.

### **3.2.8 For Online Journal**

- a. Include the URL and date of access after the pinpoint.
- b. Refer to section 1.8 for further details.

## 3.3 CONFERENCE PAPER

The fundamentals for citation of conference paper are:

### RULE

Name of author, 'Title of the paper', *Name of the conference*, organizer, location, date, pinpoint.

### EXAMPLE

...<sup>1</sup>...<sup>2</sup>

<sup>1</sup> Ben Osu, 'Local community projects to create opportunities and tackle problems', *31st FIHRM Conference*, UNDP, Liverpool, 10-12 October 2012, p. 23.

<sup>2</sup> T. Kibedi et al., 'Internal Conversion Coefficients – How good are they now?', *Energy Sciences & Technology Conference*, National Nuclear Data Center, Brookhaven, August 2006, p. 3.

### 3.3.1 Author

Refer to the book section.

### 3.3.2 Title of the Paper

Refer to the journal section.

### 3.3.3 Name of the Conference

- a. Name of the conference should be mentioned in italics.
- b. In case more than one conference of the kind has been organized, use number to indicate the conference to which the reference is being made (i.e. whether the conference is 22<sup>nd</sup> or 31<sup>st</sup> of its kind).

### EXAMPLE

*31<sup>st</sup> Conference on International Human Rights.*

### 3.3.4 Organizer

- a. Mention the name of the organization or institution which organized the conference.
- b. In case, if there are two organizers, use the term in partnership with. For example: KSL in partnership with FIMT.
- c. In case, if there are more than two organizers use the name of only the main organizer.

### 3.3.5 Location

- a. Mention the name of the location where conference was organized.

### 3.3.6 Date

Refer to the general rules for date in section 1.3.

### 3.3.7 Pinpoint

Refer to the book section.

## 3.4 REPORTS

The fundamentals for citation of a report are:

#### RULE

Name of Author(s), 'Title of Report', *Name of Institution*, year, place of publication, pinpoint.

#### EXAMPLE

...<sup>1</sup>...<sup>2</sup>

<sup>1</sup> 'Rule of Law Index 2017–2018', *World Justice Project*, 2018, United States of America, p. 13.

<sup>2</sup> Patricia Kameri Mbote and Migai Akech, 'Kenya - Justice Sector and the Rule of Law', *Open Society Foundation*, 2011, p. 14, available at <https://www.opensocietyfoundations.org/uploads/3876228551db-4bac-b8f9-285cf0ef2efc/kenya-justice-law-20110315.pdf>, accessed on 23 September 2019.

#### NOTE

The second example is for electronic source.

### **3.4.1 Author**

Refer to section 1.4.

### **3.4.2 Title**

Refer to the journal section.

### **3.4.3 Name of the Institution**

Refer to conference paper's organizer.

### **3.4.4 Place of Publication**

Refer to section 3.1.5.

### **3.4.5 Website URL and Date of Access**

Refer to section 1.8.

### **3.4.6 Pinpoint**

Refer to the book section.

## 3.5 WORKING PAPERS / DISCUSSION PAPERS

The fundamentals for citation of working papers/discussion papers are:

### RULE

Name of the author, 'Title', *Working Paper/Discussion Paper No.*, institution, year of publication, pinpoint.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> Roehlano M. Briones, 'Regional Cooperation for Food Security: The Case of Emergency Rice Reserve in the ASEAN Plus Three', *Working Paper No. 18*, Asian Development Bank, 2018, pp. 3-5.

<sup>2</sup> Arvind Subramanian, 'India's GDP Mis-estimation: Likelihood, Magnitudes, Mechanisms, and Implications', CID Faculty *Working Paper No. 354*, Center for International Development at Harvard University, 2019, p.12, available at <https://growthlab.cid.harvard.edu/files/growthlab/files/2019-06-cid-wp354.pdf>, accessed on 23 September 2019.

### 3.5.1 Author

Refer to the book section.

### 3.5.2 Title of the Paper

Refer to the journal section.

### 3.5.3 Working Paper/ Discussion Paper Number

- a. Working paper or discussion paper number must be mentioned.
- b. It should be italicized.
- c. Instead of using the full word, use abbreviation (no.) to denote number.

### 3.5.4 Name of the Institution or Organization

- a. Write the name of the institution or organization which had organized the event.
- b. Do not use abbreviation while mentioning the name of the organization or institution.

### 3.5.5 Pinpoint

Refer to the book section.

