

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.

Bruno Zimmermann

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.

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

McCoubrey has divided his work into ten chapters (*Humanitarianism in the Laws of Armed Conflict, Implementation and Institutions, Protection of Injured and Sick on Land, Protection of Injured, Sick and Shipwrecked at Sea, Protection of Prisoners of War, Protection of Civilians and Civilian Objects, Humanitarian Restrictions upon Means and Methods of Warfare, Humanitarian Provision in Non-International Armed Conflicts, Derogations and Exceptions, Dissemination and Repression of Abuses*). He thus covers all the aspects needed to understand this branch of law, including practical problems faced in implementing its provisions.

A detailed description of the contents would be beyond the scope of this review, so I shall confine myself to the following few remarks.

The author goes to considerable effort to avoid representing international humanitarian law as a realm apart, repeatedly reminding the reader that it is a constituent section of international law as a whole. In particular, he singles out its relationship with human rights law and refugee law.

McCoubrey is in no doubt that the Additional Protocols of 1977 are today an integral part of the international humanitarian law in force. His book is the first description of this body of law published in English that systematically takes into account the 1977 Protocols' innovations.

Throughout the text, the author endeavours to illustrate the provisions with examples from real life, and he succeeds splendidly. Examples from the First and Second World Wars, the Vietnam War, the wars in the Middle East and the Falklands/Malvinas conflict greatly facilitate the reader's understanding of the subject.

Such a compact introduction to such a broad subject inevitably contains statements that call for contradiction, or falls short of expectations in its coverage of certain aspects.

One wonders, for example, whether the rules governing the actual waging of war, i.e., those legal rules which for humanitarian reasons impose constraints on the conduct of military operations, did get the attention they deserve. McCoubrey also says little about an important aspect of the law on prisoners of war, i.e., the repatriation of prisoners against their will and the problems involved. It must also be asked whether a slightly less esoteric definition of reprisal (drawn from another work) might not have served as a simpler introduction to a difficult subject. Finally, I was somewhat perturbed by his suggestion that the doctrine of military necessity should be resurrected, though in a modified form (pp. 201-202). It seems to me that the obligations laid down by the international humanitarian law in force are worded in such a way that compliance with them is possible in all circumstances. Surely these obligations should not be undermined.

Nevertheless, in writing this book McCoubrey has made an outstanding contribution towards a better understanding of international humanitarian law.

Hans-Peter Gasser