

BOOKS AND REVIEWS

WINNING THE HUMAN RACE?

The Independent Commission on International Humanitarian Issues sees humanitarianism “as the bridge between ethics and human rights, both of which are needed to make global society healthy and secure for the present and future generations” (p. 186). This viewpoint permeates the entire Report of the Commission, giving it force and consistency.*

Consistency because in tracing the links between global issues (population growth, the environment, poverty and development, militarization, terrorism, drug abuse), the authors resolutely adopted a common denominator—that of humanity, especially suffering humanity. This report derives its *force* from its concentration on vulnerable groups (the young, the uprooted, stateless persons, the unemployed, indigenous peoples, people threatened by the “odious practice of disappearances”). The “health of the world” can be assessed by paying close attention to these categories. It is true that this health is precarious, as is the consensus on humanitarian issues in today’s world.

The Commission stressed the importance of international humanitarian law and called for the Protocols additional to the Geneva Conventions to be signed by every single State. It furthermore regretted that there was no legal instrument for the protection of vulnerable groups during internal disturbances and tensions (as is known, such situations are not covered by Protocol II): in this area perhaps more than elsewhere a basic “code of conduct” is urgently needed, a minimum set of humanitarian rules which could not be waived.

This particular recommendation underscores the Commission’s intention to propose an ethic of human solidarity for adoption by States and non-governmental organizations, as the only way to avert the threat to humankind and ensure survival. Although the Commission’s recommendations are at times far reaching they are never utopian nor in any way defeatist. Purely and simply they spell out what must be done:

- the strengthening of legal instruments to protect human rights; the broadening of international humanitarian law to include “The Law of Peace”, i.e. to cover the various situations constituting a serious threat to human life, dignity and welfare;

* *Winning the human race?* Report of the Independent Commission on International Humanitarian Issues, Zed Books Ltd., London and New Jersey, 1988, 220 pp.

- in situations of emergency, humanitarian priorities should prevail over political considerations, for example by the granting of “mercy corridors” in order to reach the victims speedily;
- closer attention should be paid to the actual causes of disasters and early warning systems should be improved; the provision of external aid which might lead to a state of dependency should be avoided;
- co-ordination amongst the various non-governmental organizations should be improved and young people encouraged to lobby government bodies more effectively;
- an Independent Bureau for Humanitarian Issues, empowered to promote multilateral action, should be established; an attempt should be made to set up independent commissions in each country, and even Ministries of Humanitarian Affairs.

The entire report attributes great importance to dialogue. Itself an outcome of listening to governments, non-governmental organizations, experts, etc., it calls for a consideration of ethical imperatives, for a heightened awareness of the dignity and universality of the human being. The International Red Cross and Red Crescent Movement can but endorse the report in this approach.

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WARS OF NATIONAL LIBERATION IN INTERNATIONAL HUMANITARIAN LAW

No other provision in the Protocols additional to the Geneva Conventions has received as much written comment in the twelve years since their adoption as Article 1, paragraph 4 of Protocol I. This new provision places wars of national liberation fought by a people in the exercise of their right to self-determination (originally considered to be the internal affair of the colonial State among wars governed by the law of international armed conflict). In writing his doctoral thesis,¹ which has now been published in the *Europäische*

¹ Christian Koenig, *Der nationale Befreiungskrieg im modernen humanitären Völkerrecht. Ein Beitrag zum Geltungsumfang des Artikels 1 Absatz 4 des I. Zusatzprotokolles von 1977 zu den Genfer Konventionen von 1949 (Wars of national liberation and modern international humanitarian law. A consideration of the scope of application of Article I, para. 4 of Additional Protocol I to the 1949 Geneva Conventions)*, *Europäische Hochschulschriften*, Vol. 752, Peter Lang, Frankfurt am Main-Berne-New York-Paris, 209 pp. + appendix.