

A review of the book:

**Anna Potyrała, *Unia Europejska wobec międzynarodowych sądów karnych. Geneza, istota i praktyka współpracy* [European Union towards international criminal courts. origins, nature and practice of cooperation], Wydawnictwo Naukowe WNPiD UAM, Poznań 2012, pp. 344**

by *Włodzimierz Malendowski*

*'The EU towards international criminal tribunals. Genesis, Concept and Practice of Cooperation'* is a study that focuses on the important research question of the broad and multi-aspectual problem of criminal tribunals on the international arena. This has been tackled in many Polish and foreign publications, however, to date no work has studied the EU cooperation with the three international criminal tribunals – two *ad hoc* ones and a permanent one. Therefore, it is necessary to recognise the ambitious and pioneering task and venture that the chosen research field is highly appropriate not only if one casts an eye at the monograph title, but foremost the case put forward in the introductory part.

The structure and content of the reviewed monograph is an affirmation of good scholarship, planned in accordance with the research methodology of the field. Thus in this context, of great importance is the precision of research questions being formulated and relevance of discussion, chosen scope and familiarity with professional literature, rhetorical structure and coherence of argumentation in respect

to outlined thesis, as well as subsequent research findings and their relevance. As a result, a given work's structure (chapters and their sections) can be said to facilitate the cohesiveness of discussion and related fluency of narration.

Taking the above into consideration, one ought to stress that *'The EU towards international criminal tribunals. Genesis, Concept and Practice of Cooperation'* meets the above mentioned aspects of good research and publication practice in its clarity, appropriate planning, cohesive discussion and balance of structure, setting of argumentation priorities; thereby moving from the general to the particular.

This work consists of four chapters. In the first, determinants for the establishment of international criminal tribunals (the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda and the International Criminal Court), as well as the process of their creation are analysed. The second chapter focuses on the genesis of cooperation between the EU and the three courts mentioned above. The

concept of human rights in internal and external EU actions is examined, as are the European Union activities aimed at these tribunals' establishment. The concept of cooperation is analysed in the third chapter. The character and material scope of cooperation are examined, as well as factors determining this cooperation. In the last chapter the practice of cooperation is taken into account, as well as examples of direct and indirect collaboration with the three courts.

In sum, it can be said the respective titles of chapters and discussion therein fully reflect the importance of issues raised by Anna Potyrała in a cohesive framework of research issues raised and responded to through subsequent discussion, findings and finally, conclusions.

In the clearly established research area, A. Potyrała has undertaken a study of the nexus between the European Union and international criminal tribunals, reflecting the title of the monograph. Taking into consideration the relevant research questions, Anna Potyrała has proved that the EU and Member States support of the three courts in the implementation of their mandates has undergone a specific evolution from limited collaboration to a complete and unconditional partnership. On the one hand, this has reflected a concern to promote human rights and their protection. On the other – so as to stabilise the situation in regions recovering after conflicts, as well as to advance

the concept of national reconciliation. A. Potyrała therefore has proved that without cooperation between the EU and the three international criminal tribunals it would not be possible for the latter to function and fulfill their mandate. The progression of argument in this context focusing on the concept and practice of cooperation attests to the fact that the research aim of the reviewed monograph has been fulfilled.

In completing her research findings Anna Potyrała has made use of a comprehensive base of literature in the field, in particular in respect to original materials, as well as monographs and other studies by Polish scholars and those abroad. This very fact can be said to be one of the strong points in this work.

Anna Potyrała's monograph entitled '*The EU towards international criminal tribunals. Genesis, Concept and Practice of Cooperation*' thereby offers a thoroughly researched and documented store of knowledge with a considerable research base and thus deserves recognition, being worthy of recommendation to scholars of Political Science and International Relations.

In conclusion, in having met her research aims through related discussion and subsequent findings, A. Potyrała has pioneered a route yet to be taken in this particular research field. This study therefore has provided the opportunity to successfully undertake an original work

of scholarship, boasting a complete and exhaustive analysis of issues centred on the European Union and the international stage of criminal courts.