

AMERICAN JOURNAL OF INTERNATIONAL LAW

VOL. 98

July 2004

NO. 3

CONTENTS

PAGE

- International Law Immunities and the International Criminal Court** *Dapo Akande* 407

This article considers the types of immunity available to state officials and their applicability in national and international prosecutions for international crimes. The author analyzes the tensions between the provisions of the ICC Statute dealing with immunity and argues that while the immunities of officials of nonparties remain unaffected by the Statute, ICC parties have accepted obligations going beyond customary law in relation to their own officials.

- Compliance with Final Judgments of the International Court of Justice Since 1987** *Colter Paulson* 434

This examination of the recent final judgments of the International Court of Justice assesses the degree of compliance attained and the factors that influence it. All of the judgments have met with a high degree of deference and significant efforts toward compliance, and most have won full compliance, including resolution of the underlying dispute.

- Justiciability of Economic, Social, and Cultural Rights: Should There Be an International Complaints Mechanism to Adjudicate the Rights to Food, Water, Housing, and Health?** *Michael J. Dennis and David P. Stewart* 462

The proposal to establish a new individual-complaints mechanism under the International Covenant on Economic, Social and Cultural Rights raises important issues about justiciability. The authors explore the negotiating history of the Covenant as well as an array of practical challenges to, and constraints upon, the proposed mechanism, asking how it would function, on what legal basis, and to what practical benefit.

- The Manley O. Hudson Lecture: Why Regime Change Is (Almost Always) a Bad Idea** *W. Michael Reisman* 516

Notes and Comments

- Policing the High Seas: The Proliferation Security Initiative *Michael Byers* 526

- When Is a Final Clause Not a Final Clause? *Shabtai Rosenne* 546

- The Francis Deák Prize 549

- Nominations for the Board of Editors 549

International Decisions*Edited by David D. Caron*

- Oil Platforms (Iran v. United States)* (Pieter H. F. Bekker) 550
ICJ judgment regarding U.S. attack on Iranian oil installations during Iran-Iraq war
- Case Concerning Avena and Other Mexican Nationals (Mexico v. United States)* (Dinah L. Shelton) 559
ICJ judgment on U.S. obligation to review convictions of Mexican nationals arrested and tried without notice of right to consular assistance
- Commission v. United Kingdom et al.* (Frank Hoffmeister) 567
European Court of Justice ruling on external competence of the Community and member states regarding bilateral air transport agreements
- Hingitaaq 53, Qajutaq Petersen, and Others v. Prime Minister's Office* (Ole Spiermann) 572
Danish Supreme Court decision on claims for compensation and right to return of indigenous people relocated from Thule, Greenland in 1953

Contemporary Practice of the United States Relating to International Law*Edited by Sean D. Murphy*

- Supreme Court's Use of Court Decisions of Treaty Partners* 579
- Implementation of Avena Decision by Oklahoma Court* 581
- Retroactivity of the Foreign Sovereign Immunities Act* 584
- Replacement of U.S.-Led Force in Haiti with UN Peacekeeping Mission* 586
- Establishment of U.S. Antiterrorism Maritime Transportation System* 588
- Report of U.S. Commission on Ocean Policy* 590
- U.S. Opposition to Measures Condemning Israel* 591
- U.S. Abuse of Iraqi Detainees at Abu Ghraib Prison* 591
- Mutual Legal Assistance Treaties with the European Union, Germany, and Japan* 596
- U.S. Reaction to ICJ Judgment in Iranian Oil Platforms Case* 597
- Coalition Laws and Transition Arrangements During Occupation of Iraq* 601
- UN Security Council Resolution on Nonproliferation of WMD* 606
- Senate Consent to U.S. Ratification of IAEA Additional Protocol* 608

Recent Books on International Law*Edited by Richard B. Bilder***Book Reviews**

- Choi, Won-Mog. *'Like Products' in International Trade Law: Towards a Consistent GATT/WTO Jurisprudence* (Steve Charnovitz) 610
- Dahm, Georg, Jost Delbrück, and Rüdiger Wolfrum. *Völkerrecht* (2d ed.) (Detlev F. Vagts) 614
- Nathwani, Niraj. *Rethinking Refugee Law* (James C. Hathaway) 616
- Shany, Yuval. *The Competing Jurisdictions of International Courts and Tribunals* (Laurence Boisson de Chazournes) 622
- Reinisch, August. *International Organizations Before National Courts* (Malcolm N. Shaw) 625
- Reydams, Luc. *Universal Jurisdiction: International and Municipal Legal Perspectives* (Kenneth C. Randall) 627
- Butler, William E. *The Law of Treaties in Russia and the Commonwealth of Independent States: Text and Commentary* (Peter Krug) 631
- Cheng, Bin. *Studies in International Space Law* (Jonathan F. Galloway) 633
- Collected Essays** 636
- Books Received** 636
- International Legal Materials. Contents, Vol. XLIII, No. 3 (May 2004)** 640