INTERNATIONAL LEGAL MATERIALS Table of Contents Volume XXXV 1996

·-

TREATIES AND AGREEMENTS

ANTARCTIC TREATY CONSULTATIVE PARTIES:	
Measures Relating to the Furtherance of the Principles and	
Objectives of the Antarctic Treaty, January 17, 1996	Sep 96
Recommendation XVIII-1 on Tourism and Non-Governmental Activities,	
April 11-22, 1994	Sep 96
Decision 1 (1995) on Measures, Decisions and Resolutions and	
Decision 2 (1995) on <u>Rules of Procedure</u> : Amendment,	
May 8-19, 1995	Sep 96
ARGENTINA-UNITED KINGDOM: Joint Declaration on Cooperation over	
Offshore Activities in the South West Atlantic,	
September 27, 1995	Mar 96
ASSOCIATION OF SOUTHEAST ASIAN NATIONS:	
Bangkok Summit Declaration on the Progress of ASEAN, Vietnam's	
Membership, Greater Economic Cooperation and Closer Political	
Cooperation in International Fora, December 15, 1995	Jul 96
Framework Agreement on Intellectual Property Cooperation and	
Framework Agreement on <u>Interfectual Property Cooperation</u> and Framework Agreement on <u>Services</u> , December 15, 1995	Jul 96
Protocol Amending the Framework Agreement on Enhancing ASEAN	
Economic Cooperation, Protocol Amending the Agreement on the	
Common Effective Preferential Tariff Scheme for the ASEAN Free	
Trade Area, and Protocol Amending the Agreement on ASEAN Preferential	
<u>Trading Arrangements</u> , December 15, 1995	Jul 96
Protocols for the Accession of Vietnam to the Framework Agreement on	
Enhancing ASEAN Economic Cooperation and the Agreement on the	
Common Effective Preferential Tariff Scheme (CEPT) for the ASEAN	
Free Trade Area (AFTA), December 15, 1995	Jul 96
BELARUS REPUBLIC-RUSSIAN FEDERATION: Treaty on the Formation	
of the Community of Belarus and Russia, April 2, 1996	Sep 96
BOSNIA AND HERZEGOVINA-CROATIA-YUGOSLAVIA: General	
Framework Agreement for Peace in Bosnia and Herzegovina with	
Annexes, December 14, 1995	Jan 96
REPUBLIC OF BOSNIA AND HERZEGOVINA-FEDERATION OF	
BOSNIA AND HERZEGOVINA: Dayton Agreement on Implementing the	
Federation of Bosnia and Herzegovina, with Attached Agreed Principles	
for the Interim Statute for the City of Mostar, November 10, 1995	Jan 96
BRUNEI DARUSSALAM-CAMBODIA-INDONESIA-LAOS-MALAYSIA-	
MYANMAR-PHILIPPINES-SINGAPORE-THAILAND-VIETNAM: Treaty	
on the Southeast Asia Nuclear Weapon-Free Zone, December 15, 1995	May 96
CANADA-DENMARK-FINLAND-ICELAND-NORWAY-RUSSIAN	
FEDERATION-SWEDEN-UNITED STATES: Joint Communiqué and	
Declaration on the Establishment of the Arctic Council,	
September 19, 1996	Nov 96

