

THE RULE OF LAW IN PEACE OPERATIONS

**Proceedings of the International Congress of Scheveningen (16-21 May 2006)
Recueil XVII of the International Society for Military Law and the Law of War**

During its triennial congress, the International Society for Military Law and the Law of War discussed legal aspects of peace enforcement, peacekeeping and post-conflict peace-building during or after international and non-international armed conflicts from a rule of law perspective.

Since peace operations are mostly multinational, close international cooperation is essential to mission accomplishment pursuant to the mandate, which provides the basis for further regulations such as the agreements by which States commit troops to the operation and the rules of engagement. At the congress, this subject was addressed building on a general report summarising over 50 national responses to a questionnaire focusing on three main topics.

The first principal theme is the mandate and covers questions such as who is competent to adopt and interpret the mandate, what problems arise in applying a mandate and what issues mandates should cover.

Rules of engagement (ROE) are the second key aspect. Specific issues dealt with include the drawing up of ROE and the role of military lawyers, the legal status of ROE and their relationship to the mandate, practice in respect of multinational and national ROE as well as caveats, the question of standing and specialised ROE, ROE in maritime interception operations, etc.

The third main topic is the moral and legal duty to provide humanitarian aid in peace operations and deals with matters such as practice in respect of the distribution or protection of humanitarian assistance, civil-military cooperation and influencing factors on humanitarian assistance in peace operations.

This *Recueil XVII* includes a voluminous general report on the above-mentioned aspects, based on more than 50 national reports, which include a wealth of information on many countries' practice in peace operations and are also included unabridged in the *Recueil*. Furthermore, the *Recueil* contains the recommendations of the general assembly of the Society, adopted at the Congress, as well as the proceedings of the keynote discussion of the congress on the protection of human rights during military operations.

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Société internationale de Droit militaire et de Droit de la Guerre
International Society for Military Law and the Law of War

RECUEIL
XVII

**LA REGLE DE DROIT
DANS LES OPERATIONS DE LA PAIX**

THE RULE OF LAW IN PEACE OPERATIONS



**17^e Congrès international
17th International Congress
SCHEVENINGEN
(Pays-Bas/The Netherlands)
16-21 mai/May 2006**

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