

BOOK REVIEW

Photini Pazartzis, Maria Gavouneli (Ed.). *Reconceptualising the Rule of Law in Global Governance, Resources, Investment and Trade*. Oxford: Hart Publishing, 2016. 520 p. ISBN: 9781849468800.

Ondřej Svoboda¹

The notion of rule of law is not new in international law. For instance, the United Nations General Assembly first considered the rule of law at its World Conference on Human Rights in Vienna in 1993. Subsequently, the Third Committee of the General Assembly adopted resolutions on strengthening of the rule of law every year until 2002. Probably the latest significant step in this field was a resolution titled “The rule of law at the national and international levels” adopted by the General Assembly in December 2016.² Still, the all-embracing concept deserves more attention than it actually gets.³

The volume under review attempts to fill the gap and succeeds in it. The collection of essays brought together during 2013 International Law Association (ILA) Regional Conference held in Greece according to the editors, Photini Pazartzis and Maria Gavouneli, concentrates “various manifestations of the international rule of law with a view to portraying its different nuances.”

As suggested by the title of this book, the contributors offer insightful views on different aspects of the rule of law in relation to global governance with a focus on actors and general factors, management of cultural and natural resources, and finally trade and investment issues. Accordingly, the structure of the book is divided into three parts. The book starts with part “Contemporary Challenges of Global Governance in the Spotlight”. It can be understood as an introductory part because the first contributions are more theoretical. They relate to general questions such as transparency of global governance, international adjudication and the role of domestic courts in enforcement proceedings as well as very specific topics, for instance the odious debt doctrine. Consequently, in part II the book presents “International Legal Facets of the Modern Race towards Resources”. It largely examines the international regime of protection of the cultural heritage and natural resources with respect to fisheries, marine biodiversity, exclusive economic zone and water. The final part III “Towards a New Order for International Investment and Trade” is a remarkable review of contemporary issues in international economic law. Controversial topics such as abuse of rights in modern international investment arbitration or legitimate countermeasures are thoroughly examined. Similarly insightful analyses of increasing regionalisation of investment treaties and the reflection of the rule of law in international investment arbitration will highlight an importance of respecting the

¹ Ondřej Svoboda, PhD Candidate, Faculty of Law, Charles University, Prague, Czech Republic. The book review was supported by the Charles University, project GA UK No 410217.

² The rule of law at the national and international levels, (adopted 13 December 2016) A/RES/71/148.

³ It could be caused by an ambiguity of the term and the existence of various approaches how to define its meaning. See BEAULAC, S. The Tule of Law in International Law Today, p. 198-204. In: PALOMBELLA, G.; WALKER, N. (Ed.). *Relocating the Rule of Law*. Oxford: Hart Publishing, 2009.

concept in order to safeguard the functioning of the investment protection regime and give readers better understanding of this field.

Probably the biggest shortcoming of the book is its scope. The width of covered themes is unfortunately too broad and the book is thus short of coherence and is missing unifying argument in spite of the editors' claim of "tightly connected contributions". This impression is further strengthened by the absence of a concluding chapter binding the various topics together. From this perspective, the book can occasionally make an impression on readers of an accidentally collected contributions rather than a purposeful work. This drawback is understandable for a collection based on conference presentations, less acceptable is variable quality of particular contributions. While majority of them provides excellent insight into diverse forms of international law, a few lack the required added value in terms of enhanced appreciation of the latest developments with regard to the rule of law and offers rather more general comments.

This does not, however, diminish the overall value of the book. The thirty articles explore the concept of the rule of law taking a multi-disciplinary approach and their collection provides an important contribution to a better understanding of various forms of the rule of law in international law. *Reconceptualising the Rule of Law in Global Governance, Resources, Investment and Trade* is thus a much recommended and stimulating reading for those interested in contemporary international law and its different fields.

Data da submissão: 07 de fevereiro de 2018

Aceito em: 09 de abril de 2018