

Index

TO THE FIRST THREE VOLUMES OF THE AUSTRALIAN YEAR BOOK OF INTERNATIONAL LAW

Acquisition of Territory

- cession, 1967, 111-3
- newly emerged States, by, 1966, 9-15
- occupation, 1967, 111-3
- prescription, 1967, 136-45
- private individuals, by, 1967, 119-21
 - through acts of, 1967, 121-5
- recognition, 1967, 145-7
- self-determination, in relation to, 1967, 13-18

Adoption

- under Adoption of Children Act 1964 (Vic.), 1965, 31-5

Adultery

- damages in respect of, 1967, 226-8

Aggression

- indirect aggression, 1966, 74, 76
- Vietnam conflict, question of aggression in, 1965, 167; 1966, 70-76, 80-1, 156

Agreements, see TREATIES

Air-law

- Cobb, J. C., contribution of, 1967, 272-85

Aliens

- banking business, right to set up, 1966, 154
- military call-up of, 1965, 165-6; 1967, 249-56

Armed forces serving overseas

- jurisdiction over, in peace-time, 1965, 161-2
- status, in peace-time, 1965, 161-2

Asian States

- attitudes towards international law, 1967, 1-35
- diplomatic relations, 1967, 6-7
- International Court of Justice, 1967, 22-34
- principles of international law concerning friendly relations, 1967, 18-21
- self-determination, 1967, 13-18
- State immunities, 1967, 7
- State responsibility, 1967, 9-13
- succession to treaties, 1967, 8-9

Australia

- conscription of aliens by, 1967, 249-56
- Diplomatic Privileges and Immunities Act 1967, 1967, 241-9
- exchange control, 1967, 58-61, 82-7
- Japanese Peace Treaty, 1967, 43, 44, 88-9
- Japanese Treaty of Commerce 1957, 1967, 43, 90-7
- mechanism of trade, 1967, 79-80
- New Zealand, agreement with of 1944 ("A.N.Z.A.C. Pact"), 1966, 18-9
- non-recognition of absorption of Baltic States, 1967, 241
- non-recognition of Peoples' Republic of China, 1967, 237-41
- recognition of Greek government, 1967, 237-41
- trade agreements, 1965, 85-103
- treaty-making powers, 1967, 47-51

Bays

meaning of, 1966, 100, 102-3

"Bilateralization"

multilateral treaties, of, 1966, 119-20

Boundaries

disputes, 1965, 37-52

in general, 1967, 288

Canadian practice in international law, 1966, 171-4

Capability, 1965, 131

China

Nationalist, practice as permanent member of Security Council, article 2 (7), 1967, 197-201

Peoples' Republic of, 1967, 237-41

Choice of law, 1965, 53-70 passim; 1966, 35-46

Civil war

distinct from international war, whether, 1966, 81-2

nature, 1966, 150

Co-existence

peaceful, 1965, 170; 1966, 147

principles of international law concerning friendly relations, 1967, 18-21

Cold war, 1966, 155-6

Colonialism

Declaration on the Granting of Independence to Colonial Countries and Peoples, 1967, 14-16

territories, 1967, 266-7

Commonwealth, British

Australian trade agreements, impact on, 1965, 87-9, 101; 1967, 37-42

concern of members with affairs of other members, 1966, 149-50

treaty practice, recent developments in, 1966, 129-33

Communication, 1965, 132-4

Conflict of interests, 1965, 129-30, 134, 169-70

Conflict of laws, see PRIVATE INTERNATIONAL LAW

Conflicts

control of, 1965, 134

"Confrontation"

whether contrary to international law, 1965, 167

Congo crisis

domestic jurisdiction, and, 1965, 137-58

enforcement measures in, 1965, 137-58 *passim*

"peacekeeping" and, 1965, 137, 145-54, 157

Consultation, 1965, 133

Continental shelf doctrine

Geneva Convention of 1958, declaratory of, 1965, 163-4

Crisis communication, 1965, 133

Cuban missile crisis of 1962, 1966, 90

Customs union

nature of, 1966, 22

Deflection in trade, 1966, 28

Developing countries

trade with, 1965, 122, 165, 169-70; 1966, 156-7; see also NEWLY EMERGED COUNTRIES

