
Editorial

As this edition of the Review is under print, a full-fledged international armed conflict has started in Iraq. Lengthy discussions about the legality, legitimacy and ethically acceptable reasons for going to this war have dominated diplomatic circles, academic debate and media coverage during the last few months. In the view of both the supporters and opponents of a military campaign, these debates have seriously affected international relations and may have even shaken the established international legal order.

In the realm of international humanitarian law which is fully applicable to this armed conflict, the question of whether a war is or is not justified is not – and should not be – relevant. In the ensuing conflict, methods and means of warfare employed during the military campaigns and the level of protection accorded to victims will determine if a minimum of humanity will be preserved and whether rules and principles of humanitarian law will be upheld. Even if the parties to the conflict can not agree as to whether the war is lawfully justified or not, they are still obliged to minimise its effects as much as possible. Deeply concerned about the possibly disastrous human consequences of the hostilities underway in Iraq, especially the impact of military operations on the civilian population, the ICRC has called upon the warring parties to abide strictly by the rules and principles of international humanitarian law. It has also carried out intensive preparedness work in order to respond immediately to the humanitarian needs caused by the armed conflict.

The Review will examine several aspects related to humanitarian law and action concerning the conflict in Iraq in its forthcoming issues.

This issue of the Review contains articles on a wide range of subjects related to humanitarian law and action. Several contributions look from a historical perspective at present and future armed conflicts. The first two articles examine new forms of armed conflicts which seem to have arisen in recent years. Both conclude that similar examples and patterns of the so-called new conflicts and even emerging forms of conflicts may be found in earlier times. The article on “unlawful combatants”, although dealing with a highly topical issue, is another example of a recurrent problem. The other historical articles deal with specific issues: one brings a new (nationalistic) perspective into the still unresolved question of the emblems of the Red Cross and Red Crescent Movement and the other examines an episode of the ICRC history in the pre-second world war Soviet Union.

In conformity with its mission to disseminate and promote discussion of international humanitarian law, the Review publishes several contributions which comment upon and register specific questions and developments of this branch of law, and in particular an exhaustive article on the reservations to the Additional Protocols to the Geneva Conventions. The March edition of the Review includes finally the “Observations and Recommendations” approved in February 2003 by the International Conference of Governmental and Non-Governmental Experts on the tragedy of persons missing because of war or internal violence, which featured as the theme of the previous issue of this journal.