

## INTERNATIONAL LEGAL MATERIALS

Table of Contents

Volume XXXIV

1995

## TREATIES AND AGREEMENTS

ALBANIA-UNITED STATES: Agreement on the <u>Settlement of Certain Outstanding Claims and Financial Issues</u> , March 10, 1995 . . . . .	34:595	May 95
ARGENTINA-BRASIL-PARAGUAY-URUGUAY: Additional Protocol to the Treaty of Asunción on the <u>Institutional Structure of Mercosur</u> (Protocol of Ouro Preto), December 17, 1994 . . . . .	34:1244	Sep 95
BELGIUM (BRUSSELS-CAPITAL, FLANDERS, WALLONIA REGIONAL GOVERNMENTS)-FRANCE-NETHERLANDS: Agreements on the <u>Protection of the Rivers Meuse and Scheldt</u> , April 26, 1994 . . . . .	34:851	July 95
CAMBODIA-LAOS-THAILAND-VIETNAM: Agreement on the Cooperation for the <u>Sustainable Development of the Mekong River Basin</u> , April 5, 1995 . . . . .	34:864	July 95
CAMBODIA-UNITED STATES: Agreement concerning the <u>Settlement of Certain Property Claims</u> , October 6, 1994 . . . . .	34:600	May 95
CANADA-EUROPEAN COMMUNITY: <u>Agreed Minute on the Conservation and Management of Fish Stocks</u> , April 20, 1995 . . . . .	34:1260	Sep 95
COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA: Protocol to the <u>COMESA Treaty on the Rules of Origin</u> , December 8, 1994 . . . . .	34:908	July 95
COMMONWEALTH OF INDEPENDENT STATES: <u>Charter</u> , June 22, 1993 . . . . .	34:1279	Sep 95
<u>Treaty on Creation of Economic Union</u> , September 24, 1993 . . . . .	34:1298	Sep 95
COSTA RICA-COLOMBIA-DOMINICAN REPUBLIC-EUROPEAN COMMUNITY-NICARAGUA-VENEZUELA: Framework Agreement on <u>Banana Imports</u> , March 29, 1994 . . . . .	34:1	Jan 95
COSTA RICA-EL SALVADOR-GUATEMALA-HONDURAS-NICARAGUA-PANAMA: Statute of the <u>Central American Court of Justice</u> , February 2, 1994 . . . . .	34:921	July 95
COUNCIL OF EUROPE: Framework Convention for the <u>Protection of National Minorities</u> , February 1, 1995 . . . . .	34:351	Mar 95
Protocol Amending the European Social Charter Providing for a <u>System of Collective Complaints</u> , November 9, 1995 . . . . .	34:1453	Nov 95
CZECH REPUBLIC-HUNGARY-POLAND-SLOVAK REPUBLIC: <u>Central European Free Trade Agreement (CEFTA)</u> , December 21, 1992 . . . . .	34:3	Jan 95
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA-UNITED STATES: Agreed <u>Framework to Negotiate Resolution of the Nuclear Issue on the Korean Peninsula</u> , October 21, 1994 . . . . .	34:603	May 95
EUROPEAN ENERGY CHARTER CONFERENCE: Final Act, <u>Energy Charter Treaty</u> , Decisions and <u>Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects</u> , December 17, 1994 . . . . .	34:360	Mar 95
FAO-ILO-OECD-UNEP-UNIDO-WHO: Memorandum of Understanding Concerning Establishment of the <u>Inter-Organization Programme for the Sound Management of Chemicals</u> , March 13, 1995 . . . . .	34:1311	Sep 95
GREECE-THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA: <u>Interim Accord and Memorandum on Practical Measures Related to the Interim Accord</u> , September 13, 1995; October 13, 1995 . . . . .	34:1461	Nov 95
INDIA-UNITED KINGDOM: Agreement for the <u>Promotion and Protection of Investments</u> , March 14, 1994 . . . . .	34:935	July 95
IRELAND-GREAT BRITAIN: <u>A New Framework for Agreement</u> , February 26, 1995 . . . . .	34:946	July 95
INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW (UNIDROIT): Final Act of the Diplomatic Conference for the Adoption of the Draft UNIDROIT Convention on the <u>International Return of Stolen or Illegally Exported Cultural Objects</u> , June 24, 1995 . . . . .	34:1322	Sep 95
ISRAEL-JORDAN: Treaty of <u>Peace</u> , October 26, 1994 . . . . .	34:43	Jan 95

