Twenty-seventh session
Agenda item 49 (a)

HUMAN RIGHTS IN ARMED CONFLICTS

Respect for human rights in armed conflicts

Report of the Sixth Committee

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I. INTRODUCTION

1. At its 2037th plenary meeting, on 23 September 1972, the General Assembly allocated to the Sixth Committee agenda item 49 (a), entitled "Human rights in armed conflicts: Respect for human rights in armed conflicts: report of the Secretary-General under General Assembly resolutions 2852 (XXVI), paragraph 8, and 2853 (XXVI)." 1/

2. The Sixth Committee considered this item at its 1385th, 1386th, 1388th and 1390th to 1393rd meetings, held from 8 to 12 December 1972. The summary records of these meetings (A/C.6/SR.1385, 1386, 1388 and 1390-1393) contain the views of representatives of Member States on the item.

3. In accordance with General Assembly resolutions 2852 (XXVI), paragraph 8, and 2853 (XXVI), the Sixth Committee had before it a report of the Secretary-General (A/8761 and Corr.1). The report was divided into parts as follows:

Part one. Organization, purposes and work of the Conference of Government Experts convened by the International Committee of the Red Cross; 2/

Part two. Questions discussed at the Conference; Part three. Information on relevant developments arising out of activities of certain non-governmental bodies. Part two summarized the questions discussed at the Conference under the following headings:

I. General considerations regarding the desirability and feasibility of preparing identical or different rules on international and non-international armed conflicts;

II. Consideration of the draft additional protocol relating to international armed conflicts;

III. Consideration of the draft protocol relating to non-international armed conflicts; and

IV. Protection of civilians and combatants in conflicts which arise from the struggles of peoples under colonial and foreign rule for liberation and self-determination. An annex to the report contained the text of the "Draft additional protocol to the four Geneva Conventions of 12 August 1949, Part II (Wounded, sick and shipwrecked persons)" submitted by Commission I to the plenary session of the Conference of Government Experts.

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1/ The General Assembly allocated agenda item 49 (b) to the Third Committee.

II. PROPOSALS AND AMENDMENTS

4. Australia, Belgium, Canada and the United Kingdom of Great Britain and Northern Ireland, later joined by Italy and Uruguay, submitted the following draft resolution (A/C.6/L.884):

"The General Assembly,

"Recalling its previous resolutions relating to human rights in armed conflicts in particular its resolutions 2677 (XXV) and 2853 (XXVI),

"Noting with appreciation the report of the Secretary-General on respect for human rights in armed conflicts (A/8781 and Corr.1), concerning in particular the results of the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which was held at Geneva from 3 May to 3 June 1972 at the invitation of the International Committee of the Red Cross, as well as the report of the International Committee on the work of the second session of the Conference,

"Noting also that the International Committee of the Red Cross proposes to transmit, during the spring of 1973, to the Swiss Government, depository of the Geneva Conventions of 1949, new draft Protocols drawn up on the basis of the Conference of Experts and other consultations for communication to the Governments of the States Parties to the Conventions and for submission to the XXII International Conference of the Red Cross, to be convened at Tehran in the autumn of 1973,

"Reaffirming the urgency of the need to ensure increased respect for human rights in armed conflicts.

"Emphasizing the importance of continued close collaboration between the United Nations and the International Committee of the Red Cross,

"1. Welcomes the progress achieved at the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts;

"2. Welcomes also the announcement by the Swiss Federal Council of its readiness to convene a diplomatic conference, to which States Parties to the Geneva Conventions of 1949 and also States Members of the United Nations would be invited, to take place in 1974;

"3. Requests the Secretary-General to report to the General Assembly at its twenty-eighth session on the progress made with the preparation of new draft Protocols to the Geneva Conventions of 1949 and on any other relevant developments;
"4. Decides to consider this question again at the twenty-eighth session of the General Assembly."

5. A revised version (A/C.6/L.884/Rev.1) of the above-mentioned resolution was introduced by the representative of Australia at the 1380th meeting, on 9 December. The revised draft resolution was identical to the original except for the wording of operative paragraph 4, which read as follows:

"4. Decides to include in the provisional agenda of the twenty-eighth session of the General Assembly an item entitled 'Human rights in armed conflicts'."