i

TREATIES AND AGREEMENTS (cont.)	
CANADA-UNITED STATES:	
Agreement Regarding the Application of	
Their Competition and Deceptive Marketing Practices Laws,	NF 07
August 1 and 3, 1995	Mar 96
Agreement Regarding the Sharing of Forfeited Assets and Equivalent	
<u>Funds</u> , March 22, 1995	Mar 96
Softwood Lumber Agreement, May 29, 1996	Sep 96
CONFERENCE OF THE STATES PARTIES TO THE CONVENTION ON	
PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN	
CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE	
EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS:	
The Protocol on <u>Prohibitions or Restrictions on the Use of Mines</u> ,	
Booby-Traps and Other Devices (Protocol II) as Amended, and	
Protocol on <u>Blinding Laser Weapons</u> (Protocol IV),	a 64
October 13, 1995 and May 3, 1996	Sep 96
COUNCIL OF EUROPE: European Convention on the Exercise of Children's	N6 06
<u>Rights</u> , January 25, 1996	May 96
CROATIA-FEDERAL REPUBLIC OF YUGOSLAVIA: Agreement on the	n 04
Normalization of Relations, August 23, 1996	Sep 96
CROATIA-LOCAL SERBIAN COMMUNITY: Basic Agreement on the	
Region of Eastern Slavonia, Baranja and Western Sirmium, Including	
Security Council Resolutions 1023 (1995) and 1037 (1996) Welcoming and Implementing the Basic Agreement, November 12, 1995	• • • •
CUBA-UNITED STATES: Joint Statement on Normalization of Migration,	Jan 96
Building on the Agreement of September 9, 1994, May 2, 1995	Man Of
ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS):	Mar 96
Revised Treaty, July 24, 1993	Mary OC
EUROPEAN UNION: Convention on <u>Insolvency Proceedings</u> ,	May 96
November 23, 1995	See 06
GERMANY-UNITED STATES: Agreement Concerning Final Benefits to	Sep 96
Certain United States Nationals Who Were Victims of National Socialist	
Measures of Persecution, September 19, 1995	Jan 96
HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW:	Jan 90
Final Act of the Eighteenth Session with the Convention on Jurisdiction,	
Applicable Law, Recognition, Enforcement and Co-operation in	
Respect of Parental Responsibility and Measures for the Protection	
of Children, and Decisions on Matters Pertaining to the Agenda	
of the Conference, October 19, 1996	Nov 96
INTERNATIONAL MARITIME ORGANIZATION INTERNATIONAL	1107 30
CONFERENCE ON HAZARDOUS AND NOXIOUS SUBSTANCES AND	
LIMITATION OF LIABILITY: Final Act with the International	
Convention on Liability and Compensation for Damage in Connection	
with the Carriage of Hazardous and Noxious Substances by Sea, the	
Protocol Amending the <u>Convention on Limitation of Liability for</u>	
Maritime Claims, and Conference Resolutions on Setting up HNS Fund,	
the Treatment of Fishmeal, Liability Concerning Radioactive Materials,	
and a <u>Regime for Hazardous Wastes Liability</u> , May 2 and May 3, 1996	Nov 96
IRAQ-UNITED NATIONS: Memorandum of Understanding on the	1101 20
Sale of Iraqi Oil, Implementing Security Council Resolution 986	
(1995), May 20, 1996	Jul 96
MACEDONIA-FEDERAL REPUBLIC OF YUGOSLAVIA:	
Communiqué and Agreement on the <u>Regulation of</u>	
Relations and Promotion of Cooperation, April 8, 1996	Sep 96
, r.,,,,	-r

TREATIES AND AGREEMENTS (cont.)	
ORGANIZATION OF AFRICAN UNITY: <u>African Nuclear-Weapon-Free Zone</u>	
Treaty (Pelindaba Text), June 21-23, 1995	May 96
ORGANIZATION OF AMERICAN STATES: Inter-American Convention	
against Corruption, March 29, 1996	May 96
UNITED NATIONS:	
Comprehensive Test Ban Treaty, September 24, 1996	Nov 96
UN Convention on Independent Guarantees and Stand-by	
Letters of Credit, December 11, 1995	May 96
UNITED STATES: Model Open Skies Agreement, March 20, 1995	Nov 96
WORLD INTELLECTUAL PROPERTY ORGANIZATION-WORLD TRADE	
ORGANIZATION: Agreement between WIPO and WTO, December 22, 1995	May 96
WORLD TRADE ORGANIZATION: Second Protocol to the General	
Agreement on Trade in Services (GATS) and Related Decisions,	
October 6, 1995	Jan 96
JUDICIAL AND SIMILAR PROCEEDINGS	
CANADA: Supreme Court Judgment in Chan v. Minister of Employment and	
Immigration, et al. ("Convention Refugee" Definition; Enforcement of	
Local Population Policies in China), October 19, 1995	Jan 96
EUROPEAN COURT OF JUSTICE: Judgment in Eckhard Kalanke v. Freie	
Hansestadt Bremen (Permissible Affirmative Action Programs in	
the European Union), October 17, 1995	Mar 96
GERMANY: Constitutional Court Decision in Case Concerning the Hague	
Convention on the Civil Aspects of International Child Abduction,	
including Memorandum Prepared by the Permanent Bureau of the Hague	
Conference on Private International Law for Submission to the	
Constitutional Court, October 10, 1995	May 96
INTERNATIONAL COURT OF JUSTICE:	
Advisory Opinion on the Legality of the Threat or Use of Nuclear	
<u>Weapons</u> , July 8, 1996	Jul 96
Declarations and Separate Opinions Not Reproduced at	
35 I.L.M. 809 (1996), July 8, 1996	Nov 96
Order in <u>Case Concerning the Aerial Incident of July 3, 1988</u> (Islamic	
Republic of Iran v. United States of America), February 22, 1996	May 96
INTERNATIONAL CRIMINAL TRIBUNAL FOR THE	
FORMER YUGOSLAVIA: Decision in Prosecutor v. Duško Tadić	7 06
(Establishment of the International Tribunal), October 2, 1995	Jan 96
IRAN-UNITED STATES CLAIMS TRIBUNAL: Partial Award Containing	
Settlement Agreements on the Iranian Bank Claims against the United	
States and on the International Court of Justice Case Concerning the	Mar. 00
Aerial Incident of July 3, 1988, February 22, 1996	May 96
UNITED NATIONS COMPENSATION COMMISSION: Governing Council	
Decisions 24, 30 and 35 and Panel Reports Associated with	
Category "A" Claims, Category "B" Claims, and Category "C"	
Claims (Coordination and Filing of Claims; Timing of Review	
of Claims; Methodologies for Verifying Mass Claims; and Envidentional Learning Learning 15, 1004 and December 12, 1005	L-1 04
Evidentiary Issues), December 15, 1994 and December 13, 1995	Jul 96

