INDEX OF CONTRIBUTORS OF ARTICLES, SHORTER ARTICLES, COMMENTS AND NOTES

(articles are indicated in bold page numbers)

ÅKERMARK, SIA SPILIOPOULOU, Reservation Clauses in Treaties Concluded within the Council of Europe **479**

ANDERSON, WINSTON, Foreign Orders and Local Land: The Caribbean Gets its Own Version of *Duke v. Andler* 167

ANTUNES, NUNO SÉRGIO MARQUES, The *Eritrea-Yemen* Arbitration: First Stage—The Law of Title to Territory Re-Averred **362**

AZNAR-GÓMEZ, MARIANO J., The 1996 Nuclear Weapons Advisory Opinion and *Non Liquet* in International Law **3**

BOYLE, ALAN E., The Interaction of Treaties and Soft Law 901

CAMERON, IAIN, The Swedish Experience of the ECHR since Incorporation **20**

CHAPMAN, ROBERT B., Tax Compliance and The Revenue Rule in Prosecutions for Wire and Mail Fraud 437

CORTEN, OLIVIER, The Notion of "Reasonable"; in International Law: Legal Discourse, Reason and Contradictions 613

DENZA, EILEEN, Two Legal Orders: Divergent or Convergent? **257**

ENONCHONG, NELSON E., Service of Process in England on Overseas Companies and Article 5(5) of the Brussels Convention 921

GLENN, JANE MATTHEWS and DROST, ANNE C., Aboriginal Rights and Sustainable Development in Canada 176

HAIBACH, GEORG, The Interpretation of Article 30 of the EC Treaty and the "Dormant"; Commerce Clause by the European Court of Justice and the US Supreme Court 155

HALJAN, DAVID P., A Constitutional Duty to Negotiate Amendments: *Reference Re Secession of Quebec* 447

HUTCHINSON, MICHAEL R., The Margin of Appreciation Doctrine in the European Court of Human Rights 638

LAMBERT, HÉLÈNE, Protection Against *Refoulement* in Europe: Human Rights Comes to the Rescue **515**

LASTRA, ROSA MARIA, Lender of Last Resort: An International Perspective **340**

LEIGH, IAN, Horizontal Rights, The Human Rights Act and Privacy: Lessons from the Commonwealth? **57**

LEVER, JEREMY, Who Procedure is more Important than Substantive Law **285**

LOWE, NIGEL and PERRY, ALISON, International Child Abduction—The English Experience 127

MAHER, GERRY and RODGER, BARRY J., Provisional and Protective Remedies: The British Experience of the Brussels Convention **302**

MONTI, GIORGIO, *Osman v. UK*—Transforming English Negligence Law into French Administrative Law **757**

MURPHY, SEAN, Democratic Legitimacy and the Recognition of States and Governments **545**

OGUS, ANTHONY, Competition between National Legal Systems: A Contribution of Economic Analysis to Comparative Law 405

ONG, KINGSLEY T. W. and BAXTER, COLIN R., A Comparative Study of the Fundamental Elements Of Chinese and English Company Law **88**

PAVONI, RICCARDO, UN Sanctions in EU and National Law: The *Centro-Com* Case **582**

PETROCHILOS, GEORGIOS C., Enforcing Awards Annulled in their State of Origin under the New York Convention **856**

REID, ELSPETH, Liability for Dangerous Activities: A Comparative Analysis **731**

RILES, ANNELISE, Models and Documents: Notes on Some Artifacts of International Legal Knowledge **805**

SAROOSHI, DANESH, The Statute of the International Criminal Court 387

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

SCHWEBEL, STEPHEN M., National Judges and Judges Ad Hoc of the International Court of Justice 889
TAKAHASHI, KOJI, Jurisdiction to Grant an Interim Freezing Order: Anglo-Japanese Comparison 431
TAN, ALAN K. J., The Forest Fires of Indonesia: State Responsibility and International Liability 826
TAYLOR, SIMON, The Harmonisation of European Product Liability Rules: French and English Law 419
TATHAM, ALAN F. T., Constitutional Judiciary in Central Europe and the Europe Agreement: Decision 30/1998 (VI.25) AB of the Hungarian Constitutional Court 913
VAN DEN WYNGAERT, CHRISTINE and STESSENS, GUY, Democratic Legitimacy and the Recognition of States and Governments 779
VAN HOUTTE, HANS, Mass Property Claim Resolution in a Post-war Society—The Commission for Real Property Claims in Bosnia and Herzegovina (CRPC) 625

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

SUBJECT INDEX

(Covering articles, shorter articles, comments and notes, ICJ cases and current developments; page numbers in bold type indicate articles or the first page of a main entry)