## 3.6 INTERVIEW

The fundamentals for citation of interviews are:

### RULE

Name of Interviewer, *Theme of the interview*, Name of Interviewee, designation of interviewee, location of interview, date.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> Pitasanna Shanmugathas, *Responsibility of Intellectuals*, Noam Chomsky, Professor of Linguistics MIT, United States of America, June 2018.

<sup>2</sup> Jon Snow, *How British Colonialism destroyed India*, Shashi Tharoor, Former Under Secretary General United Nations, India, March 2018.

### 3.6.1 Name of Interviewer and Name of Interviewee

Refer to author of the book section.

### 3.6.2 Designation of Interviewee

- a. Designation is official name, description or title.
- b. For example: professor, doctor, etc.

### 3.6.3 Location of Interview

Refer to place of publication of book section.

### 3.6.4 Date

Refer to section 1.3.

## 3.7 NEWSPAPER

The fundamentals for citation of newspaper are:

### RULE

Author, 'Title', *Name of the newspaper*, place of publication, full date (day/ month/year).

## EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> Saroj Koirala, 'Is electricity cheap enough to replace cooking gas?', *The Kathmandu Post*, Kathmandu, 3 September 2019.

<sup>2</sup> Miriam Jordan, 'Refugee Cutbacks Could Isolate Rohingya Children in the U.S.', *The New York Times*, New York City, 22 September 2019, available at <https://www.nytimes.com/2019/09/22/us/rohingya-refugees-us.html>, accessed on 23 September 2019.

### 3.7.1 Author

Refer to section 1.4.

### 3.7.2 Title

Refer to the journal section.

### 3.7.3 Name of the Newspaper

- a. Name of the newspaper should be mentioned in italics.
- b. Use full name of the newspaper.

### 3.7.4 Place of Publication

- a. Mention the location of publication of newspaper.
- b. Either city or country can be mentioned.

### 3.7.5 Date

Refer to section 1.3.

### 3.7.6 Website

Refer to section 1.8.

## 3.8 DIGITAL, AUDIO AND VIDEO MATERIAL

The fundamentals for citation of digital, audio and video materials are:

### RULE

Name of Creator, 'Title', *Name of Institution/ Channel Name*, year, pinpoint, available at Website URL or physical device (eg: CD ROM), date of access.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> 'Gerry Spence – LHO Closing Argument', *D dash*, 2013, 00:02:00-00:04:08, available at <https://www.youtube.com/watch?v=eReemd6FzZM>, accessed on 23 September 2019.

<sup>2</sup> Jose Angelo Estrella Faria, 'Legal Aspects of Electronic Commerce in International Trade – Part I', *UN Audio Visual Library- International Law Series*, 00:07:15-00:08:30, available at [http://legal.un.org/avl/ls/Estrella-Faria\\_IEL\\_video\\_1.html](http://legal.un.org/avl/ls/Estrella-Faria_IEL_video_1.html), accessed on 23 September 2019.

### 3.8.1 Name of the Creator

Refer to section 1.4.

### 3.8.2 Title

Refer to the journal section.

### 3.8.3 Name of Institution/Channel Name

- a. Name of the institution which produced the video must be mentioned. In case of a Youtube video, name of the channel must be mentioned.
- b. It should be italicized.

### 3.8.4 Year

- a. The year of release of the audio or video must be mentioned.

### 3.8.5 Pinpoint

- a. Pinpoint the timing/duration of the audio or video taken as reference.
- b. Format is- hour: minute: second.

### 3.8.6 Website URL

Refer to section 1.8.

### 3.8.7 Date

Refer to section 1.3.

## 3.9 THESIS/DISSERTATION

The fundamentals of citation of thesis/dissertation are:

### RULE

Name of Author, *Title of Thesis/Dissertation*, Type of Thesis, institution, year, pinpoint.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> Shashank Pandey, *Arsenic Bio sand Filter: Study on the effect of air space between the resting water and the diffuser basin on arsenic removal and determination of general flow curve*, Honor's Degree, Kathmandu University, July 2004, p. 15.

<sup>2</sup> Muaz Ahmed Khan Niazi, *Towards A Novel Unified Framework for Developing Formal, Network and Validated Agent-Based Simulation Models of Complex Adaptive Systems*, Degree of Doctor of Philosophy, Computing Science and Mathematics School of Natural Sciences University of Stirling Scotland, 2011, p. 255.

### 3.9.1 Author

Refer to section 1.4.

### 3.9.2 Title of Thesis/Dissertation

Refer to the book section.

### 3.9.3 Type of Thesis

Mention the name of the degree.

### 3.9.4 Institution

Refer to the conference paper's organizer.

