
The three volumes are divided in a similar fashion to the first and second editions of this set, published in 1986 and 1999 respectively as *Crimes, Procedures and Enforcement*. However, it should be noted that this edition provides a substantial updating of the earlier editions, and as such constitutes a new treatise in the field of international criminal law. The book is published in three volumes and makes a significant contribution to scholarship in the field of international criminal law. Most of the contributions are new, while others are updated versions that were published in earlier editions. The breadth and extent of the contributions can be gleaned from the fact that Volume 1 contains thirty one contributions from twenty five authors, Volume 2 contains twenty three contributions from seventeen authors, and Volume 3 contains twenty seven contributions from sixteen authors.

**Volume 1** is concerned with international crime. The volume examines the sources, subjects and contents of international criminal law. In addition to important contributions dealing with the major categories of international crimes, it comprises a range of significant articles focused on theoretical and doctrinal aspects of international criminal law. The first two chapters address the sources and subjects of international criminal law and its substantive contents. There are contributions on crimes against peace and aggression, in addition to detailed examination of war crimes, crimes against humanity and genocide. Bassiouni outlines the historical and contemporary framework of international humanitarian law. He concludes that the overlapping legal regimes of international humanitarian law, along with the gaps and ambiguities in the legal regimes of humanitarian law, international human rights law and international criminal law, are inconsistent with their respective values and goals. Sandoz follows this with an examination of the penal aspects of international humanitarian law and ends with a call for, among other things, more effective implementation and concludes that international tribunals are no substitute for functioning national criminal codes.

Chapter 3 examines the Crime against Peace and Aggression; Chapter 4 looks at War Crimes, Crimes against Humanity, and Genocide; Chapter 5 deals with Crimes against Fundamental Human Rights which includes contributions on enslavement, apartheid, torture and the targeting of civilians. As one would expect, there is a chapter on ‘Crimes of Terror-Violence’, which includes an
insightful contribution on piracy by Jacob W.F. Sundberg. Chapter 7 includes a number of contributions under the broad title of Crimes against Social Interest.

**Volume 2** examines multilateral and bilateral enforcement mechanisms. It addresses the complex issues of enforcement and the different mechanisms for dealing with international co-operation in penal matters. These provide the framework for bilateral interstate cooperation in penal matters while also being employed by international courts and tribunals in their relations with states.

The volume is divided into five chapters. Chapter 1 examines Policies and Modalities; Chapter 2, Jurisdiction; Chapter 3, Extradition; Chapter 4, Judicial Assistance in Mutual Cooperation and Penal Matters; and Chapter 5, Recognition of Foreign Penal Judgments, Transfers of Criminal Proceedings, and Execution of Foreign Penal Sentences. The volume contains a number of important contributions by Bassiouni on issues ranging from modalities of international co-operation, the duty to prosecute or extradite, universal jurisdiction, extradition under US law and recognition of foreign judgments.

There are various other valuable contributions contained in Volume 2. These include papers by Leila Sadat on competing and overlapping jurisdictions and Mark Drumbl on immunities and exceptions, to name just two.

**Volume 3** is entitled *International Enforcement*, and deals with the direct enforcement system of international criminal law. It examines the historical origins of international criminal tribunals tracing their history from the end of World War I up to the present day. The various contributions examine the history of international investigations and prosecutions and the range of international criminal tribunals, including the so called hybrid courts and the International Criminal Court. There is a chapter dealing with the challenges confronting the direct enforcement system. There are contributions that deal with the general, procedural, evidentiary, and sanctions part of international criminal law. Chapter 3 deals with National Prosecutions for International Crimes. In addition to an introduction and historical overview of national prosecutions for international crimes, there are contributions outlining the Dutch, Belgian, French, United States and Indonesian experience.

Chapter 4 is entitled Contemporary Issues in International Criminal Law Doctrine and Practice. It contains a number of contributions ranging from command responsibility to penalties and sentencing. The chapter on Joint Criminal Enterprise by Allison Marston Danner is short and concise. This is an excellent contribution to the debate on this mode of liability. The author manages to convey the complexity of the issues in a precise and insightful manner.

In common with its companion volumes, the range of topics and authors is impressive. Among the notable contributions is an article by Evan Wallach and Maxine Marcus on Command Responsibility which traces the historical origins...
of this important principle in international enforcement. Michael Bohlander provides two insightful contributions, the first relating to judicial developments, the second dealing with the principle of *ne bis in idem*. His examination of judicial developments investigates, in a mostly empirical manner, the processes that lead to an international court’s finding that a certain principle is indeed a general principle of international law. Among his conclusions is a finding that the approach taken is not always methodologically proper and does not comply with the principles which are said to have developing since the *Lotus* case. William Schabas’ study of the often neglected issue of international sentencing concluded that finding an appropriate balance between sentences that fit the horror of the crimes while also promoting a model of enlightened criminal policy is a challenge confronting all international courts and tribunals.

Bassiouni acknowledges the impossible task that attempting to cover everything in the field of international criminal law presents. Nevertheless, these three volumes totalling almost three thousand pages come close to succeeding. Bassiouni has selected a range of topics that reflect contemporary issues at the heart of this field of international law.

The three volumes together constitute an invaluable reference, comprehensive and scholarly in their analysis. Amongst the most valuable aspects of the three volumes is the combination of practitioner and academic perspectives.

In addition to its undoubted contribution to scholarship, the book also highlights a range of relevant human rights violations from the neglect and disregard of people in debt bondage and trafficked for sexual exploitation to the potential application of the crime of apartheid to contemporary situations.

The eloquent words of Bassiouni himself capture the essence of much of the contributions, ‘Impunity for international crimes, and systematic and widespread violations of fundamental human rights, is a betrayal of our human solidarity with the victims of conflicts to whom we owe duty of justice, remembrance and redress’ (p. 518).

**Ray Murphy**

Irish Centre for Human Rights, School of Law, National University of Ireland
Galway, Ireland