

Sixth Edition

INTERNATIONAL LAW



MALCOLM N. SHAW

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INTERNATIONAL LAW

Sixth edition

Malcolm Shaw's engaging and authoritative *International Law* has become the definitive textbook for instructors and students alike, in this increasingly popular field of academic study. The hallmark writing style provides a stimulating account, motivating students to explore the subject more fully, while maintaining detail and academic rigour. The analysis integrated in the textbook challenges students to develop critical thinking skills. The sixth edition is comprehensively updated throughout and is carefully constructed to reflect current teaching trends and course coverage. The International Court of Justice is now examined in a separate dedicated chapter and there is a new chapter on international criminal law. The detailed references and reliable, consistent commentary which distinguished previous editions remain, making this essential reading for all students of international law whether they be at undergraduate level, postgraduate level or professional lawyers.

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Sixth edition

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For my wife Judith

CONTENTS

| | | | |
|---|--|-------|----------|
| <i>Preface</i> | page | xxi | |
| <i>Table of cases</i> | | xxiii | |
| <i>Table of treaties and selected other international instruments</i> | | lxxxi | |
| <i>List of abbreviations</i> | | clxii | |
| 1 | The nature and development of international law | | 1 |
| | Law and politics in the world community | 2 | |
| | The role of force | 4 | |
| | The international system | 5 | |
| | The function of politics | 11 | |
| | Historical development | 13 | |
| | Early origins | 14 | |
| | The Middle Ages and the Renaissance | 19 | |
| | The founders of modern international law | 22 | |
| | Positivism and naturalism | 24 | |
| | The nineteenth century | 27 | |
| | The twentieth century | 30 | |
| | Communist approaches to international law | 31 | |
| | The Third World | 38 | |
| 2 | International law today | 43 | |
| | The expanding legal scope of international concern | 43 | |
| | Modern theories and interpretations | 49 | |
| | Positive Law and Natural Law | 49 | |
| | New approaches | 54 | |
| | The fragmentation of international law? | 65 | |
| | Conclusion | 67 | |
| 3 | Sources | 69 | |
| | Custom | 72 | |

| | | |
|--|-----|------------|
| Introduction | 72 | |
| The material fact | 76 | |
| What is state practice? | 81 | |
| <i>Opinio juris</i> | 84 | |
| Protest, acquiescence and change in customary law | | 89 |
| Regional and local custom | 92 | |
| Treaties | 93 | |
| General principles of law | 98 | |
| Equity and international law | 105 | |
| Judicial decisions | 109 | |
| Writers | 112 | |
| Other possible sources of international law | | 113 |
| The International Law Commission | | 119 |
| Other bodies | 121 | |
| Unilateral acts | 121 | |
| Hierarchy of sources and <i>jus cogens</i> | | 123 |
| 4 International law and municipal law | | 129 |
| The theories | 131 | |
| The role of municipal rules in international law | | 133 |
| International law before municipal courts | | 138 |
| The United Kingdom | 139 | |
| Customary international law | 141 | |
| Treaties | 148 | |
| The United States | 157 | |
| Other countries | 166 | |
| Justiciability, act of state and related doctrines | | 179 |
| Executive certificates | 192 | |
| 5 The subjects of international law | | 195 |
| Legal personality – introduction | 195 | |
| States | 197 | |
| Creation of statehood | 197 | |
| Self-determination and the criteria of statehood | | 205 |
| Recognition | 207 | |
| Extinction of statehood | 208 | |
| The fundamental rights of states | 211 | |
| Independence | 211 | |
| Equality | 214 | |
| Peaceful co-existence | 215 | |
| Protectorates and protected states | | 216 |
| Federal states | 217 | |
| <i>Sui generis</i> territorial entities | 224 | |

| | | |
|--|-----|------------|
| Mandated and trust territories | 224 | |
| Germany 1945 | 227 | |
| Condominium | 228 | |
| International administration of territories | | 230 |
| Taiwan | 234 | |
| The ‘Turkish Republic of Northern Cyprus’ (TRNC) | | 235 |
| The Saharan Arab Democratic Republic | | 236 |
| Various secessionist claimants | 237 | |
| Associations of states | 238 | |
| Conclusions | 242 | |
| Special cases | 243 | |
| The Sovereign Order of Malta | 243 | |
| The Holy See and the Vatican City | 243 | |
| Insurgents and belligerents | 245 | |
| National liberation movements (NLMs) | | 245 |
| International public companies | 248 | |
| Transnational corporations | 249 | |
| The right of all peoples to self-determination | | 251 |
| The establishment of the legal right | 251 | |
| The definition of self-determination | 256 | |
| Individuals | 257 | |
| International organisations | 259 | |
| The acquisition, nature and consequences of legal personality – some conclusions | 260 | |
| 6 The international protection of human rights | | 265 |
| The nature of human rights | 265 | |
| Ideological approaches to human rights in international law | | 268 |
| The development of international human rights law | | 270 |
| Some basic principles | 272 | |
| Domestic jurisdiction | 272 | |
| The exhaustion of domestic or local remedies rule | | 273 |
| Priorities of rights | 274 | |
| Customary international law and human rights | | 275 |
| Evolving principles | 276 | |
| The United Nations system – general | 276 | |
| The protection of the collective rights of groups and individuals | | 281 |
| Prohibition of genocide | 282 | |
| Prohibition of discrimination | 286 | |
| The principle of self-determination as a human right | | 289 |
| The protection of minorities | 293 | |
| Other suggested collective rights | 301 | |
| The United Nations system – implementation | | 302 |

| | | |
|---|-----|------------|
| Political bodies – general | 303 | |
| The Commission on Human Rights (1946–2006) | | 304 |
| The Human Rights Council | 306 | |
| Expert bodies established by UN organs | 307 | |
| The Sub-Commission on the Promotion and Protection of Human Rights | 307 | |
| The International Covenant on Economic, Social and Cultural Rights | 308 | |
| Expert bodies established under particular treaties | 311 | |
| The Committee on the Elimination of Racial Discrimination | | 311 |
| The Human Rights Committee | 314 | |
| The Committee on the Elimination of Discrimination Against Women | 322 | |
| The Committee Against Torture | 326 | |
| The Committee on the Rights of the Child | 331 | |
| The Committee on the Protection of Migrant Workers | | 333 |
| The Committee on the Rights of Persons with Disabilities | | 334 |
| The Committee on Enforced Disappearances | 334 | |
| Conclusions | 335 | |
| The specialised agencies | 338 | |
| The International Labour Organisation | 338 | |
| The United Nations Educational, Scientific and Cultural Organisation | 341 | |
| 7 The regional protection of human rights | | 345 |
| Europe | 345 | |
| The Council of Europe | 345 | |
| The European Convention on Human Rights | | 347 |
| The convention system | 351 | |
| The European Social Charter | 360 | |
| The European Convention for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment | | 362 |
| The Council of Europe Framework Convention for the Protection of National Minorities | 365 | |
| The European Union | 369 | |
| The OSCE (Organisation for Security and Co-operation in Europe) | 372 | |
| The CIS Convention on Human Rights and Fundamental Freedoms | 378 | |
| The Human Rights Chamber of Bosnia and Herzegovina | | 379 |
| The Inter-American Convention on Human Rights | | 381 |
| The Banjul Charter on Human and Peoples' Rights | | 391 |
| The Arab Charter on Human Rights | 395 | |

| | |
|---|------------|
| 8 Individual criminal responsibility in international law | 397 |
| International criminal courts and tribunals | 399 |
| The International Criminal Tribunal for the Former Yugoslavia (ICTY) | 402 |
| The International Criminal Tribunal for Rwanda (ICTR) | 407 |
| The International Criminal Court (ICC) | 410 |
| Hybrid courts and other internationalised domestic courts and tribunals | 417 |
| The Special Court for Sierra Leone | 418 |
| The Extraordinary Chambers of Cambodia | 421 |
| Kosovo Regulation 64 panels | 423 |
| East Timor Special Panels for Serious Crimes | 424 |
| The Bosnia War Crimes Chamber | 426 |
| The Special Tribunal for Lebanon | 427 |
| The Iraqi High Tribunal | 428 |
| The Serbian War Crimes Chamber | 429 |
| International crimes | 430 |
| Genocide | 430 |
| War crimes | 433 |
| Crimes against humanity | 436 |
| Aggression | 439 |
| Conclusion – fair trial provisions | 440 |
| 9 Recognition | 444 |
| Recognition of states | 445 |
| Recognition of governments | 454 |
| <i>De facto</i> and <i>de jure</i> recognition | 459 |
| Premature recognition | 460 |
| Implied recognition | 462 |
| Conditional recognition | 465 |
| Collective recognition | 465 |
| Withdrawal of recognition | 466 |
| Non-recognition | 468 |
| The legal effects of recognition | 470 |
| Internationally | 470 |
| Internally | 471 |
| The UK | 472 |
| The USA | 482 |
| 10 Territory | 487 |
| The concept of territory in international law | 487 |
| Territorial sovereignty | 489 |
| New states and title to territory | 492 |

| | | |
|--|------------|-----|
| The acquisition of additional territory | 495 | |
| Boundary treaties and boundary awards | | 495 |
| Accretion | 498 | |
| Cession | 499 | |
| Conquest and the use of force | 500 | |
| The exercise of effective control | 502 | |
| Intertemporal law | 508 | |
| Critical date | 509 | |
| Sovereign activities (<i>effectivités</i>) | 511 | |
| The role of subsequent conduct: recognition, acquiescence and estoppel | 515 | |
| Conclusions | 520 | |
| Territorial integrity, self-determination and sundry claims | | 522 |
| The doctrine of <i>uti possidetis</i> | 525 | |
| Beyond <i>uti possidetis</i> | 528 | |
| International boundary rivers | 531 | |
| The Falkland Islands | 532 | |
| ‘The common heritage of mankind’ | 533 | |
| The polar regions | 534 | |
| Leases and servitudes | 538 | |
| The law of outer space | 541 | |
| The definition and delimitation of outer space | | 543 |
| The regime of outer space | 544 | |
| Telecommunications | 549 | |
| 11 The law of the sea | 553 | |
| The territorial sea | 556 | |
| Internal waters | 556 | |
| Baselines | 558 | |
| Bays | 562 | |
| Islands | 564 | |
| Archipelagic states | 565 | |
| The width of the territorial sea | 568 | |
| The juridical nature of the territorial sea | | 569 |
| The right of innocent passage | 570 | |
| Jurisdiction over foreign ships | 574 | |
| International straits | 575 | |
| The contiguous zone | 578 | |
| The exclusive economic zone | 580 | |
| The continental shelf | 584 | |
| Definition | 586 | |
| The rights and duties of the coastal state | | 588 |

