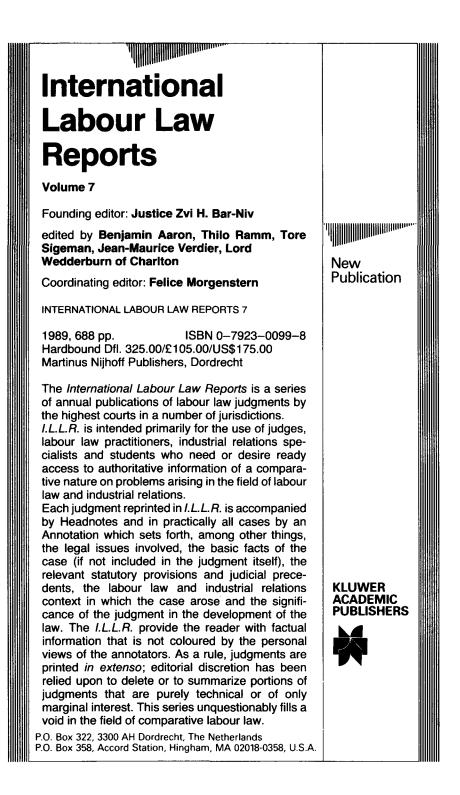


# NETHERLANDS INTERNATIONAL LAW REVIEW

INTERNATIONAL LAW CONFLICT OF LAWS COMPARATIVE LAW

1989-VOL.XXXVI-ISSUE 3

MARTINUS NIJHOFF PUBLISHERS



# Recommended citation: NILR

Published three times a year, complemented by the Netherlands Yearbook of International Law, in co-operation with the T.M.C. Asser Instituut, Institute for Private and Public International Law, International Commercial Arbitration and European Law (22, Alexanderstraat, The Hague, phone (0)70-3420300), founded in 1965 by eight Dutch universities offering courses in international law. The Institute is responsible for the promotion of education and research in international law, particularly by setting up documentation projects and carrying out research programmes in the fields covered by the departments of the Institute: Private International Law; Public International Law including the Law of International Organisations; Law of the European Communities; and International Commercial Arbitration.

Combined annual subscription to the Netherlands International Law Review and to the Netherlands Yearbook of International Law: Dfl.265.00, postage and handling Dfl.32.00. Subscription orders and requests for specimen copies should be sent to Kluwer Academic Publishers Group, Distribution Center, P.O. Box 322, 3300 AH Dordrecht, The Netherlands.

Advertising: full page only; Dfl. 600.00 per page; size 120 mm x 200 mm. Material: originals or camera-ready copy; closing dates: two months prior to month of publication; advertising copy to be sent to Kluwer Academic Publishers Group, Promotion Department, P.O. Box 989, 3300 AZ Dordrecht, The Netherlands.

## © T.M.C. Asser Instituut and contributors.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the copyright owners.

# FOR PHOTOCOPYING WITHIN THE USA

The appearance of the code at the bottom of the first page of an article in this journal indicates the copyright owner's consent that copies of the article may be made for personal or internal use, or for the personal or internal use of specific clients. This consent is given on the condition, however, that the copier pays the stated per-copy fee through the Copyright Clearance Center, Inc., P.O. Box 765, Schenectady, New York 12301, USA for copying beyond that permitted by Sections 107 and 108 of the US Copyright Law.

### ISSN 0165-070X

Second-class postage paid at New York, NY. US Mailing-Agent: Expediters of the Printed Word Ltd., 527 Madison Avenue, Suite 1217, New York, NY 10022

Library of Congress catalogue card number LC 79-65199 PRINTED IN THE NETHERLANDS

The views expressed in any article are those of the individual author and do not necessarily represent the views of the Board of Editors.

https://doi.org/10.1017/S0165070X00008998 Published online by Cambridge University Press

# **BOARD OF EDITORS**

L. Erades, Honorary Editor-in-Chief †

#### M. Bos

Professor Emeritus of Public International Law, University of Utrecht, Editor-in-Chief

#### J.E.J.Th. Deelen

Professor of Comparative and Private International Law, Catholic University of Brabant, member of the Netherlands Standing Government Committee on Private International Law

#### H. Duintjer Tebbens

Principal Administrator, Court of Justice of the European Communities, member of the Netherlands Standing Government Committee on Private International Law

#### C. Flinterman

Professor of Constitutional and International Law, University of Limburg, Maastricht

E.H. Hondius Professor of Civil Law, University of Utrecht

P.H. Kooijmans Professor of Public International Law, University of Leyden A.H.A. Soons Professor of Public International Law, University of Utrecht

A.M. Stuyt Professor Emeritus of Public International Law, Catholic University of Nijmegen

M. Sumampouw Head of the Private International Law Department, Asser Instituut, The Hague

J.P. Verheul Professor of Private International Law, University of Leyden

C.C.A. Voskuil

Director of the Asser Instituut, The Hague, member of the Netherlands Standing Government Committee on Private International Law

J.A. Wade Asser Instituut, The Hague

P. Morris Asser Instituut, The Hague, Executive Editor

# CORRESPONDENTS

Professor Dr. J. Erauw University of Ghent, Belgium

Assoc. Professor Dr. U. Göranson University of Uppsala, Sweden

Professor Dr. B. Graefrath The GDR Academy of Science, Berlin, G.D.R.

