

### NATIONAL IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW

This issue of the *Review*, devoted to the implementation of international humanitarian law (IHL), would not be complete without due mention of the above work.<sup>1</sup> It comprises the proceedings, edited by Professor Michael Bothe in co-operation with Thomas Kurzidem and Peter Macalister-Smith, of a three-day colloquium organized in 1988 by Professor Bothe on the theme of national implementation of IHL.

The colloquium was an important step in Professor Bothe's work in this area: after spending several years collecting relevant source material a group of experts from a number of countries met to exchange their views, compare different national experiences and propose certain solutions, or at least guidelines for further research on the subject.

As the next step, the editor envisages publishing a separate volume containing the source material compiled by and for the colloquium participants and later supplemented and completed by the organizers.

The book follows the order in which the various items on the agenda were discussed. The debate itself is divided into four parts, followed by closing remarks, additional papers, and conclusions by Professor Bothe, who acted as Chairman.

The first two parts provide an instructive overview of issues which are regularly the subject of discussion, namely, the relationship between international and national law, and repression of violations of IHL. The reader will be interested to note that, as pointed out in the debate, apparent differences between legal systems often mask situations which are in reality quite similar, and that the choice between summary and detailed legislation must depend above all on its chances of being adopted and effectively applied.

The third part deals with rules of national law relating to the special status granted under IHL to combatants, civilians, medical units and personnel, civil defence units and personnel, National Red Cross and Red Crescent Societies, other voluntary aid societies, and the red cross/red crescent emblem. The participants noted that some of the difficulties encountered in this field

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<sup>1</sup> *National Implementation of International Humanitarian Law, Proceedings of an International Colloquium held at Bad Homburg, June 17-19, 1988*, edited by Michael Bothe in co-operation with Thomas Kurzidem and Peter Macalister-Smith, Martinus Nijhoff Publishers, Dordrecht, 1990, 286 pp.

stemmed from deliberate ambiguity on the part of international law-makers, while others arose simply from the necessity for each State to take its own decisions in a comprehensive and consistent manner.

The fourth part of the book is devoted essentially to military manuals and other administrative rules relating to armed conflicts. During the debate it was pointed out that *military manuals were indispensable in making IHL accessible to the armed forces, and that they also gave an insight into the views of various States on given points of the law of war, without being taken a priori as the States' official position.* It was further mentioned that even though extensive and far-reaching consultation among States in drafting such texts was desirable, it seemed difficult to envisage two or more States using the same manual.

This volume, which includes a selected bibliography, is of the greatest interest and should prove extremely useful to all those who are concerned with the implementation of IHL. By identifying the problems involved, presenting a host of different experiences and proposing solutions to a number of difficulties, it offers encouragement as well as practical help to everyone involved in this field.

We should like to conclude this review by noting that the States which have only just begun to implement IHL at the national level — provided that their work is concluded within a reasonable period — should take comfort from the fact that, as openly recognized by the colloquium participants, large States too have encountered many difficulties in carrying out this task.

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## INTERNATIONAL HUMANITARIAN LAW THE REGULATION OF ARMED CONFLICTS

The Gulf crisis has once again brought home to us the relevance of international humanitarian law. The new book by Hilaire McCoubrey, a lecturer at the University of Nottingham in Great Britain, is therefore timely indeed.\* This handy, comprehensive and eminently readable introduction to the subject is not only a useful source of knowledge for the student but will also be appreciated as a resource work for teachers and those engaged in advanced studies.

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\* Hilaire McCoubrey, *International Humanitarian Law, The Regulation of Armed Conflicts*, Dartmouth, 1990, 227 pp.