

Angaben über Indiens geringen Anteil am Welthandel, sein hohes Handelsdefizit und zu der sich vom primären zum sekundären Sektor verlagernden Struktur des Außenhandels. Laut *S. Gosalia* (S. 287 ff.) hat sich der Dienstleistungssektor (54 % des BSP) am schnellsten entwickelt gegenüber Industrie (23 %) und Landwirtschaft (27 %). Letztere jedoch noch mit über 50 % der Beschäftigten.

D. Bronger und *J. Wamser* bringen die dritte Fortsetzung ihres Vergleichs Indiens mit China mit umfangreichen Wirtschaftszahlen über beide Länder (S. 305 ff.). *W.-P. Zingel* (S. 353 ff.) stellt fest, dass die Agrarproduktion weit über das Bevölkerungswachstum hinaus gesteigert und verbessert werden konnte, auch die Zahl der absolut Armen zurück ging, aber noch nicht erreicht wurde, dass alle Inder ausreichend zu essen haben.

M. Haack (S. 379 ff.) diskutiert die, entsprechende Schwierigkeiten europäischer Großstädte weit übersteigenden Schwierigkeiten der indischen Großstädte, von denen 35 zwischen 16 Mio. (Bombay) und 1 Mio. (Rajkot in Gujarat) Einwohner zählen. Wie überhaupt bei vielen der in den Darstellungen dieses Jahrbuchs behandelten Themen sich z.B. nationale deutsche Probleme wie Unterhaltungssitten im Verhältnis zu wirklichen Problemen ausnehmen. Wünschenswert wäre im nächsten Jahrbuch sicherlich eine Analyse der Wasserproblematik in Indien.

Den Abschluss des hervorragend informativen und nützlichen Bandes bilden ein Überblick über Unternehmensbesteuerung in Indien (*R. Schmid / C. Kruchten*, S. 395 ff.) sowie Chroniken politischer und wirtschaftlicher Ereignisse (*M. Schied*, S. 413 ff., 423 ff., 431 ff.), eine Kurzbiographie zu Gesellschaftsstruktur und sozialen Bedingungen in Indien (*S. Majumder*, S. 441 ff.) sowie ein wirtschaftsstatistischer Anhang (S. 465 ff.).

A. Albano-Müller, Schwelm

Yongping Ge

Hongkong und die Europäische Union

Auch ein Beitrag zur Völkerrechtssubjektivität und Vertragsabschlußkompetenz

Wissenschaft in Dissertationen, Band 726

Görrich & Weiershäuser Verlag, Marburg, 2003, xiv, 293 pp, paper

In any good whodunnit, the identity of the murderer is revealed as a dramatic conclusion. In a good scholarly dissertation, the issue prompting the enquiry is mostly stated at the outset, and the author then takes the reader step by step towards answers to problems identified at the beginning. Dr Ge's doctoral thesis on Hong Kong and the European Union (EU), and in particular the questions of their legal personality and treaty-making capacity, leaves the reader in suspense until the end as to the objective of his presentation: Is it an attempt to establish whether lack of legal personality or treaty-making capacity in any one of the entities discussed have been or may be an obstacle to mutual relations? It turns out

that no specific question thematically linking the Special Administrative Region (SAR) of Hong Kong and the EU has been defined as the point of departure for this monograph but that the author has chosen to juxtapose the two in abstract comparison. Such abstract investigation may still be a worthwhile labour even though it lacks the analytical perspective derived from a guiding issue.

In five extensive chapters, the author summarises the historical, legal and institutional foundations of the EU and Hong Kong; the scope of legal personality of the European Communities (EC), the EU and Hong Kong; the treaty-making capacities of the EC and Hong Kong; relations of the EC and the EU with Hong Kong; and legal personality and agreements in respect of the EC, the EU and Hong Kong.

The description of the historical and institutional backgrounds of the EC/EU and Hong Kong retraces thoroughly familiar ground. The lack of express legal personality – and corresponding treaty-making capacity – of the EU, as distinct from the EC, is rightly seen as never having impeded conclusion of the relevant agreements underpinning co-operation between the two sides, with the EC acting as the legal personification of the European party.

There thus appears to be little added value in the lengthy comparisons of the EC/EU and Hong Kong, quite apart from the fact that both are results of very different processes. The former represents the fruit of a voluntary political project, initiated in particular before the European backdrop of two ‘world’ wars, to coalesce the sovereign states of the Old Continent in a larger whole where their destructive rivalries of the past would be removed, or at least domesticated, and their productive potentials could be enhanced for the profit of their citizens and to the benefit of such an enlarged group’s standing on the international stage. The latter, rather than an active participant in an integrative process, has been the legally voiceless object of a diplomatic compromise in 1984 between the United Kingdom, whose long-term grip on this Crown Colony – to be mortally truncated by the expiry of the lease on the New Territories – had become tenuous to the point of being unable to survive even a suspension of water and vegetable supplies from the mainland, and an irredentist Chinese government adamant in its determination to wipe from the map the last traces of the “First Opium War” (1840-42). Besides, since the establishment of the SAR in 1997, Hong Kong’s terms of trade vis-à-vis the mainland have eroded in the face of rapid development in growth centres of China, such as Shanghai and the neighbouring Pearl River Delta. Foreign investors who may previously have preferred to procure banking or quality control services of mainland manufacturing operations from Hong Kong, where they often also chose to locate their regional presence, can now reliably do this at lower cost in China proper. The new economic embrace of the SAR in the “Closer Economic Partnership Arrangement between Hong Kong and the Chinese mainland” (CEPA) testifies not only to the economic logic flowing from Hong Kong’s proximity to and numberless links with the interior of the People’s Republic. It also points to a vulnerability of the territory that may no longer unquestioningly count itself as the golden goose which its new Peking owner would be prepared to handle gingerly in expectation of more eggs to come. In the European

Union, expansion of membership and reform of its institutions in the new constitution would also have brought the EU legal personality, but the setback at the end of last year in adopting the new instrument has delayed this addition to the EU's juridical panoply. Meanwhile both China and the EU have been expanding their partnership in numerous fields, unaffected by differences of their legal make-up. Dr Ge's occasionally instructive dissertation makes for a bland whodunnit, without a corpse and without a denouement.

*Wolfgang Kessler, Peking**

* The author is Head of the Cultural Section of the Embassy of the Federal Republic of Germany in Peking; the above review expresses his own personal views.