## TREATIES AND AGREEMENTS (cont.)

ISRAEL-PALESTINE LIBERATION ORGANIZATION: Agreement on <u>Preparatory Powers and Responsibilities</u> , August 29, 1994 . . . . .	34:455	Mar 95		
JAPAN-PEOPLE'S REPUBLIC OF CHINA-REPUBLIC OF KOREA-REPUBLIC OF POLAND-RUSSIAN FEDERATION-UNITED STATES: Convention on the <u>Conservation and Management of Pollock Resources</u> in the Central Bering Sea, June 16, 1994 . . . . .	34:67	Jan 95		
JAPAN-REPUBLIC OF KOREA-UNITED STATES: Agreement on the <u>Establishment of the Korean Peninsula Energy Development Organization</u> , May 9, 1995 . . . . .	34:608	May 95		
JAPAN-UNITED STATES:				
<u>Automotive Agreement and Supporting Documents</u> , August 23, 1995 . . . . .	34:1482	Nov 95		
Exchange of Letters Containing <u>Medical Technology Procurement</u> Agreement, November 1, 1994 . . . . .	34:78	Jan 95		
Exchange of Letters Containing <u>Nippon Telegraph and Telephone Corporation Procurement</u> Agreement, October 1, 1994 . . . . .	34:102	Jan 95		
Exchange of Letters Containing <u>Patent Systems</u> Agreement, August 16, 1994 . . . . .	34:121	Jan 95		
Exchange of Letters Containing <u>Telecommunications Procurement</u> Agreement, October 1, 1994 . . . . .	34:125	Jan 95		
Measures Regarding <u>Financial Services</u> , February 13, 1995 . . . . .	34:617	May 95		
Measures Regarding <u>Insurance</u> , October 1, 1994 . . . . .	34:661	May 95		
<u>Policies and Measures Regarding Inward Direct Investment and Buyer-Supplier Relations</u> . . . . .	34:1340	Sep 95		
PEOPLE'S REPUBLIC OF CHINA-UNITED STATES:				
Memorandum of Understanding on the <u>Protection of Intellectual Property</u> , January 17, 1992 . . . . .	34:676	May 95		
Agreement Regarding <u>Intellectual Property Rights</u> , February 26, 1995 . . . . .	34:881	July 95		
SOCIALIST REPUBLIC OF VIETNAM-UNITED STATES: Agreement concerning the <u>Settlement of Certain Property Claims</u> , January 28, 1995 . . . . .	34:685	May 95		
UNITED NATIONS CONFERENCE ON STRADDLING FISH STOCKS AND HIGHLY MIGRATORY FISH STOCKS: Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of 10 December 1982, Relating to the <u>Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks</u> , August 4, 1995 . . . . .			34:1542	Nov 95
UNITED NATIONS GENERAL ASSEMBLY: Convention on the <u>Safety of United Nations and Associated Personnel</u> , December 9, 1994 . . . . .	34:482	Mar 95		
UNITED NATIONS: Final Document on <u>Extension of the Treaty on the Non-Proliferation of Nuclear Weapons</u> , May 11, 1995 . . . . .	34:959	July 95		

