NOVEMBER-DECEMBER 1987

TWENTY-SEVENTH YEAR -- No. 261

international review of the red cross





GENEVA
INTERNATIONAL COMMITTEE OF THE RED CROSS
FOUNDED IN 1863

INTERNATIONAL COMMITTEE OF THE RED CROSS

- Mr. CORNELIO SOMMARUGA, Doctor of Laws of Zurich University, Doctor h.c. rer.pol. of Fribourg University (Switzerland), President (member since 1986)
- Mrs. DENISE BINDSCHEDLER-ROBERT, Doctor of Laws, Honorary Professor at the Graduate Institute of International Studies, Geneva, Judge at the European Court of Human Rights, *Vice-President* (1967)
- Mr. MAURICE AUBERT, Doctor of Laws, Vice-President (1979)
- Mr. ULRICH MIDDENDORP, Doctor of Medicine, head of surgical department of the Cantonal Hospital, Winterthur (1973)
- Mr. ALEXANDRE HAY, Honorary doctorates from the Universities of Geneva and St-Gall, Lawyer, former Director General of the Swiss National Bank, *President from 1976 to 1987* (1975)
- Mr. RICHARD PESTALOZZI, Doctor of Laws, former Vice-President of the ICRC (1977)
- Mr. ATHOS GALLINO, Doctor h.c. of Zürich University, Doctor of Medicine, Mayor of Bellinzona (1977)
- Mr. ROBERT KOHLER, Master of Economics (1977)
- Mr. RUDOLF JÄCKLI, Doctor of Sciences (1979)
- Mr. DIETRICH SCHINDLER, Doctor of Laws, Professor at the University of Zürich (1961-1973) (1980)
- Mr. HANS HAUG, Doctor of Laws, Honorary Professor at the St-Gall School of Advanced Economic and Social Studies, former President of the Swiss Red Cross (1983)
- Mr. PETER ARBENZ, Bachelor of Political Science (1983), (on leave of absence since March 1986)
- Mr. PIERRE KELLER, Doctor of Philosophy in International Relations (Yale), Banker (1984)
- Mr. RAYMOND R. PROBST, Doctor of Laws, former Swiss Ambassador, former Secretary of State at the Federal Department of Foreign Affairs, Bern (1984)
- Mr. ODILO GUNTERN, Doctor of Laws, former member of the Swiss Council of States (1985)
- Mr. ANDRÉ GHELFI, former Central Secretary and Vice-President of the Swiss Federation of Metal Workers (1985)
- Mrs. RENÉE GUISAN, General Secretary of the International "Institut de la Vie", member of the Swiss *Pro Senectute* Foundation, member of the International Association for Volunteer Effort (1986)
- Mr. DANIEL FREI, Professor of Political Science, University of Zurich (1986)
- Mr. ALAIN B. ROSSIER, Doctor of Medicine, former Professor for the rehabilitation of paraplegics at Harvard University, lecturer at the Medical Faculty of Geneva University, President of the International Medical Society of Paraplegia (1986)
- Mrs. ANNE PETITPIERRE, Doctor of Laws, barrister, graduate of the Interpreters School of Geneva (1987)
- Mr. PAOLO BERNASCONI, Barrister, LL. L., lecturer in economic penal law at the Universities of St-Gall and Zurich, former Public Prosecutor at Lugano, member of the Swiss Pro Juventute Foundation (1987)

EXECUTIVE COUNCIL

Mr. CORNELIO SOMMARUGA, président

Mr. MAURICE AUBERT

Mr. RICHARD PESTALOZZI

Mr. ATHOS GALLINO

Mr. RUDOLF JÄCKLI

Mr. PIERRE KELLER

Mr. ANDRÉ GHELFI

OF THE RED CROSS

CONTENTS

NOVEMBER-DECEMBER 1987 No. 261

125 years at work	581
Launching of the programme of commemoration of the 125th Anniversary of the International Red Cross and Red Crescent Movement	
Statutory meetings within the International Red Cross and Red Crescent Movement in Rio de Janeiro	584
 Sixth Session of the General Assembly of the League of Red Cross and Red Crescent Societies Council of Delegates Meeting 	584 590
Resolutions of the Council of Delegates	595
Jacques Verhaegen: Legal obstacles to prosecution of breaches of humanitarian law	607
Reasons of State, military necessity and the restrictive interpretation of penal law all constitute obstacles to the prosecution of breaches of humanitarian law. The author's analysis illustrates the classical dilemma between law "at the mercy of States" and law "above States"	

