AMERICAN JOURNAL OF

INTERNATIONAL LAW



VOLUME 57

1963

PUBLISHED BY

THE AMERICAN SOCIETY OF INTERNATIONAL LAW (Incorporated by Act of Congress, Sept. 20, 1950)

Publication Office:
LANCASTER PRESS, INC.
LANCASTER, PA.

EXECUTIVE AND EDITORIAL OFFICE.
2223 MASSACHUSETTS AVE., N.W.
WASHINGTON 8, D. C.

Copyright @ 1963 by The American Society of International Law

BOARD OF EDITORS

Editor-in-Chief

WILLIAM W. BISHOP, JR., University of Michigan Law School

RICHARD R. BAXTER Harvard Law School

HERBERT W. BRIGGS Cornell University

HARDY C. DILLARD
University of Virginia Law School

ALWYN V. FREEMAN Encino, California

Leo Gross

Fletcher School of Law and Diplomacy

JOHN N. HAZARD Columbia University

James Nevins Hyde New York, N. Y.

OLIVER J. LISSITZYN Columbia University

Brunson MacChesney

Northwestern University Law School

MYRES S. McDougal Yale Law School

COVEY OLIVER
University of Pennsylvania

STEFAN A. RIESENFELD

University of California Law School

OSCAR SCHACHTER New York, N. Y.

Louis B. Sohn Harvard Law School

ERIC STEIN

University of Michigan Law School

John R. Stevenson New York, N. Y.

ROBERT R. WILSON Duke University

RICHARD YOUNG Van Hornesville, N. Y.

Honorary Editors

PHILIP MARSHALL BROWN Washington, D. C.

CHARLES G. FENWICK Washington, D. C.

HANS KELSEN University of California JOSEF L. KUNZ University of Toledo PITMAN B. POTTER American University

JOHN B. WHITTON Princeton University

QUINCY WRIGHT University of Virginia

Secretary of the Board of Editors ELEANOR H. FINCH

The object of The American Society of International Law is to foster the study of international law and to promote the establishment and maintenance of international relations on the basis of law and justice. For this purpose it co-operates with similar societies in this and other countries.

The views expressed in the articles, editorial comments, book reviews and notes, and other contributions which appear in the JOURNAL are those of the individual authors and are not to be taken as representing the views of the Board of Editors or of The American Society of International Law.

The Journal is published quarterly and is supplied to all members of The American Society of International Law without extra charge. The annual subscription to nonmembers of the Society is \$15.00 and includes subscription to the *Proceedings* of the Society. Single numbers of Volumes 55 and 56 of the Journal will be supplied at \$3.50 per copy; other available back numbers at \$2.50 per copy.

Subscriptions, orders for back numbers, correspondence with reference to the JOURNAL, manuscripts, and books for review should be sent to the Secretary of the Board of Editors, 2223 Massachusetts Avenue, N.W., Washington 8, D. C.

AMERICAN JOURNAL OF INTERNATIONAL LAW

Vol. 57	CONTENTS	1963

[No. 1, January, 1963, pp. 1-278; No. 2, April, 1963, pp. 279-514; No. 3, July, 1963, pp. 515-750; No. 4, October, 1963, pp. 751-1032]	
	PAGE
REFLECTIONS UPON THE POLITICAL OFFENSE IN INTERNATIONAL PRACTICE. Alona E. Evans	1
THE LEGAL STATUS OF FORMOSA. J. P. Jain	25
PEACE-KEEPING AND DISARMAMENT. Alan F. Neidle	46
Soviet Criminal Legislation in Implementation of the Hague and Geneva Conventions on the Rules of Land Warfare. Bernard A. Ramundo	73
THE USES OF "GENERAL PRINCIPLES" IN THE DEVELOPMENT OF INTERNATIONAL LAW. Wolfgang Friedmann	279
THE INTERNATIONAL CONFERENCE ON THE SETTLEMENT OF THE LAOTIAN QUESTION AND THE GENEVA AGREEMENTS OF 1962. John J. Czyzak and Carl F. Salans	300
THE EMPLOYMENT OF PRISONERS OF WAR. Howard S. Levie	318
THE WAR CLAIMS ACT OF 1962. Martin Domke	354
Defensive Quarantine and the Law. Leonard C. Meeker	515
MARITIME QUARANTINE: THE NAVAL INTERDICTION OF OFFENSIVE WEAPONS AND ASSOCIATED MATERIEL TO CUBA, 1962. Carl Q. Christol and Charles R. Davis	525
THE CUBAN QUARANTINE. Quincy Wright	546
COMMONWEALTH CITIZENSHIP AND COMMON STATUS. Robert R. Wilson and Robert E. Clute	566
THE JUBISPRUDENCE OF THE WORLD COURT: THIRTY-EIGHTH YEAR (1959). Leo Gross	751
Maps as Evidence in International Boundary Disputes: A Reappraisal. Guenter Weissberg	781
The Evolution of the European Convention on Human Rights. $Gordon\ L.$ $Weil$	804
RIVER POLLUTION IN INTERNATIONAL LAW. A. P. Lester	828
OUTER SPACE CO-OPERATION IN THE UNITED NATIONS. James Simsarian	854
EDITORIAL COMMENT:	~=
William Cullen Dennis, 1878–1962. Pitman B. Potter	85 88
Stevenson	97
International Law and the Quarantine of Cuba. Covey Oliver	373 588
The Quarantine Against Cuba: Legal or Illegal? C. G. Fenwick	592
Some Comments on the "Quarantine" of Cuba. Brunson MacChesney The Soviet-Cuban Quarantine and Self-Defense. Myres S. McDougal	597
The Sixth Committee and New Law. John N. Hazard	604
The Many Faces of International Law. Louis B. Sohn	868
Notes and Comments:	
The 1962 Brussels Convention on the Liability of Operators of Nuclear Ships. Peider Könz	100
The Organization of Petroleum Exporting Countries (OPEC). Issam Azzam	
Regional Meetings of the Society. Howard J. Taubenfeld and Eleanor H. Finch	114
57th Annual Meeting of the Society	117
A Critique of Professor Myres S. McDougal's Doctrine of Interpretation by Major Purposes. Stanley V. Anderson	378
A Footnote. Myres S. McDougal	383

