

ANNUAL DIGEST AND REPORTS OF PUBLIC INTERNATIONAL LAW CASES

Being a Selection from the Decisions of International and
National Courts and Tribunals given during the

YEARS 1943-1945

EDITED

BY

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PREFACE

IN the present volume the majority of the cases reported—113 out of 207—are concerned directly with the law of war and neutrality. Moreover, a substantial number of other decisions—such as those relating to the liability of aliens to perform military service or to the jurisdictional immunities of foreign armed forces—arose directly out of the War. Another, regrettable, feature of the present volume is the total absence of reported decisions of international tribunals. A world war is not a favourable climate for international judicial determination of disputes between States.

The present volume covers the years 1943-1945. But the user of the *Annual Digest and Reports* must be warned that he may be misled by strict adherence to chronology. Thus, for various reasons, it has not been found possible to include here, in respect of some countries, reports of cases decided in 1945. These, it is hoped, will appear in the next volume. On the other hand, the present volume includes some cases decided prior to 1943. Where a decision meriting a report and belonging to a period covered by a previous volume comes to light, it is included as a matter of course. The completeness of the *Digest and Reports* as a whole is the decisive consideration.

The publication of this volume—as, indeed, of most volumes of the *Annual Digest and Reports*—was made possible by the continued support of the Trustees of the Carnegie Endowment for International Peace. It is a pleasant duty to convey to them in this way the grateful thanks of the Advisory Committee, the Editor, and indeed of the entire profession of international law, which now regards the *Annual Digest and Reports* as an indispensable instrument of work for the practitioner and the student alike.

I have had the benefit of the advice, in many matters, of the members of the Advisory Committee, and in particular of Judge McNair, who read a substantial part of the volume.

I am much indebted to Mrs. Gladys Lyons, B.Sc. (Econ.), for able secretarial assistance, for reading the proof, and for compiling the Tables of Cases and the Index.

Messrs. Butterworth & Co., the Publishers, and Messrs. R. & R. Clark, the Printers, have assisted with their customary courtesy and efficiency in the publication of this volume.

H. LAUTERPACHT

TRINITY COLLEGE, CAMBRIDGE
February 1949

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