Professor M.W. Janis University of Connecticut, Hartford (Conn.), U.S.A.

His Excellency Professor Sir Robert Y. Jennings Q.C. Judge of the International Court of Justice, The Hague, The Netherlands

Dr. T. Koopmans Judge at the Court of Justice of the European Communities, Luxembourg

J.H.A. van Loon Hague Conference on Private International Law, The Hague, The Netherlands Professor B.S. Markesinis LL.B., D.Jur., M.A., Ph.D. Denning Professor of Comparative Law at the University of London, Great Britain

Professor G. Parra-Aranguren University of Caracas, Venezuela

Dr. M.C.W. Pinto Secretary-General of the Iran-United States Claims Tribunal, The Hague, The Netherlands

Professor Dr. Eibe H. Riedel LL.B. Johannes Gutenberg University, Mainz, F.R.G.

Professor K. Skubiszewski Polish Academy of Sciences, Warsaw and Poznań

Professor Tibor Varady University of Novi Sad, Yugoslavia

Professor Emeritus Paul De Visscher University of Louvain, Belgium

Professor Maureen Williams LL.M., PhD., University of Buenos Aires, Argentina

# NETHERLANDS INTERNATIONAL LAW REVIEW VOL. XXXVI 1989/3

# CONTENTS

# Articles

D. GOEDHUIS, Reflections on Some of the Main Problems Arising in the Future Development of Space Law	247
G. PARRA-ARANGUREN, The Fourth Inter-American Specialized Conference on Private International Law (CIDIP-IV, Montevideo, 9-15 July 1989)	269
P. PETERS, N. SCHRIJVER, P. DE WAART, Responsibility of States in Respect of the Exercise of Permanent Sovereignty over Natural Resources: An Analysis of Some Principles of the Seoul Declaration (1986) by the Inter- national Law Association	285
R.W. PIOTROWICZ, The Border between the Federal Republic of Germany and the German Democratic Republic: A Demarcation Line or Just an Inter- national Frontier?	314
A. BLOED, Institutional Aspects of the Helsinki Process After the Follow-up Meeting of Vienna	342
Shorter Articles	
H.H. SIBLESZ, The International Telecommunication Union and its Legal Structure	364
The Hague Declaration of the Ministers of Foreign Affairs of the Movement of Non-Aligned Countries Meeting to Discuss the Issue of Peace and the Rule of Law in International Affairs	376
Book Reviews	
Cheng, Chia-Jui, ed., Clive M. Schmitthoff's Select Essays on International Trade Law (J.W. Westenberg)	382
Dallmeyer, D.G., DeVorsey, L., eds., Rights to Ocean Resources (B. Kwiatkowska)	383
Hey, E., The Regime for the Exploitation of Transboundary Marine Fisheries Resources (B. Kwiatkowska)	388
Joyner, C.C., Chopra, S.K., eds., The Antarctic Legal Regime (D. Vidas)	391
Kokkini-Iatridou, D., ed., <i>Een inleiding tot het rechtsvergelijkende onderzoek</i> (J.J. van Hof)	396
Lombarts, R.W.G. et al., eds., Memorialen van het Hof (den Raad) van Holland, Zeeland en West-Friesland van de secretaris Jan Rosa (C.G. Roelofsen)	398

Mann, F.A., Foreign Affairs in English Courts (L.A.N.M. Barnhoorn)	399
Merrills, J.G., The Development of International Law by the European Court of Human Rights (V. Crnić-Grotić)	404
Nowak, M., Steurer, D., Tretter, H., eds., Progress in the Spirit of Human Rights / Fortschritt im Bewußtsein der Grund- und Menschenrechte. Festschrift für Felix Ermacora (E.W. Vierdag)	406
Sand, P.H., Marine Environment Law in the United Nations Environment Programme (T. IJlstra)	410
Book Notices	
Evans, M.D., Relevant Circumstances and Maritime Delimitation (B. Kwiatkowska)	412
International Court of Justice, Yearbook 1987-1988 (Ko Swan Sik)	412
Mádl, F., Vékás, L., The Law of Conflicts and Foreign Trade (B.E. Reinhartz)	413
Books Received	415
Contents of Volume XXXVI	417