

# International and Comparative Law Quarterly

Volume 41

October 1992

Part 4

## ARTICLES

PAGE

PARLIAMENTARY SUPREMACY AND A CONSTITUTIONAL GRID: THE CANADIAN CHARTER OF RIGHTS	<i>H. B. McCullough</i>	751
REPUGNANCY TO ISLAM—WHO DECIDES? ISLAM AND LEGAL REFORM IN PAKISTAN	<i>Charles H. Kennedy</i>	769
THE INCLUSION OF SEDENTARY FISHERIES WITHIN THE CONTINENTAL SHELF DOCTRINE	<i>S. V. Scott</i>	788
DISCONTINUANCE IN THE INTERNATIONAL COURT: THE ENIGMA OF THE <i>NUCLEAR TESTS</i> CASES	<i>Iain Scobbie</i>	808

## SHORTER ARTICLES, COMMENTS AND NOTES

The European Court and the EEA	<i>Trevor C. Hartley</i>	841
Some Reflections on the Immunity of Individuals for Official Acts	<i>C. A. Whomersley</i>	848
The Recognition of an <i>aval</i> by English Courts	<i>Christopher Forsyth</i>	858
Surrogacy Agreements in French Law	<i>Eva Steiner</i>	866
Assessing the State of Civil Legal Aid in Singapore	<i>H. Y. Yeo</i>	875

## INTERNATIONAL COURT OF JUSTICE: RECENT CASES

Case Concerning the Arbitral Award of 31 July 1989 ( <i>Guinea-Bissau v. Senegal</i> ): Provisional Measures, Merits	<i>Fiona Beveridge</i>	891
Case Concerning the Land, Island and Maritime Frontier Dispute (El Salvador/Honduras)—The Nicaraguan Intervention	<i>Malcolm Evans</i>	896

## CURRENT DEVELOPMENTS: PUBLIC INTERNATIONAL LAW

I. The Lockerbie Affair	<i>Fiona Beveridge</i>	907
II. British Implementation of UN Sanctions against Iraq	<i>Hazel Fox and C. Wickremasinghe</i>	920

## BOOK REVIEWS

<i>Social Theory and the "Vanishing" of International Law: A Review Article</i> (Anthony Carty).....	939
KOSKENNIEMI, MARTTI. <i>The International Library of Essays in Law and Legal Theory: Areas—5: International Law</i> (Colin Warbrick).....	945
PETERSMANN, ERNST-ULRICH. <i>Constitutional Functions and Constitutional Problems of International Economic Law</i> (Ioannis Alex. Tziouas).....	946
FOX, HAZEL (Ed.). <i>International Economic Law and Developing States: An Introduction</i> (Peter Slinn).....	947
BROWN, BARTRAM S. <i>The United States and the Politicization of the World Bank: Issues of International Law and Policy</i> (S. K. Chatterjee).....	948
BOTHE, MICHAEL (in co-operation with Peter Macalister-Smith and Thomas Kurzidem) (Ed.). <i>National Implementation of International Humanitarian Law</i> (Michael A. Meyer).....	949
BROWNLIE, IAN, ed. BROOKFIELD, F. M. <i>Treaties and Indigenous Peoples—The Robb Lectures</i> (P. G. McHugh).....	950
LE BLANC, LAWRENCE J. <i>The United States and the Genocide Convention</i> (Nigel S. Rodley).....	952
KÄLIN, WALTER, MALINVERNI, GIORGIO and NOWAK, MANFRED. <i>Die Schweiz und die UNO-Menschenrechtspakte—La Suisse et les Pactes des Nations Unies relatifs aux droits de l'homme</i> (Markus G. Schmidt).....	953
KAYE, PETER. <i>Private International Law of Tort and Product Liability: Jurisdiction, Applicable Law and Extraterritorial Protective Measures</i> (Alexander Layton).....	954
MARTHA, RUTSEL SILVESTRE J. <i>The Jurisdiction to Tax in International Law. Theory and Practice of Legislative Fiscal Jurisdiction</i> (Christopher McCall)...	954
RITTER, LENNART, BRAUN, W. DAVID and RAWLINSON, FRANCIS. <i>EEC Competition Law—A Practitioner's Guide</i> (Valentine Korah).....	955
<i>European Employment and Industrial Relations Glossaries: TREU, TIZIANO. Italy. VALVERDE, ANTONIO MARTIN. Spain. TERRY, MICHAEL and DICKENS, LINDA. United Kingdom</i> (Hilary H. Kellerson).....	956
SCHWARZE, JURGEN. <i>European Administrative Law</i> (Diana Elles).....	957
VAN CAENEGEM, R. C. <i>An Historical Introduction to Private Law</i> (David Ibbetson).....	958
SALTER, JOHN R. <i>Corporate Environmental Responsibility: Law and Practice</i> (Pat Thomas).....	959
SMART, PHILIP ST. J. <i>Cross-Border Insolvency</i> (Ian F. Fletcher).....	959
WHINCUP, MICHAEL H. <i>Contract Law and Practice: the English System and Continental Comparisons</i> (Ewan McKendrick).....	961
PHANG, ANDREW BOON LEONG. <i>The Development of Singapore Law: Historical and Socio-Legal Perspectives</i> (Andrew J. Harding).....	961
CHAN, MING K. and CLARK, DAVID J. <i>The Hong Kong Basic Law—Blueprint for "Stability and Prosperity" under Chinese Sovereignty?</i> (William Goodhart)...	963
KATSCH, M. ETHAN. <i>The Electronic Media and the Transformation of Law</i> (Colin Tapper).....	964

**BOOKS RECEIVED** 965

**INDEX** 969

# International and Comparative Law Quarterly

(incorporating the *Quarterly* of the Society of Comparative Legislation  
and International Law and the *Transactions* of the Grotius Society)

## BOARD OF EDITORS

*General Editor:* HAZEL FOX

*Assistant General Editor:* SARAH MCALEER

P. B. CARTER

LAWRENCE COLLINS

NORMAN S. MARSH

JOHN A. USHER

## CONTRIBUTIONS

The I.C.L.Q. welcomes the submission of contributions for consideration by the editors with a view to publication. They should be sent to:

The General Editor  
*International and Comparative Law Quarterly*  
British Institute of International and Comparative Law  
17 Russell Square  
London WC1B 5DR

as should all correspondence, books for review and other communications.

The Board of Editors will only consider material which complies with the following:

1. The submission is an original, unpublished work which is not being submitted for publication elsewhere.
2. It should not exceed 25 printed I.C.L.Q. pages. State the number of words used.
3. The manuscript must be typed, double-spaced, on one side only of a uniform sized paper. *It is most important that footnotes be double-spaced.*
4. Footnotes must be numbered consecutively through the article and typed as a separate section at the end of the manuscript.
5. A submission of less than 4,000 words may be considered for the "Shorter Articles, Comments and Notes" section, which may secure earlier publication.

Authors are asked to refer to past issues of the I.C.L.Q. for style. More detailed guidance will be sent on request.

## SUBSCRIPTIONS

Subscriptions, orders and inquiries should be sent to the British Institute of International and Comparative Law, 17 Russell Square, London WC1B 5DR, telephone 071-636 5802. The subscription to the I.C.L.Q. for 1992 is £55 (\$105), air mail postage extra.

Contributions to the *International and Comparative Law Quarterly* express the views of their authors and not necessarily the views of the Board of Editors or of the British Institute of International and Comparative Law.

© 1992

British Institute of International and Comparative Law

Printed in the United Kingdom by Bell and Bain Ltd., Glasgow