Book Reviews

Morten Bergsmo, Alf Butenschon Skre and Elisabeth J Wood (eds), *Understanding and Proving International Sex Crimes* (Torkel Opsahl Academic EPublisher 2012) ISBN 978-82-93081-29-6
Morten Bergsmo (ed), *Thematic Prosecution of International Sex Crimes* (Torkel Opsahl Academic EPublisher 2012) ISBN 978-82-93081-31-9

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The anthologies *Understanding and Proving International Sex Crimes* and *Thematic Prosecution of International Sex Crimes* edited by Morten Bergsmo, Alf Butenschon Skre and Elisabeth J Wood, and by Morten Bergsmo, respectively, introduce and comprehensively study two central aspects of investigating and prosecuting international sex crimes: effective enforcement and the practice of thematic prosecution. In doing so, these two anthologies bring the debate on international sex crimes beyond criminalisation and the willingness to prosecute. They subject well-accepted practices in this area to re-examination in a timely manner.

In *Understanding and Proving International Sex Crimes*, the various authors highlight and focus on still-existing weaknesses in our system of prosecuting and adjudicating international sex crimes. A number of authors do so by comprehensively setting out how the existing normative framework can be improved and revisit evidential and investigatory practices as well as common assumptions. For example, the chapter by Kai Ambos undertakes a comparative examination of the definitions of sexual violence adopted by the various tribunals and argues for a "presumption of non-consent", while Marina Aksenova's chapter highlights the need for modes of liability to be further clarified. Beyond such normative concerns, the chapter by William H Wiley highlights difficulties faced by investigators in investigating such crimes and raises the question of whether authorities faced with limited resources may better invest such resources in pursuing other crimes. By confronting still-existing gaps and reexamining assumptions within our system of prosecuting and adjudicating international sex crimes, this anthol-

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ogy enables policy-makers and practitioners to focus on strengthening and improving the system in a targeted manner.

The anthology *Thematic Prosecution* highlights the emerging and still unquestioned practice of certain institutions focusing on certain core international crimes, specifically international sex crimes. This is particularly relevant in light of the first decision of the International Criminal Court's focus on crimes involving child soldiers. There has been much discussion and emphasis on how the Prosecutor of the International Criminal Court's prosecutorial discretion should be exercised, but not yet on the specific issue of undertaking thematic prosecutions. This volume therefore expands on the debate concerning the scope and limits of prosecutorial discretion by examining the implications and assumptions underlying thematic prosecution of international sex crimes.

For example, the chapter by Margaret M deGuzman studies the different theoretical frameworks put forward as a rational basis for the thematic prosecution of international sex crimes, arguing in favor of expressivism and restorative bases. Other chapters in this volume move beyond such theoretical debates and ground their observations in comprehensive studies of specific cases and institutions that highlight potential problems of such prosecutions. For example, the chapter by Christopher Mahoney points out how the prioritisation of certain crimes over others advanced certain political interests. Olympia Bekou emphasises how such prosecutions have concrete institutional implications, such as the need to build specific expertise and capacity. By thoroughly canvassing these different and important points associated with the practice of thematic prosecution, the various chapters in this volume provide a realistic and critical overview of what such prosecution actually entails. As a number of authors point out, such grounded consideration is particularly important given the emotive response elicited by international sex crimes.

These two volumes are impressive for their diverse authorial viewpoints that expose the reader to the different perspectives available on this rapidly evolving issue. Some of these challenge more prevalent viewpoints of the day. For example, the chapters by Elisabeth J Wood and Xabier Agirre Aranburu in *Understanding and Proving International Sex Crimes* question our commonly held assumptions about sexual violence during conflict, such as the claim that such violence targeting women is prevalent or under-reported. The editors have done an admirable job in selecting and bringing together these diverse viewpoints. These two volumes broaden our perspectives and enable a more balanced and well-rounded approach to international sex crimes.

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