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Marten Zwanenburg on International Peacekeeping edited by Boris Kondoch. Aldershot: Ashgate, 2007. 578pp.

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Abstract

A review of:

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Keywords

Peacekeeping, International relations, United Nations, International law

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International Peacekeeping edited by Boris Kondoch. Aldershot: Ashgate, 2007. 578pp.

International Peacekeeping , edited by Boris Kondoch, is a welcome addition to the literature on peacekeeping. As the editor notes in his introduction to this edited volume, there is no recent textbook on the legal aspects of peacekeeping. The latest such textbook is Hilaire McCoubrey and Nigel White's The Blue Helmets: Legal Regulation of United Nations Military Operations, which dates back to 1996. This book goes a long way toward filling that gap, even if it cannot offer the complete overview a textbook can.

The book is part of the "Library of Essays in International Law" series published by Ashgate, which features some of the leading experts in their respective fields. International Peacekeeping is no exception. Kondoch has written extensively on peacekeeping, and is the editor-in-chief of the *Journal of International Peacekeeping* .

This work brings together a number of previously published articles on various legal aspects of peacekeeping. It is divided into five parts, each covering one or more of these aspects. Part I is concerned with "the role and the rule of law in international peacekeeping." Part II is entitled "the constitutional basis of peacekeeping," and deals with the legal basis, in the United Nations Charter or outside of it, of peacekeeping operations. Part III focuses on the "principles of international peacekeeping," which refer to the three fundamental principles of peacekeeping, namely consent, impartiality, and the non-use of force. It is somewhat surprising, therefore, that this part does not contain an article on impartiality in peacekeeping. Part IV of the book contains articles on the "law applicable to peacekeeping operations." It is further subdivided into sections dealing with International Humanitarian Law (including one by the author of this book note), human rights, international criminal law, responsibility, and the protection of peacekeepers. Part V is dedicated to international administrations. It focuses in particular on questions of accountability, or rather lack thereof, in international administrations in general, and the United Nations Missions in Kosovo (UNMIK) and East Timor (UNTAET) in particular.

It is interesting to note that the first article in the book, written by Oscar Schachter, goes out of its way to demonstrate that there is "law" involved in peacekeeping. The same is done by Kondoch in his introduction, who concludes that "peacekeeping operations do not exist in a legal vacuum and they never did." This book note author wonders whether this is a typical reaction by international lawyers when confronted with the phenomenon of peacekeeping that was created first and foremost as a political solution to a political problem and that has no explicit legal basis in the United Nations Charter.

It is inevitable that in an edited volume such as this one there is room for criticism of some of the choices made by the editor in selecting articles. The article by Amrallah on international responsibility for U.N. peacekeeping, for example, is a classic piece, but was written in 1976 and now seems somewhat outdated. It could easily have been replaced by a number of other articles that reflect more recent practice in the field of responsibility and liability for peacekeeping operations. The article by Siekmann on the fall of Srebrenica, and the attitude of Dutchbat from an international legal perspective, also seem out of place, focusing as they do on one very specific episode in United Nations peacekeeping.

This book will be very useful for those who are interested in an overview of the most salient legal aspects of peacekeeping. It provides a good starting point for further exploring one or more of these aspects, inter alia because the editor provides some recommendations for further reading. It could also be used instead of a textbook as reading material for courses in the law of peacekeeping.

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