

“Droit” or “devoir d’ingérence”¹ and the right to assistance: the issues involved

by Yves Sandoz

Humanitarian issues have hardly ever before been given so much publicity by debates over what some people have described as the “droit” or “devoir d’ingérence”¹, which is then linked with the notion of the right to assistance. At the various levels at which the problem is perceived, the public at large, the media and legal experts have become involved in lively and even heated debates.

This is not a bad thing in itself; such strong feelings do not pass unnoticed by governments and may thus further the progress of humanitarian issues, as some important questions have indubitably been raised and, for many people, still remain unresolved.

On the other hand, it is regrettable that apart from some genuine questions, much energy has been expended on the basis of misunderstandings.

At this stage we therefore consider it useful to clarify the issues, not because we claim to be able to resolve them all, but in order to lay the foundations for a straightforward debate. It is just as well that experts on humanitarian issues should participate in lively debates. It is regrettable that they should seek to engage in unproductive polemics.

In reality, the source of these “unproductive polemics” is threefold: jurists have been presented with an undefined concept,¹ whereas it is

¹ One of the proponents of the “droit d’ingérence”, Professor Bettati, himself notes that “l’ingérence” does not denote a given juridical concept in “Un droit d’ingérence”, *RGDIP*, 1991/3, pp. 639-670, *ad p.* 641. Furthermore there is, to our knowledge, no official English translation of the terms “droit d’ingérence” and “devoir d’ingérence” which accurately conveys their French connotation. Referring to recent English-language works on the subject, we noted that some authors use the literal translation of these concepts, i.e., “right to interfere/duty to interfere”, others prefer to use “right to intervene/duty to intervene”. As we consider that these terms do not render exactly the meaning of “droit/devoir d’ingérence” and are not interchangeable,

not possible to discuss a point of law properly without defining it; almost everything and the antithesis thereof has been said in the public debate that was started at the same time; finally, this undefined concept has been applied to two entities which are not comparable, namely States and humanitarian organizations.

Let us endeavour simply to see what concepts are involved.

1. States' "*droit d'ingérence*"

Having already pointed out in another publication that the term "*droit d'ingérence*" contained a contradiction in itself,² we do not intend to dwell on an analysis of the term but shall instead seek to identify the ideas expressed about it.

Established beyond doubt is the right for States to open their eyes. A State may ask itself what is happening in the other States. Even if the latter frequently still take offence, this right is unquestioned. Machinery to this effect has been set up by and for all States, particularly within the framework of the Economic and Social Council: the Commission on Human Rights adopts, in this respect, the very broad basis of human rights observance.

In the likewise broad sphere of disputes or situations that are likely to endanger international peace or security, any member of the United Nations may bring a dispute to the attention of the Security Council.³ Finally, machinery destined to extend still further this right of inspection has been, or is in the process of being, established by virtue of conventions binding on a large number of States, such as the Committee on Human Rights within the framework of the International Covenant on Civil and Political Rights and its Optional Protocol, of 1966; or the procedures relating to inspections on request provided for in Article IX (consultations, cooperation and fact-finding) of the draft Convention on Chemical Weapons, which will probably be adopted very soon; not to mention regional agreements.

we have chosen to leave these concepts in French in the present article, given that their meaning and scope are explained in the article.

See also *International Law and the Use of Force by States*, Ian Brownlie, Oxford University Press, 1968, pp. 338-342.

² See Sandoz, Yves, "Usages corrects et abusifs de l'emblème de la croix rouge et du croissant rouge", in *Assisting the Victims of Armed Conflicts and Other Disasters*, ed. Frits Kalshoven, Nijhoff, pp. 117-125, *ad pp.* 118-119.

³ Cf. Art. 35, para. 1 of the Charter of the United Nations.

But is there a right to take action when this “right of inspection” reveals things that are unacceptable? Here again certain distinctions must be drawn. It is undeniable that States may act within the scope of their sovereignty and if they abstain from using force: apart from the obligations imposed on a State by international conventions or international custom, nothing prevents it from refusing to co-operate with a State whose government is behaving in a manner which it deems unacceptable.

Furthermore the procedures laid down in international conventions, and primarily in the Charter of the United Nations, permit sanctions in certain cases.