Antigua
  land, recognition of foreign judgments, **167**
Arbitration
  Eritrea-Yemen dispute, **362**
  foreign wards annulled, enforcement of, **856**
    New York Convention, **856**
Banking
  central banks, role, lenders of last resort, **340**
    risks to general economy environment, 342
    role of the International Monetary Fund, 354
  EC law
    state aids, 350
Bosnia/Herzegovina
  commission for real property claims, 625
  property claims, **625**
Canada
  aboriginal rights, **176**
  environment
    sustainable development, **176**
  Quebec secession, **447**
Children
  abduction, **127**
China
  company law, comparison with England, **88**
Common law
  procedure, **285**
Company law
  China, **88**
    company formation, 98
    company structure, 103
    ideologies and objectives, 94
    law, 90
    shareholder protection, 116
Constitutional law
  Canada, **447**
Council of Europe
  Refoulement, **515**
  Treaties, reservations to, **479**
Criminal procedure
  extraterritorial offences, 784
    foreign decisions, 782
    international cooperation, 781
    Schengen Convention, 786
Criminal procedure—*cont.*
  non bis in idem principle, **779**
    territorial offences, 782
England and Wales
  child abduction, **127**
  company law, comparison with China, **88**
Environment
  air pollution, **826**
  Indonesia, **826**
  transboundary injury, state responsibility for, **826**
European Community
  banking, 350
  compliance with UN sanctions, **582**
  domestic law, 595
  Europe Agreements, Hungary, **913**
  free movement of goods, **155**
  International law, 257
    convergence with, 269
    differences with, 261
    relationship with, **257**
    similarities with, 257
  inter-state mode, **155**
  product liability
    harmonisation in UK and France, **419**
  state aids, 350
European Convention on Human Rights
  access to court
  constitutional review, 33
  margin of appreciation, **638**
  refoulement, **515**
  sovereignty, 647
European Court of Human Rights
  horizontal effect, 29
  impact of case law on national law, 32
  legislative control, 27
  Sweden, **20**
    constitutional status, 22
    convention monitoring, 27
    national case-law, 21
Fisheries
  Eritrea-Yemen, 383
Human rights
  Canadian Indians, **176**
  property, restoration of, **625**
  refoulement, **515**
    refugees, **515**

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

Hungary
European Community accession, **913**
Indonesia
environment, **826**
International Court of Justice
advisory opinions, **3**
judicial independence, **889**
ad hoc judges, **889**
national judges, **889**
non liquet, **3**
International Criminal Court
establishment, 388
jurisdiction, 395
principle of complementarily, 394
statute, **387**
International Economic law
central banks, role as lender of last resort, **340**
risks to general economic environment, 342
role of the International Monetary Fund, 354
International law
EC law
convergence with, 269
differences with, 261
relationship with, **257**
similarities with, 257
models and documents, **805**
technical work, 812
translation, 818
non liquet, **3**
negation of incompleteness, 8
solution to incompleteness, 9
notion of "reasonable", **613**
soft law, relationship with treaties, **901**
Jurisdiction, enforcement and recognition of judgments
European Jurisdiction and Judgments Convention
interim measures, **302**
approaches in Britain, 318
interpretation by ECJ, 310
jurisdictional bases, 306
scope of measures, 304
interim freezing orders in Japan
comparison with English mareva injunction, **431**
revenue rule
Antigua, **167**
fraud exception, **437**
judgments
land, **167**
United States, **437**
Land
recognition of foreign judgments, **167**
Legal Systems
competition relating to legal products, 410
convergence, economic analysis of, **405**
competitive market for the supply to law, 406
normative dimension, 415
Negligence
liability of public authority, **826**
Non liquet
domestic laws, 4
EC laws, 5
international law, 7
Nuclear arms
1996 ICJ opinion, **3**
Private International Law
Brussels Convention, *see* Jurisdiction, enforcement and recognition of judgments
England, service on overseas companies in, **921**
Jurisdiction and Judgments Convention, *see* Jurisdiction, enforcement and recognition of judgments
overseas companies, service, **921**
recognition of foreign judgments, *see* Jurisdiction, enforcement and recognition of judgments
Procedure
importance vis à vis substantive law, **285**
juries and common law trials, 294
Property
claims, Bosnia and Herzegovina, **625**
Recognition of States and Governments
democratic legitimacy, **545**
contemporary practice, 556, 570
past practice, 549, 567
Soviet Union, 557
traditional theory, 546, 566
Yugoslavia, 560
State responsibility
pollution, **826**
States
recognition, *see* Recognition of States and Governments
Sweden
European Convention on Human Rights, incorporation, **20**
Taxation
claims of another jurisdiction
enforcement, **437**
United States, **437**
Territory, title to
Eritrea-Yemen (islands), **362**
fishing rights, 383

