

point Professor Condorelli mentioned in particular the extremely useful services that could be rendered by the International Fact-Finding Commission, constituted under Article 90 of Protocol I additional to the Geneva Conventions.

The Proceedings comprise some 500 pages and, rather surprisingly for this type of publication, are presented in a manner that is easy to follow. For us they constitute not just a reference document but a veritable manual on the United Nations and international humanitarian law. The texts are in French or English, depending on the language in which the presentations were made. Those who speak both will appreciate the excellent bilingual index.

This book deserves a prominent place in any collection of works on humanitarian affairs.

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Greg Hansen and Robert Seely, *War and humanitarian action in Chechnya*, Occasional Paper No. 26, Thomas J. Watson Jr. Institute for International Studies, Providence, R.I., 1996, 106 pp.

This work by Greg Hansen and Robert Seely is a political analysis of the Chechen conflict, of the reaction of the international community to an internal conflict in a key State on the global scene and of the strengths and weaknesses of humanitarian action. This very well documented study, methodical, lucid and severe in its judgements, ends with specific recommendations which remain of interest despite the passage of time.

The time frame extends up to August 1996. It thus covers a period of intense fighting in Grozny and large-scale population movements out of the city, until the signing of a cease-fire led, if not to a political settlement of the dispute, at least to a suspension of actual hostilities.

The authors state their position from the outset. In the interests of objectivity, they decided not to express any views on the territorial status of Chechnya. They recognize that neither the federal nor the separatist forces fulfilled their obligations towards the civilian population. Considering the military capacity of the Russian Federation, its undertakings within the OSCE and the Council of Europe and the international treaties to which it is party, it was from that sovereign State that the authors expected the most moderation, however. Hence their critical analysis not only of the political decisions taken by the Russian Federation and of the manner in which it conducted the hostilities, but also of the reactions of its peers, the other States of the international community, both at the bilateral level and in the forums where they forgathered, particularly the United Nations and the OSCE. This critical analysis ends with the conclusion that the Chechen conflict serves as a demonstration of the precariousness of humanitarian action when the international community allows itself to be guided by *realpolitik* and fails to mobilize in order to establish a framework for such action.

The structure of the book leads the reader step by step through the complexities of a major conflict of the post-Soviet era.

The authors begin by explaining the political, economic, religious and ethnic context of the northern Caucasus, and then draw the reader into the history of Russian expansion in the region, of the resistance that it encountered and of the uprising led by Imam Shamil in the middle of the last century. They move on to an analysis of the Soviet era, describing the deportation of the Chechen people to Central Asia ordered by Stalin in 1944, the rehabilitation of the deportees declared by Khrushchev in 1957, their return, and then, in the late 1980s, the effects of perestroika on Chechnya's attempts to free itself from Muscovite rule. The declaration of independence proclaimed in 1991 and its implementation by President Dudayev, the dismal episode of the Ossetian-Ingush conflict in 1992, the outbreak of the Chechen conflict in December 1994 and the 21 months of fighting, divided into several phases, conclude this historical review.

The retrospective analysis of this war serves as a background for criticism of the humanitarian response to the conflict. Indeed, certain recurrent problems such as the restrictions imposed on the humanitarian workers who were seeking access to the victims, threats to the independence of their activity and the deterioration of security conditions should have compelled the community of States to take political measures that would provide a framework for humanitarian action. In the absence of such measures, for reasons connected with the defence of national interests

and particularly the fear of weakening the position of the Russian presidency through unduly vehement criticism of its policy regarding Chechnya, the humanitarian agencies did what they could — that is to say, too little. This was especially the case inside Chechnya where few players were present, except for the ICRC, the French and Belgian branches of *Médecins sans Frontières* and a few other NGOs.

The authors more specifically reproach the United Nations agencies and especially UNHCR for concentrating their efforts on Ingushetia and Daghestan, that is to say, on the periphery of the conflict. A United Nations presence in Chechnya would have informed the world more clearly of what was going on. It is true that the OSCE was there, but according to Greg Hansen and Robert Seely this presence did not have the anticipated effect, as the OSCE was wearing two hats, that of mediator and that of defender of human rights. These two functions, which could coexist while a cease-fire was being discussed, would have proved incompatible during delicate political negotiations that did not permit taking a firm stance on human rights. In the end, political obstacles prevented the United Nations from intervening in Chechnya. It took note of the presence of the OSCE and chose the option of sharing relief-related tasks with the ICRC and the NGOs present in Chechnya. Seen in retrospect, this decision not to insist on taking action in Chechnya appears unfortunate in the authors' view. The victims of the Chechen conflict indeed received a little assistance, but did not enjoy the protection that they were entitled to expect.

