

BUCHBESPRECHUNGEN

Ian Brownlie

The Rule of Law in International Affairs

International Law at the Fiftieth Anniversary of the United Nations

The Hague Academy of International Law

Kluwer Law International, Den Haag, 1998, 242 pp., £ 53.00

The British mastermind of international law has once again written an excellent book that gives a fantastic overview of the chosen topic as well as insight into related issues: Ian Brownlie is an inspiration to all international lawyers, especially to the young ones at The Hague at the brink of their careers.

This volume inaugurates a new series of books that allows those interested in a subject expounded in the lecture hall of the Academy to consult the lectures in a separate publication. Prof. Brownlie's General Course of 1995 – during the session on public international law – entitled "International Law at the 50th Anniversary of the United Nations" is now enhanced by a preface and an index.

The distinguished scholar states that it is a custom to provide a General Course with a theme of particular flavour and the topic: "The Rule of Law in International Affairs" is more than appropriately chosen as it is a question of perennial concern and was a pressing in 1997/98 when published as it is in 2002 when reviewed.

The author begins explaining his own intellectual background, outlook and approach. He calls himself an "objective positivist", and allows insight into his professional ethics.

Divided into 15 chapters – three preliminary ones and twelve main ones – the book offers a selection of important and pressing topics. The function of law in the international community, the formation of general international law and the subjects of international law form the introduction and then he delves into various areas: the mechanisms of public order, the protection of human rights, the concept of state responsibility, the conditions for the making of international law, the peaceful settlements of disputes, remedies for breaches of obligations, control of major natural resource, title to territory, maritime delimitation, the protection of the territorial integrity and the environment of states, the use of force by states and finally the role of the Security Council and the rule of law.

All subjects are eloquently discussed and analysed by an unequalled writer bringing both academic distinction and his vast experience as a practitioner to every line he shares with the reader.

To do a work like this justice in a review is most difficult, to sum up the wealth of thoughts and ideas of a whole life dedicated to international law presented here impossible. In order to benefit from it one has to read and experience it from cover to cover and savour each

sentence and statement. It may have been written for students but it is a guide at any stage of any lawyer's or academic's life. There are cross-references, English peculiarities, international comparisons, criticism of the views of renowned colleagues, all well-explained, sharp and to the point. This author always looks at all angles of a case, introduces the reader to various other writers, carefully guides, and still allows space for one's own thoughts.

A joy to read.

Dagmar Reimann, Tong Norton, England

Eric P.J. Myjer (ed.)

Issues of Arms Control and The Chemical Weapons Convention

Nova et Vetera Iuris Gentium

Martinus Nijhoff Publishers, Dordrecht, 2001, 202 pp., € 72.00

This volume is the result of a seminar held July 2, 1997 at Utrecht University where a learned audience of academics, diplomats and (int.) civil servants, all experts in either general international or in the work of the Organization for the prohibition of Chemical Weapons (OPCW), debated two subjects.

The morning session dealt with the obligations *inter se* of the signatories of the Chemical Weapons Convention, an international law topic which has specific relevance for arms control treaties given the security interests of State Parties to these treaties in maintaining a minimal/minimum status quo between all signatories. In this respect the case of the Chemical Weapons Convention was illustrated because in May 1997 at the first conference 165 states had ratified it, Russia being among those who had only signed it while being one of the two principal possessors of chemical weapons. When this book was published in September 2000, though, 174 states had signed. Certainly this issue is highly relevant for other arms control treaties like the Comprehensive Test Ban Treaty (CTBT) which in September of 2000 was not yet in force.

The afternoon session was devoted to the institutional aspects of the OPCW and its supervisory functions. Since this newly established international organization is the first completely devoted to supervision of arms control commitments the topic is of major relevance for the law of international organizations in general.

Following a quick introduction of the contributors to the volume Utrecht University's *Erik P.J. Myjer* – in the first chapter – introduces the core subject "The Law of Arms Control, Military Security and the Issues". He begins with the question if indeed there is such a separate area within international law that deserves to be distinguished as arms control law and how it relates to other areas with regards to arms, force and its application, namely the