

● *AT SAN REMO*

**Round Table of Experts
on International Humanitarian Law
Governing Armed Conflicts at Sea**

The Round Table of Experts on International Humanitarian Law Governing Armed Conflicts at Sea convened by the International Institute of Humanitarian Law in co-operation with the International Law Institute of Pisa University and Syracuse University, USA, was held at San Remo from 15 to 17 June and attended by some forty participants from the academic circles and Ministries of Foreign Affairs and Defence of several countries.

The ICRC was represented by Professor D. Schindler of Zurich University, who is a member of the ICRC, and by Mrs. L. Doswald-Beck, Mr. R. Eberlin, Mr. M. Cauderay and Mr. A. Bouvier of the Legal Division. Mr. Bouvier presented a report on technical methods of identifying protected vessels.

The purpose of the meeting was to pinpoint the present main legal and technical aspects of armed conflicts at sea. Several experts presented introductory reports.

It was noted that most of the rules relating to the laws of war were made before the prohibition of resort to force and became formally applicable only after a declaration of war. The participants pointed out, however, that most of the existing rules had acquired the force of customary law and were still applicable except when obviously obsolete. In the final document the participants took care to emphasize the relevance of the principles of international law applicable in armed conflict to armed conflict at sea parties to a conflict do not have an unlimited choice of methods and means of warfare; the employment of weapons or methods of warfare of a nature to cause unnecessary losses or excessive suffering is prohibited; parties to a conflict shall at all times distinguish between civilian objects and military objectives; persons *hors de combat* and shipwrecked are entitled to respect for their lives and their physical and moral integrity.

The effect of the law of the sea on war at sea was examined and showed the possible implications of the 1958 Convention on the law of the sea and the 1982 Convention on the laws of war at sea.

Discussion of ways and means of combat clearly showed that new weapons technology renders meaningless many of the legal rules applicable to armed conflict at sea, including those on blockade, which are made virtually inapplicable by submarine warfare; or the rules regulating the rights of neutrals and merchant vessels, which can no longer be applied because of the use of missiles. Similarly, the question was raised whether the very long range of present weapons makes it possible to respect the fundamental principle of distinguishing between combatants and non-combatants.

Thus, at every mention of the problems raised by the use of mines, missiles, damage to the environment, exclusion zones and submarine warfare the question arose whether existing rules could be applied and/or whether new rules should be adopted.

The examination of humanitarian protection in armed conflicts at sea led to recapitulation of the principal technical developments relating to identification, starting with the rather summary procedures instituted by the Second Geneva Convention of 1949. The important gains made at the Diplomatic Conference of 1974-1977, and the instruments adopted by the competent international organizations, were also discussed.

Lastly, the participants discussed mechanisms for the implementation of the law of armed conflict at sea. It was urged that basic humanitarian regulations should be added to the "rules of engagement" forming the essential part of the instructions to be followed by officers commanding naval units.

To sum up, the Round Table meeting made a preliminary inventory of matters relating to the law of armed conflict at sea and singled out areas appearing to require further study.

In the final document, adopted by consensus, the group of experts pointed out the applicability of certain humanitarian principles to conflict at sea and stressed the need for further research in preparation for the difficult task of revising the law of armed conflict at sea.

● *AT HAMMAMET*

First North African Symposium on International Humanitarian Law

The first symposium to be held on international humanitarian law in the Maghreb area took place at Hammamet (Tunisia) from 6 to 12 July 1987. The meeting was arranged by the Tunisian Red Crescent, with the active co-operation of Professor Habib Slim, the Tunis University Law