### 3.9.5 Year

Mention the year of submission of the thesis/dissertation.

### 3.9.6 Pinpoint

Refer to the book section.

# 4. INTERNATIONAL MATERIALS

## 4.1 INTERNATIONAL TREATIES AND CONVENTIONS

General rules for international treaties and conventions

- Whenever possible, use the English translated version for the name of the treaty.
- The title of the treaty should indicate the form of the treaty (for example, Accord, Agreement, Convention, Protocol, Treaty etc.)
- If the treaty is not signed on a single date, use the date on which the treaty was opened for signature.

### 4.1.1 Multilateral Treaties and Conventions

#### a. Treaties listed in Treaty Series

The fundamentals for citation of treaties listed in treaty series are:

#### RULE

*Title of the treaty*, full date of entry into force, details regarding the authoritative source/treaty series, place of conclusion of the treaty, full date of opening for signature, pinpoint.

#### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Vienna Convention on the Law of Treaties*, 27 January 1980, 1155 UNTS 331, Vienna, 23 May 1969, art. 26.

<sup>2</sup> *Convention to Suppress the Slave Trade and Slavery*, 9 March 1927, 60 LNTS 253, Geneva, 25 September 1926, art. 2.

#### NOTE

For treaty series found in international organizations, adhere to the following abbreviations:

United Nations Treaty Series - UNTS

League of Nations Treaty Series - LNTS

Council of Europe Treaty Series - CETS

European Treaty Series - ETS

International Legal Materials - ILM

Organization of American States Treaty Series - OASTS

#### b. Treaties not listed in treaty series

The fundamentals for citation of treaties not listed in treaty series are:

#### RULE

*Title of the Treaty*, full date of entry into force, place of adoption, date of conclusion or signature of the treaty, pinpoint.

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Paris Convention for the Protection of Industrial Property*, 7 July 1884, Paris, 20 March 1883, art. 1.

### 4.1.2 Bilateral/Bipartite/Tripartite Treaties

The fundamentals for citation of bilateral/bipartite/tripartite treaties are:

RULE

*Title of the treaty*, Name of the Parties (separated by a hyphen), date of conclusion, details of authoritative source, place of conclusion, pinpoint.

EXAMPLE

...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup>

<sup>1</sup> *Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and His Majesty's Government of Nepal for the Promotion and Protection of Investments*, UK-Nepal, 2 March 1993, UK Treaty Series No. 55, Kathmandu, art. 5.

<sup>2</sup> *Trade and Investment Framework Agreement between the Government of Nepal and the United States of America*, Nepal-USA, 15 April 2011, Washington D.C., art. 5.

<sup>3</sup> *Berlin Pact*, Germany-Italy-Japan, 27 September 1940, Berlin, art. 2.

### 4.1.3 Model Treaties and Conventions

The fundamentals for citation of model treaties and conventions are:

RULE

*Treaty Title*, Name of the Country or Organization, year of adoption, pinpoint.

EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Model Text for the Indian Bilateral Investment Treaty*, India, 2016, art. 2.1(i).

<sup>2</sup> *Model Double Taxation Convention between Developed and Developing Countries*, United Nations, 2017, art. 3(b).

### 4.1.4 Citations to Treaties no longer in force/ineffective treaties

For treaties which have been terminated, use the same format for current treaties, but append a parenthetical right after the pinpoint indicating when the agreement was terminated or lost its effect.

## 4.1.5 Protocols

General rules for citation of protocols are:

- The protocol must also be cited in the same format as treaties and conventions.
- While citing protocols, its parent convention may be omitted for the purpose of decreasing word count.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity*, 12 October 2014, UNEP/CBD/COP/DEC/X/1, Nagoya, 29 October 2010, art. 7.

<sup>2</sup> *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, 12 February 2002, A/RES/54/263, 25 May 2000, art. 2.

## 4.2 RESOLUTIONS

### 4.2.1 United Nations General Assembly (UNGA) Resolutions

The fundamentals for citation of resolution of UNGA are:

#### RULE

*Title*, full date of adoption, UNGA resolution number, pinpoint.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup> ...<sup>4</sup>

<sup>1</sup> *Permanent Sovereignty over Natural Resources*, 14 December 1962, UNGA 1803 (XVII), para. 4.

<sup>2</sup> *Definition of Aggression*, 14 December 1974, UNGA 3314 (XXIX), para. 2.

<sup>3</sup> *Combating terrorism and other acts of violence based on religion or belief*, 4 April 2019, UNGA A/Res/73/285, para. 2.