## JUDICIAL AND SIMILAR PROCEEDINGS

CANADA: Supreme Court Decision in <u>Thompson v. Thompson (Hague Convention on the Civil Aspects of International Child Abduction)</u> , January 26, 1994; October 20, 1994 . . . . .	34:1159	Sep 95
EUROPEAN COMMUNITIES: Court of Justice Opinion 1/94 concerning the <u>Competence of the European Community to Conclude International Agreements Concerning Services and the Protection of Intellectual Property - Article 228(6) of the EC Treaty</u> , November 15, 1994 . . . . .	34:689	May 95
EUROPEAN COURT OF JUSTICE: Judgment of the Court in <u>Federal Republic of Germany v. Council of the European Union (Bananas; Common Organization of the Market; Import Regime)</u> , October 5, 1994 . . . . .	34:154	Jan 95
GENERAL AGREEMENT ON TARIFFS AND TRADE: Dispute Settlement Panel Report on the <u>European Economic Community—Import Regime for Bananas</u> , January 18, 1994 . . . . .	34:177	Jan 95
GERMANY: Federal Constitutional Court Orders Concerning <u>Service of Punitive Damage Claims</u> , August 3 and December 7, 1994 . . . . .	34:975	July 95
INTER-AMERICAN COURT OF HUMAN RIGHTS: Advisory Opinion on <u>International Responsibility for the Promulgation and Enforcement of Laws in Violation of the American Convention on Human Rights</u> , December 9, 1994 . . . . .	34:1188	Sep 95
INTERNATIONAL COURT OF JUSTICE:		
Judgment on Jurisdiction and Admissibility in the Case Concerning <u>Maritime Delimitation and Territorial Questions Between Qatar and Bahrain (Qatar v. Bahrain)</u> , February 15, 1995 . . . . .	34:1204	Sep 95
<u>Case Concerning East Timor (Portugal v. Australia)</u> , June 30, 1995 . . . . .	34:1581	Nov 95

## JUDICIAL AND SIMILAR PROCEEDINGS (cont.)

## INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA:

- Indictment against Nikolic, November 7, 1994 . . . . . 34:996 July 95  
Indictments against Meakic & Others and Tadic & Other, February 13, 1995 . . . . . 34:1011 July 95

## UNITED STATES:

- Court of Appeals for the Second Circuit Decision in Kadic v. Karadžić (Alien Tort Act; Torture Victim Act; the Law of Nations; Subject Matter Jurisdiction), October 13, 1995 . . . . . 34:1592 Nov 95  
 Supreme Court Decision in Vimar Seguros y Reaseguros, S.A. v. M/V Sky Reefer et al. (Enforceability under Federal Arbitration Act; and Foreign Arbitration Clauses in Maritime Bills of Lading), June 19, 1995 . . . . . 34:1615 Nov 95

## LEGISLATION AND REGULATIONS

- ANDEAN PACT: Decision 344 regarding Common Provisions on Industrial Property, October 21, 1993 . . . . . 34:1635 Nov 95  
 MEXICO: Federal Act of Economic Competition, June 23, 1993 . . . . . 34:1045 July 95  
 PEOPLE'S REPUBLIC OF CHINA:  
Arbitration Law, August 31, 1994 . . . . . 34:1650 Nov 95  
 China International Economic and Trade Arbitration Commission (CIETAC)  
Arbitration Rules, March 17, 1994 . . . . . 34:1663 Nov 95  
 RUSSIAN FEDERATION: Federal Law on International Treaties, June 16, 1995 . . . . . 34:1370 Sep 95  
 UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW: Model Law  
 on Procurement of Goods, Construction and Services, December 9, 1994 . . . . . 34:718 May 95  
 UNITED STATES: International Antitrust Enforcement Assistance Act of 1994, November 7, 1994 . . . . . 34:494 Mar 95

## REPORTS AND OTHER DOCUMENTS

- ASIA PACIFIC ECONOMIC COOPERATION FORUM (APEC): Declaration  
 of Common Resolve, November 15, 1994 . . . . . 34:758 May 95  
 INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT/  
 INTERNATIONAL DEVELOPMENT ASSOCIATION: Inspection Panel  
 Operating Procedures, Including Executive Directors' Resolution and  
 Explanatory Memorandum of the General Counsel, August 19, 1994 . . . . . 34:503 Mar 95  
 INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE  
 LAW (UNIDROIT): Principles on International Commercial Contracts, 1994 . . . . . 34:1067 July 95  
 ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE: Budapest  
 Summit Declaration on Genuine Partnership in a New Era, December 6, 1994 . . . . . 34:764 May 95  
 SUMMIT OF THE AMERICAS: Declaration of Principles and Plan of Action, December 11, 1994 . . . . . 34:808 May 95  
 UNITED NATIONS COMMISSION ON HUMAN RIGHTS: Resolution 1995/32  
 Establishing a Working Group to Elaborate a Draft United Nations Declaration  
 on the Rights of Indigenous Peoples, March 3, 1995 . . . . . 34:535 Mar 95  
 UNITED NATIONS COMMISSION ON HUMAN RIGHTS SUB-COMMISSION  
 ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES:  
 Draft United Nations Declaration on the Rights of Indigenous Peoples, August 26, 1994 . . . . . 34:541 Mar 95  
 UNITED NATIONS COMPENSATION COMMISSION:  
 Governing Council Decisions 14 to 23 (Committee on Administrative Matters; Allied  
Coalition Forces' Claims; Interest; Transparency; Priority; Direct Cause; Filing Claims;  
Coordinating Claims), December 18, 1992-October 20, 1994 . . . . . 34:235 Jan 95  
 Recommendations Made by the Panel of Commissioners concerning Individual  
Claims for Serious Injury or Death (Category "B" Claims), April 14, 1994 . . . . . 34:263 Jan 95  
 Report and Recommendation Made by the Panel of Commissioners concerning the  
 First Instalment of Claims for Departure from Iraq or Kuwait  
(Category "A" Claims), October 21, 1994 . . . . . 34:305 Jan 95