The difficult question is therefore whether, beyond the unquestionable sphere of their sovereignty and of their possible participation in international or regional machinery, States still have a right of *ad hoc* intervention involving the use of force in certain particularly serious cases.

Apart from the decisions taken by the Security Council, the system established by the Charter of the United Nations does not provide for the use of force on grounds other than legitimate self-defence. Since the latter is either individual or collective, it does permit the intervention of States which are not directly attacked, but it is clearly restricted to the cases in which “an armed attack” occurs against a member State.⁴

The historical concept of “humanitarian intervention”⁵, which authorized armed intervention by a State on the territory of another State in order to terminate serious and extensive human rights violations, has no place in the system established by the UN. Legal doctrine rejects, in very general terms, the legitimacy of “humanitarian intervention” even in its restricted sense, viz. armed intervention in order to safeguard a State’s own citizens in another State.

The obvious arguments which may be employed against such practices are as follows: to tolerate “humanitarian intervention” would be tantamount to creating great uncertainty in international relations, would risk damaging the whole security system established on the basis of the Charter of the United Nations and, finally, would involve patent risks of misuse, since human rights violations can provide a pretext for an intervention with different intentions.

⁴ Cf. Article 51 of the Charter. The notion of armed attack has, however, given rise to various interpretations and much debate; see in particular on this subject: Cassese, Antonio, “Commentaire de l’article 51” in: *La Charte des Nations Unies. Commentaire article par article*, under the direction of Jean-Pierre Cot and Alain Pellet, Economica/Bruylant, Paris/Brussels, 1985, pp. 772 ff.

⁵ This concept and its history have been recalled in, *inter alia*, No. 33 of the *Annales de droit international médical*, 1986, Commission médico-juridique, Monaco.

And yet... in the event of an obvious deficiency in the system established to serve the purposes of the United Nations, do States have no right to take action when acts are committed which are clearly contrary to these purposes? Can it be affirmed that States have a duty to watch people being massacred without using all the means, even military, at their disposal to prevent such a massacre?

This question could obviously give rise to a lengthy debate, which we cannot address properly in the space of a few lines.

It should be noted, however, that in its Draft Code of Crimes against the Peace and Security of Mankind,⁶ the United Nations Commission on International Law mentions both “any act of aggression, including the employment by the authorities of a State of armed force against another State for any purpose other than national or collective self-defence or in pursuance of a decision or recommendation of a competent organ of the United Nations” (Article 2, paragraph 1) and “Inhuman acts, such as murder, extermination, enslavement, deportation or persecutions, committed against any civilian population on social, political, racial, religious or cultural grounds by the authorities of a State or by private individuals acting at the instigation or with the toleration of such authorities” (Article 2, paragraph 11).

Since unilateral State intervention is allowed solely for protecting national independence if offences such as those defined in Article 2, paragraph 11 are committed, no other option is envisaged than to implement the international system based on the Charter. For reasons mentioned above no provision has been made, should this system prove deficient, for a temporary derogation in favour of general humanitarian interests. There would therefore be no option other than that of committing one offence against the peace and security of mankind in order to prevent another.

Admittedly, the priority objective remains the strengthening of the system based on the Charter. But would not the existence of a “state of necessity”, based no longer on defence of the national interest alone but on that of fundamental humanitarian interests, warrant a fresh debate in the light of certain contemporary events?⁷

⁶ The text of which may be found in, *inter alia*: *The Work of the International Law Commission*, Fourth edition, United Nations, New York, 1988, pp. 141-143.

⁷ Even though the arguments against such a derogation generally appear to prevail, as may be seen in particular in the resolution adopted on this subject by the Institute of International Law at its session in Santiago de Compostela, September 13, 1989 (Resolution No. 5).

2. States' "*devoir d'ingérence*"

In the "global village" which the world has now become, States can be thought to have not only a right to open their eyes but also a duty to do so. The Charter of the United Nations does in fact lay down certain principles governing action by the Organization "and its Members" in pursuit of the United Nations' objectives.⁸ Moreover, the influx of aliens in a number of countries is compelling States to examine the situation in the countries where these persons come from since their *refoulement* or their admission as refugees depends on that situation.⁹

Finally, by introducing the obligation for all States party to the Geneva Conventions to "ensure respect for" these Conventions, international humanitarian law establishes at least an obligation to remain vigilant.¹⁰

In short, it can be concluded from the ever-increasing interdependence of all States, the development of human rights and the emergence of a principle of solidarity that States today are no longer allowed a "right of indifference".

