

War and the pessimistic conclusions drawn by legal scholars in the post-war period.

In the part dealing with humanitarian assistance, *Professor A. Roberts* delineates the first *international regime of civil defence*, which is contained in Protocol I and is an important yet little discussed innovation. *Mr. M. Meyer* describes how a balance between humanitarian interests and State sovereignty is achieved by the provisions of both Protocols pertaining to relief operations.

In the last part, which concerns the use of weapons, *Mr. C. J. Greenwood* refers to Part IV of Protocol I, arguing that its prohibitions against reprisals go too far and are unrealistic in the face of massive enemy violations of its provisions. *Professor F. Kalshoven* describes and comments on the legislative history of the 1980 Convention on conventional weapons and *Major General R. Scott* demonstrates the relativity from the medical and military point of view, of any distinction between unnecessary and "necessary" suffering.

This collection constitutes a highly useful and interesting contribution to the study of IHL and its dissemination. Its only flaw is the occasional lack of accuracy that has slipped into some of the essays. For example, p. 15 contains three errors. It is incorrect to say that no one has yet been brought to trial for a grave breach of the Geneva Conventions (for instance, the United States in connection with the Vietnam War) or that it was at the UN's request that Switzerland convened the 1974-77 Diplomatic Conference. Furthermore, national liberation movements, to which the text refers, have signed not the Protocols, but merely the Final Act of the Diplomatic Conference. Lastly, pages 39 to 41 of *Mr. McCoubrey's* essay refer erroneously and almost invariably to Articles 45 (1) and 44 (5) of Protocol I instead of the pertinent Articles 43 (1) and 44 (3). However, these minor imperfections in no way detract from the merit of the editor and the British Institute of International and Comparative Law for having provided us with a collection of essays which, although highly diverse and sometimes critical, prove that the Protocols additional to the Geneva Conventions have become an integral part of IHL.

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THE LAW OF NAVAL WARFARE

This book has been published as part of a reflective process begun in recent years on the need to update the law of naval warfare*. Although Protocol I of

* Natalino Ronzitti (ed.), *The Law of Naval Warfare*, Martinus Nijhoff Publishers, Dordrecht, 1988.

1977 additional to the Geneva Conventions of 1949 has updated the law relating to land warfare, especially that part regulating the conduct of hostilities, there has been so far no similar international treaty in recent years regulating the conduct of hostilities at sea. Parts of Protocol I apply to naval warfare, but operations against vessels or aircraft at sea are not covered, and the written law in relation to this remains as it was at the beginning of this century. Practice has shown that the old law no longer responds to modern conditions, in particular as a result of changes in technology since that time and also because of changes in other parts of international law, notably, the United Nations Charter and the law of the sea.

In a substantial introductory chapter, Professor Ronzitti outlines the elements which have rendered parts of the old law of naval warfare obsolete or impracticable and studies recent State practice in relation to each of these problems. The rest of the book comprises a collection of instruments on the law of naval warfare, each document being accompanied by a commentary and such information as its entry into force (if relevant), list of parties, reservations, etc. The instruments include not only treaties, but also influential non-binding documents such as the Oxford Manual of 1913. Of the former are included not only those specially applicable to naval warfare, but also others of application to all types of warfare including therefore naval warfare, such as the 1925 Geneva Gas Protocol.

The commentary to each document is generally short, being on average about ten pages in length, and covers the background to the document question, the purpose of its provisions and its significance in modern times. The commentaries have been written by a number of different scholars, they are generally well written and provide useful information and insights, although the authors have not always indicated the extent to which their views are shared or otherwise.

The collection of documents is comprehensive and after a first glance it will be obvious that the majority of instruments were adopted before the First World War, and the few recent ones only regulate a few aspects of naval warfare. As the book does not attempt a comprehensive survey of State practice (other than that in the introduction) the instruments do not in themselves indicate the present state of the law, as new customary law has emerged to some extent since. The reader would therefore be advised to additionally refer to new State manuals on naval warfare being presently compiled or recently adopted.

In conclusion, this book would be too complex for a total newcomer to this subject, but it is undoubtedly a very valuable collection of documents and supplementary information for those working with the subject.

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