| | | |
|--|------------|-----|
| Maritime delimitation | 590 | |
| Conclusion | 605 | |
| Landlocked states | 607 | |
| The high seas | 609 | |
| Jurisdiction on the high seas | 611 | |
| Exceptions to the exclusivity of flag-state jurisdiction | | 614 |
| Right of visit | 614 | |
| Piracy | 615 | |
| The slave trade | 616 | |
| Unauthorised broadcasting | | 617 |
| Hot pursuit | 617 | |
| Collisions | 618 | |
| Treaty rights and agreements | | 619 |
| Pollution | 620 | |
| Straddling stocks | 623 | |
| The international seabed | 628 | |
| Introduction | 628 | |
| The 1982 Law of the Sea Convention (Part XI) | | 629 |
| The Reciprocating States Regime | 631 | |
| The 1994 Agreement on Implementation of the Seabed Provisions of the Convention on the Law of the Sea | | 632 |
| The International Seabed Authority | 633 | |
| Settlement of disputes | 635 | |
| The International Tribunal for the Law of the Sea | | 638 |
| 12 Jurisdiction | 645 | |
| The principle of domestic jurisdiction | | 647 |
| Legislative, executive and judicial jurisdiction | | 649 |
| Civil jurisdiction | 651 | |
| Criminal jurisdiction | 652 | |
| The territorial principle | 652 | |
| The nationality principle | 659 | |
| The passive personality principle | | 664 |
| The protective principle | 666 | |
| The universality principle | 668 | |
| War crimes, crimes against peace and crimes against humanity | 668 | |
| Treaties providing for jurisdiction | | 673 |
| Illegal apprehension of suspects and the exercise of jurisdiction | 680 | |
| The US Alien Tort Claims Act | | 683 |
| Extradition | 686 | |
| Extraterritorial jurisdiction | 688 | |

| | | |
|-----------|--|------------|
| 13 | Immunities from jurisdiction | 697 |
| | Sovereign immunity | 697 |
| | The absolute immunity approach | 701 |
| | The restrictive approach | 704 |
| | Sovereign and non-sovereign acts | 708 |
| | State immunity and violations of human rights | 715 |
| | Commercial acts | 718 |
| | Contracts of employment | 725 |
| | Other non-immunity areas | 727 |
| | The personality issue – instrumentalities and parts of the state | 728 |
| | The personality issue – immunity for government figures | 735 |
| | Waiver of immunity | 740 |
| | Pre-judgment attachment | 742 |
| | Immunity from execution | 744 |
| | The burden and standard of proof | 748 |
| | Conclusion | 749 |
| | Diplomatic law | 750 |
| | The Vienna Convention on Diplomatic Relations, 1961 | 752 |
| | The inviolability of the premises of the mission | 754 |
| | The diplomatic bag | 759 |
| | Diplomatic immunities – property | 762 |
| | Diplomatic immunities – personal | 764 |
| | Waiver of immunity | 771 |
| | Consular privileges and immunities: the Vienna Convention on Consular Relations, 1963 | 772 |
| | The Convention on Special Missions, 1969 | 774 |
| | The Vienna Convention on the Representation of States in their Relations with International Organisations of a Universal Character, 1975 | 775 |
| | The immunities of international organisations | 776 |
| 14 | State responsibility | 778 |
| | The nature of state responsibility | 781 |
| | The question of fault | 783 |
| | Imputability | 785 |
| | <i>Ultra vires</i> acts | 788 |
| | State control and responsibility | 789 |
| | Mob violence, insurrections and civil wars | 791 |
| | Circumstances precluding wrongfulness | 793 |
| | Invocation of state responsibility | 799 |
| | The consequences of internationally wrongful acts | 800 |
| | Cessation | 800 |
| | Reparation | 801 |

| | |
|--|------------|
| Serious breaches of peremptory norms (<i>jus cogens</i>) | 807 |
| Diplomatic protection and nationality of claims | 808 |
| The exhaustion of local remedies | 819 |
| The treatment of aliens | 823 |
| The relevant standard of treatment | 824 |
| The expropriation of foreign property | 827 |
| The property question | 830 |
| The nature of expropriation | 830 |
| Public purposes | 833 |
| Compensation | 834 |
| Bilateral investment treaties | 837 |
| Lump-sum agreements | 840 |
| Non-discrimination | 842 |
| The Multilateral Investment Guarantee Agency | 842 |
| 15 International environmental law | 844 |
| State responsibility and the environment | 851 |
| The basic duty of states | 851 |
| The appropriate standard | 853 |
| Damage caused | 856 |
| Liability for damage caused by private persons | 858 |
| Prevention of transboundary harm from hazardous activities | 859 |
| The problems of the state responsibility approach | 862 |
| International co-operation | 862 |
| Atmospheric pollution | 871 |
| Ozone depletion and global warming | 875 |
| Outer space | 881 |
| International watercourses | 883 |
| Ultra-hazardous activities | 887 |
| Nuclear activities | 888 |
| The provision of information | 890 |
| The provision of assistance | 891 |
| Nuclear safety | 892 |
| Civil liability | 893 |
| Hazardous wastes | 895 |
| Marine pollution | 898 |
| Pollution from ships | 898 |
| 16 The law of treaties | 902 |
| The making of treaties | 907 |
| Formalities | 907 |
| Consent | 909 |

| | | |
|---|------------|-----|
| Consent by signature | 910 | |
| Consent by exchange of instruments | | 911 |
| Consent by ratification | 911 | |
| Consent by accession | 913 | |
| Reservations to treaties | 913 | |
| Entry into force of treaties | 925 | |
| The application of treaties | 926 | |
| Third states | 928 | |
| The amendment and modification of treaties | | 930 |
| Treaty interpretation | 932 | |
| Invalidity, termination and suspension of the operation of treaties | 939 | |
| General provisions | 939 | |
| Invalidity of treaties | 940 | |
| Municipal law | 940 | |
| Error | 941 | |
| Fraud and corruption | 942 | |
| Coercion | 942 | |
| <i>Jus cogens</i> | 944 | |
| Consequences of invalidity | 944 | |
| The termination of treaties | 945 | |
| Termination by treaty provision or consent | | 945 |
| Material breach | 947 | |
| Supervening impossibility of performance | | 949 |
| Fundamental change of circumstances | | 950 |
| Dispute settlement | 952 | |
| Treaties between states and international organisations | | 953 |
| 17 State succession | 956 | |
| Continuity and succession | 960 | |
| Succession to treaties | 966 | |
| Categories of treaties: territorial, political and other treaties | | 967 |
| Succession to treaties generally | 970 | |
| Absorption and merger | 971 | |
| Cession of territory from one state to another | | 973 |
| Secession from an existing state to form a new state or states | | 974 |
| ‘Newly independent states’ | 977 | |
| Dissolution of states | 979 | |
| International human rights treaties | | 981 |
| Succession with respect to matters other than treaties | | 985 |
| Membership of international organisations | | 985 |
| Succession to assets and debts | | 986 |

| | | | |
|-----------|--|------|-------------|
| | State property | 987 | |
| | State archives | 993 | |
| | Public debt | 996 | |
| | Private rights | 1001 | |
| | State succession and nationality | 1004 | |
| | Hong Kong | 1008 | |
| 18 | The settlement of disputes by peaceful means | | 1010 |
| | Diplomatic methods of dispute settlement | 1014 | |
| | Negotiation | 1014 | |
| | Good offices and mediation | 1018 | |
| | Inquiry | 1019 | |
| | Conciliation | 1022 | |
| | International institutions and dispute settlement | 1024 | |
| | Regional organisations | 1024 | |
| | The African Union (Organisation of African Unity) | 1026 | |
| | The Organisation of American States | 1030 | |
| | The Arab League | 1031 | |
| | Europe | 1032 | |
| | International organisations and facilities of limited competence | 1034 | |
| | Binding methods of dispute settlement | 1047 | |
| | Arbitration | 1048 | |
| 19 | The International Court of Justice | | 1057 |
| | The organisation of the Court | 1058 | |
| | The jurisdiction of the Court | 1064 | |
| | General | 1064 | |
| | The nature of a legal dispute | 1067 | |
| | Contentious jurisdiction | 1070 | |
| | Article 36(1) | 1075 | |
| | Article 36(2) | 1081 | |
| | Sources of law, propriety and legal interest | 1086 | |
| | Evidence | 1088 | |
| | Provisional measures | 1093 | |
| | Counter-claims | 1096 | |
| | Third-party intervention | 1097 | |
| | Remedies | 1101 | |
| | Enforcement | 1104 | |
| | Application for interpretation of a judgment | 1105 | |
| | Application for revision of a judgment | 1105 | |
| | Examination of a situation after the judgment | 1107 | |
| | The advisory jurisdiction of the Court | 1108 | |

| | | | |
|-----------|---|------|-------------|
| | The role of the Court | 1113 | |
| | Proliferation of courts and tribunals | | 1115 |
| 20 | International law and the use of force by states | | 1118 |
| | Law and force from the ‘just war’ to the United Nations | | 1119 |
| | The UN Charter | 1123 | |
| | ‘Force’ | 1124 | |
| | ‘Against the territorial integrity or political independence of any state’ | 1126 | |
| | Categories of force | 1128 | |
| | Retorsion | 1128 | |
| | Reprisals | 1129 | |
| | The right of self-defence | 1131 | |
| | The protection of nationals abroad | | 1143 |
| | Conclusions | 1145 | |
| | Collective self-defence | 1146 | |
| | Intervention | 1147 | |
| | Civil wars | 1148 | |
| | Aid to the authorities of a state | | 1151 |
| | Aid to rebels | 1152 | |
| | The situation in the Democratic Republic of the Congo | | 1154 |
| | Humanitarian intervention | 1155 | |
| | Terrorism and international law | 1159 | |
| 21 | International humanitarian law | | 1167 |
| | Development | 1168 | |
| | The scope of protection under international humanitarian law | | 1170 |
| | The wounded and sick | 1171 | |
| | Prisoners of war | 1172 | |
| | Protection of civilians and occupation | | 1176 |
| | The conduct of hostilities | 1184 | |
| | Armed conflicts: international and internal | | 1190 |
| | Non-international armed conflict | 1194 | |
| | Enforcement of humanitarian law | 1199 | |
| | Conclusion | 1201 | |
| 22 | The United Nations | | 1204 |
| | The UN System | 1204 | |
| | The Security Council | 1206 | |
| | The General Assembly | 1210 | |
| | Other principal organs | 1213 | |
| | The peaceful settlement of disputes | | 1216 |
| | The League of Nations | 1216 | |

| | | |
|--|-------------|------|
| The United Nations system | 1217 | |
| The Security Council | 1218 | |
| The General Assembly | 1221 | |
| The Secretary-General | 1222 | |
| Peacekeeping and observer missions | | 1224 |
| Conclusion | 1233 | |
| The collective security system | 1235 | |
| The Security Council | 1236 | |
| Determination of the situation | | 1236 |
| Chapter VII measures | 1241 | |
| The use of force in non-enforcement situations | | 1257 |
| The range of UN actions from humanitarian assistance to enforcement – conclusions | 1266 | |
| The Security Council, international law and the International Court of Justice | 1268 | |
| The role of the General Assembly | 1271 | |
| The UN and regional arrangements and agencies | | 1273 |
| 23 International institutions | 1282 | |
| Introduction | 1282 | |
| A brief survey of international institutions | | 1284 |
| Institutions of a universal character | | 1284 |
| Regional institutions | 1287 | |
| Europe | 1288 | |
| The American continent | 1291 | |
| The Arab League | 1292 | |
| Africa | 1293 | |
| Asia | 1294 | |
| Some legal aspects of international organisations | | 1295 |
| Personality | 1296 | |
| The constituent instruments | 1303 | |
| The powers of international institutions | | 1306 |
| The applicable law | 1309 | |
| The responsibility of international institutions | | 1310 |
| Liability of member states | 1314 | |
| The accountability of international institutions | | 1317 |
| Privileges and immunities | 1318 | |
| Dissolution | 1329 | |
| Succession | 1330 | |
| | | |
| <i>Some useful international law websites</i> | | 1332 |
| | | |
| <i>Index</i> | 1342 | |

PREFACE

The fifth edition of this book that appeared in 2003 has been extensively revised. To mark the growing importance of the international prosecution of alleged war criminals and others accused of egregious crimes, a new chapter on Individual Criminal Responsibility in International Law has been introduced. The chapter on Air and Space Law has had to be removed, with the section on Outer Space being moved to the chapter on Territory. The increasing significance of the International Court of Justice is recognised by devoting a separate chapter to it. The section on the International Tribunal for the Law of the Sea has been moved to the chapter on the Law of the Sea. The other chapters in the book have been re-examined, updated and, where necessary, rewritten. I have also been able to correct some errors. I am particularly delighted that the book has been translated into, among other languages, Chinese, Polish, Hungarian and Portuguese and I am very grateful for the work of all those involved.