<sup>4</sup> *World Summit on Sustainable Development*, 21 February 2003, UNGA A/Res/57/253, para. 4.

### 4.2.2 United Nations Security Council (UNSC) Resolutions

The fundamentals for citation of resolutions of UNSC are:

#### RULE

*Title* (if any), full date of adoption, UNSC resolution number, pinpoint.

<b>EXAMPLE</b>	<p>...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup></p> <hr style="width: 20%; margin-left: 0;"/> <p><sup>1</sup> <i>Children and Armed Conflict</i>, 9 July 2018, UNSC S/Res/2427, para. 9.  <sup>2</sup> <i>Situation between Iraq and Kuwait</i>, 12 September 1997, UNSC S/Res/1129, para. 1.  <sup>3</sup> <i>UNSC S/Res/1311</i>, 28 July 2000, para. 11.</p>
----------------	--

<b>NOTE</b>	<p>In cases where the title is absent, switch the positions of the ‘full date of adoption’ and ‘UNSC Resolution Number’.</p>
-------------	--

### 4.2.3 Statements made by the President of the Security Council

The fundamentals for citation of statements made by the President of UNSC are:

<b>RULE</b>	<p><i>Title (if any)</i>, UNSC President’s Statement, Statement number, date, pinpoint.</p>
-------------	---

<b>EXAMPLE</b>	<p>...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup></p> <hr style="width: 20%; margin-left: 0;"/> <p><sup>1</sup> <i>The Situation in Libya</i>, UNSC President’s Statement, S/PRST/2017/26, 14 December 2017, para. 1.  <sup>2</sup> <i>Protection for humanitarian assistance to refugees and others in conflict situations</i>, UNSC President’s Statement, S/PRST/1997/34, 19 June 1997, para. 1.  <sup>3</sup> <i>S/PRST/2005/63</i>, 20 December 2005.</p>
----------------	---

<b>NOTE</b>	<p>In cases where the title is absent, switch the positions of the ‘full date of the statement made’ and ‘Statement number’.</p>
-------------	--

### 4.2.4 UN Economic and Social Council's (UNEcoSoc) Resolutions

The fundamentals for citation of resolutions of UNEcoSoc are:

<b>RULE</b>	<p><i>Title</i>, full date of adoption, UNEcoSoc Resolution document number, pinpoint.</p>
-------------	--

<b>EXAMPLE</b>	<p>...<sup>1</sup> ...<sup>2</sup></p> <hr style="width: 20%; margin-left: 0;"/> <p><sup>1</sup> <i>Strengthening of the coordination of emergency humanitarian assistance of the United Nations</i>, 20 June 2019, UNEcoSoc Res E/2019/L.18, para. 2.  <sup>2</sup> <i>Promoting Youth Employment</i>, 26 July 2006, UNEcoSoc Res 2006/15, para. 16.</p>
----------------	---

## 4.2.5 UN Economic and Social Council Decisions

The fundamentals for citation of decisions of UNEcoSoc are:

### RULE

*Title*, UNEcoSoc, Dec. document number, date, pinpoint.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *International Cooperation in Tax Matters*, UNEcoSoc Dec. 2006/213, 10 February 2006, para. 3.

<sup>2</sup> *Situation of and assistance to Palestinian women*, UNEcoSoc Dec. E/Res/2016/4, 22 July 2016, para. 4.

## 4.3 DECLARATIONS

### 4.3.1 UNGA Declarations

The fundamentals for citation of declarations of UNGA are:

### RULE

*Title*, full date of adoption, UNGA declaration number, pinpoint.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Universal Declaration of Human Rights*, 10 December 1948, UNGA 217 A (III), art. 5.

### NOTE

For declarations which are adopted through the UNGA, the format is same as UNGA resolutions.

### 4.3.2 Non-UNGA Declarations

The fundamentals for citation of declarations other than that of UNGA are:

### RULE

*Title*, date, Name of the event in which the declaration was adopted, place, pinpoint.

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Declaration on Occupational Health for All*, 11-14 October 1994, Second Meeting of the WHO Collaborating Centres in Occupational Health, Beijing, para. 7.

<sup>2</sup> *Rio Declaration on Environment and Development*, 12 August 1992, UNGA/Conf.151/26 (vol.I), Rio de Janeiro, principle 1.

## 4.4 CASES OF INTERNATIONAL JURISDICTION

The fundamentals for citation of cases of international jurisdiction are:

### RULE

*Popular Name (if any), name v. name*, jurisdiction, phase, year, volume: issue reporter starting page number (or indication number), pinpoint.

