

THE CANADIAN YEARBOOK OF INTERNATIONAL LAW. Vol. 10. Vancouver: University of British Columbia Press 1972. Pp. 375.

This annual follows closely the size and format of the preceding yearbooks. There are seven lead articles (six in English and one in French); two lesser ranked "Comments"; four "Notes"; twenty-nine pages of "Canadian Practice of International Law, 1971"; digests of fifty-one 1971 Canadian cases in the fields of either Public International Law or Conflict of Laws; and eight book reviews.

The lead article by Professor Samuels of the Faculty of Law, University of Western Ontario, is an inquiry into the legal, political and practical aspects of, as I see it, forcing humanitarian aid for the Biafrans upon Nigeria during the "crisis of 1967 - 70".¹ Interestingly, his research was in part clinical; he talked with those involved in the relief efforts.

Dean Macdonald of Dalhousie follows with a review of developments within the 25th and 26th sessions of the General Assembly in exposition of why ECOSOC's 1967 proposal that there be created an office of UN High Commissioner for Human Rights failed to be adopted.²

En français, Professor Grenon, sometime visiting Professor at the University of Montreal Law Faculty and presently with the Department of External Affairs, historically traces the development of Canadian foreign trade treaties from early bilaterals to GATT.

The thorough scholarship of the literary prolific L. C. Green³ comes to the fore in his treatment of the essentially political resolution by the United Nations of the Chinese "representation" question.

Professor W. F. Foster of the Faculty of Law, McGill University, analyzes *seriatim* and in detail the provisions of the 1971 draft convention on International Liability for Damage Caused by Space Objects. He concludes that the draft is not without some deficiencies.

Professor C. M. Dalfen of the University of Toronto Law Faculty compares the process by which international laws about "remote earth sensing"⁴ are being made with the process by which such laws about direct satellite broadcasting have been, and are being, made.

Most welcome is Professor C. B. Bourne's⁵ latest contribution to the clarity of international fluvial law. Here he deals with the Helsinki principle of prior consultation and negotiation — prior to unilateral resort to adverse affective measures.

In the "Comments" category⁶ are two articles. One, twenty-five pages long, by Poeliu Dai, Professor of Political Science, State University College, Potsdam, New York, is entitled, "Canada's [sic] Role in the International Commission for Supervision & Control in Laos". It is an historical study of frustration. The other is Professor McRae's⁷ account of ICAO's unsuccessful attempt in 1970-71 to

¹ Footnote of the author. It's either a "crisis" or a "situation" throughout. I had thought it a civil war with secession at stake.

² Because of the obstructionist tactics of those members of the General Assembly who are adamantly opposed to the establishment of such a "supra-national organ".

³ Of the University of Alberta.

⁴ ". . . a system of methods of identifying the nature and/or determining the condition of objects on the earth's surface and of phenomena on, below or above it, by means of observations from airborne or spaceborne platforms" at 189.

⁵ U.B.C. Law Faculty.

⁶ Why, I do not know.

⁷ U.B.C. Law Faculty.

develop ways and means to force a State into which skyjackers have landed civil aircraft to protect craft, crew and passengers and to deal deterrently with the skyjackers. It continues, unfortunately, to be a timely topic.

In the "Notes" category are: (1) an account of the First Annual Conference of the Canadian Council of International Law, Ottawa, 13 & 14 October 1972; (2) the awards of the John E. Read Medal;⁸ and (3) memorials to the late Sir Kenneth Bailey and Professor Wolfgang Friedmann.

The invaluable section of *Canadian Practice* consists of twenty-nine pages of External Affairs pronouncements. Maritime Law, pollution and "Arctic sovereignty" seem to have been dominating considerations.

Professor Castel's identification and digest of relevant Canadian cases features *Conflicts* cases. Only nine of the fifty-one are International Law cases. My fault is not with Professor Castel, but with the "system". Fortunately, there are some beautiful⁹ Canadian Extradition cases coming up for Volume 11.

Of the eight book reviews, four are by, I said prolific, Professor L. C. Green. Some of the eight are superficial notes; some are thoughtful reviews.

My general impressions are that the contents of Volume 10, consciously or not, are pitched at a high academic and political level. Little is of practical use to the Canadian lawyer. Shouldn't there be balance? I do not see why we have to turn to the Canadian Bar Review for aids to the practitioner who has a case with international implications. The section on *Canadian Practice* could be and, it is submitted, should be, the most relevant, the most practical, and the most resorted to.¹⁰

—D. V. KERIG*

⁸ To Judge Read and Professor Percy Corbett.

⁹ Cf., Gross, *Bulgaria Invokes the Connally Amendment*, (1962) 56 Am. J. Int. L. 357 at 362.

¹⁰ And often it is with, for example, "ground rules" for the processing of international claims.

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