I would especially like to thank Sinead Moloney of Cambridge University Press for her encouragement, assistance and above all patience. Particular gratitude is owed to Merel Alstein for her meticulous research assistance and for updating the web reference section. I am, once again, very grateful to Diane Illott for her careful and thorough copy-editing and to Maureen MacGlashan for so carefully preparing the index and tables respectively. A debt remains to Sir Elihu Lauterpacht QC for his encouragement in the early development of this work. I also remain grateful to my many colleagues from many countries for their advice and encouragement, while reassuring them that all responsibility for the end product rests squarely with me.

As ever, the real and deepest thanks are due to my wife Judith and my children, Talia, Ilan and Daniella. They have borne the brunt of my travails over the years and endured the inevitable pressures and have done so in a caring and loving manner. Their support remains the indispensable foundation of this work.

Malcolm N. Shaw QC
Faculty of Law
University of Leicester
Spring 2008

TABLE OF CASES

Note: Figures in square brackets refer to volume and page of the *Annual Digest/International Law Reports* where cited cases are reproduced. ‘*Et al.*’ reflects the fact that the *Annual Digest* practice was to reproduce reports in sections according to subject matter so that reports are liable to be distributed throughout a volume.

P Congreso Del Partido [64 ILR 154] 145 n72, 699 n699, 707, 710–13, 714, 719, 735 n205

A v. B 1323 n184

A. Ahlström Oy v. Commission: *see* Woodpulp Cases (Ahlström Osakeyhtiö and Others v. Commission (*In re* Wood Pulp Cartel) (Joined Cases 89/85, 104/85, 114/85, 116–17/85 and 125–9/85)) [96 ILR 148]

A and B v. State of Israel 166 n190, 1174 n33

A Company Ltd v. Republic of X [87 ILR 412] 740 n237, 743, 748 n280, 771–2

A (FC) v. Secretary of State for the Home Department 150, 153 n119

A Limited v. B Bank and Bank of X [111 ILR 590] 182

A and Others v. Secretary of State for the Home Department 140 n50

AA v. Azerbaijan 329 n351

Aaland Islands case 200–1, 251–2, 489 n12, 539–40, 969

Abbasi and Juma case [123 ILR 599; 126 ILR 685] 130, 181 n269, 182 n276, 187, 188, 811 n212, 812

Abbott v. Republic of South Africa (Decision No. 107/92) [113 ILR 411] 707, 746 n263, 747–8

Abu Dhabi Arbitration (Petroleum Development Limited/Sheikh of Abu Dhabi) [18 ILR 144] 105 n146, 585 n144

Re Accession of the European Community to the Convention for the Protection of Human Rights and Fundamental Freedoms (Opinion 2/94) [108 ILR 225] 369

- Acquisition of Polish Nationality (Series B, No. 7) [2 AD 292] 1004 n249
- Adams v. Adams [52 ILR 45] 478, 479 n135
- Ex parte* Adan 185
- ADM Milling Company v. Republic of Bolivia [63 ILR 56] 721
- Administration des Chemins de Fer du Gouvernement Iranien v. Société
Levant Express Transport [52 ILR 315] 707 n52
- Administration des Douanes v. Société Cafés Jacques Vabre and Weigel
et Compagnie [93 ILR 240] 174
- Administrative Tribunal case: *see* United Nations Administrative
Tribunal, Effect of Awards of Compensation [21 ILR 310]; United
Nations Administrative Tribunal, Review of Judgment
- Advocaten voor de Wereld v. Leden van de Ministerraad (judgment of
3 May 2007) (Case C-303/05) 371
- AE v. Switzerland 274 n48
- Aegean Sea Continental Shelf case (Greece v. Turkey) [60 ILR 511] 905
n10, 907 n25
- Aegean Sea Continental Shelf case (Greece v. Turkey) (Interim
Measures) [60 ILR 524] 1054
- Aegean Sea Continental Shelf case (Greece v. Turkey) (Jurisdiction) [60
ILR 562] 508–9, 1066, 1220, 1221
- Aerial Incident of 27 July 1955 case (Preliminary Objections) (Israel v.
Bulgaria) [27 ILR 557] 785, 821 n257, 1081 n162, 1083
- Aerial Incident (USA v. USSR) case 1076 n132
- Aerotrade Inc. and Aerotrade International Inc. v. Republic of Haiti [63
ILR 41] 723
- Affo and Another v. Commander Israel Defence Force in the West Bank
(HC 785/87); Rafia and Another v. Commander Israel Defence
Force in the Gaza Strip and Another (HC 845/87); Hindi v.
Commander Israel Defence Force in the Judea and Samaria Region
(HC 27/88) [83 ILR 121] 166 n190
- Afouneh v. Attorney-General (Palestine) [10 AD 327] 681
- AFRC case 420
- Agassi v. Robinson (Inspector of Taxes) 653 n37
- Agbor v. Metropolitan Police Commissioner [52 ILR 382] 765 n374
- AGIP Spa v. People's Republic of the Congo [67 ILR 318] 831 n311, 833
n323, 836 n342, 1042 n194
- Ex parte* Ahmed and Patel 151
- Ahmend Ali Al-Kateb v. Goodwin 168 n204, 170
- AIC Ltd v. Nigeria [129 ILR 571] 720, 745
- AIG v. Iran [84 ILR 645] 192 n348, 831, 837 n350

- AIG Capital Partners Inc. v. Kazakhstan 745
- Air India v. Wiggins [77 ILR 276] 688 n217
- Air Services Agreement of 27 March 1946 case (United States/France)
[54 ILR 303] 794 n93, 795, 949 n214
- The Akademik Fyodorov* [131 ILR 460] 742, 746
- Akayesu case (ICTR-96-4-T) 409, 431, 432, 438
- Akdeniz v. Turkey 358 n87, 359 n88
- Akdivar v. Turkey 274 n49, 355
- Aksoy v. Turkey 358 n57
- Al-Adsani v. Government of Kuwait and Others [100 ILR 465, 103 ILR
420, 107 ILR 536] 647, 716
- Al-Adsani v. United Kingdom (Application No 35763/97) (Merits) [123
ILR 24] 126, 147 n244, 326, 349, 716–17
- Re Al-Fin Corporation's Patent* [52 ILR 68] 455, 479
- Al-Jedda case 127 n245, 139, 1183
- Al-Rawi case: *see* R (Al-Rawi) v. Secretary of State for Foreign Affairs
- Al Sabah v. Grupo Torras SA 653 n37
- Al-Skeini v. Secretary of State for Defence [133 ILR 693] 138 n41, 153
n119, 653 nn33 and 37, 663 n72, 1183 n79
- Alabama Claims* 111, 135, 941, 1048
- Alamieyeseigha v. CPS 734
- Alcom Ltd v. Republic of Colombia [74 ILR 170] 707, 718 n111, 719,
746–7, 762
- Alconbury case: *see* R (on the Application of Alconbury Ltd) v. Secretary
of State for the Environment, Transport and the Regions
- Alejandre v. Republic of Cuba and the Cuban Air Force [121 ILR 603]
126 n238, 715 n95
- Alemán Lacayo v. Nicaragua 387
- Alfred Dunhill of London Inc. v. Republic of Cuba *et al.* [66 ILR 212]
192, 705, 722–3
- Re Alien Children Education Litigation* 160 n161
- Aloeboetoe v. Suriname 801 n150
- Alvarez *et al.* v. Colombia 387 n247
- Alvarez-Machain case [95 ILR 355] 147 n88, 160–1, 681–2, 685, 686
- Amalgamated Metal Trading v. Department of Trade and Industry
180
- Ambatielos Claim (Greece v. United Kingdom) [23 ILR 306, 24 ILR 291]
273, 820, 936, 946, 1051 n253, 1056
- Ambatielos Claim (Greece v. United Kingdom) (Preliminary
Objections) [19 ILR 416] 1081

- AMCO v. Republic of Indonesia [89 ILR 366] 100 n116, 101 n124, 103, 107 n157, 825, 828, 836, 1042
- Amerada Hess Shipping Corporation v. Argentine Republic [79 ILR 1] 160 n160, 685
- American Insurance Association v. Garamendi 189
- Aminoil case (Government of Kuwait and American Independent Oil Company) [66 ILR 518] 802 n155, 804 n166, 829 n298, 834, 835
- Amoco International Finance Corporation v. Islamic Republic of Iran (Case No. 56) [83 ILR 500] 837
- Amoco Overseas Oil Company and Amoco Transport Company v. Compagnie Nationale Algérienne de Navigation and T/S Amenas [63 ILR 252] 721 n131
- AN International Bank Plc v. Republic of Zambia and Others [118 ILR 602] 749 n285
- Anderson v. NV Transandine Handelmaatschappij *et al.* [10 AD 10] 194 n359
- Anderson case: *see* R v. Home Secretary, *ex parte* Anderson
- Anglo-French Continental Shelf case (First Decision) [54 ILR 6] 107 n161, 111 n182, 556 n9, 593, 594 n198, 595, 600, 601 n241, 603 nn257 and 259, 606, 638 n425, 916, 920–1, 938, 1054–5
- Anglo-Iranian Oil Company case (Interim Measures) [19 ILR 501] 901, 1094
- Anglo-Iranian Oil Company case (Preliminary Objection) [19 ILR 507] 136, 905
- Anglo-Norwegian Fisheries case [18 ILR 86] 77, 78 n29, 83 n44, 90, 110, 134 n19, 507, 513, 517, 518–19, 520, 559–61, 562, 570 n84, 590–1, 609, 610, 638, 648, 656
- The Anna* 498
- The Annette* [1 AD 43] 472
- Antarctic cases (1958) 1076 n132
- Antarctica Legal Status case [108 ILR 654] 536 n274
- The Antelope* 650
- Applicability of Article VI, Section 22, of the Convention on the Privileges and Immunities of the United Nations [85 ILR 300] 1325
- Applicability of the Obligation to Arbitrate under Section 21 of the United Nations Headquarters Agreement of 26 June 1947 [82 ILR 225] 135, 165, 941 n182, 1068, 1113 n357, 1311, 1320
- Application for Arrest Warrant Against General Shaul Mofaz 740 n235
- Aquarone case 174 n236

