

LEIDEN JOURNAL



OF

INTERNATIONAL LAW

LEIDEN UNIVERSITY

VOLUME 8

NUMBER 2

1995

FACULTY OF LAW

LEIDEN JOURNAL OF INTERNATIONAL LAW

BOARD OF THE LJIL-FOUNDATION

PROF. DR P.H. KOOIJMANS (*Chairman*)
DR M.M.T.A. BRUS

BOARD OF EDITORS

Editors-in-Chief

SAM MULLER DAVID RAIČ

Leading Articles

JANNEKE NIJMAN
ELSBETH DE VOS

Current Legal Developments

RENÉ LEFEBER
HEDDA SAMSOM
THOMAS SKOUTERIS

Book Reviews

ESTHER JELSMAN
CORINNE DE KEUNING

Managing Editors

ANNEMIEK SCHLEURHOLTS
MIRANDA TOP

Administrative Editors

ERLEND DES BOUVRIE
PIETER DE SAVORNIN LOHMAN
MARIUS MESSER

Student Contributions

KARIANNE M. STURMS
NAEMA TAHIR
HANNA THURÁNSZKY

Hague International Tribunals

JUAN M. AMAYA CASTRO
MELLE HENDRIKSE
NATHALIE HORBACH
H.P. SCHREINEMACHERS

European Union

HENK-JAAP ALBERS

Executive Production Editors

FERRY R. LUITWIELER
IRIS C. MEIJER
VERA J. DE WITTE

BOARD OF RECOMMENDATION

H.E. JUDGE M. BEDJAOUI
H.E. JUDGE C.A. FLEISCHHAUER
LADY H. FOX
H.E. P.J.H. JONKMAN
PROF. DR F. KALSHOVEN
H.E. JUDGE P.J.G. KAPTEYN
PROF. DR R. LAPIDOTH
PROF. DR L. LEERTOUWER
H.E. JUDGE J. MAKARCZYK
PROF. DR E. MCWHINNEY
H.E. PROF. DR SH. ROSENNE

PROF. DR H.G. SCHERMERS
PROF. DR DR H.C. I. SEIDL-HOHENVELDERN
PROF. DR B. SIMMA
H.E. JUDGE K. SKUBISZEWSKI
PROF. DR P.J. SLOT
PROF. DR A. VAN STADEN
DR G.J. TANJA
H.E. E. VALENCIA-OSPINA
PROF. DR H.A. WASSENBERGH
PROF. DR K.C. WELLENS

LEIDEN JOURNAL

OF



INTERNATIONAL LAW

Volume 8

Number 2

1995

CONTENTS

Editorial		243
Leading Articles		
<i>F.M. Deng</i>	Frontiers of Sovereignty: A Framework of Protection, Assistance, and Development for the Internally Displaced	249
Student Contributions		
<i>E. Hoenderkamp</i>	The Danube: Damned or Dammed? The Dispute Between Hungary and Slovakia Concerning the Gabčíkovo- Nagymaros Project	287
<i>C. Hare & J. Wong</i>	A Passage Through India (and Beyond) or A Case of Love Thy Neighbour	311
Current Legal Developments		
<i>E. Kourula & T. Kanninen</i>	Reforming the Security Council: The International Negotiation Process Within the Context of Calls to Amend the UN Charter to the New Realities of the Post-Cold War Era	337

<i>M. ElBaradei</i>	Verifying Non-Proliferation Pledges: The Evolution and Future Direction of the IAEA Safeguards System	347
<i>M. Fitzmaurice</i>	The Law of Non-Navigational Uses of International Watercourses - The International Law Commission Completes its Draft	361
<i>C.M. Cerna</i>	Hugo Princz <i>v.</i> Federal Republic of Germany: How Far Does the Long- Arm Jurisdiction of US Law Reach	377
Hague International Tribunals		
International Court of Justice:		
	HIT-List	395
	Constitutional and Institutional Developments	399
<i>M. Lailach</i>	The General Assembly's Request for an Advisory Opinion From the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons	401
Permanent Court of Arbitration:		
	HIT-List	431
<i>B.E. Shifman</i>	The Permanent Court of Arbitration: Current Developments	433
International Criminal Tribunal for the Former Yugoslavia:		
	List of Current Proceedings	439
<i>P.H. Kooijmans</i>	The Judging of War Criminals: Individual Responsibility and Jurisdiction	443

<i>R. Dixon</i>	New Developments in the International Criminal Tribunal for the Former Yugoslavia: Prominent Leaders Indicted and Jurisdiction Established	449
<i>J.M. Sjöcrona</i>	The International Criminal Tribunal for the Former Yugoslavia: Some Introductory Remarks From a Defence Point of View	463
Book Reviews		
A. Bloed & R.A. Wessel (Eds.)	The Changing Functions of The Western European Union (WEU) - Introduction and Basic Documents <i>(R.C.R. Siekmann)</i>	475
R. Callender & F. Meenan	Equality in Law Between Men and Women in the European Community - Ireland <i>(L.A.J. Senden)</i>	477
R. Higgins	Problems & Process - International Law and How We Use It <i>(C. de Keuning)</i>	483
M.T. Kamminga	Inter-State Accountability for Violations of Human Rights <i>(M.M.L. Harreman)</i>	488
Table of Cases		493

This volume may be cited as: 8 LJIL (1995)

ISSN 0922-1565

Copyright © 1995 *Leiden Journal of International Law Foundation*.

All rights reserved. No part of this *Journal* may be reproduced, stored in retrieval systems, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise without the written permission of the publisher.

**PUBLICATION OF THIS JOURNAL IS MADE POSSIBLE
BY DONATIONS AND SUPPORT RECEIVED FROM:**

Leiden University, Faculty of Law
Leiden

Gratama Foundation
Leiden

Legatum Visserianum
Leiden

T.M.C. Asser Instituut
The Hague