

NEWS AND REVIEWS

● *American Journal of International Law*

(Published by the *American Society of International Law*) presented in its January 1987 issue (*Vol. 81, No. 1*), a series of articles on the judgment handed down by the International Court of Justice (ICJ) on “the military and paramilitary activities in and against Nicaragua” case (*Nicaragua v. US*). Some twenty authors analyse various aspects of the judgment. The articles are of great interest, particularly on account of the light they shed on the relationship between customary law and the general principles of international humanitarian law.

Along similar lines, the same journal published in its April 1987 issue (*Vol. 81, No. 2*) an article by Professor Theodor Meron entitled “The Geneva Conventions as customary law”. After outlining the usefulness of establishing the customary law content of a treaty, even one which is widely ratified, the author points out the difficulty of making such an assessment for the Geneva Conventions because of the dearth of State practice outside the treaty. Looking at the experience of the Nuremberg Tribunal, however, he states that international judicial tribunals tend to find a customary law content in humanitarian treaty provisions more easily than in other provisions. This was also the case, he says, in the recent ICJ judgment in the case of *Nicaragua v. US*, which declared Article 3 common to the four Geneva Conventions to be a minimum customary law standard for internal (as well as international) conflicts, although there has been little State practice, either during the Diplomatic Conference of 1949 or since, to support such a finding. The author nevertheless feels that minimum human rights standards accepted as customary law could enhance the status of parallel norms applicable in armed conflicts; and he concludes that what is most important, in reality, is the recognition by States of the binding nature of the Geneva Conventions accompanied by compliance with their provisions.

● *The Cahiers du droit public*

(Annals of public law, published by the *Centre for Research and Study on Humanitarian Law and Human Rights of the University of Clermont-Ferrand, France*) devoted a special issue (1987) to the subject of “Le droit international humanitaire — Problèmes actuels et perspectives d’avenir” (International humanitarian law — Current problems and prospects for the future). It contains the proceedings of the symposium on this subject held on 13 and 14 December 1985 by the Institut français de droit humanitaire et des droits de l’homme (French Institute of Humanitarian Law and Human Rights). The opening paper delivered by Dominique Turpin, professor of law at the University of Clermont-Ferrand and President of the Institute, highlights the relationship between human rights and humanitarian law. The legal aspects of humanitarian law and

its dissemination are then taken up by professors from several European countries and by representatives of the ICRC. The discussions are summed up by Roger Pinto, Professor Emeritus at the University of Paris I. This publication, which contains the unabridged versions (in French) of the various papers presented, should prove very useful for researchers, teachers and people engaged in the dissemination of humanitarian law.

● **The Military Law and Law of War Review**

(Published under the auspices of the *International Society of Military Law and Law of War*), devoted its latest issue (Vol. XXVI, Nos. 1, 2, 3, 1987) to the Tenth International Congress of that Society, held in Garmisch-Partenkirchen on 2-7 October 1985 on the subject of "The armed forces in a changing society—Some legal problems". It includes, among others, a paper on the law of naval warfare delivered by Dr. Elmar Rauch, Assistant Secretary General of the Society. The author analyses the impact on the law of naval warfare of, on the one hand, the Protocols additional to the Geneva Conventions and, on the other hand, the 1982 Convention on the Law of the Sea.