What lessons are to be drawn from this apparent failure of the humanitarian response? The authors offer the following recommendations:

- First of all, in order to create a suitable framework for humanitarian action, stress should be laid on educational tasks and on the dissemination of ethical principles. Civilian society will have to be strengthened and the long-term challenge of changing attitudes will have to be addressed. The authors propose that the ICRC further develop its dissemination programmes in the northern Caucasus, particularly where the Ministries of Defence and the Interior are concerned.
- States should inform the Russian Federation of the importance they attach to humanitarian considerations. A political framework must be created for humanitarian action.
- The resources allocated to Chechnya must be commensurate with the needs. The destruction, the damage done to essential infrastructure, the shortages of health supplies and services, the presence of mines which affects agricultural activity and the fall in food reserves are some of

the serious problems confronting the Chechen population. Emergency assistance is needed.

- Since the strengths and weaknesses of the various humanitarian players were brought to light during the conflict, each organization should be urged to concentrate on the activities which it is probably best suited to carry out. The authors cite humanitarian diplomacy, education and emergency aid as strengths of the ICRC. In their opinion the organization should focus on the dissemination of humanitarian law at all levels.
- Higher priority must be given to seeking a settlement of the conflict and to promoting forces of reconciliation. The OSCE should limit its activities to the political sphere and to creating an environment allowing for the protection of the civilian population. The Council of Europe should also exercise supervision in matters relating to human rights.
- Since the northern Caucasus is a region where each republic is affected by the problems of its neighbours, a regional approach must be adopted. The tensions between Ossetians and Ingush in the Prigorodny district should be closely monitored. The humanitarian organizations (especially UNHCR) can draw numerous lessons from the experience gained in other countries of the Caucasus, such as Georgia.

Even though these recommendations date back to 1996, those relating to humanitarian action still give us plenty of food for thought. Unfortunately, the insecurity prevailing in Chechnya — where the ICRC suffered a grievous blow with the murder of six staff members in December 1996 — makes it impossible to respond to humanitarian problems to a degree commensurate with the needs, which are considerable, particularly where the restoration of basic structures is concerned. The ICRC has been able to continue some of its activities thanks to the commitment and competence of local staff members, but in the absence of clarification about the origins of the tragedy, it could not maintain an expatriate presence in Chechnya. In view of what happened, the risks — inherent in any humanitarian assignment — were too great.

We cannot but agree with Greg Hansen and Robert Seely when they advocate heightening awareness of the rule of law, especially humanitarian law. This is a long-term task which requires a thorough knowledge of the context involved. The ICRC has already begun a study of Chechen customs, emphasizing the traditional values that can be used as a reference in conveying a humanitarian message.

The authors announce from the outset their intention to pay primary attention to the Russian Federation in their analysis of the Chechen conflict, but here we have a regrettable imbalance which may be explained not only by the reasons they put forward, but also by the difficulty of finding sources of information on the Chechen side. Access to the regions concerned, particularly to the mountains bordering on Georgia, was difficult to say the least at the time the book was written.

In conclusion, although a United Nations presence in Chechnya might have been desirable from the political point of view, at the humanitarian level the geographical distribution of tasks between UNHCR and the ICRC served to avoid duplication of effort. The assistance provided by the ICRC and the NGOs present in Chechnya met the needs as far as possible, despite obstacles of all kinds — difficulty in identifying the beneficiaries, logistical problems, customs barriers, etc. The real failure concerned the protection conferred by humanitarian law on the civilian population as on prisoners: such protection was limited in both cases.

To sum up, this is a stimulating book, deserving its place among the other publications of the Watson Institute on conflicts in the post-Soviet world. It may be recommended to neophytes anxious to learn, but also to those who have lived through this conflict, so that they can analyse it critically and, with hindsight, question the relevance of the options chosen.

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Michael J. Kelly, *Peace Operations*, Australian Government Publishing Services, Canberra, 1997, 450 pages (approx.)

The editor of the *Review* commented to me that at first glance this seemed to be an important book. It is an important book of obvious relevance to military lawyers but also to students of international law who will gain