On the other hand, it would clearly be excessive to infer from this that there consequently exists a duty to intervene by force outside of security systems as defined by the Charter of the United Nations. Analysis of the obligation to "ensure respect for" international humanitarian law, which is contained in particular in the Geneva Conventions, leaves no doubt whatsoever about this point.¹¹

3. Attitude of the ICRC and of the International Red Cross and Red Crescent Movement with regard to "*ingérence*" by one State in another

1. This question arises for the International Committee of the Red Cross first and foremost within the framework of its mandate, as

⁸ Cf. Art. 2 of the Charter.

⁹ Cf. in particular Art. 33 of the Convention relating to the Status of Refugees of 28 July 1951.

¹⁰ Cf. Article 1 common to all four Geneva Conventions, and Article 1 of their Additional Protocol I of 1977.

¹¹ Cf. in particular Condorelli, Luigi and Boisson de Chazourmes, Laurence, "Quelques remarques à propos de l'obligation des Etats de respecter et faire respecter le droit international humanitaire 'en toutes circonstances'" in *Studies and essays on international humanitarian law and Red Cross principles, in honour of Jean Pictet*, C. Swinarski, ed., ICRC/Martinus Nijhoff Publishers, Geneva, 1984, pp. 17-36.

acknowledged by the Movement's Statutes, "to work for the faithful application of international humanitarian law applicable in armed conflicts".¹²

To this end, the ICRC must determine whether international humanitarian law is applicable, and therefore whether there is an armed conflict. Hence "*l'ingérence*" is concerned here only if it takes the form of armed intervention. When this is the case, there is unquestionably a situation in which the Geneva Conventions are applicable and, if the States concerned are both parties thereto, Additional Protocol I as well.

It should be stressed that even on the basis of United Nations' resolutions, the use of armed force to get relief supplies through cannot be justified by international humanitarian law since, as noted above, the obligation to "ensure respect for" this law rules out the use of force. The question, therefore, is not one of implementing international humanitarian law but of using force to terminate serious and mass breaches of this law. It is true that, as in the human rights field, this is not entirely ruled out by the Charter system in that such breaches may be regarded as a threat to international peace and security. The important thing for the ICRC is that this question should be clearly regarded as coming under *jus ad bellum*. It is not simply a matter of relief actions such as those provided for in Article 23 of the Fourth Geneva Convention or in Article 70 of its Additional Protocol I. The ICRC must therefore take cognizance of this act which comes under *jus ad bellum* and draw all necessary conclusions in terms of international humanitarian law (*jus in bello*).

The above-debated question of the legitimacy or lawfulness of *l'ingérence* accordingly does not concern the ICRC more than any other question of *jus ad bellum*. The ICRC must even be extremely reticent about addressing such questions, as any pronouncement with regard to the parties' responsibility for the outbreak of conflict would obviously be detrimental to the active role it is required to play in the conflict in aid of all the conflict victims.¹³

In this respect it is expedient to recall an essential basis of international humanitarian law: the reason for armed intervention has no effect on the obligations resulting from the said law. This is true of any armed intervention, including those which are undertaken within the framework of a Security Council recommendation.

¹² Article 5, paragraph 2 c) of the Statutes of the International Red Cross and Red Crescent Movement.

¹³ A role also provided for in the Movement's Statutes: cf. in particular Article 5, paragraph 2 d).

The theoretical possibility of relying on Article 103 of the Charter¹⁴ to tolerate a derogation from treaties as universally recognized as the Geneva Conventions would warrant in-depth consideration at least. But it can be affirmed already that a decision of this nature would, in any event, have to be based at least on a conscious, reasoned decision on the part of those responsible for taking it.

The armed forces acting under the United Nations' flag or by virtue of Security Council resolutions would not have any interest — nor would any State claiming to interfere in the affairs of another State for humanitarian reasons — in using the juridical basis or the lofty humanitarian motivation of their mission to exempt themselves from applying certain provisions of international humanitarian law: firstly, they would deprive their intervention of all credibility by refusing to accept this “island of humanity” which even the worst aggressor is bound to accept; secondly, they would give the opposing combatants a pretext not to respect humanitarian law either, to the detriment of the wounded and prisoners of war of their own armed forces.