6. Chile, Egypt, Ireland, Mexico, Norway and Sweden submitted the following draft resolution (A/C.6/L.885):

"The General Assembly,

"Conscious that only complete respect for the United Nations Charter and general and complete disarmament under effective international control can bring about full guarantees against armed conflicts and the suffering caused by such conflicts; and determined to continue all efforts to these ends,

"Conscious that the development of many weapons and methods of warfare has made modern armed conflicts increasingly cruel and destructive of civilian lives and property,

"Reaffirming the urgent need to ensure full and effective application of existing legal rules relating to armed conflicts and to supplement these rules by new ones in order to take into account the modern developments in methods and means of warfare,

"Recalling the successive resolutions adopted by the United Nations relating to human rights in armed conflicts, in particular General Assembly resolutions 2852 (XXVI) and 2853 (XXVI) of the twenty-sixth session of the Assembly, and resolution XIII, adopted by the twenty-first International Conference of the Red Cross, held at Istanbul in 1969, concerning the reaffirmation and development of the laws and customs applicable in armed conflicts,

"Noting with appreciation the report of the Secretary-General (A/8781 and Corr.1) on the results of the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which was held in Geneva from 3 June 1972 at the invitation of the International Committee of the Red Cross,
"Having taken cognizance of the report prepared by the International Committee of the Red Cross on the work of the Conference of Government Experts (Geneva, July 1972),

Expressing appreciation to the International Committee of the Red Cross for its dedicated efforts to promote the reaffirmation and development of international humanitarian law applicable in armed conflicts,

Welcoming the agreement of government experts upon the wording of a draft additional protocol to the four Geneva Conventions of 12 August 1949, namely, relating to the protection of wounded, sick and shipwrecked persons and to recommended international standards, practices and procedures for the identification and signalling of medical aircraft,

Welcoming the clarification which has been attained on many difficult issues through the discussions of the two government expert conferences organized by the International Committee of the Red Cross,

Noting with concern, nevertheless, that agreement has not emerged among government experts on drafts concerning a number of fundamental issues, e.g.,

(a) Methods to ensure a better application of existing rules relating to armed conflicts;

(b) Definitions of military objectives and protected objects, in order to counter the tendency in armed conflicts to regard ever growing categories of objects as permissible targets for attack;

(c) Definitions of protected persons and combatants, responsive to the need for improved protection of civilians and of combatants in modern armed conflicts;

(d) The question of guerrilla warfare;

(e) Prohibition of weapons and methods of warfare which indiscriminately affect civilians and combatants;

(f) Prohibition or restriction of specific weapons which are deemed to cause unnecessary suffering;

(g) Rules facilitating humanitarian relief in armed conflicts;

(h) Definition of those armed conflicts of a non-international character which should be subject to rules additional to those contained in the Geneva Conventions,
"Considering" that substantial progress on fundamental issues such as those enumerated above is indispensable, if the efforts to supplement international humanitarian law by new rules are to become significant for the alleviation of the suffering brought by modern armed conflicts,

"Welcoming" the readiness of the Swiss Federal Council to convene a diplomatic conference on the reaffirmation and development of international humanitarian law applicable in armed conflicts,

"Believing" that the further preparations for such conference as well as the organization of the conference itself must be such that substantial progress is achieved on fundamental issues which are now unresolved,

"1. Urges all governments and invites the International Committee of the Red Cross to seek through consultations to achieve rapprochement in the positions of governments to ensure that the diplomatic conference envisaged will adopt rules which mark substantial progress on fundamental legal issues connected with modern armed conflicts and which will contribute significantly in the alleviation of the suffering brought by such conflicts;

"2. Calls upon all parties to armed conflicts to observe the international humanitarian rules which are applicable, and to this end, to provide instruction concerning these rules to their armed forces and information concerning the same rules to the civilian population;

"3. Requests the Secretary-General to encourage the study and teaching of principles of respect for international humanitarian rules applicable in armed conflicts;

"4. Requests the Secretary-General to report to the General Assembly at its twenty-eighth session on relevant developments on the item 'Human rights in armed conflict', and to prepare, as soon as possible, a survey of existing rules of international law concerning the prohibition or restriction of use of specific weapons;

"5. Decides to include in the provisional agenda of its twenty-eighth session an item entitled 'Human rights in armed conflicts'."