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

Tort
fault based liability, **731**
liability for dangerous activities, **731**
liability of public authorities, **731**
presumption of liability, 743
strict liability, 736
Treaties and International Agreements
reservations, Council of Europe, **47**
soft law, relationship with, **901**
United Kingdom, **57**
horizontal effect, 57
privacy, 57
United Kingdom—*cont.*
Human Rights Act, privacy and Commonwealth, 57
human rights, 62
United Nations
EU members
sanctions, compliance by, **582**
United States
Clinton case, **287**
"dormant" commerce clause, **155**
inter-state trade, **155**
Louise Woodward case, **290**
procedure, 287

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

INDEX OF CASES NOTED

(Covering articles, shorter articles, comments and notes: page numbers are to the first reference to a case in any given article)

Babanaft International Co. SA *v.* Bassatne and another [1989] 1 All E.R. 433 323
Brannigan *v.* UK E.Ct.H.R. Ser.A/258–B 645
Canon Kabushiki Kaisha, Japan *v.* Metro-Goldwyn-Mayer Inc. (formerly Pathé Communications Corporation, USA) [1999] E.T.M.R. 1 713
Case 25/81 CHW *v.* GJH [1982] E.C.R. 1189 312
Case 125/79 Denaulier *v.* Couchet Frères [1980] E.C.R. 1553 316
Case 143/89 De Cavel *v.* De Cavel (No. 1) [1979] E.C.R. 1055 312
Case C–13/96 Bic Benelux *v.* Belgian State [1997] E.C.R. I–1753 217
Case C–42/95 Siemens *v.* Nold [1996] E.C.R. I–6017 710
Case C–84/95 Bosphorus Hava Yollari Turizm ve Ticaret AS *v.* Minister for Transport, Energy and Communications, Ireland and the Attorney General [1996] E.C.R. I–3953 585
Case C–104/96 [1997] E.C.R. I–7211 709
Case C–124/95 Regina *v.* HM Treasury and Bank of England, ex p. Centro-Com Srl [1997] E.C.R. I–81; [1997] 3 W.L.R. 239 585
Case C–177/95 Ebonby Maritime SA and Loten Navigation Co. Ltd *v.* Prefetto della Provincia di Bringisi and Others [1997] E.C.R. I–1111 585
Case C–194/94 CIA Security International SA *v.* Signalson SA and Securitel SPRL [1996] E.C.R. I–2201 217
Case C–212/97 Centros Ltd *v.* Erhverve-og Selskabsstyrelsen, 9 Mar. 1999 708
Case C–222/95 Parodi *v.* Banque H. Albert de Bary [1997] E.C.R. I–3899 709
Case C–226/97 Johannes Martinus Lemmens, judgment of 16 June 1998 218
Case C–251/95 Sabel BV *v.* Puma AG [1997] E.C.R. I–6191 713
Case C–261/90 Reichert and others *v.* Dresdner Bank AG [1992] E.C.R. I–2149 311
Case C–337/95 Parfums Christian Dior SA & Parfums Christian Dior BV *v.* Evora BV [1997] E.C.R. I–6013 712
Case C–355/96 Silhouette International *v.* Hartlauer Handelsgesellschaft [1998] 2 C.M.L.R. 953 712
Case C–367/96 Kefalas *v.* Greek State and OAE [1998] E.C.R. I–2843 710
Case C–391/95 Van Uden Maritime BV *v.* Kommanditgesellschaft in Firma Deco-Line. Peter Determann KG, judgment of the ECJ, 17 Nov. 1998 303
Case concerning the Land and Maritime Boundary between Cameroon and Nigeria (Cameroon *v.* Nigeria), Preliminary Objections. Judgment of 11 June 1998 651
Clipper Shipping Co. *v.* San Vincent Partners 1989 S.L.T. 204 335
Coin Controls Ltd *v.* Suzo International (UK) Ltd [1997] 3 All E.R. 45 327
Crédit Suisse Fides Trust SA *v.* Cuoghi [1997] 3 W.L.R. 871, 878 (CA) 434
Delgamuukw *v.* British Columbia (1997) 153 D.L.R. (4th) 193 (S.C.C.) 176
Du Plessis and Others *v.* De Klerk and Another 1996 (3) S.A. 850 66
Dudgen *v.* UK E.Ct.H.R. Ser.A/45 641
Fort Dodge Animal Health Ltd *v.* AKZO Nobel NV [1998] F.S.R. 222 328
G *v.* Caledonian Newspapers Ltd 1995 S.L.T. 559 336
Garagnon. Judgment of 26 July 1985, Rec. 209 767
Garde des Sceaux, ministre de la justice *v.* Banque populaire de la region economique de Strasbourg 29 Apr. 1987, Rec. 158 767
Handyside *v.* UK E.Ct.H.R. Ser.A/24, 1976 639
Hill *v.* Chief Constable of South Yorkshire [1989] A.C. 53 at 63 758
Hill *v.* Church of Scientology of Toronto [1995] 2 S.C.R. 1130 65
Iomega Corporation *v.* Myrica (UK) Ltd 1998 S.C.L.R. 475 337
Ireland *v.* UK E.Ct.H.R. Ser. A/25 645
LaGrand (Germany *v.* United States of America), Provisional Measures. Order of 3 Mar. 1999, I.C.J. Rep. 1999, 9 673