- Arab Monetary Fund v. Hashim and Others (No. 3) [83 ILR 243, 85 ILR 1] 479 n139, 1301–2
- The Arantzazu Mendi* [9 AD 60] 474, 481
- Arbitral Award of 31 July 1989, Case concerning (Guinea-Bissau v. Senegal) (Request for Indication of Provisional Measures and Judgment) [92 ILR 1] 1093 n238, 1094 nn243 and 244
- Arbitral Award Made by the King of Spain on 23 December 1906 case (Honduras v. Nicaragua) [30.457] 518 n177, 939 n175, 1053 n268, 1054
- Argentina (Republic of) and Others v. Weltover Inc. and Others [100 ILR 509] 722, 724
- Argentina/Chile Frontier case (Palena) [38 ILR 10] 496, 509, 515 n156, 531, 934 n149, 939 n175, 1051 n252, 1055
- Argentine Airlines v. Ross [63 ILR 195] 721
- Re Argoud* [45 ILR 90] 681
- Arkansas v. Tennessee [9 AD 112] 498
- Armament Dieppe SA v. United States 557 n16
- Armando Dos Santos case 425
- Armed Actions case: *see* Nicaragua v. Honduras (Border and Transborder Armed Actions) [84 ILR 218]
- Armed Activities on the Territory of the Congo (Congo v. Uganda) (Request for Provisional Measures): *see* Congo v. Uganda
- Arrest Warrant case: *see* Congo v. Belgium (Arrest Warrant case)
- Artico case [60 ILR 182] 349, 938
- Artukovic v. Rison (In the Matter of the Extradition of Artukovic) [79 ILR 383] 960 n15
- AS & DD (Libya) v. Secretary of State for the Home Department 906 n23
- Ashby case 320
- Asociacion de Reclamantes v. United Mexican States [84 ILR 87] 700
- Assanidze v. Georgia 350 n24
- Associated Provincial Picture Houses Ltd v. Wednesbury Corp. 692 n245
- Association of Lawyers for Peace and Four Other Organizations v. Netherlands 164 n178
- Association SOS Attentats v. France 736
- Asylum case (Colombia v. Peru) (Haya de la Torre case) (Judgment) [17 ILR 280] 76–7, 78, 83, 86 n54, 90 n74, 92, 488, 758–9
- Asylum case (Colombia v. Peru) (Haya de la Torre case) (Request for Interpretation) [17 ILR 339] 1067 n66, 1105
- Asylum case (Colombia v. Peru) (Haya de la Torre case) (Implementation of Judgment) [18 ILR 349] 1065, 1098

- Athens Maritime Enterprises Corporation v. Hellenic Mutual War Risks Association (Bermuda) Limited [78 ILR 563] 615 n323
- Attorney-General (Canada) v. Attorney-General for Ontario [8 AD 41] 151 n106, 166–7, 220
- Attorney-General (England) v. Associated Newspapers Ltd 154 n124
- Attorney-General (England), Reference (No. 1 of 1982) 695 n261
- Attorney-General (Fiji) v. Robt Jones House Ltd [80 ILR 1] 459
- Attorney-General (New Zealand) v. Ortiz and Others [78 ILR 591] 650
- Attorney-General (New Zealand) v. Zaoui 167 n197
- Auditing of Accounts between the Netherlands and France 852, 883 n214, 933 n142
- Australia and New Zealand Banking Group v. Commonwealth of Australia 701 n18, 719–20, 721
- Austria v. Altmann 707 n54
- Austria v. Italy 354, 937, 982 n138
- Austro-German Customs Union Regime [6 AD 26, 6 AD 427] 202, 211–12
- Autocephalous Greek-Orthodox Church of Cyprus and the Republic of Cyprus v. Goldberg and Feldman Fine Arts Inc. [108 ILR 488] 236 n203, 484
- Avena (Mexico v. USA) (Provisional Measures) [134 ILR 120] 130, 135–6, 159, 164 n178, 221, 773 n432, 774, 800 n142, 1091 n227, 1093 n238, 1094, 1095 n249, 1101 n292, 1103 nn302 and 305
- In the matter of AY Bank Ltd 185, 988 n168
- Azazh Kebbeda Tesema and Others v. Italian Government [9 AD 93] 467
- Azinian v. United Mexican States [121 ILR 1] 789 n62
- Aziz v. Republic of Yemen 740
- Baboeram-Adhin and Others v. Suriname (Communication Nos. 146/1983 and 148–154/1983) [94 ILR 377] 274 n48
- Baccus SRL v. Servicio Nacional del Trigo [23 ILR 160] 703, 729–30, 731
- Bagilishima case (ICTR-95-1A-T) 432
- Baker v. Canada (Minister of Citizenship and Immigration) 169 n211
- Baker v. Carr 189, 190–1
- Ballantyne case 295 n168
- Banamar-Capizzi v. Embassy of the Popular Democratic Republic of Algeria (Case No. 2085) [87 ILR 56] 747
- Banco Nacional de Cuba v. Chase Manhattan Bank [66 ILR 421] 834 n329
- Banco Nacional de Cuba v. Sabbatino *et al.* [35 ILR 2] 482

- Bancoult v. McNamara 190
- Bancoult case 188
- Bandes v. Harlow and Jones Inc.; Harlow and Jones Inc. v. Bandes and Alvarez [92 ILR 468] 192
- Bank of Hawaii v. Balos 225 n140
- Banković v. Belgium and Others (Application No. 52207/99) (Admissibility) [123 ILR 94] 349, 350, 653, 1185 n88
- Barbados v. Trinidad 592, 601 n245, 605, 606, 636 n410, 1016 n24, 1055
- Barbie [78 ILR 124, 100 ILR 330] 174 n236, 670, 671
- Barcelona Traction, Light and Power Company Ltd, Case concerning (New Application, 1962) (Belgium v. Spain) (Second Phase) [46 ILR 178] 105, 107, 124, 137, 250, 800, 811, 816–17, 818, 841 n369, 982, 1081, 1147 n149
- Barrandon v. United States [113 ILR 464, 116 ILR 622] 726–7
- Bašić *et al.* v. Republika Srpska 380 n212
- BCCI (In Liquidation) v. Price Waterhouse (A Firm) and Others [111 ILR 604] 734
- Beagle Channel Arbitration (Argentina/Chile) [52 ILR 93] 111 n182, 124 n228, 496 n49, 499 n65, 510, 522, 526, 570, 903 n4, 934 n148, 968 n65, 1018 n38, 1051 n252, 1054–5
- BECTU case 371
- Beer and Regan v. Germany 1322
- Behrami v. France 350–1, 787–8, 1312 n143, 1313 n144, 1317 n161
- Behring International Inc. v. Imperial Iranian Air Force *et al.* [63 ILR 261] 742 n248
- Behring Sea Arbitration 1048, 1092 n232
- Beit Sourik v. Government of Israel [129 ILR 189] 1182
- Belgian Linguistics case [45 ILR 114] 288, 348 n14, 355
- Belgium v. Nicod and Another [82 ILR 124] 755 n316
- Belgium (Government) v. Postlethwaite 687 n211
- Belgium/Netherlands Frontier case [27 ILR 62] 1075 n127
- Belilos v. Switzerland [88 ILR 635] 916–17, 922
- Benaïm c. Procureur de la République de Bordeaux 216 n97
- Benin/Niger 137 n35, 510, 515 n153, 531, 542, 1063
- Benvenuti and Bonfant Srl v. Government of the People's Republic of the Congo [65 ILR 88, 67 ILR 345] 831 n311, 836 n340, 1042 n194
- Bergman v. de Sieyès [14 AD 150] 769 n403
- Berizzi Brothers Company v. SS *Pesaro* [3 AD 186] 703
- Berry case 321
- Beth El Mission v. Minister of Social Welfare (Israel) [47 ILR 205] 280

- Bhajan Singh case: *see* R v. Home Secretary, *ex parte* Bhajan Singh [61 ILR 260]
- Biloune and Marine Drive Complex Ltd v. Ghana Investments Centre and the Government of Ghana [95 ILR 183] 831–2, 836 n343
- Birch Shipping Corporation v. Embassy of the United Republic of Tanzania [63 ILR 524] 747
- Blagojević case (IT-02-60-A) 433 n199, 443 n229
- Blaškić case (IT-95-14-T) [122 ILR 1] 437
- Blathwayte v. Baron Cawley 154, 186 n306
- B.M. 173
- Re* Bo Xilai 775 n444
- Board of Trade v. Owen 655
- Boffolo case 826
- Bolivian Railway Company case 792 n76
- Boos, Waller and Brooker v. Barry and Others [121 ILR 499] 7, 157, 754–5, 764
- Border and Transborder Armed Actions case: *see* Nicaragua v. Honduras (Border and Transborder Armed Actions) [84 ILR 218]
- Bosphorus Airways v. Ireland 351 n27, 788 n56, 1317 n161
- Botswana/Namibia case 496 n49, 497, 499 n61, 504–5, 513, 531, 933 n142, 934
- Re* Bottali [78 ILR 105] 978 n121
- Boucherf v. Algeria 320 n299
- Boudellaa *et al.* v. Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina 380 n213, 1163 n228
- Boumediene v. Bush 1174 n32
- Bouzari and Others v. Islamic Republic of Iran [124 ILR 427] 716
- Boyle and Rice v. UK 356
- BP Exploration Company (Libya) Ltd v. Libyan Arab Republic [53 ILR 297] 803, 833, 1052 n260
- Braka v. Nacional Financiera 722
- Brannigan and McBride v. UK 356, 358 n79
- Branno v. Ministry of War [22 ILR 756] 1300 n74, 1319 n165
- Brazilian Embassy Employee case (Case No. 706) [116 ILR 625] 173, 727
- Brazilian Federal Loans case [5 AD 466] 136 n32, 796 n107
- Brcko Inter-Entity Boundary case 105, 470
- Brdjanin case (IT-99-36-T) 433
- Breard v. Greene; Republic of Paraguay *et al.* v. Gilmore *et al.*; *Re* Breard; Republic of Paraguay *et al.* v. Gilmore III *et al.* [118 ILR 22] 130, 164 n179, 165–6