JUDICIAL AND SIMILAR PROCEEDINGS (cont.) UNITED STATES:	
Department of Justice, Board of Immigration Appeals	
Decision In Re Fauziya Kasinga (Female Genital Mutilation as a Basis	
for Asylum), June 13, 1996	Sep 96
District Court for the District of Columbia Opinion in Banco Central	I
de Reserva del Peru v. The Riggs National Bank of Washington, D.C.	
(Settoffs of Foreign Central Bank Deposits in the United States Against	
Indebtedness; U.S. Foreign Sovereign Immunities Act),	
December 12, 1994	Sep 96
District Court for the District of Columbia Order and Opinion	
in In the Matter of the Arbitration of Certain Controversies Between	
Chromalloy Aeoroservices and the Arab Republic of Egypt (Recognition and	
Enforcement in the United States of a Foreign Arbitral Award; Application	
of the Foreign Sovereign Immunities Act), July 31, 1996	Nov 96
WORLD TRADE ORGANIZATION:	
Report of the Panel in United States -	
Standards for Reformulated and Conventional Gasoline (Treatment of	
Imported Gasoline and Like Products of National Origin),	
January 29, 1996	Mar 96
Report of the <u>Appellate Body in United States</u> -	
<u>Standards for Reformulated and Conventional Gasoline,</u> May 20, 1996	Mari 06
May 20, 1990	May 96
LEGISLATION AND REGULATIONS	
CUBA: Foreign Investment Act of 1995, September 5, 1995	Mar 96
HONG KONG: Hong Kong Court of Final Appeal Ordinance, August 3, 1995	Jan 96
ITALY: Law Reforming the Italian System of Private International Law,	Jan 90
May 31, 1995	May 96
RUSSIAN FEDERATION:	u y >0
Law on the <u>Continental Shelf</u> , November 30, 1995	Nov 96
Law on Production Sharing Agreements, December 30, 1995	Sep 96
UNITED STATES:	
Cuban Liberty and Democratic Solidarity (Libertad) Act	
of 1996 (Helms-Burton Act), March 12, 1996	Mar 96
<u>Fisheries</u> Act of 1995, November 3, 1995	Mar 96
Iran and Libya Sanctions Act of 1996, August 5, 1996	Sep 96
War Crimes Act of 1996, August 21, 1996	Nov 96
REPORTS AND OTHER DOCUMENTS	
ARAB LEAGUE: Final Communiqué of the Cairo Summit	
Conference on Mideast Peace and Decisions on New Institutions,	
June 21-23, 1996	Sep 96
ASIA-PACIFIC ECONOMIC COOPERATION FORUM:	
Dispute Mediation Experts' Group Reports on a Voluntary	
Consultative Dispute Mediation Service, June 17-18, 1995	
and April 22-23, 1996	Jul 96
Osaka Action Agenda on Implementation of the Bogor Declaration	
(Trade Liberalization and Facilitation; Economic and Technical Cooperation), November 19, 1995	1.1 OC
<u>Cooperation</u> , November 19, 1995	Jul 96

