

This volume will be of interest to a diverse audience including students, academics and policy practitioners. One of its strengths is its broad scope—it contains thought-provoking insights into the asylum regimes of many regions of the world. The contributions of chapter authors are clearly expressed throughout and as such are accessible to those unfamiliar with the regions under consideration. Yet the novel contribution of this volume to the very limited academic literature on the topic means that the analyses provided in each chapter are necessarily innovative so as to remain interesting to those well versed in the legal traditions of these particular regions. Some case studies in particular represent excellent examinations in their own right. In his chapter on Latin America, David Cantor makes an important observation regarding the emulation of the European ‘fortress’ model of channelling asylum flows elsewhere, raising ‘the possibility of any diverted irregular migration routes simply reorienting themselves once again towards Europe’ (97). Jane McAdam’s case study on Australia is exceptionally thorough and, as noted above, her observations on the emulation of EU norms without comparable regional human rights protections are particularly poignant. Audrey Macklin’s narrative on the adoption of the Safe Country of Origin concept in Canada challenges the traditional emulation thesis, in that she contends Canada’s posture was less about emulation than appeasement of EU irritation about visa requirements (103), while Vincent Chetail and Céline Bauoz aptly observe that ‘[t]he Swiss construction is slowly taking the form of a turret—one of fortress Europe’ (177). Overall, this volume represents an excellent contribution to the academic literature and would be a welcome addition to any bookshelf. It is hoped that the research undertaken here will act as a spur for further exploration of this ever-changing and developing area.

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The Statute of the International Court of Justice: A Commentary by Andreas Zimmermann, Christian Tomuschat, Karin Oellers-Frahm and Christian J Tams (eds) [2nd edn, Oxford University Press, Oxford, 2012, ISBN 0199692998, 1808pp, £305 (h/bk)]

This is the sort of book that delights the reader in the sense that he or she need not search anywhere for further information, as all that there is to be said on the ICJ Statute is largely contained here. It is not simply the wealth of information that is important, but the degree of legal analysis that is coupled with references to practice. The result could not have been any different given the selection of the contributors, all eminent international lawyers and experts in the various areas they have chosen to write about, each bringing to the forefront insights into relevant practice that is atypical to legal scholarship. The reader will not only find an excellent legal analysis but moreover an in-depth commentary as to how the ICJ operates and what shapes the actions and decisions of its various stakeholders.

The structure of the book is based on a typical commentary of treaties or other lengthy legal instruments. The editors have opted for an article-by-article legal analysis that leaves nothing to chance. From the perspective of contents the book is divided in three parts. Part I begins with a lengthy general and historical introduction (75 pages) to the Statute and its predecessor, part of which was authored by the late RY Jennings as well as R Higgins and therefore the insights from the bench are significant throughout. Part II deals with those provisions of the UN Charter that have a direct bearing on the ICJ Statute and the operation of the Court more generally, namely Articles 2 (3), 7, 33, 36 and 92–96. This part, focusing as it does on general international law, provides an excellent perspective on the treatment of dispute resolution at the inter-state level not simply by reference to courts and tribunals but also absent a judicial dimension, as is the case with unilateral measures against a perceived illegal act. Each chapter contains a historical account of its subject matter (including drafting history) and all pertinent principles applicable under general international law. This is particularly useful lest one assumes that the recent flourishing of

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international adjudication—not only through the ICJ, but also the PCA, ICSID and elsewhere—is something that should be taken for granted. Part II is elegantly written with an abundance of references to a plethora of useful sources. Part III, which forms the bulk of this book, examines all the provisions of the ICJ Statute in sequence. Just like Part II, each chapter traces the historical origins of each provision and its place in the PCIJ Statute, while at the same time providing an account of how it has been utilized by States and interpreted by the Court. Each chapter, moreover, contains a section that deals with unresolved questions in connection with the rule in question. This is particularly interesting because it sets the rule in its practical context and either provides a critique of its application or why the parties have failed (or omitted) to raise other issues related to it. At the end of each chapter the authors provide an evaluation of the overall application of the rule.

Litigation before the ICJ is open in practice to only a small group of international lawyers and hence the same counsel are appointed by States on a continuous basis. As a result, those engaged with the ICJ from a purely scholarly perspective tend to miss out on internal practices and traditions that typically escape public attention. Some of these are anecdotal, others are not and the judges have in the past made reference to all of these. Moreover, it is natural that with the sort of crucial issues submitted to the Court (delimitation, self-determination, aggression just to name a few) the political impact of its judgments is tremendous. To a very large degree both the politics and the internal practices and traditions of the Court are covered in this volume, although perhaps a distinct chapter on practice should have been authored. This would have assisted in concentrating all the wealth of practice within a single section of the book and may have set the basis for a short empirical survey encompassing also the view from across the bench. Counsel in ICJ cases are as important as the judges and sometimes their contribution to the evolution of international law at the ICJ is neglected. As it is, throughout the book, the authors of distinct chapters refer in one way or another to practice.

Overall, this is one of the richest treaty commentaries I have read for some time. The wealth of information and analysis is such that the reader need not search anywhere for a more elaborate insight. A monumental work for the benefit of current and future generations of international lawyers.

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