- Ex parte* Brind [84 ILR 754, 85 ILR 29] 150 n98, 153 n119, 154 n124, 168
- British Airways Board v. Laker Airways Ltd and Another [74 ILR 36] 184, 692
- Ex parte* British Council of Turkish Cypriot Associations and Another [112 ILR 735] 186
- British Guiana/Venezuela Boundary Arbitration 506 n97, 1048, 1052, 1053
- Brogan case 357–8
- Broniowski v. Poland 360 n93
- Brown v. United States 158
- Brown v. Whimster 153
- Brown cases: *see also* R v. Brown; Robert E. Brown Case [2 AD 66]
- Buchanan v. Babco 155
- Buck v. Attorney-General (England) [42 ILR 11] 186, 699
- Buraimi arbitration 1053 n267
- Burkina Faso/Mali Frontier Dispute (Judgment) [80 ILR 459] 89 n69, 107 n155, 108–9, 122 n218, 290–1, 490, 509–10, 514, 519, 522, 523 n205, 526–7, 528 n231, 529–30, 905 n18, 968, 995 n212, 1063
- Burkina Faso/Mali Frontier Dispute (Provisional Measures) [80 ILR 450] 1095 n251
- Buron v. Denman 180–1
- Buttes Gas and Oil Company and Another v. Hammer and Another (Nos. 2 and 3) [64 ILR 331] 186 n301
- Buttes Gas and Oil Company and Another v. Hammer and Another (No. 3) [64 ILR 273] 181–2, 186, 189, 699
- Buvot v. Barbuitt 141
- Café Jaques Vabre case [93 ILR 240] 174
- Caglar v. Billingham (Inspector of Taxes) and Related Appeals [108 ILR 510] 236 n203, 478–9
- Caire case [5 AD 146 *et al.*] 783, 788, 789 n64
- Callejo v. Bancomer SA [84 ILR 106] 722
- Calley v. Calloway 669
- Camacho v. Rogers 163 n178
- Cameroon v. Nigeria (Case concerning the Land and Maritime Boundary Between Cameroon and Nigeria) (Countermeasures: Order of 30 June 1999) 1097, 1100
- Cameroon v. Nigeria (Case concerning the Land and Maritime Boundary Between Cameroon and Nigeria) (Judgment) (2002) 89 n63, 108 n165, 122 n217, 134, 216–17, 224, 496 n45, 497 nn50 and

- 52, 508, 515 n154, 519 n183, 520, 524 n207, 601 n245, 604–5, 606, 607, 907 n27, 908, 909 n35, 910 n43, 934, 940–1, 1016 n29, 1075 n128, 1078, 1103, 1114
- Cameroon v. Nigeria (Case concerning the Land and Maritime Boundary Between Cameroon and Nigeria) (Preliminary Objections) (1998) 103, 104, 110–11, 516, 519 n180, 1016, 1066, 1070, 1075 n122, 1082, 1087 n200
- Cameroon v. Nigeria (Case concerning the Land and Maritime Boundary Between Cameroon and Nigeria) (Provisional Measures) (1996) [106 ILR 144] 1066, 1070 n91, 1093–4, 1095
- Cameroon v. Nigeria (Case concerning the Land and Maritime Boundary Between Cameroon and Nigeria) (Request for Interpretation) (1999) 1105
- The Camouco* (Panama v. France) [125 ILR 164] 642
- Campbell and Cosans case (Merits) [67 ILR 480] 355
- Can and Others v. United States [107 ILR 255] 190, 191
- Canada v. Cargnello (Decision No. 4017/1998) [114 ILR 559] 173 n228, 726 n157
- Canada v. Edelson [131 ILR 279] 755 n314
- Canepa v. Canada 320
- Canevaro case 815 nn233 and 235
- Carbonar v. Magurno (Decision No. 9675/1993) [114 ILR 534] 727
- Carey and New England Petroleum Corporation v. National Oil Corporation and the Libyan Arab Republic [63 ILR 164, 63 ILR 232] 732
- Carl Zeiss Stiftung v. Rayner and Keeler Limited (No. 2) [43 ILR 23] 445, 477–8, 480–1, 482
- The Caroline* 1131, 1139–40, 1145
- Cassell v. Broome 154
- Castillo Páez v. Peru [116 ILR 451] 390 n266
- Castro and Others v. Saudi Arabia [63 ILR 419] 723
- Čelebići case (IT-96-21) 443 n229
- Centre for Industrial Development v. Naidu [115 ILR 424] 746
- Cerrutti arbitrations 1053 n265
- Certain Expenses of the United Nations (Article 17, paragraph 2, of the Charter) [34 ILR 281] 8, 937, 1065 n55, 1066 n57, 1113 n357, 1114, 1272–3, 1295, 1304, 1307
- Certain German Interests in Polish Upper Silesia case [3 AD 5 *et al.*] 101 n120, 103 n136, 137, 806, 824, 833, 911, 1002

- Certain Phosphate Lands in Nauru (Nauru v. Australia) (Preliminary Objections) [97 ILR 1] 224 nn135 and 136
- Certain Shrimp and Shrimp Products case 1038
- CGM Industrial (Pty) Ltd and Others v. KPMG and Others [121 ILR 472] 707 n52
- Chahal v. United Kingdom [108 ILR 385] 358
- Chamizal Arbitration 499 n61, 505–6, 531, 1053 n265
- Champagnie case 321
- Chandler v. Director of Public Prosecutions (England) 181 n269
- Channel Tunnel case: *see* Eurotunnel case (Partial Award); R on the Application of Channel Tunnel Group Ltd and France-Manch SA v. Secretary of State for the Environment, Transport and the Regions [119 ILR 398]
- The Charkieh* 702 n19
- Chase Manhattan Bank v. Traffic Stream (BVI) Infrastructure Ltd 818 n245
- Re* Chateau-Gai Wines Ltd and Attorney-General for Canada [55 ILR 38] 459
- Chattin case [4 AD 248] 824 nn273 and 275
- Cheney v. Conn [41 ILR 421] 151 n106
- Chierici and Rosa v. Ministry of the Merchant Navy and Harbour Office of Rimini [71 ILR 258] 199 n16
- Children and Adolescents Deprived of Liberty in the ‘Complexo do Tatuapé’ of FEBEM v. Brazil 388
- China (Republic of) v. Merchants’ Fire Assurance Corporation of New York [5 AD 42] 463
- Chisholm and Company and Chisholm v. Bank of Jamaica and Barber [121 ILR 487] 722 n132
- Chorzów Factory case (Germany v. Poland) (Merits) [4 AD 258] 100, 781, 782, 801, 834, 836 n340, 987, 1002 n241, 1102
- Chow Hung Ching and Si Pao Kung v. R [15 AD 147] 167
- Christian v. The Queen [130 ILR 696] 181 n270, 499
- Chrysostomos v. Turkey 355 n52
- Chuan Pu Andrew Wang and Others v. Office of the Federal Prosecutor (Switzerland) 448 n16
- Chumbipuma Aguirre v. Peru (Barrios Altos case) 272 n35, 390
- Chung Chi Cheung v. R [9 AD 264] 143–4, 145
- Chung Kheng Lin v. Minister for Immigration (Australia) 168 n203
- City of Berne v. The Bank of England 472

- Civil Aeronautics Administration v. Singapore Airlines Ltd [133 ILR 371] 464
- Civil Air Transport Inc. v. Central Air Transport Corporation [19 ILR 85] 463, 476–7, 485
- Clark (Inspector of Taxes) v. Oceanic Contractors Inc. 553 n37
- Clerget v. Banque Commerciale pour l'Europe du Nord and Others [65 ILR 54] 463
- Clipperton Island Award (France and Mexico) [6 AD 105] 511 n130, 512
- CME Czech Republic BV v. Czech Republic 802 n150, 805 n172, 832 n312
- CND v. Prime Minister of the UK and Others 180, 181 n269, 184, 185
- Coard v. USA [123 ILR 156] 1197
- Coe (On Behalf of the Wiradjuri Tribe) v. Commonwealth of Australia and Another [118 ILR 322] 168 n201
- Colombia–Venezuela Boundary Arbitration [1 AD 84, 1 AD 371] 526, 968
- Comercial F SA v. Council of Ministers (Case No. 516) [88 ILR 691] 810
- Commercial and Estates Company of Egypt v. Board of Trade [2 AD 11, 2 AD 423] 143 n61
- Commission of the European Communities v. Council of the European Communities (Case 22/70) (ERTA case) [47 ILR 278] 241
- Committee of United States Citizens Living in Nicaragua v. Reagan [85 ILR 248] 158
- Commonwealth of Australia and Another v. State of Tasmania and Others [68 ILR 266] 170 n212, 222
- Compañía de Aguas del Aconquija v. Argentina 136 n29
- Re Competence of Conciliation Commission [22 ILR 867] 1052 n261
- Competence of the European Community to Conclude International Agreements Concerning Services and the Protection of Intellectual Property (Opinion 1/94) [105 ILR 75] 242
- Competence of the General Assembly for the Admission of a State to the United Nations [17 ILR 326] 933, 937 n165, 1210 n27, 1306
- Compulsory Membership in an Association Prescribed by Law for the Practice of Journalism (Articles 13 and 29 American Convention on Human Rights) (Advisory Opinion OC-5/85) [75 ILR 30]: *see* Licensing of Journalists case
- Conditions for Admission of a State to Membership of the United Nations [15 AD 333] 464, 1113 n357, 1210 n27, 1268, 1295
- Condor and Filvem v. Minister of Justice (Italy) (Case No. 329) [101 ILR 394] 743, 747

- Congo v. Belgium (Arrest Warrant case) [128 ILR 60] 82, 112, 397 n4, 653, 654 n38, 666, 669 n102, 674, 739, 1067 n66, 1069 n84, 1070, 1088, 1102
- Congo v. France 1095 n249
- Congo v. Rwanda 285, 921, 925 n109, 1067 n73, 1070 n89, 1071 n29, 1075, 1085, 1093 n238
- Congo v. Uganda 178 n147, 752, 755–6, 765, 801 n149, 1066, 1067 n65, 1071 n100, 1090, 1091, 1096, 1097 n261, 1101 n293, 1103–4, 1116 n374, 1127 n43, 1135–6, 1138 n98, 1142, 1143 n122, 1152 n174, 1153, 1177, 1180, 1181, 1270
- Consortium X v. Swiss Federal Government 1322 n180
- Constitutional Court case 387 n247
- Construction of a Wall case [129 ILR 37] 83, 88, 107, 110, 255, 276, 322, 798 n127, 801 n149, 804 n167, 935 n156, 1060 n17, 1108 n335, 1109, 1111, 1135, 1176 n43, 1177, 1178 n55, 1179, 1180 n62, 1181, 1200 n179
- Controller and Auditor General (New Zealand) v. Sir Ronald Davidson 715
- Cook v. United States (*The Mazel Tov*) [6 AD 3] 158, 164
- Coreck Maritime GmbH v. Sevrybokholodflot [107 ILR 658] 961 n22
- Corfu Channel case (United Kingdom v. Albania) (Merits) [16 AD 155] 101, 107 n156, 109 n170, 213–14, 280 n81, 575–6, 610, 781 n20, 784–6, 806, 852, 854, 863, 936 n162, 1073, 1077–8, 1089 nn208 and 215, 1092, 1104, 1127, 1148, 1187 n105, 1221
- Corfu Channel case (United Kingdom v. Albania) (Preliminary Objection) [15 AD 349] 1076–7
- Cornejo v. County of San Diego 159 n155
- Corporacion Venezolana de Fomento v. Vintero Sales Corporation *et al.* [63 ILR 299, 63 ILR 477] 721 n131
- Corrie v. Caterpillar 191
- Costa v. ENEL (Ente Nazionale Energia Elettrica) (Case 6/64) [93 ILR 23] 178, 241, 1297 n64
- Council of Civil Service Unions v. Minister for the Civil Service 149, 181 n269, 187
- The Cristina* (Compañía Naviera Vascongado v. SS *Cristina*) [9 AD 250] 144, 653, 702–3, 705
- Croatia *et al.* v. Girocredit Bank AG der Sparkassen 991 n190
- Crotty v. An Taoiseach and Others [93 ILR 480] 170 n217
- Currie case 321
- Cutting case 664–5