Under the presidency of Mr. Alexandre Hay, the ICRC from 1976 to 1987	
Controlled expansion	621
Reflections on the problems that have affected the ICRC's humanitarian work over the past decade and a tribute to the man who headed the institution during that period and the team that stood by his side	
INTERNATIONAL COMMITTEE OF THE RED CROS	SS
Official visits to the ICRC	639
EXTERNAL ACTIVITIES:	
Africa — Latin America — Asia — Europe — Middle East/North Africa	641
IN THE RED CROSS AND RED CRESCENT WORLI)
125th Anniversary of the International Red Cross and Red Crescent Movement — Programme of commemoration	653
The Egyptian Red Crescent Society is 75 years old (II)	655
MISCELLANEOUS	
Alexandre Kiss: The International Institute of Human Rights (Strasbourg - France)	659
A portrayal of this Institute which has devoted itself for nearly twenty years to research and teaching in the human rights field	
XIIth Round Table of the International Institute of Humanitarian Law (San Remo, September 1987)	665
The Republic of Guatemala ratifies the Protocols	673
Burkina Faso ratifies the Protocols	673

BOOKS AND REVIEWS

Constraints on the waging of war (Frits Kalshoven)	674
Bibliography of International Humanitarian Law Applicable in Armed Conflicts	675
Derecho humanitario internacional (Igor Blischenko)	676
Legal aspects of humanitarian intervention — The protection of doctors on voluntary humanitarian missions	678
Recent publications	682
Contents 1987	685

The International Committee of the Red Cross (ICRC), together with the League of the Red Cross and Red Crescent Societies and the 145 recognized National Red Cross and Red Crescent Societies, is one of the three components of the International Red Cross and Red Crescent Movement.

An independent humanitarian institution, the ICRC is the founding body of the Red Cross. As a neutral intermediary in case of armed conflicts or disturbances, it endeavours on its own initiative or on the basis of the Geneva Conventions to protect and assist the victims of international and civil wars and of internal troubles and tensions, thereby contributing to peace in the world.

International Review of the Red Cross has been published, in French, under various titles, by the International Committee of the Red Cross (ICRC) since 1869. Its first complete edition in English was issued in 1961.

- As the official organ of the ICRC and the International Red Cross and Red Crescent Movement,
- specializing in international humanitarian law and ICRC doctrine,
- recording the international activities of the Red Cross, mainly for reference purpose, as a chronicle of events,

International Review of the Red Cross provides a constant flow of information and maintains the necessary link between the members of the International Red Cross and Red Crescent Movement.

International Review of the Red Cross appears once every two months in three languages:

in English: International Review of the Red Cross (from 1961)

in French: REVUE INTERNATIONALE DE LA CROIX-ROUGE

in Spanish: REVISTA INTERNACIONAL DE LA CRUZ ROJA (from 1976)

It also publishes, in German, a short edition, *Extracts*, of various articles which appear in the main editions.

EDITOR:

Jacques Meurant, doctor of political science, editor-in-chief

Address:

International Review of the Red Cross

17, avenue de la Paix

CH - 1202 - Geneva, Switzerland

SUBSCRIPTIONS: one year, Sw. frs. 30.—; single copy Sw. frs. 5.—.

Postal Cheque Account: No. 12 - 1767 Geneva

Bank account No. 129.986 Swiss Bank Corporation, Geneva

The International Committee of the Red Cross assumes responsibility only for material over its own signature.