

DISSEMINATION OF KNOWLEDGE OF INTERNATIONAL HUMANITARIAN LAW AMONG THE ARMED FORCES

The Protocols additional to the Geneva Conventions, adopted in June 1977 by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts, are of concern to the authorities responsible for ensuring their application in the armed forces. They have been on the agenda of several recent international meetings.

The traditional San Remo round table, convened for the fourth time by the International Institute of Humanitarian Law from 30 August to 4 September 1977¹ considered, among other topics, the question of disseminating knowledge of humanitarian law among the armed forces. Discussion highlighted the need for a realistic approach and for simple teaching systems and methods to avoid becoming bogged down in the mass of documents and instructions of all kinds. Moreover, the legal advisers provided for in Protocol I must have a definite status in the staff to which they are assigned in order for their opinions to carry weight. This will be possible only if they have a sound knowledge of military, technical and legal matters.



The refresher courses for young military doctors, organized by the International Committee of Military Medicine and Pharmacy, are in fact often attended by doctors in charge of armed forces medical services. This was the case, for instance, at the eighth course from 6 to 15 October 1977 in Munich, at which humanitarian law problems—especially medical service needs—were thoroughly studied. Discussion groups, which followed papers on law in force and on the Protocols, emphasized a

¹ See *International Review*, No. 199, Oct. 1977, p. 448.

profound need for information and teaching of the law of armed conflicts to enable military doctors fully to discharge their mission. The subjects which received most attention were increased protection for the medical personnel, new methods of evacuation by air, and the marking of medical transports.

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The German group (FRG) of the International Society of Penal Military Law and Law of War met in Hamburg on 21 and 22 October 1977. Several non-German members of the Society were present. The group examined the Protocols from both the theoretical and practical points of view. These two approaches yielded similar conclusions, namely that studies should be undertaken and further precisions provided, especially in connection with the application of those provisions of Protocol I which deal with the conduct of hostilities. In addition, the group considered the national repercussions of the Protocols, especially those affecting penal legislation.

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The first African Seminar on international humanitarian law, organized jointly by the Henry Dunant Institute (Geneva) and the International Relations Institute of Cameroon, took place at Yaoundé (Cameroon) from 28 November to 3 December 1977. It discussed both prevailing humanitarian law and the Protocols. It showed how necessary it is, if interest in the law of armed conflict is to be promoted, to take into account, in every part of the world, the special topical problems in every region. In Africa, the problems exercising minds are mainly those relating to wars of liberation and to mercenaries. The presence of professors of law and of high-ranking government officials and officers enabled the seminar to compare theory and practice throughout, and thus work realistically.

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The armed forces of the United States are making a great effort to disseminate knowledge of humanitarian law among the troops, in accordance with the relevant provisions of the Geneva Conventions.

In 1974 the Defense Department gave instructions that each of the four branches of the armed forces (Army, Air Force, Navy and Marine

Corps) should start comprehensive courses to ensure that each member of the forces knew the minimum rules which he must observe in all circumstances, consistent with the Hague and Geneva Conventions.

Two or three years ago the four branches of the armed forces took the necessary action, with varying success. They published material, produced films, gave courses¹ and took steps to give every soldier a solid grounding in the law of war.

Obstacles were many. There were in particular psychological obstacles, for while many officers and other ranks considered humanitarian law most praiseworthy, they also thought it inapplicable if not downright subversive of military efficiency. An original method was devised to overcome such obstacles. Courses are given jointly by an officer trained in law and an officer of a fighting unit, preferably with combat experience. The provisions of the law are then scrutinized in the light of actual experience, a rewarding exercise showing the law to be relevant and realistic.

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¹ See *International Review*, No. 196, July, 1977, p. 385.