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: Alan Boyle

Assistant General Editor: Joe Macdonald Hill

John Bell

P. B. Carter

Lawrence Collins

Hazel Fox

Piers Gardner

John A. Usher
ARTICLES

RESERVATION CLAUSES IN TREATIES CONCLUDED WITHIN THE COUNCIL OF EUROPE
Sia Spiliopoulou Åkermark 479

PROTECTION AGAINST REFOULEMENT IN EUROPE: HUMAN RIGHTS COMES TO THE RESCUE
Hélène Lambert 515

DEMOCRATIC LEGITIMACY AND THE RECOGNITION OF STATES AND GOVERNMENTS
Sean Murphy 545

UN SANCTIONS IN EU AND NATIONAL LAW: THE CENTRO-COM CASE
Riccardo Pavoni 582

SHORTER ARTICLES, COMMENTS AND NOTES

The Notion of "Reasonable" in International Law: Legal Discourse, Reason and Contradictions
Olivier Corten 613

Mass Property Claim Resolution in a Post-war Society—The Commission for Real Property Claims in Bosnia and Herzegovina (CRPC)
Hans van Houthe 625

The Margin of Appreciation Doctrine in the European Court of Human Rights
Michael R Hutchinson 638

INTERNATIONAL COURT OF JUSTICE: RECENT CASES

I. The Land and Maritime Boundary Case (Cameroon v. Nigeria), Preliminary Objections
J.G. Merrills 651

II. Case Concerning Questions of Interpretation and Application of the 1971 Montreal Convention Arising from the Aerial Incident at Lockerbie (Libyan Arab Jamahiriya v. United Kingdom; Libyan Arab Jamahiriya v. United States), Preliminary Objections, Judgment of 27 February 1998
Fiona Beveridge 658

III. The Fisheries Jurisdiction Case (Spain v. Canada), Judgment on Jurisdiction of 4 December 1998
Louise De La Fayette 664

IV. Vienna Convention on Consular Relations (Paraguay v. United States of America) ("Breard") and Lagrand (Germany v. United States of America), Applications for Provisional Measures
Michael K. Addo 673

CURRENT DEVELOPMENTS: PUBLIC INTERNATIONAL LAW

I. The Pinochet Case No. 3
Hazel Fox 687

CURRENT DEVELOPMENTS: EUROPEAN COMMUNITY LAW

I. Constitutional Aspects
Sophie Boyron 703

II. Company Law and Trade in Securities
Takis Tridimas 707

III. Intellectual Property
Catherine Seville 710

IV. External Relations
Eileen Denza 716
BOOK REVIEWS

MALANCZUK, PETER (Ed., revised by). Akehurst’s Modern Introduction to International Law (7th revised edn) (Malgosia Fitzmaurice) .............................. 721
DENZA, EILEEN. Diplomatic Law (J. Craig Barker) ........................................ 721
CHUAH, J. C. T. Law of International Trade (Gabrielle Marceau) ..................... 722
WILLIAMS, SIVLIA MAUREEN. El riesgo ambiental y su regulación. Derecho internacional y comparado. Residuos espaciales, protección de la capa de ozono (Bin Cheng) ................................................................. 724
CREPEAU, PAUL-A. Les Principes d’UNIDROIT et le Code civil du Québec: valeurs partagées?/The UNIDROIT Principles and the Civil Code of Quebec: Shared values? (Geoffrey Samuel) ......................................................... 726

BOOKS RECEIVED 728
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 6,000 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 0171-636 5802. The subscription to the I.C.L.Q. for 1999 is £80 ($150), air mail postage extra. Back issues of all volumes are now available at the current cover price (casebound 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.

© 1999

British Institute of International and Comparative Law

Typeset by Mendip Communications Ltd, Frome, Somerset
Printed in the United Kingdom by Bell and Bain Ltd., Glasgow