REPORTS AND OTHER DOCUMENTS (cont.)	
COMMERCIAL ARBITRATION AND MEDIATION CENTER FOR THE	
AMERICAS (CAMCA): Mediation and Arbitration Rules, March 15, 1996	Nov 96
COMMONWEALTH OF INDEPENDENT STATES: Council of Heads	1107 20
of State Decisions on Settlement of Conflicts, Peace-keeping	
Forces and Military Training, January 19, 1996	May 96
EUROPEAN UNION: Démarches Protesting the Cuban Liberty and	·
Democratic Solidarity (Libertad) Act,	
March 5, 1996 and March 13, 1995	Mar 96
FINANCIAL ACTION TASK FORCE ON MONEY LAUNDERING (FATF):	
The Forty Recommendations of the Financial Action Task Force	
on Money Laundering, with Interpretative Notes, June 28, 1996	Sep 96
INTERNATIONAL CHAMBER OF COMMERCE: 1996 Revisions to the	
ICC Rules of Conduct on Extortion and Bribery in	
International Business Transactions, March 26, 1996	Sep 96
ORGANISATION FOR ECONOMIC CO-OPERATION AND	
DEVELOPMENT:	
Council Recommendation C(96)27/FINAL on the <u>Tax</u>	
Deductibility of Bribes to Foreign Public	a • • •
<u>Officials</u> , April 11, 1996	Sep 96
Council Revised Recommendation C(95)130/FINAL Concerning	
Co-operation Between Member Countries on <u>Anticompetitive Practices</u>	5-m 0(
Affecting International Trade, July 27-28, 1995	Sep 96
Committee Opinion Examining the U.S. Helms-Burton Act,	
August 27, 1996	Sep 96
PEACE IMPLEMENTATION CONFERENCE FOR THE BOSNIAN	5cp 90
GENERAL FRAMEWORK AGREEMENT: Conclusions of the	
London Meeting, December 12, 1995	Jan 96
UNITED NATIONS:	
Fourth World Conference on Women Declaration	
and Platform for Action, September 15, 1995	Mar 96
General Assembly Resolution 50/10 on Ending	
<u>U.S. Embargo against Cuba</u> , November 2, 1995	Mar 96
General Assembly Resolutions 50/202 and 50/203	
Approving the Amendment to Article 20 of the Convention on the	
Elimination of all Forms of Discrimination against Women and Endorsing	
the Beijing Declaration and Platform for Action, December 22, 1995	Mar 96
Report of the Secretary-General on the Transition from	
UNPROFOR to IFOR and Addendum on Cost Estimates, Including Security	
Council Resolutions 1031 (1995) and 1035 (1995), Addressing the Political	
Settlement in the Former Yugoslavia and the Transfer of Power from	• • • •
UNPROFOR to IFOR, December 13-21, 1995	Jan 96
Security Council Resolution 1021 (1995) <u>Terminating the</u>	
Embargo on Deliveries of Weapons and Military Equipment to the Former	
Yugoslavia imposed by Security Council Resolution 713 (1991),	Ing Of
November 22, 1995	Jan 96
Suspending of Various Security Council Resolutions after Implementing	Ion 06
the Bosnian Peace Agreement, November 22, 1995	Jan 96
Federal Republic of Yugoslavia, October 1, 1996	Nov 96
Security Council: Statement on the Shooting Down by the	1407 90
<u>Cuban Air Force of Two Civil Aircraft</u> , February 27, 1996	Mar 96
$\underline{\text{Cubar}}_{\text{All Police of two Civil Allelall}}, \text{ reducing } 27, 1990 \dots, D3.493$	Ivial 90

. -

REPORTS AND OTHER DOCUMENTS (cont.)	
WORLD TRADE ORGANIZATION APPELLATE BODY: Working	
Procedures for Appellate Review, February 15, 1996	Mar 9 6
DECENT ACTIONS DECADDING THE ATTES TO MULCH THE INITED STATES	
RECENT ACTIONS REGARDING TREATIES TO WHICH THE UNITED STATES	In Of
IS A PARTY	Jan 96
35:520	Mar 96
35:806	May 96
35:1129	Jul 96
35:1335	Sep 96
35:1563	Nov 96
RECENT ACTIONS REGARDING TREATIES TO WHICH THE UNITED STATES	
IS NOT A PARTY	Jan 9 6
35:526	Mar 9 6
35:807	May 96
35:1130	Jul 96
35:1339	Sep 96
35:1566	Nov 96
NOTICE OF OTHER RECENT DOCUMENTS (not reproduced)	Jan 9 6
35:528	Mar 96
35:808	May 96
35:1144	Jul 96
35:1342	Sep 96
35:1567	Nov 96

Statement of Ownership, Management, and Circulation (Required by 39 U.S.C. 3685)

International Legal Materials (issued bi-monthly, January, March, May, July, September, November); publication number, 0020-7829; Filed October 1, 1996; subscription price, \$90 for U.S. members, \$110 for members outside U.S., \$180 for U.S. nonmembers, \$200 for nonmembers outside U.S.; The American Society of International Law, 2223 Massachusetts Avenue, N.W., Washington, D.C. 20008-2864. Editor, Marilou M. Righini, The American Society of International Law, 2223 Massachusetts Avenue, N.W., Washington, D.C. 20008-2864. Owner, The American Society of International Law, 2223 Massachusetts Avenue, N.W., Washington, D.C. 20008-2864. Average number of copies per issue, last twelve months: total printed, 2903; total paid circulation, 2309; free distribution, 26; total distribution, 2335; copies not distributed 568; percent paid circulation, 98.9%. Actual number of copies for single issue published nearest to filing date: total printed, 2749; total paid circulation, 2403; free distribution, 26; total distribution, 2429; copies not distributed, 320; percent paid circulation, 98.9%.

