

**REPORTS OF INTERNATIONAL  
ARBITRAL AWARDS**

---

**RECUEIL DES SENTENCES  
ARBITRALES**

**Index**

VOLUME XVII



NATIONS UNIES - UNITED NATIONS  
Copyright (c) 2006

## INDEX

### A

#### ACQUIESCENCE

- By a Paramount Power *vis à vis* a vassal State: 19, 77
- In relation to boundary establishment: 449–454, 498–501, 531

#### ACQUISITIVE PRESCRIPTION

- Intent as necessary element of: 412–414
- Sources of titles as evidence of: 415–417

#### ARBITRAL TRIBUNAL

- Power to decide *ex aequo et bono*: 11
- Nature of functions in boundary dispute: 29–30
- Determination of the applicable law: 19–21
- Flexibility of procedures for obtaining and verifying documentary evidence: 10–11

### B

#### BOUNDARIES

- Acquiescence in and recognition of: 14, 449–454, 498–501
- Alignment tested by principle of equity: 21
- Concept of boundary belt: 13, 16
- Concept of *uti possidetis*: 20, 447–449
- Well established and historically recognized: 14, 16, 531–532

### C

#### COLONIAL CONQUEST

- Doctrine of restoration of sovereignty: 528–529

#### CONTIGUITY

- Alleged to be applicable in land boundaries: 29–30, 250

#### CUSTOM

- The question of reliance on regional or local custom: 249

### D

#### DECLARATIONS

- Ihien Declaration: 409–410

#### DISCOVERY AND INSPECTION

- Rights of parties with respect to: 9

## DOCUMENTARY EVIDENCE

Flexibility of procedure for obtaining and verifying: 10–11  
*See also* MAPS

## DURESS

Question of applicability in invalidation of boundaries: 451

## E

## EQUITY

Applicability in boundary arbitration: 11, 19–21, 25–29, 39

## ERROR

Plea of in respect of maps: 87

## ESTOPPEL

In relation to the establishment of territorial title: 507  
*See also* ACQUIESCENCE

## EVIDENCE

*See* DOCUMENTARY EVIDENCE and MAPS

*EX AEQUO ET BONO*

*See* ARBITRAL TRIBUNAL

## G

## GOOD FAITH

Alleged requirement of international law: 81

## I

## ISLANDS

Formation by accretion: 27  
Establishment of sovereignty over and relevance of median line principle and nearness of shores: 35, 220–221, 232–234, 243–245

## J

## JURISDICTION

Definition of: 451–52  
Acts constituting: 359–417

## M

## MAPS

Best evidence rule of: 78  
Error in showing boundaries: 87  
Evidentiary weight accorded to: 83, 542, 560

## N

## NATURAL LAW

In relation to the concept of median line: 28, 245–246

## O

## ORGANIZATION OF AFRICAN UNITY

Charter of and provisions on territorial integrity: 447–454

## P

*PACTA SUNT SERVANDA*

Principles of: 439, 442, 443

## PARAMOUNT POWER

Discussion on: 19–22

## R

## RECOGNITION

Definition of in relation to establishment of territorial title: 78

In relation to acquiescence in the establishment of boundary: 449–454

## S

## SELF-DETERMINATION

Principle of: 451

## SERVITUDES

Rights akin to: 417

## T

## TERRITORIAL SOVEREIGNTY

*See also* ACQUIESCENCE and ACQUISITIVE PRESCRIPTION

Assertion of claims and question of *terra nullius* in relation to: 6

Establishment of historic titles: 481–488

## V

## VASSAL STATES

Application of international law *vis à vis* to Suzerain State: 449

Effect of failure to protest adverse anertrons of the Suzerain: 453–454