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

Lange *v.* Atkinson [1997] 2 N.Z.L.R. 22 70
Lord Advocate *v.* Campbell Outer House 17 Mar. 1988, noted in 1988 G.W.D. 9–370 336
McKinney *v.* University of Guelph [1990] 3 S.C.R. 229, 262 63
Mercedes Benz A.G. *v.* Leiduck [1996] A.C. 284 (PC) 436
Ministère tunisien de l'Equipment *v.* Société Bec Frères [1995] Rev. Arb. 275, note Gaudemet-Tallon, (1997) 22 Y.C.A. 682 878
Mutombo *v.* Switzerland Communication No.13/1993, 27 Apr. 1994 520
Osman *v.* Ferguson [1993] 4 All E.R. 344 758
Osman *v.* UK. Judgment of 28 Oct. 1998 757
Otto-Preminger Institute *v.* Austria E.Ct.H.R. Ser.A/295–A 641
R. *v.* Adams [1996] 3 S.C.R. 101, 138 D.L.R. (4th) 657 176
R. *v.* Bow Street Metropolitan Stipendiary Magistrate, ex p. Pinochet Ugarte (Amnesty International intervening) (No. 3) (1999) 2 All E.R. 97 687
R. *v.* Gladstone [1996] 2 S.C.R. 723, 137 D.L.R. (4th) 648 176
R. *v.* HM Treasury and the Bank of England, ex p. Centro-Com Srl [1994] 1 C.M.L.R. 109 602
R. *v.* N.T.C. Smokehouse Ltd [1996] 2 S.C.R. 672, 137 D.L.R. (4th) 528 176
R. *v.* Pamajewon [1996] 2 S.C.R. 821, 138 D.L.R. (4th) 204 176
R. *v.* Sparrow [1990] 1 S.C.R. 1075, 70 D.L.R. (4th) 385 176
R. *v.* Van der Peet [1996] 2 S.C.R. 507, 137 D.L.R. (4th) 289 176
Reference re Secession of Quebec [1998] 25 S.C.R. 217 447
Republic of Haiti *v.* Duvalier [1989] 1 All E.R. 456 321
Retail Wholesale and Department Store Union Local 580 et al. *v.* Dolphin Delivery Ltd (1985) 33 D.L.R. (4th) 174; [1986] 2 S.C.R. 573 62
Rondel *v.* Worsley [1969] 1 A.C. 191 769
Société Polish Ocean Line *v.* Société Jolasry (1993) 120 J.D.I. 360, note Kahn, [1993] Rev. Arb. 255, note Hascher, (1994) 19 Y.C.A. 662 866
Société Unichips Finanziaria *v.* Gesnouin [1993] Rev. Arb. 255, note Hascher, (1994) 19 Y.C.A. 658 867
Soering *v.* United Kingdom 7 July 1989 516
Stancroft Securities *v.* McDowall 1990 S.L.T. 746 334
Swinney *v.* Chief Constable of the Northumbria Police [1996] 3 All E.R. 449 761
Union Carbide Corpn *v.* BP Chemicals Ltd 1995 S.L.T. 972 337
United States *v.* Boots 80 F.3d 580 (1st Cir.) cert. denied,—U.S.—117 S.Ct. 263, 136 L.Ed.2d 188 (1996) 437
United States *v.* Trapilo 130 F.3d 547 (2d Cir. 1997) 437
Vienna Convention on Consular Relations (Paraguay *v.* United States of America), Provisional Measures, order of 9 Apr. 1998, I.C.J. Rep. 1998, 248 673
Ville de Paris *v.* Marabout, 20 Oct. 1972, Recueil des decisions du conseil d'état 664 766
WAC Ltd *v.* Whillock 1990 S.L.T. 213 337
X (minors) *v.* Bedfordshire CC [1995] 2 A.C. 633 764