Cyprus v. Turkey (Application No. 25781/94) [120 ILR 10] 236, 350, 354, 355 n56, 356, 357, 358, 469–70, 478 n133, 782, 790 n70

Cyprus v. Turkey, Decisions on the Admissibility of the Applications (Nos. 6780/74, 6950/75, 8007/77) [62 ILR 4] 274 n49, 354

Cyprus v. Turkey (First and Second Applications) 1197

Cyprus v. Turkey (Third Application) 354

Cyprus cases (Greece v. UK) 354

Cyprus cases (Greece v. UK) (Second Case) 273, 274 n49

The Cysne (Portugal v. Germany) [5 AD 150 *et al.*] 794 n92

Czarnikow Ltd v. Rolimpex [64 ILR 195, 64 ILR 204] 731

Dadar v. Canada 329

Dallal v. Iran, Bank Mellat (formerly International Bank of Iran) (Case No. 149) [75 ILR 126] 815 n234

Dalmia Cement Company Ltd v. National Bank of Pakistan [67 ILR 611] 1043

Dames & Moore v. Regan [72 ILR 270] 162 n171, 708 n56

Danzig Railway Officials case (Jurisdiction of the Courts of Danzig) [4 AD 281, 4 AD 287] 259

Daventree Ltd v. Azerbaijan 192 n351

Davy case 787 n53

De Andrade v. De Andrade [118 ILR 299] 766 n382, 767 n383

De Becker v. Belgium (No. 214/56) (Admissibility) [25 ILR 172] 355

De Haber v. Queen of Portugal 702 n19

De Queiroz v. State of Portugal [115 ILR 430] 727

De Sanchez v. Banco Central de Nicaragua and Others [88 ILR 75] 160 n163, 711, 828

Definition of Other Treaties Subject to the Interpretation of the Inter-American Court 388

Delagoa Bay case 505 n92

Delalić case (IT-96-21) 326

Delgamuukw and Others v. The Queen in Right of British Columbia and Others; First Nations Summit and Others, Interveners [115 ILR 446] 298 n180

Dellums v. Bush [87 ILR 684] 190 n331

Demjanjuk v. Petrovsky [79 ILR 534] 671 n120

Deputy Registrar case [94 ILR 308] 766

Derbyshire County Council v. Times Newspapers Ltd 154 n124

Deutsche Continental Gas-Gesellschaft v. Polish State [5 AD 11] 200 n19, 448

- Diallo (Guinea v. Democratic Republic of the Congo) 809, 817–18, 819
n250, 820 n253, 1071 n100
- Dickinson v. Del Solar; Mobile and General Insurance Company Ltd
(Third Party) [5 AD 299] 766
- Diergaardt *et al.* v. New Zealand 292 n155
- Dietrich v. The Queen 168 n201
- Diggs v. Dent 164
- Diggs v. Schultz [60 ILR 393] 164
- Director of Public Prosecutions v. Doot and Others [57 ILR 117] 654
- Director of Public Prosecutions v. Stonehouse [73 ILR 252] 655
- Distomo Massacre case (Prefecture of Voiotia v. Germany) [129 ILR
556] 728, 1178 n56
- Re* Diftfort, *ex parte* Deputy Commissioner of Taxation [87 ILR 170]
189
- Diversion of Water from the River Meuse (Netherlands v. Belgium) [8
AD 444] 106, 1089
- Djibouti v. France 737, 739 n226, 1061 n20, 1075, 1076 n132
- Re* Doe (Mr and Mrs); Mr and Mrs Doe v. United States [121 ILR 567]
736
- Dole Food Co. v. Patrickson 722 n132
- Donegal v. Zambia 741 n243, 748 n277
- Donnelly case 274 n49
- Dow Chemical Ibérica v. Commission 369–70
- Dr Breger's case 826 n288
- Draft Convention of the International Atomic Energy Agency on the
Physical Protection of Nuclear Materials, Facilities and Transports
(Ruling 1/78) [99 ILR 292] 241
- Dralle v. Republic of Czechoslovakia [17 ILR 155] 704–5
- Drozd and Janousek v. France and Spain 274 n49, 349
- Dubai Bank v. Galadari 187
- Dubai/Sharjah Border Arbitration [91 ILR 543] 491, 498, 510 n128, 514
n147, 522, 558, 591, 1049 n233, 1052 n257
- Duc de Guise Claim [18 ILR 423] 787 n53
- Re* Duchy of Sealand [80 ILR 683] 199 n16
- Dudgeon case (Merits) [67 ILR 395] 355 n55, 357 n74
- Duff v. R [73 ILR 678] 765 n370
- Duff Development Company v. Kelantan and Another [2 AD 124, 2 AD
140] 193, 704
- Duggan (State of Ireland) (Duggan v. Tapley) [18 ILR 336] 280
- Dujail case 429

- Duke of Brunswick v. King of Hanover 182 n274, 702
Dumont v. State of Amazonas [15 AD 140] 733
Durmic v. Serbia and Montenegro 313 n257
- Eain v. Wilkes [79 ILR 439] 687 n211
East Timor case (Portugal v. Australia) [105 ILR 226] 88, 114 n193, 124
n232, 255, 257, 1067 nn69 and 70, 1068, 1088 n202, 1114 n362,
1219 n76
East Timor (Democratic Republic of), Fretilin and Others v. State
(Netherlands) [87 ILR 73] 449
Eastern Carelia case [2 AD 394] 1051 n253, 1109–11
Eastern Greenland (Legal Status of) (Denmark v. Norway) [6 AD 95, 6
AD 428, 6 AD 430] 103 n133, 491, 505 n18, 509 n115, 511, 512–13,
516 n160, 517, 518, 521 n194, 524 n209, 535, 905 n18, 938, 940
n178
Eastern Treaties Constitutionality case [73 ILR 691, 78 ILR 176] 172
n224
Eckhardt v. Eurocontrol (No. 2) [94 ILR 331] 1321 n176
Eckle case (Merits) [68 ILR 48] 355
Ecuador (Republic of) v. Occidental Exploration and Production Co.
185
Edye v. Robertson 163
EEOR: *see* Equal Employment Opportunity Commission (EEOR) v.
Arabian American Oil Company and Aramco Services; Ali Boursan
v. Arabian American Oil Company and Aramco Services [90 ILR
617]
Effect of Awards case: *see* United Nations Administrative Tribunal, Effect
of Awards of Compensation [21 ILR 310]
Effect of Reservations on the Entry into Force of the American
Convention (Articles 74 and 75) (OC-2/82) [67 ILR 559] 925 n106,
937 n167, 982 n138
Egypt (Arab Republic of) v. Gamal-Eldin [104 ILR 673] 725
Egyptian Workers' Claims (Report, Final Report and Recommendations
made by the Panel of Commissioners) [117 ILR 195] 1046 nn214
and 217, 1047 n221
Eichmann case [36 ILR 5] 166, 214, 433, 651, 664 n77, 669 n102, 671–2,
680
El Salvador v. Nicaragua 563
El Salvador/Honduras (Land, Island and Maritime Frontier Dispute)
[97 ILR 112, 97 ILR 266] 89 n66, 92 n82, 109 n169, 154, 229–30,

- 490 n20, 497, 498 n59, 510, 515, 516, 517, 524, 526, 527 n227, 528 n233, 959, 1002 n242, 1063, 1069 n80, 1078 n142, 1089 n218, 1099, 1100–1
- El Salvador/Honduras (Land, Island and Maritime Frontier Dispute: Nicaragua Intervening) [97 ILR 154] 529–30, 554, 563, 1063, 1091, 1098, 1106–7
- Electricity Company of Sofia and Bulgaria (Provisional Measures) (Belgium v. Bulgaria) 1096 n255
- Elettronica Sicula SpA (ELSI) (United States v. Italy): *see* ELSI case (United States v. Italy) [84 ILR 311]
- Ellerman Lines Ltd v. Murray (*The Croxteth Hall*) [5 AD 342] 153
- ELSI case (United States v. Italy) [84 ILR 311] 102–3, 136, 519, 817, 821–2, 1063
- Emin v. Yeldag 479
- Empire of Iran case [45 ILR 57] 705 n34, 707 n52, 709 n64, 711 n69
- Empresa Exportadora de Azucar (Cubazucar) v. Industria Azucarera Nacional SA (IANSA) [64 ILR 368] 182, 700, 735 n205
- Empson v. Smith [41 ILR 407] 769
- Enforceability of the Right to Reply or Correction (Articles 14(1), 1(1) and 2 of the American Convention on Human Rights) (Advisory Opinion OC-7/85) [79 ILR 336] 934 n147
- Entico Corporation v. UNESCO 1322 nn180 and 181
- EP and Others v. Colombia (Communication No. 318/1988) [96 ILR 705] 292
- Equal Employment Opportunity Commission (EEOR) v. Arabian American Oil Company and Aramco Services; Ali Boursan v. Arabian American Oil Company and Aramco Services [90 ILR 617] 688 n217
- Erdemović (Case IT-96-22-A) (Sentencing Appeal) (Appeals Chamber) [111 ILR 298] 137 n34
- Eritrea–Ethiopia Boundary Commission Decision on Delimitation [130 ILR 1] 103 n133, 122 n217, 496, 510, 515, 516, 519–20, 658 n54, 934–5, 1050, 1055
- Eritrea–Ethiopia Claims Commission, Eritrea’s Claims (Western Front, aerial bombardment and related claims) [135 ILR 565], 1, 3, 5, 9–13, 14, 21, 25 and 26 1184 n87, 1185 n89
- Eritrea–Ethiopia Claims Commission, Eritrea’s Claim 17 (prisoners of war), Partial Award [135 ILR 199] 780, 795, 1168
- Eritrea–Ethiopia Claims Commission, Eritrea’s Claim 20, Partial Award [135 ILR 519] 752 n302, 753 n304, 756 n319

