

4. It is recommended that National Societies have direct access to relevant, pertinent and current information for directing volunteer program activities at the local and regional levels and that this function would best be facilitated by the Federation.
5. It is recommended that further study be undertaken to determine the scope and type of evaluation of programs/services/volunteer performance conducted by National Societies and to develop evaluation policies and strategies that can be adapted to their specific needs.
6. National Societies are encouraged to work in collaborative relationships with other voluntary agencies in their regions.
7. The dissemination of International Humanitarian Law and the principles and ideals of the Red Cross/Red Crescent is a key factor in the activities of a National Society and efforts should be made to work with ICRC in designing materials firstly to communicate to the public a positive image of voluntary service and secondly to meet the motivation and training needs of potential volunteers.
8. It is recommended that policies related to the training, preparation and support of volunteers during periods of disturbance be defined and developed.
9. It is recommended that National Societies clarify liability issues as they relate to voluntary service.”

In a world in the midst of change, where the Movement is constantly faced with new situations, this study reminds us that volunteer workers, with their motivation and their wealth of experience, are an invaluable asset for the Red Cross and Red Crescent Movement in its endeavour to rise to the challenges of the future.

Philippe Abplanalp

NOUVEL ORDRE MONDIAL ET DROITS DE L'HOMME —
LA GUERRE DU GOLFE

New world order and human rights — the Gulf war

On 22 May 1992 the *Centre de recherches et d'études sur les droits de l'homme et le droit humanitaire (CREDHO)* (Centre for research and studies on human rights and humanitarian law) of the University of Rouen, France, held a colloquium on the theme: "The Gulf war: a setback or a step forward for human

rights?". The proceedings, edited by Professor Paul Tavernier, the founder and director of CREDHO, were published in 1993 under the title: "*Nouvel ordre mondial et droits de l'homme — La guerre du Golfe*".¹ Both the colloquium and the proceedings were dedicated to the memory of Frédéric Maurice, an ICRC delegate who lost his life in Sarajevo three days before the meeting took place.

This 200-page work begins with a preface by Mario Bettati, a professor of law based in Paris who is a fervent advocate of the duty to intervene on humanitarian grounds. It comprises four chapters which deal, respectively, with the issues of economic sanctions and human rights, the right and duty to intervene, war crimes and crimes against humanity, and minorities. A number of general comments are offered by way of conclusion.

In the chapter on economic sanctions and human rights, Professor Tavernier refers to some highly interesting developments in respect of humanitarian exceptions, in particular the relations between the ICRC and the Sanctions Committee set up under United Nations Security Council resolution 661. The author rightly notes that Article 59 of the Fourth Convention could have been included in the relevant resolutions and that its omission, for which the ICRC cannot be held responsible, has yet to be explained. Lastly, he mentions the need to reconcile economic sanctions with respect for human rights.

For Professor Dominique Rosenberg, who addresses the same issue, sanctions constitute a caveat and their value is above all symbolic (see p. 51). His comments are followed by a general debate on the utility of sanctions.

The second chapter consists of three papers entitled, respectively, *L'assistance, l'ingérence et le droit* (Assistance, intervention and the law), by Professor Patricia Buirette, *Droit d'ingérence et droit international humanitaire* (The right to intervene and international humanitarian law), by the author of the present review, and *La guerre du Golfe, le Maghreb et le droit* (The Gulf war, the Maghreb and the law), by Professor Jean-Philippe Bras, and the related discussions. It sets forth the traditional arguments for the right to intervene and the questions which they usually elicit. The ICRC's contribution provides a rebuttal to the claim that humanitarian action is never truly neutral (p. 72) and affirms that, by virtue of the principle of subsidiarity, which could be seen as stemming from humanitarian law (p. 76, note 73), States have an obligation to accept offers of impartial and indiscriminate humanitarian aid.

The chapter on war crimes and crimes against humanity contains an overview by Catherine D'Haillecourt, a lecturer at the University of Rouen, comments by Professor Eric David and the discussions that took place under his chairmanship. Ms D'Haillecourt deplores the fact that human rights violations perpetrated

¹ *Nouvel ordre mondial et droits de l'homme — La guerre du Golfe*, Paul Tavernier, ed., University of Rouen, *Centre de recherches et d'études sur les droits de l'homme et le droit humanitaire* (CREDHO), Editions Publisud, 1993, 212 pp.

during the Gulf war were not prosecuted in the same way as those committed during the Second World War and notes that the United Nations General Assembly and Security Council are not courts of criminal law. As can be seen from the discussions, these remarks were not fully understood. It might perhaps have been more appropriate to weigh the arguments presented by the author in support of the view that a distinction should be drawn between the rules applicable, respectively, to war crimes and crimes against humanity, her opinion being that it might be necessary to disregard the former in the interest of restoring peace (p. 124).

The last chapter, which deals with international protection for minorities, comprises a paper by Professor Alain Fenet on the subject in relation to the Gulf war, comments by M. Shewki and Y. Richard on, respectively, the Kurd and Shiite minorities, and the ensuing discussions. Prof. Fenet provides some welcome insights into the intervention by coalition forces in northern Iraq and an update on recent developments in respect of international protection for minorities. Mr Shewki and Mr Richard, for their part, present some interesting data on the history of two of the largest minority groups in the Middle East.

The conclusion, which focuses on respect for human rights during and after the Gulf war, provides a balanced view of the theme dealt with at the colloquium. It is regrettable, however, that attention was not drawn to the fact that States do indeed have an obligation to accept impartial and indiscriminate humanitarian assistance in the event of armed conflict.

To sum up, this work addresses problems which have been among the major concerns of internationalists since the end of the Cold War and provides an excellent basis for further reflection.

Denise Plattner
