

often harmful. Mr. de Rueda mentions *inter alia* biology and physics and he explains in a convincing manner the need of the world today to safeguard the human character of certain undertakings and administrations whose constant growth and mechanisation are becoming dangerous. He has some eloquent passages on the humanisation of hospitals, a subject with which he is very familiar and in connection with which he recalls the memory of Dr. P. Delore, who was one of the first to stress the urgency of the problem. The author also shows the extent of the threats hanging over us, pointing out with justified concern the changes being wrought to nature everywhere; and which cannot fail to have repercussions on man's physical and mental health.

Mr. de Rueda has subtitled his book *Difusión de los Convenios de Ginebra*. He no doubt thereby wishes to give a reminder that it was the Red Cross which originated these Conventions and also began the struggle, amidst the fighting, to safeguard human lives and human dignity. This implies also the defence of man's true environment in which he continually draws renewed strength. And the spirit of the Geneva Conventions is the same: ensure respect for the distressed, all too often humiliated and helpless, victims of war and internal disturbances.

Also in time of peace victims need help and the Red Cross gives it them. The work which is carried out under this sign throughout the world is testimony to the usefulness of such actions. Its prodigious growth and the fact that it reaches so many new fields show how urgent it is. That, presumably, was the first idea which induced Mr. de Rueda to write a book where the spirit of generosity for which he is known is evident throughout.

J.-G. L.

HANS G. KNITEL: «LE ROLE DE LA CROIX-ROUGE DANS LA PROTECTION INTERNATIONALE DES DROITS DE L'HOMME»¹

The author of a report submitted to the French Section of the International Law Study and Research Centre made a welcome contribution to International Human Rights Year.

¹ *Österreichische Zeitschrift für öffentliches Recht*, Vienna, vol. 19, 1969.

We must of course not confuse human rights, which are valid both in time of peace and of war, with the protection of human beings in conflicts and to which the ICRC has devoted particular attention. It is however true that human rights are the most general principles of humanitarian law, of which the law of war is only a special and exceptional case which occurs precisely when war arises to restrict or hinder the exercise of human rights.

After a historical introduction, in which Mr. Knitel gives a timely reminder that " ICRC action, engendered by humanitarian necessities, precedes and instigates the framing of written international law ", the report attempts to define international humanitarian law and analyse the present structure of the Red Cross. It then goes on to describe, by stressing the common features of human rights legislation and " Red Cross Law ", to show how international humanitarian law and the Red Cross fit into the international legal system.

The second and most important part of the report gives a very condensed summary of the tasks assumed by the ICRC in virtue of the Geneva Conventions in time of war and of peace.

The scope of the Geneva Conventions, the " protective bodies " and the ways and means available to them to act, are the headings of this study. It is first and foremost for the contracting States themselves to ensure respect for the provisions of the Conventions, as, " in the absence of bodies specially constituted by States, the enforcement of the rules of the law of nations devolves largely on national legislative bodies, a phenomenon which Georg Scelle called ' functional duplication ' ". But " it would be unrealistic to believe that in the event of war States alone would be able to strictly discharge all the obligations incumbent on them under the 1949 Conventions. " That is why provision is made for assistance from and supervision by the Protecting Power and the ICRC. By their regular visits to detention centres they can the better carry out their important mission. This system of protection and supervision, the author adds, has greatly contributed to safeguarding human rights.

In addition, and irrespective of international conflicts, the ICRC can, in the absence of extensive legal grounds therefor, exercise its " right of initiative " conferred by the common article 9 of the

Conventions. In this connection, Mr. Knitel writes: "Does not ICRC action, prompted by human necessity and consented to by States, constitute case law! It is for this reason that we consider the provisions conferring the right of initiative on the International Committee as the international community's invitation to the ICRC to establish precedents in the humanitarian law of nations and thereby bridge the gaps of positive international law. Any other construction could only deprive this article of its significance, for what would be the use of these provisions stipulating that the Conventions shall not stand in the Committee's way if this right of initiative had not previously been granted it?"

The stipulation of article 3 of the Geneva Conventions that "in the case of armed conflicts not of an international character . . . the ICRC . . . may offer its services to the Parties to the conflict" is but another aspect of its right of initiative. Since 1949 the ICRC's offer can no longer be labelled as interference in the internal affairs of a State.

"It would be desirable", the author concludes, "that specific rules should reinforce the ways in which the ICRC can act in all situations which are not of the nature of an international armed conflict, without however restricting its right of initiative."

J. P.

Perspectives d'application de l'ordinateur au domaine médical (Scope for the Computer in Medicine), by Dr. G. Mérier, *Revue Suisse des Infirmières*, Soleure, April 1969.

Every day, the computer is breaking into new fields of human activity. It is obvious that it will not be only a status symbol, a passing fashion, but will be a landmark in modern progress, an important step forward in history like the discovery of the wheel, the harnessing of energy and the development of printing.

Medicine will not remain on the fringe of this evolution. The computer's methodological approach will change medical work and thinking. However, the fascinating possibilities opened up by electronics should frighten no one. The fear that the computer will come between the doctor and nurse and the patient must be dissipated. Computer language is becoming more and more adapted to medical logic, and software more