### Explanation

It is to be noted that if a reported case of an international jurisdiction is cited, the volume, issue, name of reporter and the starting page number of the case document is to be included (without separating them with a comma). Also, in the text of the cited case, paragraph number may have been provided instead of page numbers or both may be present. In such situation, either one or both maybe included. If both are included, then firstly the page number is to be written followed by the paragraph number separated by a comma.

In case wherein an additional information such as opinions of judges are provided, for example, dissenting opinion of a judge, it should be put right before the pinpoint separated by a comma.

### 4.4.1 Cases of International Criminal Court/Tribunals

Citation of an International Criminal Court/Tribunals' cases follows same rule as general rule mentioned above. There might be confusion when the case is an unreported one. In a situation wherein the volume, issue, reporter and the starting page cannot be supplied, they should be replaced by the case number (Case no.).

The fundamentals for citation of cases of the International Criminal Court/Tribunals are:

### RULE

*Popular Name (if any), name v. name*, jurisdiction, phase, year, Case no., pinpoint.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Tadić Case, Prosecutor v. Tadić*, ICTY, Decision on Defense Motion for Interlocutory Appeal on Jurisdiction, 1995, Case no. IT-94-I, para. 70.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Prosecutor v. Jean-Pierre Bemba Gombo*, ICC, Warrant of Arrest, 2008, Case no. ICC-01/05-01/08, para. 22.

Where the case is referred from the reports of judgment, it should be written as exemplified below following the general rule.

### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Prosecutor v. Blaškić*, ICTY, Objection to the Issue of Subpoenae Duces Tecum, 1997, 110 ILR 688, p. 693.

## 4.4.2 Cases of International Court of Justice

The International Court of Justice (ICJ) has two jurisdictions, one on contentious cases and another on advisory opinions.

### a. Contentious Cases

#### RULE

*Popular name (if any), name v. name*, phase and/or nature of case, year, volume and name of publication, pinpoint.

#### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Fisheries Case, United Kingdom v. Norway*, Merits, 1951, ICJ Rep, p. 116.

### b. Advisory Opinion

ICJ also has the jurisdiction to give an advisory opinion on legal questions at the request of the United Nations, specialized agencies or other organizations authorized to make such requests. Such opinions do not have names of parties, therefore the name of the opinion has to be mentioned instead of the name of the parties or popular name. Other fundamentals remain the same as those of the contentious cases mentioned above.

#### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Western Sahara*, Advisory Opinion, 1975, ICJ Rep, p. 15.

## 4.4.3 Trade/Commercial Cases and Arbitration

### 1. World Trade Organisation (WTO)

The fundamentals for citation of WTO report (panel and appellate body) or arbitrator's decision are:

#### RULE

*Case Name*, document description, date, document number, pinpoint.

The 'document description' means either the panel report or the appellate body report. In an event where the case number also includes arbitration number or appellate body number, it has to be written with a comma separating it from the WTO Doc.

### a. Panel Report

#### EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Columbia-Indicative Prices and Restrictions on Ports of Entry*, Panel Report, 2009, WTO Doc WT/DS366/R, para. 7.1.

b. Appellate Body Report

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *United States-continued existence and application of zeroing methodology*, Appellate Body Report, 2009, WTO Doc WT/DS350/AB/R, p. 171.

c. Arbitration

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Brazil-Measures Affecting Imports of Retreaded Tyres-Arbitration under Article 21.3(c) of the Understanding on Rules and Procedures governing the settlement of Disputes*, Decision by Arbitration, 2008, WTO Doc WT/DS332/16, pp. 25-28.

2. Other International Arbitration

An International Arbitration may be classified into three types: (i) State-State Dispute settlement (ii) Individual-State Dispute settlement and (iii) Case Law on UNCITRAL Texts (CLOUT). The most important thing to note here is the phase of the Case Law. The decision, awards, claimants' submission, respondents' submission, awards regarding cost of proceedings, awards regarding merits, procedural order, supplementary reasons for judgement and other phases are to be properly included.

The fundamentals for citation of international arbitration are:

RULE

*Popular name (if any), name v. name, phase and/or nature of case, year, volume and name of publication/reporter and starting page, pinpoint.*

a. State-State Dispute Settlement

In a State-State Dispute Settlement, the name of the parties need not be written in full elaborated form. Shortened names are to be used, e.g. Democratic People's Republic of Korea should be written as North Korea.

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Southern Bluefin Tuna, Australia v. Japan*, Jurisdiction and Admissibility, 2000, 39 ILM 1359, p. 1361.