	PAGE
The Question of Revision of the Bustamante Code. Kurt H. Nadelmann	384
In Memory of Dr. Jacob Ter Meulen. P. J. J. Diermanse and B. Landheer	391
World Conference on Peace through Law. E. H. F.	393
13th Conference of the Inter-American Bar Association. E. H. F	394
International Judges' Congress. E. H. F.	395
Conference on Legal Problems of Trade and Investment in Latin America.	
E. H. F	395
Harvard Law Exchange Program. E. H. F.	397
57th Annual Meeting of the Society. E. H. F.	398
Report of the Advisory Committee on "Foreign Relations." Dexter Perkins	614
The Beginnings of Marxist Space Jurisprudence? Robert D. Crane	615
Annual Meeting of the Society. Eleanor H. Finch	625
Regional Meetings of the Society. E. H. F. and Detlev F. Vagts	633
European Common Market Conference, George Washington University. Arthur S. Miller	638
Fellowships for American Women 1964–1965. E. H. F.	639
The International Aspects of Law—Concepts and Terminology. Milton Katz	871
The Berlin Treaty and the River Niger Commission. T. O. Elias	873
Extradition of a Soviet Sailor. J. N. Saxena	883
The International Coffee Agreement, 1962. Richard B. Bilder	888
Council of Europe Endorsement of Hague Academy of International Law.	
William W. Bishop, Jr	892
Legatum Visserianum. Eleanor H. Finch	893
U. S. CONTEMPORARY PRACTICE RELATING TO INTERNATIONAL LAW 119, 403,	894
Judicial Decisions Involving Questions of International Law. Covey Oliver and John R. Stevenson	920
Decisions of the Court of Justice of the European Communities. Thomas Buergenthal	024
CANADIAN AND BRITISH CASES. Egon Guttman	
GERMAN AND SWISS CASES. M. Magdalena Schoch	
India and Pakistan Cases. Egon Guttman	
BOOK REVIEWS AND NOTES	
BOOKS RECEIVED	
PERIODICAL LITERATURE OF INTERNATIONAL LAW. Eleanor H. Finch 180, 479, 703	
	,
OFFICIAL DOCUMENTS:	
UNITED NATIONS. Report of the International Law Commission Covering the Work of Its Fourteenth Session, April 24—June 29, 1962	190
DIPLOMATIC CONFERENCE ON MARITIME LAW. Brussels, April 17-29, 1961/May	190
14-25, 1962. Convention on the Liability of Operators of Nuclear Ships.	
Brussels, May 25, 1962	26 8
UNITED KINGDOM-NORWAY. Fishery Agreement. Oslo, November 17, 1960	49 0
INDONESIA-THE NETHERLANDS. Agreement concerning West New Guinea (West Irian). United Nations Headquarters, August 15, 1962	493
PERMANENT COURT OF ARBITRATION. Rules of Arbitration and Conciliation for	
One is a State. The Hague, February, 1962	5 00
UNITED STATES. Presidential Proclamation No. 3504 on Interdiction of the Delivery of Offensive Weapons to Cuba. October 23, 1962	512
UNITED NATIONS GENERAL ASSEMBLY. Resolution on Permanent Sovereignty over Natural Resources. December 14, 1962	710
PEOPLE'S REPUBLIC OF CHINA-PAKISTAN. Agreement on Boundary between China's Sinkiang and the Contiguous Areas. Peking, March 2, 1963	
GOVERNMENT OF THE FRENCH REPUBLIC-ALGERIAN NATIONAL LIBERATION FRONT.	
Declarations concerning Algeria. Evian, March 19, 1962	716
Section 301 (d) of the Foreign Assistance Act of 1962. Approved August	749

	PAGE
United Nations Conference on Consular Relations. Vienna, March 4-April 22, 1963:	
Final Act. April 24, 1963	993
Convention on Consular Relations. April 24, 1963	995
Optional Protocol concerning Acquisition of Nationality. April 24, 1963	1022
Optional Protocol concerning the Compulsory Settlement of Disputes. April 24, 1963	1023
UNITED STATES-UNITED KINGDOM-UNION OF SOVIET SOCIALIST REPUBLICS. Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space	
and under Water. Moscow, August 5, 1963	1026
Agreed Communique. July 25, 1963	1028
France-United States. Compromis of Arbitration relating to the Air Transport Services Agreement of March 27, 1946, as amended. Paris, January 22,	
1963	1029
NDEX	1033