## REPORTS AND OTHER DOCUMENTS (cont.)

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES: <u>Decisions Adopted by the First Session</u> (Berlin), March 28-April 7, 1995 . . . . .	34:1671	Nov 95
UNITED NATIONS INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS HUMAN RIGHTS COMMITTEE: General Comment Adopted Under Article 40 on <u>Issues Relating to Reservations Made Upon Ratification or Accession to the Covenant or the Optional Protocols, or in Relation to Declarations Under Article 41 of the Covenant</u> , November 2, 1994 . . . . .	34:839	May 95
UNITED STATES: Statement on the <u>European Energy Charter Treaty</u> , December 15-16, 1994 . . . . .	34:556	Mar 95
President's Transmittal of the <u>United Nations Convention on the Law of the Sea and the Agreement Relating to the Implementation of Part XI</u> to the U.S. Senate with Commentary, October 7, 1994 . . . . .	34:1393	Sep 95
Department of Justice and Federal Trade Commission <u>1995 Antitrust Enforcement Guidelines for International Operations</u> , April 1995 . . . . .	34:1080	July 95
Department of Justice and Federal Trade Commission <u>1995 Antitrust Guidelines for the Licensing of Intellectual Property</u> , April 1995 . . . . .	34:1115	July 95
WORLD INTELLECTUAL PROPERTY ORGANIZATION: <u>Mediation, Arbitration, and Expedited Arbitration Rules</u> , October 1, 1994 . . . . .	34:559	Mar 95
RECENT ACTIONS REGARDING TREATIES TO WHICH THE UNITED STATES IS A PARTY . . .	34:346	Jan 94
	34:590	Mar 95
	34:847	May 95
	34:1150	July 95
	34:1449	Sep 95
	34:1711	Nov 95
RECENT ACTIONS REGARDING TREATIES TO WHICH THE UNITED STATES IS NOT A PARTY . . . . .	34:349	Jan 95
	34:593	Mar 95
	34:849	May 95
	34:1151	July 95
	34:1450	Sep 95
	34:1714	Nov 95
NOTICE OF OTHER RECENT DOCUMENTS (not reproduced) . . . . .	34:350	Jan 95
	34:594	Mar 95
	34:850	May 95
	34:1158	July 95
	34:1452	Sep 95
	34:1715	Nov 95
INDEX TO VOLUME XXXIV . . . . .	34:1717	Nov 95

**Statement of Ownership, Management, and Circulation**  
(Required by 39 U.S.C. 3685)

*International Legal Materials* (issued bi-monthly, January, March, May, July, September, November); publication number, 0020-7829; filed October 1, 1995; subscription price, \$85 for U.S. members, \$105 for members outside U.S., \$170 for U.S. nonmembers, \$190 for nonmembers outside U.S.; The American Society of International Law, 2223 Massachusetts Avenue, N.W., Washington, D.C. 20008-2864. Editor, Marilou M. Righini, The American Society of International Law, 2223 Massachusetts Avenue, N.W., Washington, D.C. 20008-2864. Owner, The American Society of International Law, 2223 Massachusetts Avenue, N.W., Washington, D.C. 20008-2864. Average number of copies per issue, last twelve months: total printed, 2998; total paid circulation, 2265; free distribution, 26; total distribution, 2291; copies not distributed 707; percent paid circulation, 99%. Actual number of copies for single issue published nearest to filing date: total printed, 3058; total paid circulation, 2406; free distribution, 26; total distribution, 2432; copies not distributed, 626; percent paid circulation, 98.9%.