While citing an unreported case, mention the case number (Case no.) instead:

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Hosbinmaru, Japan v. Russia*, Judgement, International Tribunal for the Law of the Sea, 2007, Case no. 14, p. 1.

b. Individual-State Dispute Settlement

In an Individual-State Dispute Settlement, the country of origin of the individual need not be cited. An individual can include an entity or a person. Where a popular name exists, it can be written before the name of the parties.

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Southern Pacific Properties Ltd. v. Egypt*, Decision on Jurisdiction, 1985, 3 ICSID Rep 112, p. 114.

In the situation of unreported cases in the Individual-State dispute settlement, following example can be referred:

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *Metalclad Corporation v. The United Mexican States*, Award, ICSID, 2000, Case no. ARB(AF)/97/1, para. 131.

c. CLOUT Cases

CLOUT cases ensure that the name of the parties to the proceedings may or may not be disclosed. Also, the presiding arbitrator may or may not be identified. The disputes can be settled in tribunals such as International Chamber of Commerce, Stockholm Chamber of Commerce, Singapore International Arbitration Centre and even in local courts and tribunals. All these may be cited within the CLOUT cases.

The fundamentals for citation of CLOUT cases are:

RULE

*CLOUT Case No.*, name of the jurisdiction/tribunal/court, country of the jurisdiction/tribunal/court, phase (if available), year, UN document index no. (if found), pinpoint.

EXAMPLE

...<sup>1</sup>

<sup>1</sup> *CLOUT Case no. 381*, Federal Court of Canada, Appeal Division, Canada, 2000.

#### 4.4.4 Human Rights Cases

One of the most fundamental rules associated with citing cases is that when the official versions of the cases are made available in the website of the concerned courts or commissions itself, it is not necessary to cite the website URL.

a. Cases of the Inter-American Court of Human Rights

The fundamentals for citation of cases of the Inter-American Court of Human Rights are:

**RULE**

*Popular Name (if any), name v. name, jurisdiction, phase, year, report series number, pinpoint.*

**EXAMPLE**

...<sup>1</sup>  
<sup>1</sup> *Mayagna (Sumo) Awas Tingni Community v. Nicaragua*, Inter-American Court of Human Rights, Judgment on Merits, Reparations and Costs, 31 August 2001, Inter American Court of Human Rights: Decisions and Judgments, Series C no. 79, para. 149.

**NOTE**

The report mentioned above is the official material where cases of the Inter-American Court of Human Rights are published. This Report does not contain volume and issue number. Instead, the report contains series number to describe the nature of the material. The series numbers indicate the following categories:

- Series A - Judgments and Opinions
- Series B - Pleadings, Oral Arguments and Documentation (Relative to Series A)
- Series C - Decisions and Judgments
- Series D - Pleadings, Oral Arguments and Documentation (Relative to Series C)
- Series E - Provisional Measures

b. Cases of the Inter-American Commission on Human Rights

The fundamentals for citation of cases of the Inter-American Commission on Human Rights are:

**RULE**

*Popular Name (if any), name v. name, jurisdiction, phase, year, report, report number, Case no., series number, pinpoint.*

Explanation

The website and reporting style of Inter-American Commission on Human Rights are different from those of the Inter-American Court of Human Rights. The reporting of Commission comprises of case number, report number, series number and docket number. The inclusion of docket number is not mandatory for the present style.

**EXAMPLE**

...<sup>1</sup>  
<sup>1</sup> *Corumbiara v. Brazil*, Inter-American Commission on Human Rights, Judgment on Merits, 1998, Annual Report of the Inter American Commission on Human Rights, Report no. 77/98, Case no. 11.556, OEA/Ser.L/V/II.102, para. 174.

## c. Communications of the Human Rights Committee

The fundamentals for citation of communications of the Human Rights Committee are:

**RULE**

*Popular Name (if any), name v. name*, jurisdiction, phase, year, Communication no., UN Document number, pinpoint .

**EXAMPLE**

...<sup>1</sup>  
<sup>1</sup> *Coronel v. Colombia*, Human Rights Committee, 2002, Communication no. 778/1997, U.N. Doc. A/58/40, para 6.2.

## d. Cases of the European Court of Human Rights/European Commission on Human Rights

The fundamentals for citation of cases of the European Court of Human Rights/European Commission on Human rights are:

**RULE**

*Popular Name (if any), name v. name*, jurisdiction, phase, year, volume report starting page number, Application no., pinpoint.

