

Books and Reviews

Patricia Buirette, *Le droit international humanitaire*, Éditions La Découverte, Paris, 1996, 124 pages (Collection Repères)

This 124-page book on international humanitarian law was written by Patricia Buirette, a professor of public international law at the University of Evry-Val d'Essonne in France. At first sight, given its slender format and rather general title, it just seems another book introducing international humanitarian law. Yet with each new chapter one realizes that the scope covered is much broader, for besides the fundamental principles of that law and of the Red Cross and Red Crescent institutions, the author also deals with a variety of other subjects. They range from the paradoxical aspects of international humanitarian law to neutrality, the development of human rights philosophy, the evolution of the international community, intervention and humanitarian aid, the rightful place and limits of the latter and the role of the United Nations in this area.

Although the book is somewhat theoretical in parts, especially those relating to international humanitarian law, the author goes beyond merely giving an exhaustive account of the rules, and has generally made her text come to life. It is understandable, even to those who may know little about humanitarian law and human rights. Nor does she confine herself solely to stating the principles; she explains them and provides the background.

Probably out of a desire to simplify occasionally complex ideas, some statements are also rather lacking in precision. By deciding to write a short, concise book, Patricia Buirette has limited her account to the main points and has left out certain details or exceptions which are often important — for instance the setting up of ad hoc tribunals for Rwanda and the former Yugoslavia, and their impact on the repression of violations of international humanitarian law and the possible creation of a permanent international tribunal.

In the book as a whole, only the introduction leaves the reader somewhat perplexed by the immediate confrontation with some paradoxes of international humanitarian law: on the one hand, the enthusiasm in recent years for humanitarian operations and, on the other, the widespread criti-

cism made of them. It is not until the last paragraph of this chapter that the author gives the reader a clear indication of her intention: "This book seeks to describe the complex relationships between the importance and usefulness of international humanitarian law and the problems arising from humanitarian operations. It tries to encompass the developments and changes undergone by a law which stemmed from a determination not to accept the unacceptable".

The first part, entitled "Red Cross international humanitarian law", devotes considerable space to the work of Henry Dunant and the origin of the Red Cross. This historical section is quite detailed and very interesting. The ICRC's philosophy is also explained, especially one of its key principles — neutrality — which is frequently misunderstood and criticized. The author stresses that "the neutrality of the ICRC is necessary for it to carry out its humanitarian mission and a *sine qua non* for its work in aid of victims. So as to maintain the trust of the parties between which it places itself and thus be able to reach out to all the victims, it must at all costs avoid taking sides." There then follows a description of the components of the International Red Cross and Red Crescent Movement, including the International Conference.

The contents of international humanitarian law and its links with public international law and human rights are outlined, as well as the latest developments in these areas. It is regrettable, however, that non-international armed conflicts are mentioned only briefly, since they are today the most frequent type of conflict.

The second part of the book deals with the United Nations bodies responsible for humanitarian aid and their institutional and operational cooperation with the Red Cross. The third and last part is entitled "Aid, intervention and the law". It summarizes concepts which have caused a lot of ink to flow, especially at the beginning of the 1990s, such as the development of the idea of intervention on humanitarian grounds and the role of non-governmental organizations, the interdependence of States and the emergence of individual liability under international law.

From a general point of view, Patricia Buirette's book on international humanitarian law is interesting and easy to read. Its few shortcomings, undoubtedly due to the brevity of the work, can be easily overlooked.

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