CONTENTS

JUDICIAL AND SIMILAR PROCEEDINGS

Canada: Supreme Court Judgment in Chan v. Minister of Employment and Immigration, et al. ("Convention Refugee" Definition; Enforcement of Local Population Policies in China)	
I.L.M. Content Summary 1	
Text of Decision	
International Criminal Tribunal for the Former Yugoslavia: Decision in	
Prosecutor v. Duško Tadić (Establishment of the International	
Tribunal)	
I.L.M. Content Summary)
Text of Decision	
TREATIES AND AGREEMENTS	
Bosnia and Herzegovina-Croatia-Yugoslavia: General Framework	
Agreement for Peace in Bosnia and Herzegovina with Annexes	

Agreement for <u>Peace in Bosnia and Herzegovina</u> with Annexes	
Introductory Note by Paul C. Szasz	. 75
I.L.M. Content Summary	. 80
Text of Agreement	
Republic of Bosnia and Herzegovina-Federation of Bosnia and	
Herzegovina: Dayton Agreement on Implementing the	
Federation of Bosnia and Herzegovina, with Attached Agreed	
Principles for the Interim Statute for the City of Mostar	
I.L.M. Content Summary	170
Text of Agreement	172
Croatia-Local Serbian Community: Basic Agreement on the Region of	
Eastern Slavonia, Baranja and Western Sirmium, Including	
Security Council Resolutions 1023 (1995) and 1037 (1996)	
Welcoming and Implementing the Basic Agreement	
I.L.M. Content Summary	184
Text of Agreement	
Text of Resolutions	
Germany-United States: Agreement Concerning Final Benefits to	
Certain United States Nationals Who Were Victims of	
National Socialist Measures of Persecution	
Introductory Note by Ronald J. Bettauer	193
I.L.M. Content Summary	
Text of Agreement	

VOLUME XXXV NUMBER 1 **JANUARY 1996**

LIBRARY OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW

TREATIES AND AGREEMENTS (cont.)

World Trade Organization: <u>Second Protocol to the General</u>	
Agreement on Trade in Services (GATS) and Related Decisions	
Introductory Note by Kenneth Freiberg	199
I.L.M. Content Summary	202
Text of Protocol	203
Text of Related Decisions	204

LEGISLATION AND REGULATIONS

Hong Kong: Hong Kong Court of Final Appeal Ordinance	
Introductory Note by Frankie Fook-Lun Leung	207
I.L.M. Content Summary	209
Text of Ordinance	210

REPORTS AND OTHER DOCUMENTS

Peace Implementation Conference for the Bosnian General Framework	
Agreement: Conclusions of the London Meeting	223
I.L.M. Content Summary	
Text of Conclusions	225
United Nations: Report of the Secretary-General on the Transition from	
UNPROFOR to IFOR and Addendum on Cost Estimates, Including	
Security Council Resolutions 1031 (1995) and 1035 (1995),	
Addressing the Political Settlement in the Former Yugoslavia	
and the Transfer of Power from UNPROFOR to IFOR	
I.L.M. Content Summary	235
Text of Report	237
Text of Resolutions	251
United Nations: Security Council Resolution 1021 (1995) Terminating the	
Embargo on Deliveries of Weapons and Military Equipment to the Former	
Yugoslavia imposed by Security Council Resolution 713 (1991)	
I.L.M. Content Summary	257
Text of Resolution	257
United Nations: Security Council Resolution 1022 (1995) Discussing the	
Suspending of Various Security Council Resolutions after Implementing	
the Bosnian Peace Agreement	
I.L.M. Content Summary	
Text of Resolution	259
RECENT ACTIONS REGARDING TREATIES TO WHICH THE	
UNITED STATES IS A PARTY	261
RECENT ACTIONS REGARDING TREATIES TO WHICH THE	
UNITED STATES IS NOT A PARTY	
NOTICE OF OTHER RECENT DOCUMENTS (not reproduced)	264