Book Review


Contributions to the theory and practice of post-conflict peacebuilding have gained key importance for any discussion on failed objectives and unintended negative consequences of peace operations. Academic publications on the issue – many of them reflected in this Journal – are numerous. They reveal that convincing solutions must be country-specific. In fact no general theory of a jus post bellum has been developed so far. From a practical perspective, the United Nations’ Peacebuilding Commission, established under concurrent Resolutions by the UN General Assembly\(^1\) and the Security Council,\(^2\) has accomplished useful work in assisting relevant UN bodies – in particular the Security Council, the General Assembly, the Economic and Social Council, and the Secretary-General – in their efforts to improve the situation in conflict-torn countries. Along with the Peacebuilding Fund and the Peacebuilding Support Office, the Commission has gained first experience in dealing with developments in Burundi, Sierra Leone, the Central African Republic, and Guinea-Bissau; it has, however, not succeeded yet in dealing

\(^1\) UNGA Res. 60/180.
\(^2\) SC Res. 1645 (2005).
with any of the many other post-conflict situations in the world and in the words of its Chairman, the Commission is ‘still underutilized’. More far-reaching proposals had been submitted by the former Secretary-General in his report ‘In larger freedom: towards development, security and human rights for all’, but although these were meant as a start, not the end, of a process, the international community is still far away from seriously considering this vision and putting it into practice.

The projects under review here examine legal and policy issues of post-conflict peacebuilding in a more general and comparative manner, with the declared aim of identifying and assessing parameters of a *jus post bellum* as distinct from two more classical branches of international law, the *jus ad bellum* and the *jus in bello*. Published independently from each other, the book edited by Carsten Stahn and Jann K. Kleffner addresses foundational issues and contemporary challenges of that *jus post bellum*, while the project led by Volker Epping and Hans-Joachim Heintze looks into possibilities to supplement the *jus in bello* by new instruments regulating international support for the process of rebuilding States and consolidating peace. Both projects are case-oriented: the first one refers to issues of human security and stability in Iraq, Afghanistan, Uganda, Colombia, Nepal and Kosovo, while the second is supported by three doctoral dissertations on the situation in Kosovo, Afghanistan, and Iraq, and a further Chapter devoted to Bosnia and Herzegovina.

This ‘material battle’ is, indeed, impressive and rather instructive. It offers insight on many issues that are relevant in the field, provides a differentiated picture of a number of post-conflict developments, and evaluates current peacebuilding activities initiated and conducted with different success, all heavily depending from external engagements by the international community. These external engagements, like the peacebuilding processes themselves, are complex and often controversial, not free from setbacks, and only slowly moving forward through political controversies, financial shortages and operational deficiencies.

While both projects serve rather similar objectives, the working methods applied and results reached are very different. As to be shown below, Stahn and Kleffner have concentrated on a one-volume book putting the past, present and future *jus post bellum* in context, whereas Epping and Heintze have concentrated on a multidisciplinary (international law and political science) evaluation of case material. Quite obviously, they have refrained from providing unified structures and questionnaires to their collaborators, thus encouraging full freedom of research, and even taking the risk of making plain conclusions impossible:

Markus Badzio’s chapter on Bosnia and Herzegovina focuses on the evaluation of the 1995 Dayton Agreements under general principles of international treaty law and a study on the role of the High Representative, the OSCE, and the international presence in the country. This may be seen as first step for a major case study still to be developed. A critical review of the military operations by IFOR, SFOR and EUFOR, the International Police Task Force (IPTF), the civil-military cooperation in the post-conflict, and the problems and perspectives of post-conflict peacebuilding remain desirable.

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