

Jan Ondřej:

***Public, Private International Law and International Trade Law,*
3th expanded edition, Aleš Čeněk, Pilsen, 2009, 474 p.**

In the year 2009, five years since the author's first released publication, we have again an opportunity to hold in our hands a publication named *Public, Private International Law and International Trade Law*. It is chronologically already the 3th expanded edition of this book whose author holds the position of the head at the Department of Law, Security and the European Union of the Private College of Economic Studies in Prague. Moreover, Mr. Ondřej works at Law Faculty of Charles University.

The reviewed publication is issued as a university textbook which is primarily recommended for teaching courses of International Law at the above mentioned Private College of Economic Studies. From a general point of view, the textbook can be appreciated as a notable publication offering readers basic insight into areas of public, private international law and international trade law, in the way, easy to understand especially to students in other than legal studies.

The publication is devoted to three different and very extensive areas of law. At the first sight one would say that all three areas of law are very different, indeed, what, in fact, is not an intention of the author to deny it. However, on the other hand, it can be seen a number of elements that are shared by all of these three branches.

The textbook itself is divided systematically into four parts A, B, C, D. Subsequently each part is split up into logical chapters and following subunits.

Just in the Part A the author deals with determination of common and distinct features of current three areas of law by which he gives to reader a very clear and understandable introduction to the issues. In particular, he points to the basic facts generally known as a knowledge-must before studying specific issues of Public International Law, Private International Law and International Trade Law. In the introduction the author emphasizes the fact that adjective "international" is common attribute for all these three branches. However, it is necessary to note that Public International Law constitutes a separate system of law in comparison to national law. On the contrary, both Private International Law and International Trade Law are not separate systems of law. On the one hand, Private International Law is a branch of national law that regulates the private legal relations involving a "foreign element". On the other hand, International Trade Law it is neither the separate system of law as Public International Law nor a self-contained branch of national law as Private International Law. The International Trade Law has shown features of both above mentioned areas of law regulating relations that may be called as international trade relations.

The following three parts focus in details on the treatment of these areas of law whereas the author also mentions the relevant regulation within the European Union as well as the relevant legal regulation in the Czech Republic. Readers may appreciate practical references to the relevant decisions which have significantly influenced development of various institutions in these areas of law. It is useful to note that these references offer only the brief mention without more extensive description of factual and legal matters in the text. However, given the fact that the publication aimed at the students in other than legal studies, it is necessary to highlight these links as useful and appropriate deepening the themes which the author deals with.

The part B tackles deeper elaboration of the Public International Law. Each chapter of this part handles essential issues including the sources of international law, its rules, the subjects with the definition based on the traditional point of view of current science of international law. The part gives additional treatment of prevalent issues associated with the question of legal status of states as well as a brand new issue tied up with the Kosovo declaration of independence and the question of *de facto regimes* in general. Furthermore this part treats the issue of international organizations and individuals together with the legal status of the population in general. The next chapter deals with the state territory, international spaces in general and an overview of International Environmental Law. Subsequent chapters devote about the essential questions relating to the state bodies for international relations, peaceful settlement of disputes and international responsibility and enforcement. Finally, the last chapter briefly elaborates the law of international security. Based on the above brief summary of themes developed by the author in the field of Public International Law, it is evident that not all areas of current international law were covered, but after all it is not the purpose of publication.

The part C is dedicated to Private International Law and includes its basic concepts. Typical for it is conflict of laws. Several chapters are focused on the rules on conflict of laws in various fields, especially the law of contract. This part also includes so-called direct rules of Private International law. Very important is the chapter on sources of Private International Law. There are various kinds of sources of Private International Law. Their origins can be traced to both the norms of national laws and in international treaties. Speaking in terms of European Private International Law, present development shows a movement to the situation where the origin of Private International Law stems from EC law, commonly known as the European Private International Law. The textbook describes various EC regulations in this area, such as the Regulation on the law applicable to contractual obligations (Roma I) and the Regulation on the law applicable to non-contractual obligations (Roma II). Particular attention is also paid to international civil procedure rules, especially to regulations in European international civil procedure law.

The fourth part D is devoted to International Trade Law that deals with the rules regulating international trade. The sources of International Trade Law are contained in national laws, international treaties and also in EC rules. For International Trade

Law are also important rules of non-state origin, e.g. *lex mercatoria*, INCOTERMS rules, principles of international commercial contracts (UNIDROIT, UNCITRAL) etc. This part also pays attention to the role of international organizations in this area, such as World Trade Organization, International Monetary Fund, World Bank and to the European Community/ European Union. One chapter is devoted to international sale of goods and other international commercial contracts. The last chapter deals with international commercial arbitration and the role of national courts in this area.

I assume that reviewed publication will always find its place among university textbooks which indubitable proof may be held in the fact that this is the 3th expanded edition of the book in five years time. There can be found numbers of publications on the market which have separately covered the individual areas of mentioned laws. Even, as it is clear from their extent and depth content, the books are primarily written for the circle of law students or lawyers. However, the presented publication is mainly intended for readers in other areas than law and this goal was by author, from my point of view, sufficiently achieved. I would also like to highlight an extensive list of references to which publication refers and on which the author works during the treatment of various areas of law. It can serve to deepen the knowledge gained by reading the reviewed publication. The inclusion of subject index also contributes to well-arranged organization of the book. It is possible to say that the issues covered by the author in the textbook offer readers an excellent overview about Public International Law, Private International Law and International Trade Law. The systematic and comprehensive treatment of presented issues helps students in other than legal studies better understand the various institutions of these parts of law.

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