

Peacemaking, power-sharing and international law

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Type de support : Volume

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Résumé ou extrait : Présentation de l'éditeur : "This monograph provides a contemporary analysis of the frictions between peacemaking and international human rights law based on the cases of post-conflict power-sharing in Lebanon and Bosnia-Herzegovina. In this context it evaluates the long-standing debate in the United Nations and human rights bodies about the 'imperfect peace'. Written from a practitioner-scholarly viewpoint and drawing from new authentic sources, the book describes the mechanisms used in peace agreements and post-conflict constitutions for managing ethnic or religious diversity, explains their legal limits under international human rights law, and provides a conceptual framework for analysing the nexus between law and peacemaking. The book argues that the relationship between the content of peace agreements and post-conflict constitutions, their negotiation process and the element of time need to be untangled to better understand legal limits of statebuilding in the aftermath of armed conflict. It reaches out equally to scholars in human rights law and peace and conflict studies, advisers in peace processes, constitution-makers, and peace mediators. Lasting peace requires the respect for universal human rights. This book offers unique insights into how to find the balance between practical political solutions and the respect for international law. It is a rich resource for peacemakers and conflict parties, and an indispensable read on the phenomenon of the "imperfect peace". Jan Eliasson, Deputy Secretary-General of the United Nations, former Swedish Minister for Foreign Affairs A balanced examination of a key issue for mediators and international lawyers alike, the tension between human rights concerns and practical peacemaking. Waehlisch writes with the authority of one who is both an academic but also a political adviser with plentiful hands on experience in the regions from which he draws his case studies, the

Balkans and the Arab world. Sir Derek Plumbly KCMG, King's College London, former UN Special Coordinator for Lebanon
A rigorous reflection on the tension between peacemaking and the protection of human rights. The focus on two well-chosen case-studies brings the problem to life, and international law is presented in the light of deeply understood practical experience. This illuminating, thought-provoking work deserves to be read by everyone involved in the law, practice or study of peacemaking, statebuilding, or human rights.
Professor David Feldman, Cambridge University, former Judge of the Constitutional Court of Bosnia and Herzegovina
Is there a law of peace? This insightful book deploys a comparative analysis drawing from the Balkans to the Middle East across the scholarly-practitioner divide to elucidate this now evolving normative development.
Professor Ruti Teitel, New York Law School
Imperfect Peace is an extraordinarily useful and original book that brings together concerns and areas of scholarship and practice that do not always communicate well. Grounded in actual cases it is a "must read" for anyone interested in peace and the evolution of the international system.
Professor Andrea Bartoli, Dean School of Diplomacy and International Relations, Seton Hall University
Practitioners and scholars alike will find the monograph helpful not only to understand better the relationship between international law and peace, but how to navigate and use it to best effect. Well-informed, Waehlich offers a sober yet progressive account with insights about real-world dynamics along with thoughtful suggestions for recurrent problems. Those facing the challenges of transitions will find this a timely and indispensable reference.
Professor John Packer, University of Ottawa, UN DPA Standby Team
Constitutions and Process Design Expert."

Sujet - Nom commun : Droits de l'homme (droit international)

Règlement pacifique des conflits internationaux

Médiation internationale

Droit humanitaire