

In conclusion, this book deserves a place on the bookshelves of all those who are interested in international humanitarian law, especially students of the law applicable to non-international armed conflicts.

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International Institute of Humanitarian Law (Louise Doswald-Beck, ed.), *San Remo Manual on International Law Applicable to Armed Conflicts at Sea*, Grotius Publications, Cambridge University Press, Cambridge, 1995, 257 pp.

This *Manual* was prepared by international lawyers and naval experts convened by the International Institute of Humanitarian Law between 1987 and 1994. The last restatement of the law of naval warfare was in 1913, namely, the Oxford Manual on the Laws of Naval War Governing the Relations Between Belligerents. Much has, of course, changed since then. Most notably, the 1949 Geneva Conventions, their Additional Protocol I of 1977 and the 1982 United Nations Convention on the Law of the Sea have developed the relevant principles. Rather than prepare a draft treaty, the experts, drawn from a number of countries, set about writing down contemporary law so as to encourage its dissemination and the preparation of naval manuals with a much greater degree of uniformity. Indeed, the 26th International Conference of the Red Cross and Red Crescent (Geneva, 1995) urged States to draw up such manuals and encouraged them "to take into account, whenever possible" the provisions of the *San Remo Manual*.

The *Manual* deals with certain general provisions; regions of operations; basic rules and target discrimination; methods and means of warfare at sea; measures short of attack: interception, visit, search, diversion and capture; and protected persons, medical transports and medical aircraft. It begins by clearly stating, in 183 numbered paragraphs, the principles involved and goes on to devote 188 pages to an explanation of each paragraph.

The team of contributors, under the very able guidance of Louise Doswald-Beck, the *Manual's* editor, have been able to combine sound practical guidance as to the relevant law with very detailed information for those who seek to know more about the provenance (for example, customary international law) and limits of a particular rule.

Quite naturally, the *Manual* borrows concepts from Additional Protocol I of 1977 and adapts them to the particular characteristics of naval warfare. Thus, paragraph 110 is similar to Article 37 of Additional Protocol I, in that it draws the line between perfidy and the ruses of war, and to Article 39, in that it prohibits the launching of an attack whilst flying a false flag, a throw-back to earlier methods of combat between warships. On the other hand, the *Manual* comes to the conclusion that there exists a customary international law rule prohibiting attacks upon the marine environment during armed conflict; it thus states, in paragraph 44, that "damage to or destruction of the natural environment not justified by military necessity and carried out wantonly is prohibited". This rule would appear to be much broader than those relating to armed conflict on land but the thrust of the *Manual*, namely, to set out contemporary customary international law, along with its progressive development, justifies such a conclusion. The drafters of paragraph 44 have formulated a rule with which few would disagree, since it is inextricably linked to military necessity and the general prohibition on damage carried out wantonly. The *Manual* takes the same approach when it places the law of naval warfare in the context of the current regimes of defined sea areas. Thus, combat may be carried out in an exclusive economic zone, although with "due regard" for the rights and duties of the coastal State.

Some attention is given to aircraft (such as civil aircraft and medical aircraft) in the *Manual* but it might be argued that a similar exercise should be carried out in respect of warfare in the air, which is not governed by existing treaty law.

This *Manual* is essential for all serious scholars of the international law of naval warfare. It will, no doubt, lead to a much greater interest in the subject within universities and it will clearly prove compatible with the practical requirements of naval commanders and their subordinates.

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