- Diplomatic envoys**
whether merely agents of accrediting States, 1966, 154-5
- Diplomatic immunities**
Australian Diplomatic Privileges and Immunities Act, 1967, 241-9
- Diplomatic relations**
Asian States, attitude towards, 1967, 6-7
- Disputes**
settlement of
Australian trade agreements, clauses as to, 1965, 93-8
investment disputes, Convention of 1965 for settlement of, 1965, 169-70
- Divorce**, see MATRIMONIAL CAUSES
- "Domestic jurisdiction"**
meaning of term in art. 2 (7) of U.N. Charter, 1965, 137-58; 1967, 153-210
- Domicile**
Adoption of Children Act 1964 (Vic.), for purposes of, 1965, 31-4
definition, 1966, 121
impact of Matrimonial Causes Act 1959 (Com.), 1965, 24-6
law of, governs questions of testamentary capacity and undue influence, 1966, 165
- Dumping**, 1966, 29; 1967, 63-4
- EEC (European Economic Community)**, 1965, 92; 1966, 19, 26, 33
- Effectiveness**, 1965, 131-2
- EFTA (European Free Trade Association)**, 1966, 19, 25, 26-7, 28, 33
- Enemy status**, 1966, 155-6
- Enforcement action**, see CONGO CRISIS, enforcement measures in
- Estoppel**, 1967, 125-9, 147-8
- Estuary**, 1966, 103
- Exchange controls**
Australia/Japan, 1967, 56-61
violations, 1967, 81-7
West German treaties for protection of private foreign investment, 1965, 71-83
- Exchange of notes**, 1965, 166
- Extradition**
authentication of documents, 1967, 269-70
discretion of magistrate, 1967, 270-1
- Federal jurisdiction**, 1966, 36, 41-5, 46
- Federal-State problem**
Australian trade agreements, bearing on, 1965, 98-100
Conventions unifying rules of private international law, 1966, 118
- Federation**
conflicts of law in, 1966, 35-46
- Foreign judgments**, 1966, 168
- Foreign policy**, 1967, 289
- Formal organizations**, 1965, 124
- Forum conveniens**, 1966, 160-1
- France**, attitude towards art. 2 (7) of the U.N. Charter, 1967, 179-80, 115-7
- Free-trade areas**
nature of, 1966, 22, 31-2
- Full faith and credit**, 1965, 33, 69-70; 1966, 36, 40-1, 45, 167-8; 1967, 234-6
- GATT (General Agreement on Tariffs and Trade of 1947)**, 1965, 91, 102; 1966, 17, 24-5, 31-3; 1967, 43, 44, 51-2, 53-5, 57, 62-6

Goa, 1967, 1, 16-18

Greece,

government of, 1967, 237-41

Gulf of Aquaba, 1967, 241

Hague Conference on Private International Law, 1966, 115-27

High Seas

freedom to discharge oil, 1965, 163

interception of vessels on, 1966, 86-8, 97

whaling operations, 1965, 163

Holy See, 1966, 14

Human rights, 1967, 262-5

Immovables

question of characterization, 1966, 125-6

Incendiary bombs, 1965, 168

Individual

position in international law, 1965, 125-6

Integration, 1965, 128-9

Interaction, 1965, 132-4

Interests, see CONFLICT OF INTERESTS

Internal Waters

meaning of, 1966, 100

International community, 1965, 122-4

International Court of Justice

attitude of Asian States towards, 1967, 22-34

composition, 1965, 10-11

jurisdiction generally, 1965, 9-12

President

appointment by, or arbitrators, etc., 1965, 22

authentication powers, 1965, 21

casting vote, 1965, 16; 1966, 148

meetings with agents of parties to case, 1965, 18-19

office and functions, 1965, 14-15

out-of-session powers, 1965, 16-18

relations with judges, 1965, 19-20, 21

representation of Court on ceremonial occasions, 1965, 22

procedure generally, 1965, 12-13

Yearbook (1965-1966), 1966, 169-70

International Labour Conventions

application, 1966, 56-8, 62-3, 65, 131

consistency of domestic laws with, 1966, 60-4

fundamental obligation to make Convention an effective instrument, 1966, 56-8

See also INTERNATIONAL LABOUR ORGANIZATION (ILO), Commissions of Inquiry of 1961 and 1962