- Eritrea–Ethiopia Claims Commission, Ethiopia’s Claims 1–8 (*jus ad bellum*) [135 ILR 479] 1128
- Eritrea–Ethiopia Claims Commission, Ethiopia’s Claim 2 (Central Front), Partial Award [135 ILR 334] 1179
- Eritrea–Ethiopia Claims Commission, Ethiopia’s Claim 4 (prisoners of war), Partial Award [135 ILR 251] 1172 n27, 1175, 1200 n179
- Eritrea–Ethiopia Claims Commission, Ethiopia’s Claim 5 (civilians), Partial Award [135 ILR 427] 780
- Eritrea–Ethiopia Claims Commission, Ethiopia’s Claim 8 (diplomatic claim), Partial Award [135 ILR 544] 765 n372
- Eritrea–Ethiopia Claims Commission, Ethiopia’s Claims 15, 16, 23 and 27–32 (civilians), Partial Award [135 ILR 374] 1168
- Eritrea–Ethiopia Claims Commission, partial award 752 n302, 753 n304, 756 n319, 765 n372
- Eritrea/Yemen Arbitration (Phase One: Territorial Sovereignty and Scope of the Dispute) [114 ILR 1] 41 n141, 99 n112, 491, 495–6, 497, 503, 508, 510 n128, 511, 513 n139, 514, 516 nn163 and 167, 519 n102, 524, 525 n216, 540, 559 n25, 969, 1050, 1055
- Eritrea/Yemen Arbitration (Phase Two: Maritime Delimitation) [119 ILR 417] 92, 558, 565, 601 n243, 603, 605 n270
- ERT 370 n158
- ERTA case: *see* Commission of the European Communities v. Council of the European Communities (Case 22/70) (ERTA case) [47 ILR 278]
- Esphahanian v. Bank Tejarat (Case No. 157) [72 ILR 478] 815
- Espionage Prosecution case (Case No. 2 BGs 38/91) [94 ILR 68] 958–9
- Estamirov and Others v. Russia 359
- État de Céra c. D’Archer de Montgascon [6 AD 178] 733
- État de Céra c. Dorr et autres [4 AD 140] 733
- État de Hesse c. Jean Neger 733 n194
- Ette case 915 n61
- Eurodif Corporation v. Islamic Republic of Iran 747 n271
- European Commission of the Danube between Galatz and Braila, Jurisdiction of (Series B, No. 14) [4 AD 126 *et al.*] 76, 1306
- European Molecular Biology Laboratory Arbitration [105 ILR 1] 1321 n178
- European Parliament v. Council (2006) 371
- Eurotunnel case (Partial Award) [132 ILR 1] 657 n52, 799
- Ex parte* Everett [84 ILR 713] 187
- Exceptions to the Exhaustion of Domestic Remedies in Cases of Indigency 274 n50

- Exchange of Greek and Turkish Populations (Series B, No. 10) [3 AD 362 *et al.*] 137, 138
- Extradition of Greek National (Germany) case [22 ILR 520] 280
- Ex parte* Factortame [93 ILR 669, 93 ILR 731] 179
- Factortame Ltd v. Secretary of State for Transport (No. 1) [93 ILR 652] 179
- Factortame Ltd v. Secretary of State for Transport (No. 2) [93 ILR 731] 179
- The Fagernes* [3 AD 126] 181
- The Fama* 500 n66
- FAO v. INPDAI (Case No. 5399) [87 ILR 1, 101 ILR 361] 1321
- Faurisson v. France (Communication No. 550/1993) [115 ILR 355] 274 n48
- Fayed v. Al-Tajir [86 ILR 131] 763 n362, 771
- Fédéchar case (Case 8/55) 1307 n115
- Federal Prosecutor (Switzerland) v. Kruszyk and Others [102 ILR 176] 758 n332
- Re* Feivel Pikelny's Estate 466
- Feldman c. État de Bahia 733 n194
- Ex parte* Ferhut Butt [116 ILR 607] 187, 772, 819 n250
- Fernandez v. Wilkinson [87 ILR 446] 160
- Fernandez cases: *see also* R v. Home Secretary, *ex parte* Fernandes
- Ferrini v. FRG 718 n108
- Filartiga v. Pena-Irala [77 ILR 169] 159–60, 275 n60, 280 n81, 683, 684
- III Finance Ltd v. Aegis Consumer Finance Inc. 818 n245
- Finnish Vessels in Great Britain during the War (Finland v. Great Britain) [7 AD 231] 138, 273, 820–1
- First American Corporation and Others v. Al-Nahyan and Others [121 ILR 577] 192 n351, 736–7
- First Fidelity Bank NA v. Government of Antigua and Barbuda Permanent Mission [99 ILR 125] 751 n293, 942 n186
- First National City Bank v. Banco Para el Comercio Exterior de Cuba [80 ILR 566] 732, 745 n262
- First National City Bank of New York v. Banco Nacional de Cuba [66 ILR 102] 192
- Fisheries Jurisdiction case (Spain v. Canada) (Jurisdiction) [123 ILR 189] 915, 936, 1069 n82, 1070, 1085
- Fisheries Jurisdiction case (United Kingdom v. Iceland) (Jurisdiction) [55 ILR 149] 903, 905, 943, 950–1, 1015, 1016 n27, 1091, 1094

- Fisheries Jurisdiction case (United Kingdom v. Iceland) (Merits) [55 ILR 238] 83 n46, 104 n142, 107, 556, 581, 610, 624 n353, 903, 1017, 1064, 1104
- Flatow v. Islamic Republic of Iran and Others [121 ILR 618] 678, 715, 736 n215, 746 n263
- Flegenheimer Claim [25 ILR 91] 813 n225, 814 n231
- Re Flesche [16 AD 266] 280
- Foremost-McKesson Inc. and Another v. Islamic Republic of Iran and Others [101 ILR 536] 732 n189
- Former Syrian Ambassador to the German Democratic Republic (Case No. 2 BvR 1516/96) [115 ILR 595] 752 n296, 770
- Foster v. Neilson 161, 162
- Fothergill v. Monarch Airlines Ltd [74 ILR 627] 154 n121, 155
- Foxworth v. Permanent Mission of the Republic of Uganda to the United Nations [99 ILR 138] 745 n262
- France v. Commission of the European Communities (Case C-327/91) [101 ILR 30] 694
- François v. State of Canada [115 ILR 418] 727
- Frankel v. Banco Nacional de Mexico 722
- Free Zones of Upper Savoy and the District of Gex case (France/Switzerland) (Order of 19 August 1929) [5 AD 461] 1015 n21
- Free Zones of Upper Savoy and the District of Gex case (France/Switzerland) (Judgment) [6 AD 362 *et al.*] 101 n120, 135, 929, 950, 969 n75
- French Consulate Disabled Employee case (Case No. AZ 1K 4/88) [114 ILR 507] 726 n157
- Frisbie v. Collins 681
- Frontier Dispute (Burkina Faso/Mali): *see* Burkina Faso/Mali Frontier Dispute (Judgment) [80 ILR 459]; Burkina Faso/Mali Frontier Dispute (Provisional Measures) [80 ILR 450]
- Frontier Land case: *see* Sovereignty over Certain Frontier Land, Case concerning (Belgium/Netherlands) [27 ILR 62]
- Fruehauf case 691 n238
- Furundžija (IT-95-17/1) [121 ILR 213] 124–5, 126 n238, 138 n38, 326 n336, 1192 n133, 1196
- Gabčíkovo–Nagymaros Project case (Hungary/Slovakia) (Judgment) [116 ILR 1] 89, 104–5, 111 n103, 120, 124 n228, 531 n251, 779, 782, 794, 798, 801, 804, 853 n37, 869, 883 n214, 885 n227, 886–7, 904 n8, 948, 949, 950 n218, 951–2, 970, 981, 1089, 1102

- Galić case (IT-98-29-T) 436 n212
- Gallardo, In the Matter of Viviana *et al.* (Government of Costa Rica (In the Matter of Viviana Gallardo *et al.*) (G 101/81)) [67 ILR 577] 390
- Gandara v. Bennett 159 n155
- García and Garza case [3 AD 215] 824
- Garland v. British Rail Engineering Ltd [93 ILR 622] 153
- Gdynia Ameryka Linie Zeglugowe Spółka Akcyjna v. Boguslawski and Another [19 ILR 72] 475–6
- Gemini Shipping Inc. v. Foreign Trade Organization for Chemicals and Foodstuffs (Tafco) and Another [63 ILR 494, 63 ILR 569] 721
- General Comments (UNCESCR), 1 (technical assistance measures) 310
- General Comments (UNCESCR), 2 (international technical assistance) 310
- General Comments (UNCESCR), 3 (international co-operation) 302 n199, 310
- General Comments (UNCESCR), 4 (adequate housing) 310
- General Comments (UNCESCR), 5 (disabilities) 310
- General Comments (UNCESCR), 6 (older persons) 310
- General Comments (UNCESCR), 10 (national human rights institutions) 276
- General Comments (UNCESCR), 16 (equal treatment of men and women) 310
- General Comments (UNCESCR), 18 (right to work) 310
- General Comments (UNCESCR), 19 (right to social security) 310
- General Comments (UNHRC), 6 (right to life) 317
- General Comments (UNHRC), 12 (self-determination) 291–2
- General Comments (UNHRC), 17 (rights of the child) 317–18
- General Comments (UNHRC), 22 (non-discrimination) 287, 288, 318
- General Comments (UNHRC), 23 (minorities) 296–7, 318
- General Comments (UNHRC), 24 (Issues relating to Reservations made upon Ratification or Accession to the Covenant or the Optional Protocols thereto, or in relation to Declarations under Article 41 of the Covenant) [107 ILR 64] 318
- General Comments (UNHRC), 28 (rights of women and General Comment 23) 318–19
- General Comments (UNHRC), 29 (non-derogable provisions) 319 n291
- General Comments (UNHRC), 32 (fair trial/equality of parties) 319 n291
- Generation Ukraine v. Ukraine 832 n313

- Genocide (Bosnia and Herzegovina v. Yugoslavia) (Judgment) (2007)
78, 101, 112, 276, 433, 449 n20, 780 n10, 782, 791, 801, 804 n167,
806 n183, 908–9, 933, 937 n166, 963, 1071, 1090 n222, 1091–2,
1096, 1116 n374, 1193 n137
- Genocide (Bosnia and Herzegovina v. Yugoslavia) (Order on
Withdrawal of Counterclaims) (1997) [115 ILR 206] 1096, 1097
- Genocide (Bosnia and Herzegovina v. Yugoslavia) (Preliminary
Objections) (1996) [115 ILR 10] 101–2, 125, 963, 978, 981, 984,
1060, 1068–9, 1070, 1076, 1079
- Genocide (Bosnia and Herzegovina v. Yugoslavia) (Request for Revision
of the Judgment of 11 July 1996: Preliminary Objections) (2003)
210, 963, 1106
- Genocide (Bosnia and Herzegovina v. Yugoslavia (Serbia and
Montenegro)) (Request and Further Requests for the Indication of
Provisional Measures) [95 ILR 1] 13 n47, 127, 283–4, 1061–2, 1092,
1093 n238, 1094 nn246 and 247, 1236 n158, 1269 n325
- Genocide Convention (reservations) case: *see* Reservations to the
Genocide Convention case [18 ILR 364]
- Gentle case: *see* R (Gentle) v. Prime Minister
- Georges Pinson case [4 AD 9 *et al.*] 135 n21
- Georgia v. South Carolina [91 ILR 439] 498
- Gerbaud v. Meden [18 ILR 288] 961 n23
- German Consular Notification case (Individual Constitutional
Complaint Procedure) 171
- German External Debts Agreement case [22 ILR 611] 933 n143, 1017
- German Settlers in Poland case (Series B, No. 6) [2 AD 71 *et al.*] 100,
987, 1002
- Germany (Federal Republic) v. Elicofon 484 n163
- Germany–Poland Border Treaty Constitutionality case (Case No. 2 BvR
1613/91) [108 ILR 656] 1002 n242
- Ghaddafi case 737
- Re* Gill [6 AD 203] 789 n68, 796
- Gittler v. German Information Center [63 ILR 170] 732
- Godínez Cruz case [95 ILR 320] 390
- Golder case [57 ILR 200] 357, 903 n4
- Goldman v. Thai Airways International Ltd [101 ILR 316] 155 n130
- Goldwater v. Carter 467, 700, 908
- Gonzalez Corporation v. Consejo Nacional de Produccion de Costa Rica
and Another [63 ILR 370] 724
- Gonzalez-Vera v. Kissinger 190