# CONTENTS

## TREATIES AND AGREEMENTS

Costa Rica-Colombia-Dominican Republic-European Community-Nicaragua-Venezuela: Framework Agreement on <u>Banana Imports</u>	
I.L.M. Content Summary . . . . .	1
Text of Agreement . . . . .	1
Czech Republic-Hungary-Poland-Slovak Republic: <u>Central European Free Trade Agreement (CEFTA)</u>	
Introductory Note by Phoebe Kornfeld . . . . .	3
I.L.M. Content Summary . . . . .	5
Text of Agreement . . . . .	8
Israel-Jordan: <u>Treaty of Peace</u>	
I.L.M. Content Summary . . . . .	43
Text of Treaty . . . . .	46
Japan-People's Republic of China-Republic of Korea-Republic of Poland-Russian Federation-United States: <u>Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea</u>	
I.L.M. Content Summary . . . . .	67
Text of Convention . . . . .	69
Japan-United States:	
Exchange of Letters Containing <u>Medical Technology Procurement Agreement</u>	
Introductory Note by Laura Sherman and Wendy Silberman . . . . .	78
I.L.M. Content Summary . . . . .	79
Text of Agreement . . . . .	82
Exchange of Letters Containing <u>Nippon Telegraph and Telephone Corporation Procurement Agreement</u>	
Introductory Note by Laura Sherman and Wendy Silberman . . . . .	102
I.L.M. Content Summary . . . . .	103
Text of Agreement . . . . .	104
Exchange of Letters Containing <u>Patent Systems Agreement</u>	
Introductory Note by Thomas Robertson . . . . .	121
I.L.M. Content Summary . . . . .	122
Text of Letters . . . . .	123
Exchange of Letters Containing <u>Telecommunications Procurement Agreement</u>	
Introductory Note by Laura Sherman and Wendy Silberman . . . . .	125
I.L.M. Content Summary . . . . .	126
Text of Agreement . . . . .	129

VOLUME XXXIV  
NUMBER 1  
JANUARY 1995

LIBRARY  
OF THE  
AMERICAN SOCIETY OF INTERNATIONAL LAW

International Legal Materials

## JUDICIAL AND SIMILAR PROCEEDINGS

European Court of Justice: Judgment of the Court in <i>Federal Republic of Germany v. Council of the European Union</i> ( <u>Bananas; Common Organization of the Market; Import Regime</u> )	
Introductory Note by Nancy L. Perkins . . . . .	154
I.L.M. Content Summary . . . . .	162
Text of Judgment . . . . .	165
General Agreement on Tariffs and Trade: Dispute Settlement Panel Report on the <u>European Economic Community—Import Regime for Bananas</u>	
I.L.M. Content Summary . . . . .	177
Text of Report . . . . .	180

## REPORTS AND OTHER DOCUMENTS

United Nations Compensation Commission: Governing Council Decisions 14 to 23 ( <u>Committee on Administrative Matters; Allied Coalition Forces' Claims; Interest; Transparency; Priority; Direct Cause; Filing Claims; Coordinating Claims</u> )	
Introductory Note by David D. Caron . . . . .	235
I.L.M. Content Summary . . . . .	240
Text of Decisions . . . . .	243
United Nations Compensation Commission: Recommendations Made by the Panel of Commissioners concerning <u>Individual Claims for Serious Injury or Death (Category "B" Claims)</u>	
I.L.M. Content Summary . . . . .	263
Text of Recommendations . . . . .	265
United Nations Compensation Commission: Report and Recommendation Made by the Panel of Commissioners concerning the First <u>Instalment of Claims for Departure from Iraq or Kuwait (Category "A" Claims)</u>	
I.L.M. Content Summary . . . . .	305
Text of Reports . . . . .	307

RECENT ACTIONS REGARDING TREATIES TO WHICH THE UNITED STATES IS A PARTY . . . . .	346
RECENT ACTIONS REGARDING TREATIES TO WHICH THE UNITED STATES IS NOT A PARTY . . . . .	349
NOTICE OF OTHER RECENT DOCUMENTS (not reproduced) . . . . .	350