International Labour Organization (ILO)

Commissions of Inquiry of 1961 and 1962, 1966, 47-66

International law

enforcement agencies, 1965, 127

history of, contribution of Asian States to, 1965, 169

relation to municipal law

in general, 1967, 211-8

International Labour Conventions, 1966, 56-8

trade agreements and, 1965, 88

sociology of, 1965, 119-36

- International Law Commission**
work of, during 1967, 1967, 219-221
- International personality**
Protectorates, of, 1967, 133-6
- International Straits, 1967, 241**
- International system, 1965, 122**
- Intervention**
meaning of term "intervene" in art. 2 (7) of U.N. Charter, 1965, 137-58;
1967, 153-5
relations between parent State and dependent territory, 1966, 149
right to assist legitimate government in a civil war, 1965, 159; 1966, 81-2, 150
- Investments, see PRIVATE FOREIGN INVESTMENT**
- Japan**
exchange control, 1967, 58-61, 82-7, 98-100
mechanism of trade, 1967, 68-79
Peace Treaty, 1951, 1967, 42, 45-6, 88-9
trade with Australia
history of, 1967, 37-45
legal environment of, 1967, 36-100
Trade Treaty of 1957 with Australia, 1967, 43, 45, 46-7, 52-3, 90-7
treaty making power, 1967, 47-51
- Jurisdiction**
provisional finding as to
international tribunals, 1967, 163-70
Security Council, 1967, 170-4
- Justice, 1965, 127-8**
- "Kennedy Round", 1967, 55-6**
- Legitimation**
under Marriage Act 1961 (Com.), 1965, 23, 28-30
- Locus standi**
before international tribunals, 1966, 135-41, 143-7
- Low-tide elevations, 1966, 100, 104-5**
- Low-water mark, 1966, 105-8**
- Malaysia**
dispute over Sabah, 1967, 103-52
- Mandates, 1966, 135-7, 146**
- Maps**
bearing on boundary disputes, 1965, 43-51
- Marriage**
Marriage Act 1961 (Com.), under, 1965, 23, 28-30
polygamous marriages, 1965, 26-7; 1966; 161-2; 1967, 223-6
validity, 1967, 226
- Matrimonial causes**
Matrimonial Causes Act 1959 (Com.), 1965, 23, 24-8; 1966, 161-2
- Moratorium legislation**
classification as procedural or substantive under private international law,
1965, 65-8
- Most-favoured-nation treatment, 1965, 9, 102; 1967, 52-5**
- Movables**
question of characterization, 1966, 162-5
- Mutual defence treaty**
obligations both joint and several, 1965, 166-7
- Napalm bombs, 1965, 168**

New Guinea

Trust Territory of

extent, 1965, 105-7

title to land in, 1965, 105-117

Trusteeship Agreement, 1965, 105-6

See also PAPUA-NEW GUINEA

Newly emerged States

strains on international law due to, 1965, 123

territorial sovereignty, acquisition, of, 1966, 9-15

New Zealand-Australia Free Trade Agreement of 1965, 1966, 17-34

administrative co-operation, 1966, 30-1

association of States and territories with, 1965, 100; 1966, 25-6

consultations under, 1966, 27-30

definition and scope of "Free Trade Area", 1966, 25-6

GATT Agreement, consistency with, 1966, 31-33

general nature and effect, 1966, 22-5, 33-4

objectives, 1966, 26-7, 29

planning and development, 1966, 31

preparatory work and negotiation, 1966, 18-22

reviews under, 1966, 27, 29, 30

Non-formal organizations, 1965, 124-5**Non-governmental organizations, 1965, 124-5****Non-recognition**

