

organizing and implementing disaster relief operations. Summarizing the origin, aims and methods of each of these organizations, the author also evaluates the results obtained.

Among the organizations thus considered there are the components of the Red Cross (ICRC, League and National Societies), United Nations bodies (UNICEF, UNDP, FAO, WHO, WFP...), intergovernmental entities such as the EEC and certain non-governmental organizations or other actors of a special nature such as the Order of Malta.

This section of the book ends by examining two questions of considerable practical importance, namely bilateral humanitarian assistance, and relief planning at the national level.

The next chapter deals with the fundamental question of relief co-ordination, and consists largely of an account of the origin, work (and difficulties!) of the principal body engaged in this activity, the Office of the United Nations Disaster Relief Co-ordinator (UNDRO).

Recalling the growing desire of the organizations involved for the adoption of an international instrument devoted exclusively to disaster relief (and the reticence of States as regards such an instrument...), the author concludes his analysis by examining several *ad hoc* drafts compiled by various organizations.

This review of all existing organizations, soundly documented by numerous bibliographical notes, reflects a very comprehensive knowledge of the problems encountered in relief work. Mr. Macalister-Smith's book will undoubtedly render invaluable service to the specialists for whom it is destined.

Antoine A. Bouvier

THE APPLICATION OF INTERNATIONAL HUMANITARIAN LAW PARTICULARLY IN MIXED CONFLICTS ¹

Amongst the most thorny problems presently encountered in the sphere of international humanitarian law must be considered mixed or "internationalized internal" conflicts, and these are the main subject of this book. By mixed conflicts is understood internal conflicts which, after intervention by foreign troops, take on little by little the characteristics of

¹ Martin Hess: *Die Anwendbarkeit des humanitären Völkerrechts, insbesondere in gemischten Konflikten*, Schulthess Polygraphischer Verlag, Zürich, 1985, 286 pp., in German.

an international conflict. Although isolated examples of foreign States intervening in internal conflicts are to be met with throughout history, such operations have multiplied over the past fifty years.

Before touching on the main subject of his report, Mr. Hess provides a very interesting examination of the origin and development of international humanitarian law. Then, in two very detailed and well-researched chapters, he studies the whole of the rules applicable during international and non-international armed conflicts, and successively examines the regulations of The Law of Geneva, The Law of The Hague, international customs and the practice of States.

When he comes to the core of his analysis, the author defines the concept of mixed conflicts and outlines the main reasons why these conflicts have multiplied: growing interdependence amongst States, polarization of the international community, the functional weakness of a number of newly emerged States.

Based fundamentally on the distinction between international and non-international conflicts, international humanitarian law is not completely satisfactory in application to the reality of a mixed conflict.

Having emphasized this deficiency, the author points out that there are three possibilities as regards the law applicable during such conflicts:

- (a) Full application of the provisions relative to international conflicts;
- (b) Full application of the provisions established for non-international conflicts;
- (c) Differentiated application: according to this theory one applies the provisions relative to international or non-international conflicts, depending on the legal status of the parties to the conflict (central State, intervening State(s), rebels).

While recognizing its drawbacks and shortcomings (in certain cases it could be difficult to decide whether a party should be considered as representing the central State or a rebel party), the author feels that it is the third one of these solutions (differentiated application) which entails the least number of difficulties.

In the last part, the author examines—on the basis of certain recent conflicts: Afghanistan, Angola, Chad, Kampuchea and Lebanon—what rules of international humanitarian law have been applied and mentions the legal classifications given by the various parties to the conflict and, as the case may be, by the ICRC.

When one considers the recent increase in the number of internationalized internal conflicts and the scarcity of works dealing with this question, the thesis by Mr. Hess—who distinguishes himself by the excellence of his critical apparatus—will most certainly render great service in the study, understanding and development of international humanitarian law.

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