

abgehandelt. Zu Recht beklagt der Verfasser, daß von deutscher Seite bisher den Kontakten mit Korea nicht das Interesse zuteil geworden sei, "das man von einer weitsichtigen Politik gegenüber der zweitgrößten demokratisch verfaßten Volkswirtschaft des aufstrebenden Ostasien erhoffen würde" (S. 105). In diesem Kapitel finden sich auch beherzigenswerte Hinweise zu Geschäftskontakten in der Praxis (S. 106/107), insbesondere zur Wichtigkeit eines "angemessenen Verhaltens im sozialen Umgang".

Bei aller berechtigten Kritik und Skepsis im einzelnen kommt Pascha zu einem fundiert-positiven Gesamturteil: "Die Weltwirtschaft wird gegenwärtig um einen führenden Akteur reicher" (S. 121).

Einige wenige vermeidbare Fehler – S. 95 wird für 1993 "Park" statt "Kim" als neuer Präsident genannt; S. 102 wird die seinerzeit von Regimegegnern in Umlauf gebrachte, nachweislich falsche Behauptung kolportiert, Präsident Park Chung-hee habe "lieber japanisch als koreanisch gesprochen" – vermögen den Wert dieses handlichen Bandes, dessen Lektüre uneingeschränkt empfohlen werden kann, nicht zu schmälern.

*Karl Leuteritz*

*Tathiana Flores Acuña*

**The United Nations Mission in El Salvador. A Humanitarian Law Perspective**

Kluwer Law International, 1995, 253 pp., US\$ 92.00

"Peace is only possible when the parties to the conflict are fully convinced of its necessity. It is only feasible when leaders place their personal authority and political credibility at stake in its favour; when these leaders see that they are backed by their external allies; when they can enjoy national credibility through the support of their moral authority; and, at the international level, through the support of the Secretary-General and his regional representatives, who, by respecting all spokespersons, facilitate the institutionalization of a dialogue, the demobilization of combatants and the return to a situation of legality and democracy where the fundamental norm of humanitarian law and human rights are respected."

Michel Veuthey

Acuña's book dedicated to the victims of the Salvadorian conflict, deserves careful reading for several reasons: It is still of current interest and it can teach valuable lessons for other peaceful settlement missions. It is also a precedent in the field of humanitarian law, because, after all, El Salvador was the first case in which Protocol II of 1977 was applied. This particular case shows that the implementation of humanitarian law can be carried out through various mechanisms which either follow each other or are complimentary. ONUSAL (the United Nations Observer Mission in El Salvador) is the result of the dialogue and negotiation process between the government and the Farabundo Martí

National Front (FMLN). It constitutes the first UN attempt to mediate a settlement of a non-international armed conflict.

The authoress scrutinizes the advantages and disadvantages intrinsic to a political body in monitoring the respect of international humanitarian law. She analyses the new requirements demanded by the enlargements of the UN's functions basing her findings on the UNOSAL report that were prepared during its peace-making phase.

The focus of her work lies on the question to what extent this mission was successful in strengthening the protection of humanitarian law norms.

The book is divided into three main chapters and Acuña's conclusions. At first she describes the UN and the maintenance of international peace and security, focusing on the roles of the Security Council and the Secretary General, who in this conflict personally played an essential role.

Then she explains the mandate and the special powers of the ONUSAL mission, the legal basis before the ceasefire, the mandate as envisioned in the San José Agreement and the interpretation of the mandate.

In the last chapter ONUSAL's role in international humanitarian law is assessed and its coordination with other humanitarian agents described. The authoress shows how – in detail – this mission worked and how, in the future, the UN can therefore improve in the area of protection of international humanitarian law.

Another positive aspect about this worthwhile book is its outstanding bibliography and the fact that the reader is supplied with all the documents relevant to the Salvadorian conflict, from UN reports to UNHCR to ICRC information to the San José Agreement. This and a map clearly show what happened exactly, where and how it can be significant for future missions of peaceful settlements.

*Dagmar Reimmann*

*Stephanie Baer*

### **Der Zerfall Jugoslawiens im Lichte des Völkerrechts**

Schriften zum Staats- und Völkerrecht, Band 65

Peter Lang Verlag, Frankfurt a.M., 1995, 427 S., DM 118,--

Kaum ein Ereignis der jüngeren internationalen Staatenpraxis rührt derart an die Grundlagen der völkerrechtlichen Dogmatik wie das Auseinanderbrechen des jugoslawischen Bundesstaates. Hier werden viele Fragen akut, die die Grundstrukturen der Völkerrechtsordnung betreffen, dennoch aber zum großen Teil noch immer einer befriedigenden dogmatischen Durchdringung harren. Dazu gehören Problemkreise wie die völkerrechtliche Identität von Staaten, die Staatensukzession, das Selbstbestimmungsrecht der Völker und die Anerkennung von Staaten. Die bei *Blumenwitz* entstandene Dissertation unternimmt es,