2. A second question arises not only for the ICRC but also for National Red Cross and Red Crescent Societies, with regard to armed action for humanitarian purposes: may these and other humanitarian organizations cooperate with armed forces in this context? This is evidently a topical question in view of what happened in the Kurdish populated areas in Iraq at the end of the Gulf war and, even more recently, in what was Yugoslavia. For the ICRC the reply is in the negative for reasons that are obvious and connected with the foregoing. Irrespective of the justification for such action, it may well entail armed confrontation, and thus casualties and prisoners. If associated with or covered by one of the armed forces in the conflict, the ICRC would lose all credibility in its role as a neutral intermediary, and thus any chance of being able to perform this role. At a theoretical level, National Red Cross and Red Crescent Societies might be able to cooperate with the medical services of their country's armed forces or even, subject to their country's consent, with the medical services of a third country.¹⁵ But such cooperation could, firstly, be envisaged only for tasks reserved for medical personnel, as specified in the Geneva

¹⁴ Article 103 of the Charter states that “*In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail*”. Concerning the interpretation and application of this article, cf. Flory, Thiébaud, “*Commentaire de l'art. 103*”, *La Charte des Nations Unies: Commentaire article par article, op. cit.* (in note 4), pp. 1381-1386.

¹⁵ Cf. Art. 26 and 27 of the First Geneva Convention of 12 August 1949.

Conventions,¹⁶ and secondly, it would have to take place under the responsibility of the medical services of the armed forces.¹⁷ A National Society may not display the red cross or red crescent emblem when acting as a government proxy to convey food relief in a situation of armed conflict.

This restriction imposed by the Conventions on the tasks of a National Society is mainly connected with the use of the red cross or red crescent emblems. Since the latter are first and foremost emblems identifying the armed forces' medical services with a view to affording them protection, it is only right that their use should be strictly delimited.¹⁸

But this restriction also derives from the Movement's Statutes, which are designed, again rightly, to create some order in the large International Red Cross family. To this end, the said Statutes stipulate that international assistance in situations of armed conflict or internal strife shall be coordinated by the ICRC.¹⁹

Finally, what is the situation with regard to cooperation by humanitarian organizations not connected with the International Red Cross in such action? Several reasons justifying the refusal to cooperate by the components of the Red Cross and Red Crescent Movement, reasons connected with the ICRC's mandate, the red cross and red crescent emblem and the internal organization of the Movement, do not apply to intergovernmental organizations. Hence the importance for the ICRC of dissociating itself from the United Nations coordination system, even though it must maintain close consultation with the latter.²⁰ However, if such organizations do have to cooperate in armed interventions for humanitarian purposes undertaken on the basis of Security Council resolutions, they are then acting as humanitarian auxiliaries of armed forces and not within the context of "relief actions which are humanitarian and impartial in character and conducted without any adverse distinction".²¹ Moreover, the United Nations specialized agencies or subsidiary bodies would obviously not be able

¹⁶ Cf. Art. 24 of the First Convention.

¹⁷ Cf. Art. 26 and 27 of the First Convention.

¹⁸ Cf. Art. 44 of the First Convention.

¹⁹ Cf. Art. 5, para. 4 b) of the Statutes of the International Red Cross and Red Crescent Movement.

²⁰ Cf. on this subject particularly de Courten, Jean and Maurice, Frédéric, "ICRC activities for refugees and displaced civilians", *IRRC*, No. 280, January-February 1991, pp. 9-21.

²¹ According to the wording used in Article 70 of Additional Protocol I.

to cooperate under any circumstances in action outside the scope of the system laid down by the Charter.

As for non-governmental organizations, such cooperation on their part depends on the rules laid down in their statutes, but it is clear, in the light of what has been said above, that it could be envisaged only at the expense of their independence.

3. The more fundamental question that arises with regard to armed action having the limited objective of enabling the passage of relief is that of the advisability of such operations within the current international system, which is based on the Charter of the United Nations.

In other words, between failure of humanitarian action as provided for by international humanitarian law (which is based on respect for the red cross or red crescent emblem and on acceptance by all the combatants of relief operations which are humanitarian and impartial in character) and armed intervention designed to gain temporary military control of the situation, is there a third option consisting of imposing relief by military means?

