

having been able to provide for the compulsory application of a minimum of humanitarian rules in situations covered by Protocol II. However, as in the case of Article 3, the conditions in which an armed conflict, within the meaning of Article 1 of Protocol II, is considered to exist must not be subject to the findings and acknowledgement of the government concerned, but must be independent of its will. And it is well known that on this point States rarely see eye to eye.

The history of legislation relative to internal conflicts is dominated by the interaction of two major tendencies: a progressive one, represented by the International Conferences of the Red Cross, which encourage the ICRC to persevere in its efforts to provide greater protection to the victims, as well as by the ICRC itself through its practical work; the other, a conservative tendency, is that of the Diplomatic Conferences and the majority of States, whose reticence can be explained by the curbing considerations of national sovereignty. It is a good thing that the curb seems to be loosening.

In short, the book we are presenting is equally fascinating for historians and for jurists; it has a rich bibliography, a detailed index and useful diagrams illustrating the legislative history of the various provisions of Protocol II.

J.M.

REFUGEE MOVEMENTS

This study * aims to present the different aspects (political, legal and geographical) of the current refugee problem and to outline practical solutions for the present and the future.

The authors first of all set out their overall approach to the problem, providing very recent figures which demonstrate its full extent. Their sources are based mainly on the "Fact sheet" published by the information division of the United Nations High Commissioner for Refugees (UNHCR) and on governmental and non-governmental publications available at the UNHCR documentation centre, of which they were in charge.

The authors then proceed to dispel the confusion surrounding certain concepts. They make a distinction, for instance, between "population movements" and "refugee movements", explaining that the fundamental difference between the two notions is that, unlike migrant persons, refugees can under no circumstances call on their natural protector, i.e. their state of origin, to meet its international responsibility by granting them diplomatic protection. The main reason for this is that refugees are defined as persons fleeing their country of origin because of some political, social, religious, ethnic or racial conflict (including armed conflict). To this list should be added territorial disputes, famine and internal power struggles. The experience of the past few decades has demonstrated the usefulness of

* Jovića Patrnoić, Zfidane Mérioute, *Refugee movements*, International Institute of Humanitarian Law, Collected publications, San Remo, 1986, 55 pages.

customary rules and international treaties (the 1951 Convention and its 1967 Protocol, the 1969 Convention of the Organization of African Unity, the 1949 Geneva Conventions), which aim to provide solid legal bases for the protection of refugees.

The authors give particular attention to the problems posed by refugees in countries of asylum. In a poor country, they put considerable strain on its economy, social welfare services and the labour market. The rich countries make their position clear by declaring that economic recession imposes stringent limits on their ability to receive and absorb refugees.

In the following part of their study, the authors make a systematic analysis of the regional aspect of refugee movements: four distinct sections deal in turn with Africa, South-East Asia, the Middle East (this section is mainly concerned with the issue of Palestinians in Lebanon, with detailed explanations of the mandates of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) and the UNHCR) and Central America. In each section, the authors put forward general considerations on the main causes of refugee movements and on the legal principles which might be invoked for the refugees' protection.

Next they examine the historical, legal and political situation in the refugees' countries of origin and the administrative and economic efforts made by countries of asylum, in particular with regard to their ways of dealing with the influx of refugees.

The authors' approach to the problem and to the structure of the different sections is deliberate: in their view, it enables them to meet the need of certain international organizations to have an overview of the main aspects (especially statistical) of large-scale refugee movements today.

The final chapter is devoted to a few general remarks on the possible and conceivable solutions. The authors feel that additional efforts on the part of the international community, the richest countries in particular, would not only improve the situation of refugees in countries of asylum, but also prevent other such movements by helping eradicate one of their causes, namely poverty and misery.

The study contains a series of notes and a selected bibliography on refugee movements, based for the most part on documents available at the UNHCR documentation centre.

The scope of this work and the information it provides make it indispensable to every student, researcher or international civil servant interested in recent refugee problems.

M.Z.

THE 1985 YEARBOOK OF THE INTERNATIONAL INSTITUTE OF HUMANITARIAN LAW

The International Institute of Humanitarian Law recently published its 1985 Yearbook * containing a wide range of studies and essays on a

* International Institute of Humanitarian Law, *Yearbook 1985*, San Remo, 1986, 260 p. (Articles in English and French).