effect of, 1966, 152, 153

no obstacle to participation in discussions, etc., 1965, 161; 1966, 152

Peoples' Republic of China, 1967, 237-41

territorial changes, 1967, 241

Non-war armed conflict, 1966, 155**North Atlantic Treaty Organization, (NATO), 1967, 286-7****Nuclear weapons**

non-proliferation, 1966, 153-4

Test Ban Treaty of 1963, 1966, 153-4

testing of, 1967, 7-8

OECD (Organization for Economic Co-operation and Development), 1966, 156-7; 1967, 52, 55**Papua-New Guinea**

Australian trade agreements, applicability of to, 1965, 100-1

self-determination, 1967, 268

see also NEW GUINEA, TRUST TERRITORY OF

Peace, 1965, 135-6**Peace research, 1966, 181****Peaceful co-existence, 1965, 170; 1966, 147****"Peacekeeping"**

operations and forces, 1965, 137, 145-54, 157, 162

Philippines

dispute with Malaysia over Sabah, 1967, 103-52,

Power, 1965, 130-2**Preliminary objections**

whether can be jointed to merits, 1966, 53

Prisoners of war

status accorded in Vietnam conflict, 1966, 156

Private foreign investment

- capital, right to repatriate, 1965, 164-5
- Convention of 1965 for Settlement of Investment Disputes, 1965, 169-70
- guarantees and insurance, 1965, 80-2
- West German treaties for protection of, exchange controls under, 1965, 71-83

Private International Law

- book review, 1967, 300-2
- procedure, aspects of, 1965, 53-70
- recent developments (1965-1966), 1966, 159-68; 1967, 222-36
- substance, aspects of, 1965, 53-70
- torts committed in Australian territory, 1966, 35-46, 166-8

Propaganda, 1967, 295-6**Protectorates, 1967, 130-6****Protest, 1965, 133****Public vessels, 1966, 173****Quantitative export restrictions, 1966, 24, 28****Quantitative import restrictions, 1966, 24****Radio stations**

- offshore broadcasts by, 1966, 99

Recognition

- declaratory and constitutive theories, 1966, 11-12
- Greek military regime, 1967, 237-41
- newly emerged States, practice as to, 1966, 10
- not granted to former territory illegally declaring its independence, 1966, 151-2
- States and governments, 1967, 237-41

Recognition of foreign decrees, 1967, 228-30**Renvoi, 1967, 231-2****Reprisals**

- under international law, 1966, 52

Revolution

- effect on territorial sovereignty, 1966, 10-11, 12-13

Rhodesia, 1967, 259-60**Rome Treaty of 1957**

- establishing EEC (European Economic Community), 1966, 26, 33

Sabah

- dispute between Philippines and Malaysia, 1967, 103-52
 - Malaysian case, 1967, 105-6
 - Philippines' case, 1967, 103-5
- map of area, 1967, 102

Sanctions

- and law in general, 1967, 297-9
- under U.N. Charter, 1966, 85-98; see also CONGO CRISIS, enforcement measures in

SEATO agreement (South-east Asia Collective Defence Agreement of 1954), 1966, 77, 150, 156**Secession**

- effect on territorial sovereignty, 1966, 10-11, 12-13

Self-defence, 1965, 156 (n. 69), 167; 1966, 76, 77-9, 81, 88-90, 97**Self-determination, 1965, 160-1; 1966, 13; 1967, 13-18, 268****Service out of the jurisdiction, 1966, 159-60; 1967, 222-3****Settlement of disputes, see DISPUTES, SETTLEMENT OF**

