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The Colombian Peace Process and the Principle of Complementarity of the International criminal court.

An Inductive, Situation-based Approach

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This book is based on a Research into the Colombian peace process under the Justice and Peace Law (Law 975 of 2005), with a take on the obligation set forth under the complementary principle of the ICC Statute. The research was commissioned by GTZ-Profis (a project funded by the German government) and conducted in 2008 and 2009 (Preface). The author analyzes the Colombian Justice and Peace Law (Law 975 of 2005) with a view to the obligations established under Art 17 of the complementary principle of the ICC Statute, in order to determine whether Colombia, as a part to the ICC Statute, has complied with its obligations or whether the ICC will have to intervene in Colombia to enforce international criminal law.

The study follows an inductive, situation-based approach with regard to the interpretation of the complementary principle governing the relationship between the jurisdiction of the International Criminal Court and national criminal justice systems.

Divided in two parts, the first part contains a critical analysis of the process under the Law 975, taking into account not only the relevant norms but also –and especially– the practical implementation of the law. Over three chapters, the author explain in a concise and clear way, the antecedents of Law 975 of 2005, the process for its application and offer preliminary conclusions regarding its implementation and its implications in the effectiveness of the transitional justice process in Colombia.

In the second part, the author offers a preliminary consideration of the Object of Reference of the Complementarity test (Chapter 4) and a systematic analysis of its application in the Colombian situation (Chapter 5), distinguishing between the additional gravity thresholds of Art. 17 and complementarity *stricto sensu*. In the last chapter some recommendations for the Further Application of Law 975 are provided.

The volume includes valuable appendices: An English Translation of Law 975 and source material for further research, including sources used for the elaboration of the original Spanish Study (e.g. relevant norms, relevant jurisprudence by international and Colombian Tribunals, the national law and regulations, official and NGO documents, bibliography and a list of interviews and meetings).

In “The Colombian Peace Process and the Principle of Complementarity of the International Criminal Court”, an interesting approach is offered regarding Colombia’s Justice and Peace Law of 2005. Although a lot has been written regarding the Colombian Peace Process and Law 975, most of the available literature is in Spanish. The analysis offered in the book fills a knowledge gap in the subject, since so far there is no systematic and chronological analysis of the Process of the Law 975 in English or German. For newcomers into the topic, the author’s approach facilitates understanding of all the involved elements of the issue; the inductive approach provides a top-down view of the norms and provides a step by step

overview of their applicability into the Colombian case, easing the reader into the context and leading him to reach the author's conclusion on whether the actual situation meets the standard of the ICC, and moreover, which deficits and problems should be resolved in order to avoid the intervention of the ICC.

As a summary of a deeper research, the book serves this purpose thoroughly; it covers all the relevant aspects in order to reach its intended conclusions. However, it achieves much more as well, by engaging the reader in the topic and promoting to seek deeper insight into the issue. This book could be extremely useful not only for readers who are new to the topic and want to familiarize themselves with its essential facts and basic issues, but also equally useful for those already familiar with the peace process in Colombia and want to remain up to date with its development.

Yira Segrera, Heidelberg.