

trend continues, it is probable that the Security Council will lose its credibility, if not legitimacy. Groups of states that constitute themselves into arbiters of world peace, democratic values, or humanitarianism impulses must appreciate the severe damage that such presumptuous acts wreak on global order.

Unless the will to a truly collective response to common dangers and threats to international peace is developed, the concept of collective security on which the UN structure is based risks becoming anachronistic. The messianic interventions of some states in troubled states, whether under the auspices of ECOWAS in Liberia, Sierra Leone, and Guinea-Bissau, NATO in Kosovo, or the 'Coalition of the Willing' in Iraq, all compel an immediate need to rethink the structure of the Security Council, its relationships with regional security arrangements, and the future direction of the global regime on the use of force by states.

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Nicholas M. Poulantzas, *The Right of Hot Pursuit in International Law*, Second Edition. The Hague, Martinus Nijhoff Publishers, 2002. ISBN. 9041117865.

Since this work was first published in 1969 it has become a primary point of reference for public international law scholars, especially for those with an interest in the exercise of criminal jurisdiction at sea. Given the fact that it has been out of print for many years, its renewed availability is to be warmly welcomed.

It must be emphasized, however, that this is not a new edition in any orthodox sense. Rather, as Soons notes in his foreword (p. vii): 'This edition consists of a reprint of the first edition preceded by a brief update on state practice relating to hot pursuit at sea. This update is based on an article by Professor Poulantzas published in 1997 in the *Revue de*

*droit international*.' That review addresses, among other matters, the impact of the 1982 UN Convention on the Law of the Sea on the pre-existing law, a range of hot pursuit incidents, and some of the growing case law in this area of practical law enforcement interest. The latter includes a brief, but welcome, analysis of the 1 July 1999 judgment of the International Tribunal for the Law of the Sea in *The M/V 'Saiga' (No. 2) Case*. It also treats a range of municipal law cases, from a variety of jurisdictions, in which the international law rules concerning hot pursuit at sea arose for consideration.

Unfortunately, several interesting cases at the domestic level do not find a place in the analysis. These include, by way of illustration, the 1995 English decision in *R v. Mills* and the 1998 Canadian case of *The Queen v. Rumbaut*. Both contain detailed treatment of the important issue of the position of the doctrine of extended constructive presence in customary international law. Both resolved this and other controversial elements of the doctrine of hot pursuit in a manner which favoured the policy goal of the effective enforcement of the criminal law (arguably) at the expense of other central and long-established values of the international legal order. Both prayed in aid elements of the modern literature favouring such an approach including the influential 1989 article by Craig Allen in *Ocean Development and International Law*. Unfortunately, the framework adopted by the author in the preparation of this updating section does not provide for a systematic examination of such scholarly works and their influence on judicial decision-making.

It is also to be regretted that Professor Poulantzas did not take this opportunity to explore recent US treaty practice in a more comprehensive manner. For example, extensive and innovative bilateral practice over recent years (especially with the states of the Caribbean basin) in relation to drug trafficking have the effect of significantly extending the right of pursuit at sea for the jurisdictions concerned. Such 'shiprider' agreements typically include provisions on pursuit into the territorial sea, overflight, and like matters.

(The multilateral 2003 Agreement Concerning Co-operation in Suppressing Illicit Maritime and Air Trafficking in Narcotic Drugs and Psychotropic Substances in the Caribbean Area, which contains similar features, was concluded after the publication of the second edition here in question.)

As was noted above, the updating of the first edition focuses on and is restricted to the exercise of the right of hot pursuit in the international law of the sea. This is to be regretted as the original text also covered pursuit on land and under international air law. Here too there have been developments of interest and importance since 1969. For instance, the provisions in the 1990 Schengen Convention on border controls governing both pursuit over land frontiers and cross-border observation have generated a growing academic literature. Schengen has, in this respect, also stimulated similar practice elsewhere as with the treaty between Liechtenstein, Switzerland and Austria on the collaboration of police and customs authorities across national borders.

For these reasons it is regrettable that the decision was taken not to produce a comprehensive and orthodox second edition: one that would have done full justice to the original. It is an opportunity missed.

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Liesbeth Zegveld. *The Accountability of Armed Opposition Groups in International Law*. Cambridge: Cambridge University Press, 2002. Pp. 260. ISBN 0 521 81130 9.

With the growth of internal political violence and the increasing salience of transnational non-state violence, the question of the limits of legally acceptable behaviour of armed opposition groups (AOG) has gained considerable significance. Prior to the publication of Liesbeth Zegveld's monography, no single book-length treatment of the question existed. Thus, this publication is particularly welcome. Dr Zegveld, currently a lawyer with the

Amsterdam-based firm of Böhler Franken Koppe de Feijter, originally undertook this work as a Ph.D. thesis at the University of Rotterdam.

It is worth noting Dr. Zegveld's sagacity in referring to the object of her study as 'armed opposition groups', thereby avoiding the numerous definitional controversies attached to other more loaded denominations. Zegveld's study is perhaps most notable, however, for using what might be called a 'subject-based' perspective with her topic and thus distinguishing herself from the traditional approach of humanitarian law which, in contrast, starts from the standpoint of warvictims in need of protection. In doing so, she pays heed to an important intellectual stream in international affairs which seeks to counter the paucity of mechanisms to enforce restraints on violence by reconceptualizing the victims' rights into doctrines of responsibility projected onto a larger set of actors through functional analyses, i.e., by analogizing their role and capacity to those, better regulated in international law, of states. This alternative approach is a welcome initiative and may indirectly revitalize the protection that international humanitarian law seeks to ensure and bridge gaps between ostentatious normative standards and actual implementation mechanisms. In her effort to appraise the activities of AOGs, Zegveld weaves a legal regime from three threads: international humanitarian law, international criminal law, and international human rights law.

Taking such an approach means that two sets of problems must be confronted. The first type of problem — what Zegveld refers to as the normative gap — requires overcoming a series of conceptual difficulties related to the identification of behavioural rules applicable to the activities of AOGs. First, non-state actors are for the most part and for obvious reasons not party to international conventions. Arguments for deriving obligations on a conventional basis will thus run the risk of being weak, given the challenge by AOGs to the very authority that formally undertook such obligations. Recourse to customary international law becomes almost indispensable