

how each of these institutions responds to reports of violations and handles cases. For the individual international organization, the chapter analyzes whether it has established a dispute settlement mechanism, whether it is effective, and whether it can adjudicate human rights violations. The relationships introduced in the first chapter are used to show how the dispute settlement systems can be used in different situations. For third party relationships, disputes are considered in a variety of areas of responsibility, such as peace keeping operations, international territorial administration, and economic governance.

Chapter five examines the question of whether international organizations can be brought into national courts. There is no simple answer to the availability of domestic law as a means to hold an international organization liable for human rights violations. The first hurdle is how a particular country's laws view the legal personality of the organization, which is a complicated question that varies from country to country. There are also the issues of immunity from jurisdiction and immunity from execution. The function and scope of this immunity, as well as exceptions to and the possibility of waiver, are fleshed out in this chapter. The majority of the analysis reviews case law involving how the international organization's immunity interacts with the right of access to justice. Again the different relationships between international organizations and individuals and the areas of responsibility play a part in whether the national courts will hear a case. Examples of cases from many different jurisdictions and involving a variety of organizations are used throughout the chapter. The question of whether national jurisdictions constitute adequate dispute settlement mechanisms in relation to the international organization is also reviewed, and the author explains how the answer depends on the nature of the relationship.

In a short final chapter, Mr. Schmitt helpfully pulls together the discussion and analysis into some general conclusions and proposals for change. The proposals call for international organizations, their Member States, and the national jurisdictions to explore ways "to overcome the conflict between the right of access to justice of individual victims of human rights violations and the interests of international organizations protected through immunities."

Access to Justice and International Organizations: The Case of Individual Victims of Human Rights Violations is clearly written and provides an excellent introduction to the topic. The chapters contain detailed footnotes and there are a useful index and bibliography at the end of the book. Of special importance are the table of abbreviations, as the book contains a myriad of acronyms, and the table of cases, which is organized by international tribunal and then by nation jurisdiction. Overall, this book would be a good resource for academic law libraries, especially those that have an international law, international organization, or human rights focus.

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Justice in Conflict: The Effects of the International Criminal Court's Interventions on Ending Wars and Building Peace. By Mark Kersten. New York: Oxford University Press, 2016. Pp. xiii, 254. ISBN: 9780198777144. US\$ 99.95; UK£ 60.00.

When it comes to atrocities committed during civil and interstate wars, one may wonder whether peace and justice are both achievable. To obtain peace, perpetrators of serious crimes may avoid accountability, while to obtain justice, settlement with criminals is not tolerated. Mark Kersten, in his *Justice in Conflict: The Effects of the International Criminal Court's Interventions on Ending Wars and Building Peace*, investigates how the International Criminal Court (ICC) helped or hindered peace and justice when it indicted leaders of combatants in two civil wars.

Kersten proposes a framework for examining the ICC's influence on peace negotiations. He looks at the pre-negotiation phase (influencing whether and when to negotiate), negotiation phase (who is at the table, where talks are held, and what items are on the agenda), and post-negotiation phase (if an agreement is reached, whether it is honored, and whether the sides reach any form of reconciliation). Using the case studies of the situations in Uganda (the government versus the Lord's Resistance Army (LRA)) and Libya (the government versus rebels coordinated by the National Transitional Council), Kersten carefully analyzes the limits of the ICC's abilities to encourage peaceful resolutions of these conflicts.

Kersten's main finding is that the ICC's greatest method of influence is choosing whom to indict. In the Uganda situation, the ICC indicted Joseph Kony and other LRA senior commanders. The indictments brought the LRA to the negotiating table because they wanted the threat of trial lifted, but the senior leaders were unwillingly to travel to the talks, fearing they would be arrested. The LRA negotiators could not credibly represent the leaders who ultimately had to approve the deal, and Kony never signed it. The ICC indictments reinforced perceptions that the LRA was the evil side of the conflict (and it certainly did commit many atrocities) while ignoring crimes committed by the Ugandan government forces. Kersten also suggests the Ugandan government self-referred the situation to the ICC to undermine the LRA and insulate the government from accountability.

In the Libya conflict, rebels sought to overthrow Moammar Gaddafi's regime. The UN Security Council referred the situation to the ICC, which indicted Gaddafi and two subordinates. These indictments emboldened the rebels and made them resistant to negotiating. Ultimately, the rebels did achieve military victory and killed Gaddafi. The new government then resisted ICC jurisdiction over the remaining accused, preferring to bring them to trial in Libyan courts. As in Uganda, the ICC Prosecutor has not indicted anyone from the other side, even though some rebel actions, including the possible execution of Gaddafi, constituted war crimes.

Kersten concludes that asking whether the ICC advances peace or justice is asking the wrong question. Rather, we should analyze how the ICC can affect armed conflicts and influence whether peace negotiations are held, who participates, and on what terms. He also shows how difficult it is for the ICC to avoid political considerations. Self-referrals by governments or referrals by the Security Council are both political actions (the government seeking to harm its adversary and the Security Council undermining disfavored governments), and whom the Prosecutor chooses to indict is politically influenced. The Prosecutor has a strong incentive to indict only when there will be support from states to gather evidence and enforce arrest warrants. Indicting war criminals without that support only weakens the ICC's reputation and its influence.

Kersten's book is supported with fieldwork, interviews, and extensive citations to the literature. It is a very specialized work, and most suitable for collections focusing on international criminal law and international courts.

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Research Handbook on EU Law and Human Rights. Edited by Sionaidh Douglas-Scott and Nicholas Hatzis. Cheltenham, UK; Northampton, MA; Edward Elgar Publishing, 2013. Pp. v, 576. ISBN: 978-1-78254-639-9. US \$ 283.50.

Although the *Research Handbook on EU Law and Human Rights* certainly isn't intended for the neophyte, it is an invaluable resource for students, practitioners, and legal scholars alike. As a collection of the latest thinking from twenty-eight leading scholars on the European Union and human rights, the *Research Handbook* serves as both a solid (if somewhat inaccessible) starting point for the new researcher and as an essential reference tool to help the expert scholar or experienced legal practitioner keep abreast of the latest thinking on issues concerning the EU within a human rights lens.

The *Research Handbook* is divided into three parts (Part One – The Framework, Part Two – Beyond the European Union, and Part Three – EU Action and New Directions in Fundamental Rights). Part One provides the background of the current state of the European Union's incorporation of human rights into its instruments and jurisprudence. Part Two highlights the tension among the Court of Justice for the European Union (CJEU), EU member states, and the European Court of Human Rights (ECtHR) as they wrestle with a pluralistic legal framework. Finally, Part Three covers many of the most pressing human rights issues facing the EU today. These are fairly broad demarcations and certain chapters could be at home in other parts of the book. Consequently, it is also helpful to look at the *Research Handbook* as a whole despite the fact that it is a collection of unique contributions by many scholars. Sionaidh Douglas-Scott and Nicholas Hatzis's ability to weave these chapters together into such a compelling and coherent narrative is remarkable. Each chapter seems to organically build on the chapters that come before.