- Sociology of international law**
 - elements of, 1965, 119-36
- South West Africa Cases (I.C.J., 1966), 1966, 135-7, 169-70**
- Special interests of States, 1965, 130**
- Special missions, I.L.C. draft on, 1967, 219-221**
- State immunities, 1967, 7**
- State responsibility, 1967, 9-13**
- Statute of Westminster, 1966, 130**
- Statutes of Limitation**
 - classification as substantive or procedural under private international law, 1965, 56-61
- Stockholm Convention of 1960**
 - establishing EFTA (European Free Trade Association), 1966, 25, 26, 27, 28, 33
- Succession, treaties, 1967, 8-9**
- Survival, 1965, 135-6**
- Suspension of remedies and substantive rights**
 - classification as substantive or procedural under private international law, 1965, 61-5
- Tear gases, 1965, 168**
- Tensions**
 - management of, 1965, 134
- Territorial sovereignty, see ACQUISITION OF TERRITORY**
- Territorial waters**
 - criminal jurisdiction in 1966, 108-113
 - extent of, 1966, 100, 110-2
- Testamentary capacity, and *lex domicilii*, 1966, 165-6**
- Threat, 1965, 133**
- Torts**
 - private international law and, 1966, 35-46, 166-8; 1967, 232-4
- Trade agreements**
 - juridical aspects of Australian, 1965, 85-103
- Treaties**
 - boundary disputes, bearing of treaties on, 1965, 37-8, 40-3
 - delegation of treaty-making power, 1966, 131-2
 - desuetude, 1967, 109-10
 - exchanges of notes, 1965, 166
 - fundamental change of surrounding conditions, 1966, 155
 - interpretation of, 1967, 290-4
 - protection treaties, 1965, 72-4
 - recent developments in Commonwealth practice, 1966, 129-33
 - sovereignty, in relation to, 1967, 108
 - territories, application to, 1965, 100-1; 1966, 129-30
 - treaty-making power of Australia and Japan compared, 1967, 47-51
- Trust territory**
 - defence of, under mutual security treaty, 1965, 160
 - emancipation primarily a matter for people concerned, 1966, 151
 - emancipation procedures, 1966, 10, 14
 - independence not dependent on complete economic self-reliance, 1965, 159-60
 - military installations, U.N. consent unnecessary for, 1965, 160
 - representation by advisers at U.N. meetings, 1966, 151
 - U.N. supervision of, 1967, 266-7

- Undue influence, and *lex domicilii*, 1966, 165-6**
- United Kingdom**
attitude to art. 2 (7) of the U.N. Charter, 1967, 178-80, 180-9
- United Nations**
Charter of U.N., art. 2 (7), 1965, 137-58; 1966, 92-8; 1967, 153-210
economic and social matters
 racial discrimination, 1967, 265
 status of women, 1967, 265-6
General Assembly
 human rights, 1967, 262-5
 "international" territory, 1967, 260-2
Security Council
 competence of, under art. 2 (7), 1967, 160-2, 170-4
 powers under chapter vi, 1967, 156-8
 powers under chapter vii, 1965, 137-58; 1966, 92-8
 practice of permanent members in relation to art. 2 (7), 1967, 153-210
 practice on adoption of agenda, 1967, 174-208
 Rhodesia, 1967, 259-60
 Uniting for Peace Resolutions, attitude towards, 1967, 257-9
Trusteeship matters, 1967, 266-7
- U.S.A.**
attitude towards art. 2 (7) of the U.N. Charter, 1967, 201-8
- U.S.S.R.**
attitude towards art. 2 (7) of the U.N. Charter, 1967, 179-80, 189-95
- Values, 1965, 126, 129**
- Vietnam conflict**
legality of participation in, 1965, 159, 167; 1966, 67-83, 150
- Visits to *locus in quo***
by international organs, or courts, 1966, 53-56
- Vital interests of States, 1965, 130**
- War, see CIVIL WAR, COLD WAR, and NON-WAR ARMED CONFLICT**
- Watershed principle**
as applying in definition of boundaries, 1965, 48 (n. 29)
- Wills**
capacity to execute, 1967, 230-1
validity, 1967, 231-2
- World order, 1967, 177-8**