

BOOKS RECEIVED / LIVRES REÇUS

L. BIUKOVIC / P. B. POTTER, *Local Engagement with International Economic Law and Human Rights*, Edward Elgar Publishing, 2017, 304 pp., ISBN: 978-1-78536-718-2

Do local cultural heritage and values matter in the adjudication of international economic disputes? This is one of the main questions raised by the *Local Engagement with International Economic Law and Human Rights* book, edited by Ljiljana Biukovic and Pitman B. Potter. Focused on the tensions between international law and the standards for local performance, the book provides an analysis of global regulation and the impact of international organizations on domestic laws and human rights norms.

It is well known that globalization is affecting the national laws especially for the fastest economic development that the world is facing. This widened the scope of domestic laws, and limited the policies, basic decisions, and interpretations of norms within the area of public international law. That is why the book covers both theoretical and practical aspects of the relationship between economic law and human rights. It does not only focus on the tensions and conflicts between the two but also explores ways on how the potentials of trade may be harnessed to serve the needs of human rights protection at the local level by using the example of Peru, Mexico, Canada, Vietnam, and China.

A. K. Bello Niño

D. COLE / F. FABBRINI / S. SCHULHOFER, *Surveillance, Privacy, and Trans-Atlantic Relations*, Oxford, Hart, 2017, 248 pp., ISBN: 978-1-50990-541-6

Revelations about government surveillance followed by debates about privacy protection in the digital age have put strain on political relations between Europe and the United States. This book seeks to improve mutual understanding by presenting views of privacy

scholars and practitioners from Europe, the United States and elsewhere. Consisting of essays that are organized in five subdivisions, this book examines privacy protection and surveillance from various perspectives.

Privacy is of importance in the US constitutional system as well as in the system of the European Union. However, the notions of privacy differ. The notion of privacy in the US is built on ideas of individual liberty, whereas the European notion is based on dignity. Nevertheless, both the United States and the European Union consider privacy as a fundamental feature of democracy based on the rule of law. In this book, issues of privacy and surveillance are explored from a domestic, comparative and transatlantic perspective as well as from the perspective of private corporations, non-governmental organizations and oversight authorities. Thus, it gives a comprehensive overview about current transatlantic challenges and the perspectives involved.

S.-I. Ghotra

G. CORSTENS, *Understanding the Rule of Law*, Hart Publishing, 2017, 152 pp., ISBN: 978-1-50990-363-4

The law is an inalienable part of the modern democracy state, thus understanding the rule of law is necessary for all humanity. What does "The Rule of Law" mean exactly? This is one of the important questions which are regarded in the book *Understanding the Rule of Law* edited by the President of the Dutch Supreme Court G. Corstens.

The author also raises such serious issues as How can a Democratic State be governed by the Rule of Law and What is the Role of the Judiciary in a Democratic State Governed by the Rule of Law? Answering these questions, Geert Corstens gives the main role to judges, what they do and why they are required. He similarly tries to explain the relationship between the Judiciary and the Legislature and the Judiciary's relationship with the constitution and international law. In this way it is very important to understand the relationships between Judiciary and Society, because these issues are escalating in all sectors of community. *Understanding the Rule of*

Law is an outstanding book for all who are interested in democracy in the state, justice and human rights.

A. Bondarenko

TH. GAMMELTOFT / J. VEDSTED-HANSEN (eds.), *Human Rights and the Dark Side of Globalisation*, Routledge, 2017, 366 pp., ISBN: 978-1-13822-224-3

The present book *Human Rights and the Dark Side of Globalisation (Transnational Law Enforcement and Migration Control)* edited by Thomas Gammeltoft and Jens Vedsted-Hansen emphasizes and examines the importance of constant Human Rights violations and joint responsibility in the context of a serious problem that affects Europe: the migration crisis among other topics.

The strong point of the book is the proper demonstration of several parties involved in shared responsibility, the human right to privacy (especially the NSA surveillance issue), counter-piracy, responsibility of rescuing migrants, etc. However, all of these issues have a strong legal side; the book tries to present them in a way that it can be understandable to readers that do not pursue legal studies.

All in all, the book applies an extensive thought-provoking way of writing about topics of great actual importance in the globalized world.

B. Horvath

M. GROVES / G. WEEKS, *Legitimate expectations in the Common Law World*, Hart Publishing Ltd., 2017, 354 pp., ISBN: 978-1-84946-778-0

The concept of legitimate expectation, which is an expectation induced by a public authority that an individual would be granted or retain some substantive benefit, is essential for procedural protection before public authorities. For the last decades, this concept has become an integral part of judicial review in the common law system and is recognized, at least in some way, by all common law system states. However, the law in different states develops in different routes, and so do legal concepts.

The essays, included in this book, aim to explore the concept of legitimate expectation, as well as its understanding and usage in such countries as the United Kingdom, Canada, Australia, New Zealand, India, South Africa, Hong Kong and Singapore. The authors of these essays not only address the operation of this concept in different jurisdictions, but also make a view on doctrinal developments over legitimate expectation.

V. Reshetnikov

J. ÖBERG, *Limits to EU Powers. A Case Study of EU Regulatory Criminal Law*, Hart Publishing, 2017, 256 pp., ISBN: 978-1-50990-336-8

The book set out to answer the question of how limits upon the exercise of Union competences can be constructed. This book seeks to give a final response to this question. The first part of this book examines the general question of the study: how competence control can be enhanced. The second part discusses the substantive and procedural limits to the exercise of EU competences, while the final part indicates directions for future research. The book indicates the presence of a number of procedural and substantive limits to the exercise of EU powers. These include the subsidiarity principle, which limits harmonization laws. While some people will no doubt disagree with the outcome of Öberg's analysis, which may be seen as restricting unduly EU powers to act in the field, the book constitutes an invaluable and essential reading for academics, policy makers, practitioners and especially for students interested in all aspects of EU criminal law, and in the evolution of EU constitutional law more broadly.

A.-G. Simon

E. U. PETERSMANN, *Multilevel Constitutionalism for Multilevel Governance of Public Goods*, Hart Publishing, 2017, 416 pp., ISBN: 978-1-50990-906-3

There is no government over governments or power that can force a state to take a path that it does not aim for unless it satisfies its

citizens and political system. International organizations try to fulfill this gap for the ultimate good of all. Ernst Ulrich Petersmann, in this book, critically analyzes multilevel governance of global public good from different perspectives that lead him to believe that there is a need for a new philosophy for international law in order to achieve the security of public good for all more efficiently. This book is a unique opportunity for the reader to understand why many treaties, agreements, international laws do not function in our present day.

A. Albutti

C. TAN / J. FAUNDEZ (eds), *Natural Resources and Sustainable Development*, Edward Elgar Publishing, 2017, 352 pp., ISBN: 978-1-78347-837-8

In this comprehensive text, Tan and Faundez compile contributions from seventeen academics, policymakers, and campaigners to provide a multifaceted collection focused on the regulation of natural resources in developing countries. In their goal to give voices to those in the global south regarding the reappraisal of the current legal framework, Tan and Faundez synthesize varying academic subjects, ranging from economic law to human rights to environmental protection, with the end result of producing a collection that is both challenging and enlightening. The diverse and sometimes conflicting perspectives highlighted prove that sustainable development is a field worth further attention on the international legal stage.

M. Sergison