theory of relational governance, both in explaining the trajectory of China's shifting foreign policy since 1949 and in justifying the proposed theory. Here, perhaps, the difference and delineation between the two theoretical works could have been better clarified.

reviewed by Alison XU
Waseda University, Tokyo, Japan

International Criminal Law

Amnesty, Serious Crimes and International Law: Global Perspectives in Theory and Practice
by Josepha CLOSE.
Oxon/New York: Routledge, 2019. xix + 296 pp. Hardcover: £120.00.
doi:10.1017/S2044251321000084

Although the literature about amnesties is extensive, it is still extremely difficult to answer the question "Are amnesties legitimate and permissible if they cover serious crimes?", and this book attempts to fill that gap. The book deals with the topic in a comprehensive manner and succeeds in shedding new light on the wide variety of interpretations and positions regarding this tricky question. The author is a researcher in international law currently based in Liége (Belgium), and obtained her PhD at Middlesex University in London under the supervision of Professor Schabas.

Although the current (apparently) mainstream view holds that amnesties for international crimes and/or serious human rights [HR] violations are always impermissible, and that this has perhaps become a customary rule, such an assumption is often based on a too simplistic approach. The author scrutinizes it under two different and complementary perspectives.

First, the historical review in Part I of the book shows that, both in ancient and modern times (Chapter 1), almost all states made widespread use of amnesties. Beyond the differences as to their origins, scopes, and purposes, they were conceived as a legitimate sovereign prerogative. Even after World War II (Chapter 2), when the accountability paradigm emerged in the international arena, amnesties kept their pacification role in many experiences all over the world. They no longer entailed a duty of oblivion, like ancient amnesties, but they were still widely applied in both transitional processes and postwar contexts. This overview confirms that state and UN practice up until the 1980s and 1990s was much more flexible and nuanced as to the admissibility of these measures, despite the growing concern about their compatibility with HR protection and states' international duties (Chapter 3). The author identifies the turning point as the signing of the Lomé Peace Agreement in 1999, where, for the first time, the UN issued a reservation calling for the exclusion of serious HR violations from the scope of the amnesty that was at stake. But these chapters clearly show that the ban on amnesties for serious crimes is a very recent idea, as well as one that remains disputed.

Second, the book assesses the admissibility of amnesties from a legal perspective (Part II), conducting a thorough analysis of a huge number of normative provisions (which the author does by means of literal, authentic, and teleological interpretation rules), judicial decisions, and scholarly views, and combining it with a global study of practical experiences. She puts under scrutiny the two main grounds to affirm the invalidity of these measures, namely, the existence of an international duty to prosecute and punish (Chapter 4), and the victims' right to a remedy (Chapter 5).

I would point out two main elements stemming from this wide and careful analysis: first, the plurality of actors that have taken part in this debate, each of them offering a different view. This has created a sort of cacophony of voices, within which it is almost impossible to single out a clear and shared position. Second, the silence that has been kept, by both states and international and judicial bodies, at several opportunities where they could easily have established a prohibition of amnesties and yet have opted for a cautious position or to remain ambiguous on the point instead. These factors allow for the conclusion that the prohibition of amnesties has not yet reached the status of a

customary norm. The debate, therefore, is still ongoing, and this enjoyable book assists in clarifying and criticizing the continuing discussion.

reviewed by Elena MACULAN
Instituto Universitario General Gutiérrez Mellado, Madrid, Spain

International Organizations

Jurisdiction of the International Court of Justice
edited by Hanqin XUE. Collected Courses of the Xiamen Academy of International Law, Volume: 10. Leiden/Boston: Brill Nijhoff, 2017. ix + 252 pp. Hardcover: €119.00; US$137.00; eBook (pdf): €119.00; US$137.00.
doi:10.1017/S2044251321000096

Her Excellency Judge Xue Hanqin is currently the Vice-President of the International Court of Justice ["the ICJ" or "the Court"]. This book examines the Court's jurisprudence on the question of jurisdiction for the settlement of disputes that are often caught in the triangulation of international relations, political underpinnings, and international law, through an empirical approach with implications for Asia.

The book's contents form part of a Special Course,[1] with the theme focusing on the jurisdiction of the ICJ (p. 2) for two reasons: first, jurisdiction is the cornerstone of international judicial practice, and second, there is a dismal record of acceptance of the Court's jurisdiction by Asian states. As Xue notes, only "6 out of 72 [Asian] States … have accepted [the] compulsory jurisdiction of the Court", though fifteen "have appeared before the Court as a party in a contentious case" (p. 2, n. 3). Further elaborating, "to persuade States to resort to the Court … [t]heir confidence and trust in the judicial settlement have to be supported by their technical competence in, and genuine understanding of, the legal system. Such technical matters as jurisdiction and admissibility, unfortunately, are seldom taught in international law courses in many Asian countries. It is therefore necessary to fill the gap" (p. 2).

Xue's thesis is that "[t]he 70 years of judicial practice of the ICJ have witnessed a fundamental change of international relations. In many ways, the ICJ cannot be considered a successor of the PCIJ [the Permanent Court of International Justice], although its Statute was drafted based on the Statute of the PCIJ and the PCIJ's jurisprudence is carried on till today" (p. 218). The PCIJ was created by the League of Nations in 1922, and was the first tribunal with a general jurisdiction to adjudicate disputes.

Over eight chapters, the corpus juris is replete with analyses of the UN Charter, the ICJ Statute, Rules of Court, Time Limitation of Actions, Practice Directions, Resolutions of the General Assembly and Security Council, PCIJ and ICJ case-law, treaties, statistics-based evidence where available, and references. Throughout the book, the analysis of case-law demonstrates the overarching nature of state consent and agreement of the litigant states to the personal, material, and temporal scope of jurisdiction of the Court at the jurisdictional and merits phases. The book also expounds, compares, and contrasts the subject matter and explains the nuanced interpretations of the Court while acknowledging that "[w]hile maintaining consistency of its jurisprudence, the Court, through judicial interpretation, will inevitably develop the law. Judicial activism may from time to time test the vitality of the principle of consent" (p. 220).

1. This Special Course is part of the Collected Courses of the Xiamen Academy of International Law to promote global and Asian understanding of international law for world peace and co-operation.