# NETHERLANDS YEARBOOK OF INTERNATIONAL LAW

Published jointly with the
Netherlands International Law Review
(Nederlands Tijdschrift voor Internationaal Recht)
and under the auspices of the
Inter-University Institute for International Law
T. M. C. Asser Institute, The Hague

VOLUME 4

1973



A.W. SIJTHOFF-LEIDEN

Reprinted with permission of
Kluwer Academic Publishers Group, Dordrecht
by

SWETS & ZEITLINGER B.V. LISSE – THE NETHERLANDS – 1982

### Netherlands Yearbook of International Law

## NETHERLANDS YEARBOOK OF INTERNATIONAL LAW

Published jointly with the
Netherlands International Law Review
(Nederlands Tijdschrift voor Internationaal Recht)
and under the auspices of the
Inter-University Institute for International Law
T. M. C. Asser Institute, The Hague

## VOLUME IV 1973



A.W. SIJTHOFF-LEIDEN

Reprinted with permission of Kluwer Academic Publishers Group, Dordrecht by

SWETS & ZEITLINGER B.V. LISSE – THE NETHERLANDS – 1982

#### ISBN 90 286 0333 6

### Interuniversitair Instituut voor Internationaal Recht

- T.M.C. Asser Instituut -

© T.M.C. Asser Institute, 1973.

Director: C.C.A. Voskuil; Deputy Director: Th.C. Esselaar; Heads of Departments: J.P. Verheul (Private International Law), Ko Swan Sik (Public International Law), A.E. Kellermann (Law of the European Communities, General Secretary); Office Manager: G.J. de Roode.

The T.M.C. Asser Institute is an interuniversity institute 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 three departments of the Institute.

#### **BOARD OF EDITORS**

L.J. Bouchez
University of Utrecht

H. Oort

Judge of the Court of Appeal of

Leeuwarden

F. Kalshoven
University of Leyden

J.W.H.C.M. Schneider

Catholic University of Tilburg

Ko Swan Sik (general editor)
T.M.C. Asser Institute

B.K.J. Vitányi

Catholic University of Nijmegen

H. Meyers (general editor)
University of Amsterdam

#### Secretary:

L.A.N.M. Barnhoorn, T.M.C. Asser Institute

Under the combined subscription arrangement this volume of the Yearbook is linked to Volume 20 of the Netherlands International Law Review.

The annual subscription for the Yearbook, together with the Netherlands International Law Review, is Dfl. 66,-. The price of the Yearbook separately is Dfl. 40,-. Subscriptions and orders for separate copies should be addressed and paid to Academic Book Services Holland, journal department, P.O.B. 66, Groningen, The Netherlands.

All correspondence with regard to the contents of the Yearbook should be addressed to the General Editor, T.M.C. Asser Institute, 22 Alexanderstraat, The Hague, The Netherlands.

### TABLE OF CONTENTS

Abbreviations	VII
Section A: Articles	
B.V.A. Röling, International law and the maintenance of peace	1
L. Erades, Is stare decisis an impediment to the enforcement of international law by British courts?	105
R.H.M. Goy, The international protection of the cultural and natural heritage	117
S.A.M. Oostvogels, Foreign deserters and asylum in the Netherlands: the case of Ralph J. Waver	143
J.W. Schneider, The Benelux Court	193
L.F.E. Goldie, The International Court of Justice's "natural prolongation" and the continental shelf problem of islands	237
Section B: Notes and Comments	
E. Bos, Developments in disarmament law	265
O.G. de Vries Reilingh, International Labour Organisation: some recent developments in the supervisory	
machinery	273
Section C: Documentation	
Classification Scheme	289
Ko Swan Sik and S.A.M. Oostvogels, Netherlands state practice for the parliamentary year 1971-1972	305
S.A.M. Oostvogels, Treaties and other international agree- ments to which the Netherlands is a party; conclusions and developments 1972	363
L.A.N.M. Barnhoorn, Netherlands judicial decisions involving questions of public international law, 1971-1972	389

international law and related matters, 1972	41:
Municipal legislation	429
Table of cases	441
Index	44: