# TO 1965 AND 1966 VOLUMES OF THE AUSTRALIAN YEAR BOOK OF INTERNATIONAL LAW

Adoption

under Adoption of Children Act 1964 (Vic.), 1965, 31-5

Aggression

indirect aggression, 1966, 74, 76

Vietnam conflict, question of aggression in, 1965, 167; 1966, 70-76, 80-1, 156

Agreements, see TREATIES

Aliens

banking business, right to set up, 1966, 154 military call-up of, 1965, 165-6

Armed forces serving overseas

jurisdiction over, in peace-time, 1965, 161-2 status, in peace-time, 1965, 161-2

Australia-New Zealand Agreement of 1944 ("Anzac Pact"), 1966, 18-9

Australian Trade Agreements, 1965, 85-103

Bay

meaning of, 1966, 100, 102-3

"Bilateralization"

of multilateral treaties, 1966, 119-20

Boundary disputes

maps,

Sino-Indian dispute,

treaties,

Western Sector, 1965, 37-52

Canadian practice in international law, 1966, 171-4

Capability, 1965, 131

Choice of law, 1965, 53-70 passim; 1966, 35-46

Civil war

nature, 1966, 150

whether distinct from international war, 1966, 81-2

Caravistana

peaceful, 1965, 170; 1966, 147

Cold war, 1966, 155-6

Commonwealth

Australian trade agreements, impact on, 1965, 87-9, 101 concern of members with affairs of other members, 1966, 149-50 treaty practice, recent developments in, 1966, 129-33

Communication, 1965, 132-4

Conflict of interests, 1965, 129-30, 134, 169-70

Conflict of laws, see Private International Law

**Conflicts** 

control of, 1965, 134

"Confrontation"

whether contrary to international law, 1965, 167

Congo crisis

domestic jurisdiction, and, 1965, 137-58 enforcement measures in, 1965, 137-58 passim "peacekeeping" and, 1965, 137, 145-54, 157

Consultation, 1965, 133

Continental shelf doctrine

Geneva Convention of 1958, declaratory of, 1965, 163-4

Crisis communication, 1965, 133

Cuban missile crisis of 1962: 1966, 90

**Customs union** 

nature of, 1966, 22

Deflection in trade, 1966, 28

**Developing** countries

trade with, 1965, 122, 165, 169-70; 1966, 156-7; see also Newly emerged countries

Diplomatic envoys

whether merely agents of accrediting States, 1966, 154-5

Disputes

settlement of

Australian trade agreements, clauses as to, 1965, 93-8
Investment Disputes, Convention of 1965 for settlement of, 1965, 169-

Divorce, see MATRIMONIAL CAUSES

"Domestic jurisdiction"

meaning of term, in art. 2, par. 7 of United Nations Charter, 1965, 137-58 passim

**Domicile** 

definition, 1966, 121

for purposes of Adoption of Children Act 1964 (Vic.), 1965, 31-4 impact of Matrimonial Causes Act 1959 (Com.), 1965, 24-6 law of, governs questions of testamentary capacity and undue influence, 1966, 165

Dumping, 1966, 29

EEC (European Economic Community), 1965, 92; 1966, 19, 26, 33

Effectiveness, 1965, 131-2

EFTA (European Free Trade Association), 1966, 19, 25, 26-7, 28, 33

Enemy status, 1966, 155-6

Enforcement action, see Conco Crisis, enforcement measures in

Estuary, 1966, 103

Exchange controls

West German treaties for protection of private foreign investment, 1965, 71-83 passim

Exchanges of notes, 1965, 166

Federal jurisdiction, 1966, 36, 41-5, 46

Federal-State problem

Australian trade agreements, bearing on, 1965, 98-100 Conventions unifying rules of private international law, 1966, 118

```
Federation
    conflicts of law in, 1966, 35-46 passim
Foreign judgments, 1966, 168
Formal organizations, 1965, 124
Forum convenient, 1966, 160-1
Free-trade areas
    nature of, 1966, 22, 31-2
Full faith and credit, 1965, 33, 69-70; 1966, 36, 40-1, 45, 167-8
GATT (General Agreement on Tariffs and Trade of 1947), 1965, 91, 102; 1966,
    17, 24-5, 31-3
Goals, 1965, 129-30
Hague Conference on Private International Law, 1966, 115-27
High Seas
    freedom to discharge oil, 1965, 163
    interception of vessels on, 1966, 86-8, 97
    whaling operations, 1965, 163
Holy See, 1966, 14
Immovables
    question of characterization, 1966, 162-5
Incendiary bombs, 1965, 168
Individual
    position in international law, 1965, 125-6
Integration, 1965, 128-9
Interaction, 1965, 132-4
Interests, see also Conflict of Interests
Internal waters
    meaning of, 1966, 100
International community, 1965, 122-4
International Court of Justice
    composition, 1965, 10-11
    jurisdiction generally, 1965, 9-12
    President
         appointment by, of arbitrators, etc., 1965, 22
         authentication powers, 1965, 21
         casting vote, 1965, 16; 1966, 148
         meetings with agents of parties to case, 1965, 18-19
         office and functions, 1965, 14-15
         out-of-session powers, 1965, 16-18
         relations with Judges, 1965, 19-20, 21
         representation of Court on ceremonial occasions, 1965, 22
     procedure generally, 1965, 12-13
    Yearbook 1965-1966, 1966, 169-70
International Labour Conventions
    application, 1966, 56-8, 62-3, 65, 131
    consistency of domestic laws with, 1966, 60-4
    fundamental obligation to make Convention an effective instrument, 1966,
    See also International Labour Organization (ILO), Commissions of
         Inquiry of 1961 and 1962
```

International Labour Organization (ILO), Commissions of Inquiry of 1961 and 1962, 1966, 47-66

## International Law

enforcement agencies, 1965, 127
history of, contribution of Asian States to, 1965, 169
relation to municipal law
International Labour Conventions, 1966, 56-8
trade agreements and, 1965, 88
sociology of, 1965, 119-36

International system, 1965, 122

#### Intervention

in relations between parent State and dependent territory, 1966, 149 meaning of term "intervene" in art. 2, par. 7 of United Nations Charter, 1965, 137-58 right to assist legitimate government in a civil war, 1965, 159; 1966, 81-2, 150

Investments, see Private Foreign Investment

Justice, 1965, 127-8

## Legitimation

under Marriage Act 1961 (Com.), 1965, 23, 28-30

#### Locus standi

before international tribunals, 1966, 135-41, 143-7

Low-tide elevations, 1966, 100, 104-5

Low-water mark, 1966, 105-8

Mandates, 1966, 135-7, 146

#### Maps

bearing on boundary disputes, 1965, 43-51

#### Marriage

polygamous marriages, 1965, 26-7; 1966, 161-2 under Marriage Act 1961 (Com.), 1965, 23, 28-30

## **Matrimonial Causes**

Matrimonial Causes Act 1959 (Com.), 1965, 23, 24-8; 1966, 161-2

#### Moratorium legislation

classification as procedural or substantive under private international law, 1965, 65-8

Most-favoured-nation treatment, 1965, 9, 162

## Movables

question of characterization, 1966, 162-5

## Mutual defence treaty

obligations both joint and several, 1965, 166-7

Napalm bombs, 1965, 168

#### **New Guinea**

Trust Territory of
extent, 1965, 105-7
title to land in, 1965, 105-117
Trusteeship Agreement, 1965, 105-6
See also Papua-New Guinea

# **Newly emerged States**

strains on international law due to, 1965, 123 territorial sovereignty, acquisition of, 1966, 9-15

New Zealand-Australia Free Trade Agreement of 1965: 1966, 17-34 administrative co-operation, 1966, 30-1 association of States and territories with, 1965, 100; 1966, 25-6 consultations under, 1966, 27-30 definition and scope of "Free Trade Area", 1966, 25-6 GATT Agreement, consistency with, 1966, 31-33 general nature and effect, 1966, 22-5, 33-4 objectives, 1966, 26-7, 29 planning and development, 1966, 31 preparatory work and negotiation, 1966, 18-22 reviews under, 1966, 27, 29, 30 Non-formal organizations, 1965, 124-5 Non-governmental organizations, 1965, 124-5 Non-recognition effect of, 1966, 152, 153 no obstacle to participation in discussions, etc., 1965, 161; 1966, 152 Non-war armed conflict, 1966, 155 Nuclear non-proliferation, 1966, 153-4 Nuclear Weapon Tests Ban Treaty of 1963, 1966, 153-4 OECD (Organization for Economic Co-operation and Development), 1966, 156-7 Papua-New Guinea applicability to, of Australian trade agreements, 1965, 100-1, see also New GUINEA, TRUST TERRITORY OF Peace, 1965, 135-6 Peace research, 1966, 181 Peaceful co-existence, 1965, 170; 1966, 147 "Peacekeeping" operations and forces, 1965, 137, 145-54, 157, 162 Power, 1965, 130-2 Preliminary objections whether can be joined to merits, 1966, 53 Prisoners of war status accorded in Vietnam conflict, 1966, 156 Private foreign investment capital, right to repatriate, 1965, 164-5 Convention of 1965 for Settlement of Investment Disputes, 1965, 169-70 guarantees and insurance, 1965, 80-2 West German treaties for protection of, exchange controls under, 1965, 71-83 passim Private International Law procedure, aspects of, 1965, 53-70 recent developments (1965-1966), 1966, 159-68 substance, aspects of, 1965, 53-70 torts committed in Australian territory, 1966, 35-46, 166-8 Protest, 1965, 133 Public vessels, 1966, 173 Quantitative export restrictions, 1966, 24, 28

Quantitative import restrictions, 1966, 24

offshore broadcasts by, 1966, 99

Radio stations

Recognition

declaratory and constitutive theories, 1966, 11-12

newly emerged States, practice as to, 1966, 10

not granted to former territory illegally declaring its independence, 1966, 151-2

Reprisals

under international law, 1966, 52

Revolution

effect on territorial sovereignty, 1966, 10-11, 12-13

Rome Treaty of 1957

establishing EEC (European Economic Community), 1966, 26, 33

Sanctions under United Nations Charter, 1966, 85-98 passim. See also Conco Crisis, enforcement measures in

SEATO Agreement (South-east Asia Collective Defence Agreement of 1954), 1966, 77, 150, 156

Secession

effect on territorial sovereignty, 1966, 10-11, 12-13

Self-defence, 1965, 156 (n.69), 167; 1966, 76, 77-9, 81, 88-90, 97

Self-determination, 1965, 160-1; 1966, 13

Service out of the jurisdiction, 1966, 159-60

Settlement of disputes, see DISPUTES, SETTLEMENT OF

Sociology of international law

elements of, 1965, 119-36

South West Africa Cases (I.C.J., 1966), 1966, 135-157, 169-70

Special interests of States, 1965, 130

Statute of Westminster, 1966, 130

Statutes of Limitation

classification as substantive or procedural under private international law, 1965, 56-61

Stockholm Convention of 1960

establishing EFTA (European Free Trade Association), 1966, 25, 26, 27, 28, 33

Survival, 1965, 135-6

Suspension of remedies and substantive rights

classification as substantive or procedural under private international law, 1965, 61-5

Tear gases, 1965, 168

**Tensions** 

management of, 1965, 134

Territorial sovereignty

acquisition by newly emerged States, 1966, 9-15

Territorial waters

criminal jurisdiction in, 1966, 108-113 extent of, 1966, 100, 110-2

Testamentary capacity, and lex domicilii, 1966, 165-6

Threat, 1965, 133

Torts

private international law and, 1966, 35-46, 166-8

Trade agreements

juridical aspects of Australian, 1965, 85-103

#### **Treaties**

boundary disputes, bearing of treaties on, 1965, 37-8, 40-3 delegation of treaty-making power, 1966, 131-2 establishment treaties, 1965, 72-4 exchanges of notes, 1965, 166 fundamental change of surrounding conditions, 1966, 155 protection treaties, 1965, 72-4 recent developments in Commonwealth practice, 1966, 129-33 territories, application to, 1965, 100-1; 1966, 129-30

#### Trust territory

defence of, under mutual security treaty, 1965, 160 emancipation primarily a matter for people concerned, 1966, 151 emancipation procedures, 1966, 10, 14 independence not dependent on complete economic self-reliance, 1965, 159-60 military installations, United Nations consent unnecessary for, 1965, 160 representation by advisers at United Nations meetings, 1966, 151

Undue influence, and lex domicilii, 1966, 165-6

**United Nations Security Council** 

powers under Chapter VII of United Nations Charter, 1965, 137-58; 1966, 92-8

Values, 1965, 126, 129

Vietnam conflict

legality of participation in, 1965, 159, 167; 1966, 67-83, 150

Visits to locus in quo

by international organs, or courts, 1966, 53-56

Vital interests of States, 1965, 130

War, see Civil war, Cold war, and Non-war armed conflict Watershed principle as applying in definition of boundaries, 1965, 48 (n.29)

World order, 1966, 177-8