**NOTE**

Here the three elements, namely: volume, the name of the report and the starting page should be mentioned without the use of a comma.

**EXAMPLE**

...<sup>1</sup>  
<sup>1</sup> *Slivenko v. Latvia*, European Court of Human Rights, Judgment on Merits and Just Satisfaction, 2003, 10 European Court of Human Rights: Reports of Judgments and Decisions, Application no. 48321/99, para. 169.

**NOTE**

When the official website has been referred for the case (as in the example above), the starting page number need not be included. It is so since the starting page numbers may not be available in the website iteration of the case unlike in case of the documented report.

The volume numbers in the reports of the judgment are usually given in the format: “Date-A Roman Numeric” i.e. “2013-VI”. While citing, mention the number 6, without mentioning the date ‘2013’.

Apart from examples provided above, old decisions of this court can also be cited from the Publications of the European Court of Human Rights or Yearbook of the European Convention on Human Rights in the same format.

e. Cases of the African Court of Human and Peoples' Rights

The fundamentals for citation of cases of the African Court of Human and Peoples' Rights are:

RULE

*Popular Name (if any), name v. name, jurisdiction, phase, year, Application no., pinpoint.*

EXAMPLE

...<sup>1</sup>  
<sup>1</sup> *Oscar Josiah v. United Republic of Tanzania*, African Court of Human and Peoples' Rights, Judgment on Merits, 2019, Application no. 053/2016, para. 73.

f. Communications of the African Commission on Human and Peoples' Rights

The fundamentals for citation of communication of the African Commission on Human and Peoples' Rights are:

RULE

*Popular Name (if any), name v. name, jurisdiction, phase, year, Communication no., pinpoint.*

EXAMPLE

...<sup>1</sup>  
<sup>1</sup> *Mrs Ayatulla Alaa Hosny v. Arab Republic of Egypt*, African Commission on Human and Peoples' Rights, Decision on Withdrawal, 2018, Communication no. 603/16, para. 24.

g. Report of Special Rapporteur

The fundamentals for citation of a report of the Special Rapporteur are:

RULE

Name of Author, Title of the Author, *Title of Report*, year, document symbol, pinpoint.

EXAMPLE

...<sup>1</sup>  
<sup>1</sup> Pieter Kooijmans, Special Rapporteur for the United Nations Commission on Human Rights on Questions Relevant to Torture, *First Report of the United Nations Special Rapporteur on Torture*, 1986, U.N. Doc. E/CN.4/1986/15, para. 3.

# 5. FOREIGN DOMESTIC MATERIALS

## 5.1 CASES OF FOREIGN JURISDICTION

The fundamentals for citation of foreign cases are:

### RULE

*Popular Name (if any), name v. name*, jurisdiction, phase (if any), year, volume:issue number (if any) name of the reporter starting page number of the case, indication number (if any), pinpoint.

### NOTE

Volume, issue number, name of reporter and starting page number have not been separated by commas. They follow the format “x:y name z”, where ‘x’ and ‘y’ are volume and issue number respectively, ‘name’ is the name of the reporter, and ‘z’ is the starting page number.

Also, note that not all the reporters have an issue number, in which case, issue number should not be mentioned.

### Explanation

- a. The report series could be either official or unofficial report series.
- b. Same rule is followed for decisions of state/provincial courts in countries having a federal system of governance. The name of the state/provincial court will be mentioned in the element of ‘jurisdiction’ with the country’s name separated by a comma after the name of the state/provincial court. For example: Supreme Court of Western Australia, Australia.
- c. If the name of the court makes the jurisdiction clear, then further mention of the name of the country is not required. However, if the court’s name does not specify the jurisdiction, the name of the country should be mentioned after the court’s name separated by a comma. For example: House of Lords, United Kingdom.

## AUSTRALIA

### EXAMPLE

... <sup>1</sup> ... <sup>2</sup> ... <sup>3</sup>

<sup>1</sup> *Industrial Relations Act Case, Victoria v. Commonwealth*, High Court of Australia, 1996, 187 CLR 416, p. 416.

<sup>2</sup> *Koop v. Bebb*, High Court of Australia, 1951, 84 CLR 629, p. 643.

<sup>3</sup> *Andrew Shelton & Co. Pty. Ltd. v. Alpha Healthcare Ltd*, Supreme Court of Victoria, Australia, 2002, 5 VR 577, p. 579.

## INDIA

### EXAMPLE

... <sup>1</sup> ... <sup>2</sup> ... <sup>3</sup>

<sup>1</sup> *Gopalan v. State of Madras*, Supreme Court of India, 1950, AIR 27, p. 29.

<sup>2</sup> *Maneka Gandhi v. Union of India*, Supreme Court of India, 1978, 2 SCR 621, p. 622.

<sup>3</sup> *Rukmani and Ors. v. H.N. Thirumalai Chettiar*, Madras High Court, India, 1985, 1 MLJ 142, p. 142.

## UNITED KINGDOM

### EXAMPLE

... <sup>1</sup> ... <sup>2</sup>

<sup>1</sup> *Dunlop Pneumatic Tyre Co. Ltd. v. Selfridge & Co.*, House of Lords, United Kingdom, 1915, AC 847, p. 847.

<sup>2</sup> *Humble v. Hunter*, High Court of Justice, United Kingdom, 1848, 12 QB 310, p. 315.

## UNITED STATES OF AMERICA

### EXAMPLE

... <sup>1</sup> ... <sup>2</sup>

<sup>1</sup> *Kansas v. Hendricks*, Supreme Court of the United States of America, 1997, 521 US 356, p. 348.

<sup>2</sup> *Zapatha v. Dairy Mart Inc.*, Massachusetts Supreme Judicial Court, United States of America, 1980, 408 NE 2d 1370, p. 1375.

## 5.2 FOREIGN CONSTITUTIONS

The fundamentals for citation of foreign constitutions are:

### RULE

*Name of the Constitution*, commencement year, pinpoint.

### Explanation

- a. Countries with federal system of governance which have separate provincial/state Constitutions should follow the same rule as clarified above with the name of the country mentioned after name of the cited constitution separated by a comma.
- b. The pinpoint for a constitution differs according to the jurisdiction. For example, 'Section' is used in Australia, whereas 'Article' is used in India.

## AUSTRALIA

### EXAMPLE

... <sup>1</sup> ... <sup>2</sup>

<sup>1</sup> *Constitution of the Commonwealth of Australia*, 1901, s. 51(ii).

<sup>2</sup> *Constitution Act of South Australia*, Australia, 1934, s. 5.

## INDIA

### EXAMPLE

... <sup>1</sup>

<sup>1</sup> *Constitution of India*, 1950, art. 10.

## UNITED STATES OF AMERICA

### EXAMPLE

... <sup>1</sup>

<sup>1</sup> *Constitution of the United States*, 1788, s. 3.

## 5.3 FOREIGN LEGISLATIONS

The fundamentals for citation of foreign legislations are:

### RULE

*Name of the Legislation*, year of commencement, name of the country, pinpoint.

### Explanation

- a. Countries with a federal system of governance which have separate provincial/state statutes should follow the same rule as elucidated above with name of the country mentioned after name of the province/state separated by a comma.
- b. Same rule is to be followed for delegated legislations.

## AUSTRALIA

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup>

<sup>1</sup> *Gambling Regulation Act*, 2003, Victoria, Australia, s. 3(2) (1).

<sup>2</sup> *Heritage Regulation*, 2006, Australian Capital Territory, Australia, reg. 5(1).

## INDIA

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup>

<sup>1</sup> *Indian Penal Code*, 1860, India, s. 16.

<sup>2</sup> *The Arunachal Pradesh Control of Organised Crime Repeal Act*, 2003, Arunachal Pradesh, India, s. 5.

<sup>3</sup> *Judges (Inquiry) Rules*, 1969, India, rule 7.

## UNITED STATES OF AMERICA

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup>

<sup>1</sup> *Federal Deposit Insurance Act*, 2006, United States of America, s. 1811 (35a).

<sup>2</sup> *California Evidence Code*, 2008, California, United States of America, s. 312.

<sup>3</sup> *Federal Rules of Evidence*, 2019, United States of America, rule 801.

## UNITED KINGDOM

### EXAMPLE

...<sup>1</sup> ...<sup>2</sup> ...<sup>3</sup> ...<sup>4</sup>

<sup>1</sup> *Criminal Procedure and Evidence Act*, 2011, United Kingdom, s. 205 (1).

<sup>2</sup> *Consumer Protection Act*, 1987, s. 2.

<sup>3</sup> *Presumption of Death Act*, 2009, Northern Ireland, United Kingdom, s. 13.

<sup>4</sup> *The Criminal Procedure (Amendment) Rules*, 2018, rule 7(3).

This page is left blank intentionally.



## **Kathmandu School of Law (KSL)**

Suryabinayak - 4, Bhaktapur, Nepal

+01 663 4555, +01 663 4663

info@ksl.edu.np

www.ksl.edu.np