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

INDEX OF BOOK REVIEWS AND REVIEWERS

Al Baharna, Husain M. *British Extra-Territorial Jurisdiction in the Gulf 1913–1971: An Analysis of the System of British Courts in the Territories of the British Protected States of the Gulf During the Pre-Independence Era* (Matthew Happold) 251

Alexandrov, Stanimir A. *Self-defence against the Use of Force in International Law* (Colin Warbrick) 243

Beatson, Jack, Forsyth, Christopher and Hare, Ivan (Eds). *Constitutional Reform in the United Kingdom: Practice and Principles* (Adam Tomkins) 249

Caldwell, Peter C. *Popular Sovereignty and the Crisis of German Constitutional Law—The Theory and Practice of Weimar Constitutionalism* (Sven Reckewerth) 251

Carr, Indira. *Principles of International Trade Law, 2nd edition* (Patterson Simmons) 980

Cheng, Bin. *Studies in International Space Law* (Sylvia Maureen Williams) 238

Chuah, J. C. T. *Law of International Trade* (Gabrielle Marceau) 722

Crepeau, Paul-A. *Les Principes d'UNIDROIT et le Code civil du Québec: valeurs partagées?/The UNIDROIT Principles and the Civil Code of Quebec: Shared values?* Geoffrey Samuel) 726

Denza, Eileen. *Diplomatic Law* (J. Craig Barker) 721

Elliot, Gerald. *A Whaling Enterprise: Salvesen in the Antarctic* (Hazel Fox) 981

Evans, Malcolm D. *Religious Liberty and International Law in Europe* (Brice Dickson) 245

Franck, Thomas M. *Fairness in International Law and Institutions* (Christopher Ward) 237

Iwasawa, Yuji. *International Law, Human Rights, and Japanese Law* (Malcolm D. Evans) 979

Jacob, Robert (Ed.). *Le juge et le jugement dans les traditions européennes: Etudes d'histoire comparée* (L. Neville Brown) 248

Kempess, Peter (Ed.). *A Systematic Guide to the Case-law of the European Court of Human Rights 1960–1994* (Loveday Hodson) 247

Korman, Sharon. *The Right of Conquest: The Acquisition of Territory by Force in International Law and Practice* (Lindsay Moir) 244

Malanczuk, Peter (Ed., revised by). *Akehurst's Modern Introduction to International Law* (7th revised edn) (Malgosia Fitzmaurice) 721

Mapel, David R. and Nardin, Terry (Eds). *International Society: Diverse Ethical Perspectives* (Colin Warbrick) 475

Meyer, Michael and McCoubrey, Hilaire (Eds). *Reflections on Law and Armed Conflicts. The Selected Works on the Laws of War by the Late Professor Colonel G. I. A. D. Draper, OBE* (Norman S. Marsh) 474

Müllerson, Rein. *Human Rights Diplomacy* (G. S. Hand) 245

Österdahl, Inger. *Threat to the Peace: The Interpretation by the Security Council of Article 39 of the UN Charter* (Colin Warbrick) 475

Pogany, Istvan. *Righting Wrongs in Eastern Europe* (Malgosia Fitzmaurice) 246

Qureshi, Asif H. *The World Trade Organization, Implementing International Trade Norms* (Thomas J. Schoenbaum) 242

Ringbom, Henrik (Ed.). *Competing Norms in the Law of Marine Environmental Protection—Focus on Ship Safety and Pollution Prevention* (David M. Ong) 241

Ruttley, Philip, MacVay, Iain and George, Carol (Eds). *The WTO and International Trade Regulation* (Matthew Happold) 476

Sarooshi, Danesh. *The United Nations and the Development of Collective Security: The Delegation by the UN Security Council of its Chapter VII Powers* (Colin Warbrick) 978

Talmon, Stefan. *Recognition of Governments in International Law With Particular Reference to Governments in Exile* (Philippe Sands) 237

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press

Tanyl, Gerald Bisong. *Designing Privatization Strategies in Africa—Law, Economics, and Practice* (Jane Richardson) 476
Williams, Silvia Maureen. *El riesgo ambiental y su regulación. Derecho internacional y comparado. Residuos espaciales, protectión de la capa de ozono* (Bin Cheng) 724
Zweigert, K. & Kotz, H. *An Introduction to Comparative Law, 3rd edition* (Susan Millns) 982

https://doi.org/10.1017/S0020589300063910 Published online by Cambridge University Press