

Abstract

The anthology deals with the instruments of peaceful conflict settlement, especially international jurisdiction and law enforcement. The long way from the containment of war to the non-violent regulation of conflicts is at the centre of *Patricia Schneider's* text. She takes special note of the peace-keeping contribution of international jurisdiction as well as the gap often emerging between legal norms and real-life politics.

In her research report about the United Nations, *Patricia Schneider* presents the results of numerous interviews with UN-staff, national representatives and with experts of renowned US-universities. The interviews cover topics like the reform of the United Nations, questions of human rights and international humanitarian law and in particular problems of international jurisdiction

Thorsten Stodiek deals with the different legal foundations of military and policing engagements in peace missions and points to the advantages and disadvantages of both types of organisations when it comes to the establishing and guaranteeing of security and order. He concludes that greater consideration should be given to policing, and not to military action, in order that any necessary use of force may be guided by the principle of strict proportionality as laid down in police law. At the end of his text, *Stodiek* adds some recommendations towards the improvement of future international police missions.

In her contribution, *Kristina Thony* looks at the necessary legal preconditions for police missions. These are regularly confronted with the challenge of which law to implement in their area of activity. *Thony* gives some indications as to what general requirements are necessary to arrive at a uniform legal concept to be applied in all missions, a concept that needs to take national and international legal criteria into account.

In their research report about the contribution of international courts to the "civilisation of international conflict resolution", *Kristina Thony* and *Patricia Schneider* present the results of a number of interviews and background conversations with judges and members of the most significant international courts, i.a. the Permanent Court of Arbitration (PCA) and the International Court of Justice (ICJ) in The Hague.

Kristina Thony examines the issue of the protection of human rights by international jurisdiction and law enforcement. She takes a closer look at the interrelation between human rights and peace, the diplomatic mechanisms protecting human rights and the corresponding jurisdictional and arbitral instruments and finally the politics of humanitarian interventions.

After decades of preparation, the International Criminal Court (ICC) has been established to prosecute crimes under international law of the most odious kind. However, its establishment has not met with the pleasure of all states. Among those, the United States have a prominent position. Its administration vehemently opposes the extension of the competences of the tribunal to include U.S. citizens. *Patricia Schneider* illustrates the oddities to which this attitude may lead at times.

Patricia Schneider, Kristina Thony and Erwin Müller make a systematic comparison of international courts, including a synopsis of, among others, the characteristics, competences and functions of these jurisdictional institutions. The article elaborates the strengths and the weaknesses of these institutions and aims to deduce relevant aspects regarding the design of an effective international jurisdiction.

In the following essay, *Erwin Müller and Patricia Schneider* analyse the conditions for a functioning international jurisdiction: The deficits of the system of international jurisdiction esp. those concerning the International Court of Justice result in its dependence from the willingness of states to resolve their disputes with the assistance of a court.

Erwin Müller and Patricia Schneider draw the consequences of the deficits of courts and tribunals. They focus on the optimisation of international arbitration and jurisdiction as well as the enforcement of its decisions.