

FINNISH BRANCH OF THE INTERNATIONAL LAW ASSOCIATION

The Finnish Branch has sent to all national branches of the International Law Association, including the Australian branch, a book of 109 pages to honour the 70th birthdays of Emeritus Professor Berndt Godenhielm and Judge E.J. Manner, and also the 80th birthday, on 20 March 1983, of Ambassador Sigurd von Numers, who sadly died in May 1983 only a few weeks after attaining the age of 80.

The book takes the form of three short articles in recognition of the work of the three people who were being honoured, followed by eight articles on legal questions such as might be found in any law review.

Professor Godenhielm, who held the Swedish chair in civil and commercial law at the Faculty of Law of Helsinki University, has written mainly in the field of private law, especially patent law including international patent law. He has made Finnish law known in several articles in international journals and in congress reports, especially those of AIPPI (International Association for the Protection of Industrial Property). He also took an active part in preparing the common Nordic patent legislation between 1956 and 1964.

Of the three persons being honoured, Judge Manner is undoubtedly the best known by most members of the International Law Association. He participated actively in the work of the Finnish branch over a long period and, when the highly successful 52nd Conference of the Association was held in Helsinki in 1966, he was chairman of the Conference Organizing Committee. That Conference will for a long time remain famous as the source of the "Helsinki Rules on the Uses of the Waters of International Rivers," undoubtedly one of the finest achievements of the Association since the end of the Second World War. Manner, a member of the Association's Committee on "The Use of the Waters of International Rivers" since 1957, was appropriately elected chairman of the Committee when it was reconstituted in 1967 as the Committee on "International Water Resources Law." In that year Manner was appointed Judge of the Supreme Court. Also from 1965 until his retirement in 1983 Judge Manner acted as a legal adviser to the Ministry for Foreign Affairs

of Finland. In that capacity he was frequently a member of the Finnish delegation to the General Assembly of the United Nations, and he was also present at many international conferences, such as the Vienna Conference on the Law of Treaties and the Third United Nations Conference on the Law of the Sea.

Besides his professional career as a lawyer, Manner has also been active in higher education. For a long time he was secretary to the Chancellor of the University of Helsinki and he also taught economic law there. He later, as is well known, specialised in water resources law and between 1965 and 1967 he was a full time professor at the School of Technology in Helsinki. Many members of the Australian branch know Judge Manner well, as he was a regular and always a very approachable attender at the Association's biennial conferences.

The article on Ambassador von Numers is contributed by Erik Castren, the well-known Emeritus Professor of International and Constitutional Law at the University of Helsinki. As a leading authority on the laws of war (e.g. his work, The Present Law of War and Neutrality, 1954), Castren not unnaturally refers to the fact that von Numers wrote his doctoral thesis on "The Means of Naval Warfare." Castren says of this work that it "received much praise from his examiner, Professor Rafael Erich, who was known for being very critical." Von Numers continued to maintain his interest in international law, both public and private, and he played an active role in the Finnish branch of the International Law Association, but essentially he became a diplomat. He served in Finnish legations or embassies in Stockholm, Berlin, Washington, Ottawa, New Delhi, Colombo, Rangoon, Djakarta, The Hague and Dublin, and for two periods he served as head of the legal department of the Ministry of Foreign Affairs in Helsinki. For such tasks he was superbly qualified, taking his first law degree before he was 22 and, after a period of study in Paris, becoming a doctor of laws at the age of 25.

An interesting point about von Numers mentioned by Castren is that he was born in Viipuri into a family which migrated from Lubeck to Finland via Estonia and Sweden. Castren tells us that "for centuries Viipuri was an international centre, from the point

of view of both trade and population, and it was common among the more educated families to speak many foreign languages such as German, English, French and Russian in addition to their own," which would of course include Swedish as well as Finnish.

Now for the articles on questions of international law included in this interesting book. Bengt Broms, successor to Castren in the Chair of International and Constitutional Law at the University of Helsinki, writes on the essentially practical topic of the World Bank's "Convention on the Settlement of Investment Disputes between States and Nationals of Other States," whilst Emeritus Professor Castren contributes a masterly survey of "The Present State and Future Development of International Law, with particular reference to the United Nations." The book includes two articles of a more regional interest, one of these being on fishery cooperation in the Baltic Sea and the other on a Nordic initiative at the United Nations designed to secure better protection of diplomatic and consular representatives. This was a praiseworthy effort, inspired by revulsion against the succession of attacks on Yugoslav and Turkish representatives and the taking as hostages of the United States representatives in Iran. Unfortunately, for reasons which will be found in Professor Castren's article, it has been unsuccessful as the recent outrages in the United Kingdom involving the Libyan "People's Bureau" and the Nigerian High Commission have demonstrated.

Dr Metsälampi, a familiar figure at ILA biennial conferences, and currently Director of the Administrative Department of the National Board of Aviation in Helsinki, writes on the legal status of the aircraft commander, a topic which has long been of interest to practitioners of air law, whilst Judge Curt Olsson, President of the Supreme Court of Finland, writes on the history, composition and role of his Court.

Finally, I should mention two articles by non-Finnish contributors. Professor Cecil J. Olmstead, an attorney in Washington, D.C., and Vice-Chairman of the Executive Council of the International Law Association and formerly Chairman of the Rivers Committee, whose work led to the adoption of the famous "Helsinki Rules," writes on the Law of the Sea. Readers who expect

either an attack on, or a defence of, President Reagan's decision not to sign the 1982 United Nations Law of the Sea Convention will, however, be disappointed. What Professor Olmstead is concerned to show - appropriately enough in a volume which is in part dedicated in honour of Judge Manner - is that there are certain things in common between the law of the sea and the law of international rivers. The notion, much developed by the International Court of Justice and certain international arbitrators, that the doctrine of "equitable principles" has a role to play in maritime boundary disputes, owes at least something to the notion of "equitable utilization" as set out in the Helsinki Rules. There is also some similarity in the approach of these two branches of the law to the problem of pollution although, as Professor Olmstead points out, the law of the sea is largely universal in its application whereas the law of rivers is mainly regional.

The concluding article in the book is by Dr Arpad Prandler, Head of the International Law Department of the Ministry of Foreign Affairs in Budapest. This is appropriate in the sense that there are some similarities between the Finnish (Suomi) and Hungarian (Magyar) languages, but Dr Prandler's main concern is to emphasise that, despite Hungary's abstention when the vote was taken on the United Nations Law of the Sea Convention in New York on 30 April 1982, that country does regard the Convention as being, "in spite of all its deficiencies...a considerable step forward towards the establishment of a comprehensive universal regulation of practically all the aspects of the utilization of the seas", and as dealing adequately with the particular problems in relation to the sea of the landlocked countries, of which of course Hungary is one.

The Australian branch of the International Law Association welcomes and appreciates the gesture of the Finnish branch of the Association in preparing and circulating this interesting book

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