international environmental law is not implemented by courts: the problems of substantive law (Germany); the poor ratification record of international treaties and delayed incorporation of treaties into municipal law (Ghana, Italy); conservative approaches to environmental law (Hungary). Despite recent decisions incorporating certain principles of environmental such as precautionary principle, polluter pays principle and intergenerational equity, (India), the exact impact of international environmental law in the courts of this country '[i]t is not immediately evident that they [the principles mentioned above] have had a major impact upon the context of the decision taken by the higher courts' (165).

The Dutch and Swiss practice are the exception in that: '[D]utch courts indeed play a part in the supervision of a commonly interest: the implementation of international environmental law' (193); and 'Switzerland had probably been ahead of international developments in many areas of environmental protection for long time' (214). The Dutch practice still can be improved, 'in particular as regards the willingness of courts to review national law in the light of international law and as regards a less stringent application of the criterion that treaties should be binding upon everyone before being able of direct application' (193); and in Switzerland 'several factors militate for a more active consideration of international treaties by the judiciary' (214). The courts in the UK and the US are in the majority, in the rather humble, peripheral application of the principles of international environmental law.

The book under review is a valuable source of knowledge on the roles of national courts in applying and developing of international environmental law, a very important subject, however, often neglected by international lawyers. National lawyers treat international law with the attitude described in one of the essays as *horror iuris non domestici*. It may be observed, however, that many international lawyers approach national law with the same feeling. The book under review will certainly contribute to understanding of the importance of national courts in the development of the more effective implementation of rules of international environmental law in national legal systems.

The essays included in the book are in-depth studies of various jurisdictions that give also an insight into a general problem of the relationship between international law and municipal law. However, there are several important countries that were not included in the book, such as Russia and China. The practice of national courts is an evolving phenomenon that requires updating. There are as well other pertinent problems for further research such as standing of individuals and groups before the European courts in order to address the implementation of international environmental agreements by the Community institutions (78). Therefore, in the view of the author of the present review, there should be a follow-up to the book, indeed perhaps even a series of publications addressing these issues and including other jurisdictions. The subject matter of the book is too important not to be investigated further.

MALGOSIA FITZMAURICE

Human Rights Standards and the Movement of People within States. By Chaloka Beyani [Oxford: Oxford University Press. 1999. xvi and 156 pp. ISBN 0-19-826821-1. NP]

The above work is a substantially revised version of a DPhil thesis written for Oxford University under the supervision of Professor Brownlie. As the author correctly

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recognises, it covers a topic within the area of human rights which has, until recently, been rather neglected in the literature. The book is obviously well researched, and clearly written, refers to a considerable body of literature and case law and covers a wide field. It should be of interest both to academics and practitioners.

The first chapter is of an introductory character, and is followed by one on the treaty standards on freedom of movement, the most important of which is contained in Article 12 of the Covenant on Civil and Political Rights. The succeeding chapter is concerned with the regulation of movement within states. It critically examines the concept of a threat to public order or *ordre public*, which has been frequently invoked as a reason for imposing restrictions on movement and entry in a number of states. Furthermore, it considers a number of other matters, including restrictions on freedom of movement and residence under apartheid and racial discrimination. In addition, it succeeds in encapsulating a good deal of material relating to freedom of movement within the European Union within a comparatively brief space.

Chapter 4 deals with the movement and residence of minorities, and makes reference to certain of the decisions of the Permanent Court of International Justice under the Minorities treaties, as well as to the provisions of Article 27 of the ICCPR. The next chapter contains interesting material on the exclusive movement and residence of indigenous people on traditional lands. It is followed by a chapter which considers the legality of the imposition of restrictions on the movement and residence of refugees. This chapter seems to contain a good deal of original thought. The adopts the same view as certain other commentators that the rerouting of asylum seekers to a safe third country may amount to the avoidance of international obligations to protect refugees. He also correctly questions the exclusion of asylum seekers who are nationals of member states from asylum in those states.

Chapter 7 is concerned with derogations on freedom of movement. The brief final chapter contains the authors' conclusions. He does not attempt a systematic comparative approach, which would have been difficult given the scope of his work. Nevertheless, his considerable scholarship and careful analysis of disparate materials are impressive.

FRANK WOOLDRIDGE

Recourse to Force. State Action Against Threats and Armed Attacks. By Thomas M. Franck. [Cambridge: Cambridge University Press, 2002. 218 pp. ISBN 0521820138. £40.]

Professor Franck's book is a valuable addition to the monographs so far published about the law relating to the use of force. It combines the examination of practice up to the most recent period with a fascinating grasp and analysis of material by the author which, like many other occassions, has produced a work offering his readers so pleasant a combination of utility, elegance, and enjoyment. The book explores the claimed titles of the use of force based on anticipatory self-defence, countermeasures, protection of nationals, humanitarian intervention, and anti-terrorist measures.

The author searches for the applicable law not primarily in normative instruments, but in state practice as such. The book empirically examines state practice and attitudes, inter alia within the UN principal organs, related to specific instances of the