

international prohibition on sex discrimination promises equality to women who attempt to conform to a male model, and offers little to those who do not'.

Another pattern challenged is that of the public/private dichotomy at the core of public international law, largely influenced by western values. It in fact allows subordination of women, whose sphere of activities is mostly considered as private. This mechanism covers, among others, the lack of state intervention in case of harm caused to women, as the state is expected not to violate privacy. Thus the rights of women are largely left unprotected and the state rightly considered, according to Celina Romany, a party to maintaining patriarchy.

The third part presents international and regional approaches, covering the Islamic world, the Americas, and Africa. Abdullahi Ahmed An-Na'im discusses the promise of the methodology of the Sudanese Muslim reformer Taha for reform of Shari'a religious law. Cecilia Medina questions the inter-American system for the promotion and protection of human rights and analyses the possibilities which this system offers to work on strengthening national law. The protection of the rights of women under the African Charter of Human and Peoples' Rights is the subject of Chaloka Beyani's contribution. Adetoun O. Ilumoka approaches the issues of African women's economic, social, and cultural rights, national constitutions, legislation, and customary or religious laws with special focus on Nigeria.

The international approaches further include contributions by Andrew Byrnes, Rebecca J. Cook, Kenneth Roth and Mona Rishmawi who presents the approaches of the International Commission of Jurists to women's rights.

The fourth part is dedicated to national approaches, focusing on Canada (Anne F. Bayefsky and Kathleen E. Mahoney), India (Kirti Singh) with the problems of personal laws, Sudan (Asma Abdel Halim) with the issues of anti-feminine interpretation of the

Qur'an, and Ghana (Akua Kuenyehia) with the impact of structural adjustment programs on vulnerable groups, e.g. women.

The last part deals with guaranteeing human rights of particular significance to women such as personal laws, equal access to land, reproductive rights of women and violence against women.

The strength of the book lies not only in the extensive coverage of the theme and in its interdisciplinary approach but also in the fact that all the contributions are extremely well documented and the book contains informative appendices.

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Michal Plachta, *Transfer of Prisoners under International Instruments and Domestic Legislation. A Comparative Study* (Contributions and materials from the Max Planck Institute for Foreign and International Criminal Law, Freiburg, Vol. S 39), Freiburg i.Br.: MPI (1993) 565 pages, hardback DM 58.

Of the various instruments available under international criminal law, the repatriation of foreign prisoners so that they may serve out their prison sentence in their home country is probably the most humanitarian. The result of Plachta's extensive research of an overwhelming amount of material is a standard work useful for researchers and practitioners alike – plaidoyer, textbook and work of reference all in one.

In the first chapter Plachta deals with the legal and social problems involved in the execution of sentences of foreign prisoners. The 'foreigner' is often treated as a second-class prisoner, and the purpose of punishment – if it serves at all to enable his resocialization – can be unattainable, or even completely meaningless when the foreigner is imprisoned in an unfamiliar cultural environment. The many and varied manifestations of the problem also make it harder to formulate universally applicable

legal solutions: the 'foreign prisoner' can be a German tourist detained for a drug offence in a Malaysian jail, an English journalist convicted of espionage in Irak, an Algerian in custody in France where he lives with his family, a Columbian drug dealer convicted in Holland, or a Turkish PKK activist sitting out his sentence in a German prison. In all cases – and this list is of course by no means exhaustive – the interests of both the prisoner and the states concerned vary.

In the second chapter Plachta treats and compares the various national attempts at improving conditions for foreign prisoners serving their sentence in unfamiliar surroundings. These include, among other things, the 'prison rules' implemented in accordance with UN and European Council guidelines, which rule concern special legal, social and consular aid, or the grouping together of prisoners from the same country. The author welcomes such measures, but considers them to be inadequate. Many resocialization measures – visits from family members, transfer to open prisons, temporary parole, vocational training – often fail because of linguistic, religious and cultural barriers, that is if they are legally available at all to foreign prisoners and if the circumstances permit them. 'Compensation' for such disadvantages, e.g. reduction of prison sentence, is provided for by the legal systems of only very few countries (e.g. Poland and Rumania). Expulsion instead of imprisonment is rarely an appropriate solution.

In the third chapter Plachta takes a look at transnational concepts of repatriation. Here again, he differentiates between the bilateral and multilateral measures. For the former, it is frequently argued that cooperation in such a sensitive area demands a high degree of legal and cultural similarity between the states concerned. This argument is, however, refuted by a whole series of bilateral agreements between very 'diverse' countries (e.g. USA and Peru, Turkey and Thailand). In spite of the progress achieved in many bilateral, regional and multilateral agreements, the

author pleads for an even higher measure of procedural and substantive uniformity, which can only be achieved by the development of multilateral instruments with the participation of as many states as possible. This forward-looking perception does not prevent him from systematically elaborating the parallels and differences between the existing agreements and showing how a reciprocal exchange of ideas can provide impetus. The author devotes a separate chapter to the practical implementation of these bilateral and multilateral agreements, providing extensive statistical material.

The author's discussion of the central problems of the law relating to expatriation in the fifth chapter is almost two hundred pages long. On the basis of the various approaches to the problem, he develops his own concept for an 'ideal' expatriation agreement. The main aspects he deals with include – along many others – the question of personal scope of application, the question of the assumption of concrete or abstract double criminal liability, the problem of the prisoner's consent, procedural questions, the difficult problem of the 'translation' of foreign sentences into a domestic executory title (*exequatur*) and the question of the consequences of repatriation.

Plachta has succeeded in producing a work which is indispensable for both academics and practitioners in the field of international criminal law. It is a must for every library. Thanks to its logical construction, its detailed structure, bibliography and index, as well as its chronological list of all international repatriation agreements, the work is suitable for use as a basis for further research and as an easily accessible reference book for the practitioner.

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