

BASIC DOCUMENTS IN INTERNATIONAL LAW, by Ian Brownlie, (editor) 3rd edition, Toronto: Oxford University Press, 1983, pp. xi and 406, \$18.25.

Perhaps one of the most valuable source books available to the student of international law is Brownlie's collection of *Basic Documents*, now in its third edition.

The documents collected together by Professor Brownlie have been grouped under eight headings covering international organizations, the law of the sea, outer space, diplomatic relations, permanent sovereignty over natural resources, human rights and self-determination, the law of treaties and the judicial settlement of international disputes.

The reason for the publication of this new edition lies in the conclusion of the third United Nations Conference on the Law of the Sea with the adoption of a Convention running to no less than 320 articles, to which must be added a further nine annexes. Professor Brownlie has, however, only reprinted Parts I-X and the first two Sections of Part XI, that is to say the first 149 Articles. He has omitted provisions relating to the development of resources of the 'Area', i.e., the sea-bed, ocean floor and subsoil outside of the limits of national jurisdiction; and far more important, the provisions concerning the 'Authority', one of the elements responsible for the United States refusal to sign the Convention. The omission of provisions for protection and preservation of the marine environment is somewhat surprising since he includes in this new edition the non-treaty General Assembly Resolution comprising the Charter on Economic Rights and Duties of States. Provisions for marine scientific research and the development and transfer of marine technology, and Part XV on the settlement of Disputes, as well as Annex VI comprising the Statute of the International Tribunal for the Law of the Sea are also omitted.

As to instruments that are included, it might well be questioned whether Resolutions of the General Assembly of the United Nations, even though they might be described as Declarations, constitute 'Basic Documents' in International Law. This is especially so with the Universal Declaration of Human Rights which has, from the point of view of obligation, been overcome by the two International Covenants. If it be contended that this document is still of vital significance from the point of view of human rights, it might be met with the argument that its proper place is Brownlie's companion volume of *Basic Documents on Human Rights*. In fact, if one were to omit this document and similarly ideological declarations like those on permanent sovereignty over natural resources or on the granting of independence to colonial countries and peoples, it might be possible, while keeping the size and cost of the volume within reasonable bounds, to include such basic documents as the two Protocols of 1977 on humanitarian law in international and non-international armed conflicts, and the Tokyo, Montreal and Hague Conventions on hijacking.

There will always be differences of opinion as to what should be included and what left out of a collection of basic documents in international law, but there can be no question that Brownlie's collection fills

what would otherwise be a lacuna, facilitating the task of students looking for at least some of the more significant instruments.

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