

Ann E Kent, *Beyond Compliance: China, International Organizations, and Global Security* (Stanford University Press, 2007, ISBN-10: 0804755515, AUS\$65, 360 pages)

REVIEWED BY VIVIENNE BATH*

This book is a study of China's compliance and cooperation with selected international organisations and its participation in, and contribution to, the international legal regimes in which those organisations are involved. Ann Kent looks at the theories which can be used to explain the reasons for compliance by a nation with the international legal regime, as a basis for examining China's involvement and engagement, both generally and through a detailed study of four different areas: the international security regime; the international political economy; the atmospheric environment; and human rights. Kent's theoretical aim in the study is to examine the behaviour of China as an authoritarian state that is 'least-likely' to comply with international treaties, and to use the results of the examination as a way of testing the different theories of compliance with international laws (summarised in the Introduction) and clarifying which aspects of China's behaviour reflect its compliance with international norms, and which 'are calculated merely to test the bounds of what the political situation will permit.'¹

Kent's objective is to examine not only China's formal compliance with international norms and principles (which she sees as the legal concept of implementing and enforcing the requirements of international treaties or international organisations), but its level of cooperation and collaboration with the international rule-making process that underlies the development of international norms (which she limits to cooperating with, or attempting to block, the object and purpose of a particular international organisation or treaty). The study therefore requires not only an examination of China's formal actions in relation to international treaties and organisations, but its political activities: in particular international organisations, and its role in the development of (or changes to) international treaties and agreements. This is an ambitious objective, given the broad range of China's activities in the international arena, but Kent's choice of different areas for study provide an interesting cross-section for examination. As Kent notes, China's cooperation in the international sphere is ultimately vital for assurance of international order and global security.² It is therefore important for us to understand the nature and extent of its overall international participation.

Kent's approach in reviewing the four areas she has chosen for examination is to provide a history of China's entry into and involvement in the relevant international organisation or treaty body, to analyze the developments in China's approach during the

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1 Ann E. Kent, *Beyond Compliance: China, International Organizations, and Global Security* (2007) at 13.

2 Id at 32.

period of its involvement, to examine the legislative and formal implementation of its international obligations, and finally, to assess the degree to which China can be said to be complying, and to be cooperating with, the particular regime. Chapter 2 looks at the international security regime by examining China's role in the Conference on Disarmament and the related treaties related to disarmament, and looks at the evolution of what Kent considers is China's relatively positive participation in the development and implementation of these treaties. Chapter 3 examines China's relationship with the World Bank and its participation in the International Monetary Fund. Chapter 4 reviews China's role in dealing with the atmospheric environment in relation to the United Nations Environment Programme and protection of the ozone layer, and its less positive role in relation to climate change. Chapter 5 looks at the difficult issue of China's attitude to international instruments affecting human rights, through China's involvement in the International Labour Organization, its ratification and domestic implementation of the Convention against Torture, and its relationship with the United Nations Committee against Torture. Useful summaries of Kent's conclusions as a result of the research are presented in charts in the final chapter, contrasting China's differing levels of compliance and cooperation in relation to different areas.

Kent's discussion is well written, and provides a clear and thorough overview of the detailed and complex material on which she relies. The book also includes a helpful and comprehensive index. The notes for the text are, however, at the back of the book, which may make the text easier to read, but also means that locating and absorbing the comments which are included in the notes requires more effort from the reader than if they were located closer to the text to which they relate.

The discussion of the various areas (together with a brief analysis in the final chapter) of the issues relating to China's accession to the World Trade Organization and its relationship with the World Health Organization demonstrate the author's intensive and careful research of the background of China's participation in these different areas and provide fascinating insights into the development of Chinese policy and its engagement in the international sphere. Necessarily, however, given the overall scope of the study, each area is discussed concisely. In particular, it would be interesting to have more material on China's domestic level of compliance with its international obligations in the sections on legislative and institutional implementation, and on compliance and cooperation.

'Beyond Compliance' presents an interesting and, in some cases, enlightening discussion. In Kent's view, China's behaviour is increasingly compliant at an international level, although the implementation of international norms at a domestic level is far from perfect. Kent concludes that China's international (and domestic) performance on the question of human rights is poor, but takes the view that China has played a relatively positive role in areas such as international security and the international financial regime. She therefore concludes that China's behaviour in the international context cannot be seen purely as China following international rules only when it is in China's interest to do so.

Overall, the material and the argument in the book constitute a valuable and lucid analysis of China's role in the international community, particularly since it is often difficult to obtain an objective and evidence-based assessment of China's activities in the international sphere. Kent's examination of, and conclusions in relation to, the practice and theoretical implications of China's international participation, based on her many years of experience in Chinese and international studies, and building on her earlier work *China, the United Nations, and Human Rights: the Limits of Compliance* make this book a very useful addition to international law literature.