

Book Reviews

The second part of volume I is devoted to the centenary of the Conference. It contains a list of all delegates who ever participated in the diplomatic sessions of the Conference.

Volume II is concerned with the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. The topic was not new to the Conference. In 1965 the Conference concluded the Convention on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions, which, in its thirty years of existence, was only ratified by Switzerland, Austria and the United Kingdom. But the problems of intercountry adoption, as well as the public's sensitivity to the matter, have increased dramatically in recent years. In drawing up the Convention of 1993 the Conference made a second try. The task was particularly difficult because the rules of private substantive law governing adoption vary significantly from one country to another. Therefore, the idea of a *loi uniforme* as well as the classical techniques of private international law had to be abandoned. Instead, the Convention is restricted to setting criteria and to improving practices and procedures for intercountry adoption by establishing a system of Central Authorities on the model of the Hague Child Abduction Convention. Although the institutional weight of the Central Authorities as well as the administrative costs might be criticized, the Convention has been a remarkable success. As of November 1996, the Convention had been signed by twenty-eight states and has been ratified by eleven, namely Mexico, Romania, Sri Lanka, Cyprus, Poland, Spain, Ecuador, Peru, Costa Rica, Burkina Faso and the Philippines.

In volume II, the reader finds a number of preliminary documents, including a general report on intercountry adoption by J.H.A. van Loon (50 pages). Following this report are the working documents, the minutes, the text of the Convention, and the explanatory report by Professor G. Parra-Aranguren, which constitutes an autonomous commentary on the Convention.

On the whole, volume II is an indispensable source for research on intercountry adoption.

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Cassese, Antonio. *Inhuman States: Imprisonment, Detention and Torture in Europe Today*. Cambridge: Polity Press, 1996. Pp. ix, 141.

This slender, elegantly-written volume is an excellent translation of a book that appeared in Italian in 1994. It describes the author's experience during his five years as the first President of the European Committee for the Prevention of Torture, established by a Council of Europe Convention and endowed with unique on-site inspection powers. While the work of the Committee is confidential, Cassese cannot resist the urge to 'repeat what the establishment wishes to keep hidden from the public eye'. He reconciles this with his 'vows' by omitting the names of the countries and towns visited, except where such information is already in the public domain. Much of the action, but by no means all, is clearly set in Turkey. This is a moving and highly readable account of the dilemmas of being an internationally sanctioned human rights monitor with limited powers, confronted by a deep-rooted tradition of torture and abuse of detainees that is still remarkably commonplace throughout Europe.

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Prémont, Daniel (ed.). *Droits intangibles et états d'exception. Non-Derogable Rights and States of Emergency*. Brussels: Etablissement Emile Bruylant, 1996. Pp. xxvii, 644. 2,550 BEF.

This completely bilingual, multi-authored collection is divided into four parts: general themes, international instruments which provide for derogation, those that

Book Reviews

do not, and collective rights. Unlike other recent contributions to the burgeoning literature on states of emergency, the volume analyses the role of non-derogable rights in each international law context in which the issue arises rather than attempting an overall synthesis. The work is presented as a contribution to the work of the UN Human Rights Sub-Commission Special Rapporteur on states of emergency, but that ends up being little more than a pretext. Some of the contributions are excellent, others are brief and overly descriptive. The authors collectively push for acceptance of an extended range of non-derogable rights.

P.A.

O'Flaherty, Michael. *Human Rights and the UN Practice Before the Treaty Bodies*. London: Sweet and Maxwell, 1996. Pp. xiv, 286.

There are six UN human rights 'treaty bodies', monitoring governmental compliance in relation to (1) civil and political rights, (2) economic, social and cultural rights, (3) racial discrimination, (4) discrimination against women, (5) torture, and (6) children. The diversity of their procedures makes their work less transparent than it should be, especially since they depend heavily on NGO inputs to ensure the insightfulness of their conclusions. This book is, in essence, a guide for NGO representatives and will be invaluable for their purposes, both in relation to reporting and complaints procedures. No other work serves the same function. It will be of limited use, however, for scholars.

P.A.

Books Received *

Banton, Michael. *International Action Against Racial Discrimination*. New York: Oxford University Press, 1996. Pp. xvi, 350. Indices. \$65.

Bennett, Howard. *The Law of Marine Insurance*. Oxford: Oxford University Press, 1996. Pp. lxviii, 535. Index. \$120.

Carty, Anthony. *Was Ireland Conquered? International Law and the Irish Question*. London, Chicago: Pluto Press, 1996. Pp. vii, 196. Index. £40 hardback; £12.99 paper.

Dixon, Martin. *Textbook on International Law*. (3rd ed.). London: Blackstone Press, 1996. Pp. xxix, 329. Index.

Eiseman, Pierre Michel (ed.). *L'intégration du droit international et communautaire dans l'ordre juridique national. Étude de la pratique en Europe./ The Integration of International and European Community Law into the National Legal Order. A Study of the Practice in Europe*. (Developments in International Law, vol. 25). The Hague, London, Boston: Kluwer Law International, 1996. Pp. xii, 587. \$192; £130; NLG 295.

Emmert, Frank. *Europarecht*. München: C.H. Beck'sche Verlagsbuchhandlung, 1996. Pp. xxxvi, 463. Indices. DM 48.

Fernández Martín, José M. *The EC Public Procurement Rules: A Critical Analysis*. New York: Oxford University Press, 1996. Pp. xxxi, 311. Index. \$80.

Folsom, Ralph H., and W. Davis Folsom. *Understanding NAFTA and its International Business Implications*. New York: Matthew Bender, 1996. Pp. xxiii, 333. Appendices. Index.

Gessner, Volkmar, Armin Hoeland, and Csaba Varga. *European Legal Cultures*. Aldershot UK, Brookfield USA: Dartmouth Publishing Company, 1996. Pp. xiii, 557. Index. £45 hardback; £25 paper.

Harding, Christopher, and Bert Swart (eds.). *Enforcing European Community Rules: Criminal Proceedings, Administrative Procedures and Harmonization*. Aldershot UK, Brookfield USA: Dartmouth Publishing Company, 1996. Pp. xii, 211. Index. \$62.95.