- Görgülü case (Individual Constitutional Complaint Procedure) 171, 172
- Gosalia v. Agarwal and Others [118 ILR 429] 1002 n242
- Grand-Duchy of Luxembourg v. Compagnie Luxembourgeoise de Télédiffusion and Compagnie Luxembourgeoise Assurance 'Le Foyer' [91 ILR 281] 89
- Re Grand Jury Proceedings, Doe No. 700 [81 ILR 599] 736
- Grand Prince case [125 ILR 272] 613 n313, 644, 819 n248, 1114 n165
- Grant case 321
- Great Belt case (Passage through the Great Belt (Finland v. Denmark)) (Provisional Measures) [94 ILR 446] 578 n115, 1017 n33, 1062 n26, 1093 n238, 1094 n244, 1095 n249, 1102
- Greco-Bulgarian Communities (Series B, No. 17) [5 AD 4] 135 n20, 256 n292, 941 n182
- The Greek case 274 n49
- Greenham Women against Cruise Missiles and Others v. Reagan and Others [99 ILR 43] 189–90
- Grisbadarna case 499, 504, 570
- Gruyez and Rolland v. Municipality of Sint-Genesius-Rode 173 n231
- Guatemalan Genocide case 673
- Guevera v. Peru 723
- Guinea-Bissau v. Senegal (Arbitral Award of 31 July 1989 (Guinea-Bissau v. Senegal)) [77 ILR 635] 959 n10, 1084 n180, 1093 n238
- Guinea/Guinea-Bissau Maritime Delimitation case [77 ILR 635] 596, 602
- Gulf of Maine Maritime Boundary case [71 ILR 74] 89, 96 n99, 98 n109, 107, 516, 519, 587, 595–6, 599, 600 n240, 601–2, 606, 1062–3
- Gur Corporation v. Trust Bank of Africa [75 ILR 675] 150 n100, 445, 459, 478 n132, 480–1
- Gut Dam arbitration 854
- Re Gutierrez [24 ILR 265] 663
- Guyana v. Suriname 592, 601 n245, 605 n275, 607, 636, 1055 nn283 and 285, 1125 n35, 1128 n50
- Re H (Minors) 155 n130
- Habeas Corpus in Emergency Situations (Articles 27(2), 25(1) and 7(6) of the American Convention on Human Rights) (Advisory Opinion OC-8/87) [96 ILR 392] 389
- Haile Selassie v. Cable and Wireless Ltd (No. 2) [9 AD 94] 460, 473–4, 989 n174
- Hamdan v. Rumsfeld 658 n57

- Hamilton case 321
Handel and Others v. Artukovic [79 ILR 397] 684
Handelskwekerij GJ Bier BV v. Mines de Potasse d'Alsace SA 172 n226
Handyside case [58 ILR 150] 356, 357
Harb v. King Fahd 700 n10, 764 n369
Hartford Fire Insurance Company and Others v. California and Others
[100 ILR 566] 690–1
Harza Engineering Company v. Islamic Republic of Iran (Case No. 98)
[70 ILR 117] 831 n309
Hauer v. Land Rheinland-Pfalz 369
Havana Club Holding Inc. v. Galleon SA 164
Hawaiian Claims [3 AD 80] 1003 n245
Hazletine Research Inc. v. Zenith Radio Corporation 689 n222
Heathrow Airport User Charges Arbitration [102 ILR 215, 102 ILR 216,
102 ILR 224, 102 ILR 564] 154 n124, 821 n258, 906 n21, 1049
Re Herbert Wragg & Co. Ltd 139
Herd case 791
Hesperides Hotels Limited and Another v. Aegean Turkish Holidays
Limited and Muftizade [73 ILR 9] 193, 478
Hicks v. US [120 ILR 606] 713 n84
High Commissioner for India *et al.* v. Ghosh [28 ILR 150] 771
Hilaire and Others v. Trinidad and Tobago 387 n247
Hildebrand v. Champagne [82 ILR 121] 766
Hilton v. Guyot 157
Hirota v. MacArthur [15 ILR 485] 400 n15
Hirsch v. State (Israel) and State of Germany [113 ILR 543] 742 n246
Hispano Americana Mercantil SA v. Central Bank of Nigeria [64 ILR
221] 707
HMHK v. Netherlands [94 ILR 342] 810
Holiday Inns v. Morocco 1042 n194
Holland v. Ireland (Communication No. 593/1994) [115 ILR 277] 274
n48
Holland v. Lampen-Wolfe [119 ILR 367] 699, 713–14, 716, 731 n183
Holmes v. Bangladesh Biman Corporation [87 ILR 365] 653
Holy See v. Starbright Sales Enterprises Inc. [102 ILR 163] 178 n252, 244
n243, 708 n57
Home Missionary Society case [1 AD 173, 1 AD 376 (note)] 783–4, 791
Re Honecker [80 ILR 365] 736 n210
Horgan v. An Taoiseach [132 ILR 407] 167, 170 n217, 184 n294
Hoshinmaru (Japan v. Russia) 643

- Hosking & Hosking v. Runting and Pacific Magazines NZ Ltd 169
- Hostages case: *see* United States Diplomatic and Consular Staff in
Tehran case (USA v. Iran) (Iranian Hostages case) [61 ILR 502]
- HSA *et al.* v. SA *et al.* 672, 737
- Huber case 806 n184
- Huntington v. Atrill 650
- ICI v. Commission of the European Communities (Case 48/69) [48 ILR
106] 695
- Ilaşcu v. Moldova 238, 350, 789
- Ilhan v. Turkey 359
- Iloilo Claims case [3 AD 336] 500
- The I'm Alone* (Canada/United States) [7 AD 203] 617, 618, 805, 806
n180, 1101
- IMCO case (Constitution of the Maritime Safety Committee) [30 ILR
426] 612, 1295, 1306
- Immunity from Legal Process of a Special Rapporteur (Advisory
Opinion) [121 ILR 405] 222–3, 700, 786–7, 1111 n347, 1113,
1325–6
- Imports of Agricultural, Textile and Industrial Products case 1038
- INA Corporation v. Islamic Republic of Iran (Case No. 161) [75 ILR
595] 836–7
- India (Ministry of Finance (Revenue Division)) v. Taylor and Another
[22 ILR 286] 650
- Indigenous Community Yakye Axa v. Paraguay 300
- Indonesia/Malaysia case 509, 511 n131, 513 nn139 and 140, 517 n171,
933 n142, 1061 n24, 1114 n165
- Indonesia/Malaysia case (Philippines Intervening) 1091 n229, 1100,
1101 n290
- Inglis v. Sailor's Snug Harbour 662
- Inland Revenue Commissioners v. Collco Dealings Ltd [33 ILR 1] 153
- Interhandel case (Switzerland) v. United States (Preliminary Objections)
[27 ILR 475] 82, 273, 811, 819, 821, 1083 n168, 1084 n175
- International Association of Machinists and Aerospace Workers v.
Organization of Petroleum Exporting Countries (OPEC) *et al.* [63
ILR 284, 66 ILR 413] 700, 701
- International Responsibility for the Promulgation and Enforcement of
Laws in Violation of the Convention (American Convention on
Human Rights) (Advisory Opinion OC-14/94) [116 ILR 320] 135
n26, 383

- International Shoe Co. v. Washington 723
- International Status of South-West Africa [17 ILR 47] 224–5, 493 n33, 1307 n116
- International Status of South-West Africa [17 ILR 47]: *see also* South-West Africa cases (Second Phase) (1966) [37 ILR 243]
- International Tin Council v. Amalgamet Inc. [80 ILR 30] 1300 n74
- Re* International Tin Council [77 ILR 18, 80 ILR 81] 1310 n127, 1316 n153
- Internationale Handelsgesellschaft mbH v. Einfuhr und Vorratsstelle für Getreide und Futtermittel (Solange I) (Case 11/70) (Case No. 2 BvL 52/71) [93 ILR 362] 178–9, 369
- Interpretation of the American Declaration of the Rights and Duties of Man within the Framework of Article 64 of the American Convention on Human Rights (Advisory Opinion OC-10/87) [96 ILR 416] 389
- Interpretation of Peace Treaties with Bulgaria, Hungary and Romania, Second Phase (Advisory Opinion of 18 July 1950) [17 ILR 318] 936, 1051 n252, 1068, 1075, 1109
- Interpretation of the Treaty of Lausanne, Article 3, paragraph 2 (Series B, No. 12) [3 AD 105 *et al.*] 1049
- Intpro Properties (UK) Ltd v. Sauvel and Others [64 ILR 363, 64 ILR 384] 763, 766
- Iowa v. Illinois 112 n187
- Iran–United States (Case No. A/18) [75 ILR 175] 815 n236, 935 n157
- Iran–United States Claims Tribunal v. AS [94 ILR 321] 1320–1
- Iranian Hostages case: *see* United States Diplomatic and Consular Staff in Tehran case (USA v. Iran) (Iranian Hostages case) [61 ILR 502]
- Ireland v. United Kingdom (Irish case) [58 ILR 188] 349, 354, 357
- Iron Rhine (Belgium/Netherlands) case 906 n21, 933 n142
- Island of Palmas Arbitration [4 AD 3 *et al.*] 110, 211 n74, 217 n98, 488, 489–90, 499, 504, 508, 509 n114, 511, 512, 513, 514, 520, 650, 782 n25, 852, 907 n27
- Issa v. Turkey 349 n22, 350 n24
- Italian South Tyrol Terrorism case (No. 2) [71 ILR 242] 667
- Italy (Republic of) v. Hambros Bank Ltd and Gregory (Custodian of Enemy Property) [17 ILR 1] 151 n106
- Jabari v. Turkey 358
- Jackson and Others v. People's Republic of China [84 ILR 132] 721 n131
- Jacobs and White 360 n93