Or, to put it more concisely, between the specifically political and the specifically humanitarian approach, can a combined political and humanitarian approach be found?

No definitive reply can be given here to this serious question. But the failures or great difficulties encountered in pursuing this middle course, as well as the obvious danger inherent in the politicization of humanitarian action, raise a number of crucial questions for the international community.

At this stage our sole objective is to make this clear.

Apart from the debate on advisability, the ICRC, as we have seen above, has no option but to consider that any armed intervention, regardless of its reasons, entails application of international humanitarian law. The ICRC cannot therefore be associated with armed action for humanitarian purposes, but must analyse the new situation created by such action in order to envisage, together with all the parties involved, the role it is required to play to ensure respect for international humanitarian law and to cooperate actively in the implementation thereof.

4. “Droit” or “devoir d’ingérence” of humanitarian organizations

This question is completely different from the previous one in that it is based on an inescapable fact: humanitarian organizations do not have armed force or other means of coercion at their disposal.

In reality, the questions raised in public debate have essentially been as follows:

- do humanitarian organizations have an absolute duty to comply with the will of the governments of the States on whose territory they wish to operate?
- Are humanitarian organizations obliged to use the only “weapon” at their disposal, that of public denunciation, when they ascertain serious breaches of international humanitarian law or even of human rights or international law in general?

It is rather regrettable that for image and promotional reasons, a new far-reaching discussion was ostensibly launched on the principles of the matter, whereas in reality it was merely a discussion of advisability.

Standpoints have in fact been attributed to the International Red Cross and Red Crescent Movement in general and to the ICRC in particular which were not theirs. Respect for the will of governments is certainly not one of the Movement’s *objectives*. On the contrary, the history of international humanitarian law documents a progressive “erosion” of the preserve of national sovereignty in favour of humanitarian action. Particularly noteworthy in this respect are the insertion, in the Geneva Conventions of 1949, of an Article 3 common to all four Conventions which enables an impartial humanitarian body such as the ICRC to offer its services to *each of the parties* to a non-international armed conflict; the principle of relief actions for civilians lacking essential supplies, not only in occupied territory, but also on the territory of a party to the conflict, laid down in Article 70 of Additional Protocol I of 1977; or the recognition, in Article 16, paragraph 1 of Additional Protocol I, that “Under no circumstances shall any person be punished for carrying out medical activities compatible with medical ethics, regardless of the person benefiting therefrom”.

As for the Movement’s work, it is prompted solely by the first of its fundamental principles, the principle of humanity, which enjoins it to endeavour to “prevent and alleviate human suffering wherever it may be found”. Negotiating with a government or with dissident authorities is not an objective but a necessary means of attempting to achieve as effectively as possible, in time of armed conflict, the objective set by the principle of humanity. To boast that one has reached victims without the consent of the military authorities controlling a territory implies deliberately forgetting that 95 per cent or more of humanitarian needs can be met only with the consent of such authorities. Thus without wishing to express an opinion on the advisability of

such an approach, we must note that it is consequently improper to present it as the envisageable option of two alternatives, the other option being negotiations with the military authorities. Let us therefore acknowledge that this point has given rise to an “unproductive polemic”, which is in the process — at least so we hope — of being resolved.

The obligation to go public has also been the subject of an unproductive polemic. From the ICRC’s greatly misrepresented attitude in the extreme situation prevailing during the Second World War²² it has been concluded that a kind of allegiance to governments or even of passive complicity requires the institution to be discreet about what it does. Now silence has never been set up as a principle by the ICRC. The question has always been considered from the angle of efficiency in achieving the objective set by the principle of humanity.

It cannot, of course, be denied that some decisions are difficult, since the benefit of going public must be assessed in terms of what is best for the victims, taking into account not only the very short-term risks but also the possible longer-term effect on the operation concerned and, finally, the overall consistency of the approach compared with other breaches. Furthermore, remaining silent is particularly debatable when humanitarian action reveals situations that are very serious in humanitarian terms and are unknown to governments and the public.²³

This is true even though the problem of going public today has more to do with the need to shake the international community out of its indifference to situations that are tragic from a humanitarian viewpoint than with the need to reveal unknown violations.

We should accept therefore that the continuing necessity of a genuine debate on the advisability of certain approaches to what may have been called the humanitarian organizations’ right or duty to intervene should take precedence over alleged differences of principle.

The dialogue between humanitarian organizations — whether governmental or non-governmental — involved in armed conflicts is necessary since a better knowledge of the tasks, priorities, methods and experience of each one can but improve the overall efficiency of

²² Cf. in particular on this subject Favez, Jean-Claude, *Une mission impossible? Le CICR, les déportations et les camps de concentration nazis*, Editions Payot, Lausanne, 1988.

²³ Although we do not wish to re-open here a debate on the attitude of the ICRC towards the extermination of civilians, particularly Jews, during the Second World War, it should be noted that the ICRC, contrary to popular belief or frequent claims, did not possess any important information about this tragedy which was not also known to the Allied governments.

humanitarian action. However, to be positive and constructive, such a debate must avoid public disparagement for reasons that are sometimes not without ambiguity.

5. Right to assistance

Today this more appropriate term appears to be gaining ground over the expressions “*droit d'ingérence*” or “*devoir d'ingérence*”. However, the “right to assistance” is not clearly defined either. In reality, the latter term opens up a range of important and complex issues. The message we would like to put over in this connection is concerned primarily with the already existing basis for this debate. The 600 or so articles of the Geneva Conventions of 1949 and of their Additional Protocols of 1977, not to mention the other Conventions forming part of international humanitarian law, in fact simply give legal expression to a broad interpretation of the right to assistance. These texts are the result of more than one hundred years’ often painful experience, of a slow process of growing public awareness and of laborious negotiations with governments. In this article we shall not embark on an analysis of these provisions, the value of which is competently pointed out by Professor Maurice Torrelli and Ms. Denise Plattner in this issue of the *Review*.²⁴ Nor do we intend to claim that they are the “last word” in the field of international humanitarian law. On the contrary, it is essential that this body of law should benefit from the new experience gained during each armed conflict and should take weapons developments and new humanitarian problems into account. To this effect the ICRC’s intention was to submit numerous documents examining the implementation or development of international humanitarian law to governments at the 26th International Conference of the Red Cross and Red Crescent, which was scheduled to be held at the end of 1991 in Budapest but unfortunately had to be postponed.²⁵

²⁴ See below Torrelli, Maurice, “From humanitarian assistance to “intervention on humanitarian grounds?”, pp. 228-248, and Plattner, Denise, “Assistance to the civilian population: the development and present state of international humanitarian law”, pp. 249-263.

²⁵ See in particular the following reports: “Respect for International Humanitarian Law — National Measures to implement the Geneva Conventions and their Additional Protocols in Peacetime (C.I/4.1/1); Implementation of International Humanitarian Law — Protection of the Civilian Population against Famine in Situations of Armed Conflict” (C.I/4.2/2); “Implementation of International Humanitarian Law — Protection of the Civilian Population and Persons *hors de combat*” (C.I/4.2/1); “Reaffirmation and

On the other hand, care must be taken at all costs to avoid initiating debates on such a vast subject while “forgetting” this sound basis, at the risk of calling into question the remarkable humanitarian achievements it represents.

Final remarks

The present issue of the *Review* seeks above all to show where the humanitarian organizations’ dialogue with governments, the public and among themselves stands at present, and the future course it could take. By focusing attention on the true problems may it serve, in a constructive spirit, to give renewed impetus to this dialogue.

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Development of International Humanitarian Law — Protection of Victims of Non-international Armed Conflicts from the Effects of Hostilities” (C.I/6.1/1); “Reaffirmation and Development of International Humanitarian Law — Information concerning Work on International Humanitarian Law Applicable to War at Sea” (C.I/6.2/1); “Reaffirmation and Development of International Humanitarian Law — Prohibitions or Restrictions on the Use of Certain Weapons and Methods in Armed Conflicts — Promotion of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons of 10 October 1980, together with its Three Protocols” (C.I/6.3.1/1); “Reaffirmation and Development of International Humanitarian Law — Prohibitions or Restrictions on the Use of Certain Weapons and Methods in Armed Conflicts — Developments in relation to certain Conventional Weapons and New Weapons Technologies” (C.I/6.3/2/1). Mention should also be made of the report “Respect for International Humanitarian Law: ICRC Review of Five Years of Activity (1987-1991)” which was to have been presented by the ICRC President and has been reproduced in *IRRC*, No. 286, January-February 1992, pp. 74-93.