7. The sponsors of draft resolution A/C.6/L.885, together with Ecuador, Kenya, Peru, Sierra Leone, Trinidad and Tobago, the United Republic of Tanzania, the Upper Volta and Yugoslavia and later joined by Costa Rica, Cyprus, Nicaragua, the Sudan, Tunisia and Zaire, submitted a revised draft resolution (A/C.6/L.885/Rev.1), which was introduced at the 1386th meeting, on 8 December, by the representative of Sweden. The revised draft resolution was identical to the original except for the following changes:

/...
(a) A new paragraph was inserted between the seventh and eighth paragraphs of the preamble reading:

"Emphasizing the importance of continued close collaboration between the United Nations and the International Committee of the Red Cross,"

(b) The former eighth preambular paragraph was redrafted as follows:

"Welcoming the consensus among government experts upon the suitable wording of provisions to be included in additional protocols to the four Geneva Conventions of 12 August 1949, and relating to the protection of wounded, sick and shipwrecked persons and to recommend international standards, practices and procedures for the identification and signalling of medical aircraft,"

(c) The former ninth preambular paragraph was modified to read:

"Welcoming further the clarification and progress which has been attained on many other issues through the discussions of the two government expert conferences organized by the International Committee of the Red Cross,"

(d) In subparagraph (e) of the former tenth preambular paragraph, the words "use of" were inserted between the words "prohibition of" and the word "weapons".

(e) In subparagraph (f) of the former tenth preambular paragraph, the words "use of" were inserted between the words "prohibition or restriction of" and the words "specific weapons".

(f) The former twelfth preambular paragraph was modified to read:

"Welcoming the readiness of the Swiss Federal Council, as communicated to the Secretary-General, to convene a diplomatic conference on the reaffirmation and development of international humanitarian law applicable in armed conflicts,"

8. The United States of America submitted amendments (A/C.6/L.897) to the revised draft resolution (A/C.6/L.885/Rev.1). The amendments, which were introduced at the 1322nd meeting, on 12 December, by the representative of that country, read as follows:

(1) Replace the eleventh preambular paragraph by the following:

"Noting that consensus was not reached among government experts on a number of important issues,"
(2) Replace the twelfth preambular paragraph by the following:

"Expressing the hope that substantial progress will be made on the outstanding important issues and that the final result will be new rules of international humanitarian law that significantly alleviate the suffering brought by modern armed conflicts,"

(3) Replace the fourteenth preambular paragraph by the following:

"Expressing its appreciation to the International Committee of the Red Cross for undertaking a series of additional consultations to ensure the complete preparation for the diplomatic conference,"

(4) Replace the words "to seek through consultations" in operative paragraph 1 by the following: "to continue to seek through consultations".

(5) Replace the comma after "Human rights in armed conflicts" in operative paragraph 4 by a semicolon and delete the remainder of the paragraph.

9. The sponsors of draft resolution A/C.6/L.885/Rev.1 submitted a new revised draft resolution (A/C.6/L.885/Rev.2), which was introduced at the 1392nd meeting by the representative of Sweden. The new revised text was identical to draft resolution A/C.6/L.885/Rev.1 except for the following changes:

(a) A new paragraph was added at the end of the preamble reading:

"Expressing its appreciation to the International Committee of the Red Cross for undertaking a series of consultations to ensure the complete preparation for the diplomatic conference," 3/

(b) In operative paragraph 1 the words "continue to" were inserted between the words "Red Cross to" and the words "seek through consultations". 4/

(c) In operative paragraph 2 the words ", in particular The Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949," were inserted between the words "which are applicable" and the words "and to this end".

10. At the 1392nd meeting, the representative of Australia, on behalf of the sponsors, orally revised draft resolution A/C.6/L.884/Rev.1 as follows:

3/ The text of the added paragraph was identical to the text of the paragraph contained in the third amendment of the United States of America (A/C.6/L.897).

(a) The first preambular paragraph was deleted;

(b) Operative paragraph 2 was replaced by the following:

"Welcomes also the announcement by the Swiss Federal Council, made in the note circulated by the Swiss Government to other Governments and also, on 29 September 1972, to the Secretary-General of the United Nations, of its readiness to convene a diplomatic conference on this subject."

11. At the same meeting, the representatives of the Union of Soviet Socialist Republics and Pakistan made oral amendments to draft resolution A/C.6/L.885/Rev.2. The amendment of the Union of Soviet Socialist Republics proposed to replace the ninth and tenth preambular paragraphs of the draft resolution by the following paragraph:

"Welcoming the progress achieved at the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts,"

The amendment of Pakistan would add to the draft resolution, as a new fourth preambular paragraph, the following:

"Noting with concern that the existing legal rules and obligations relating to human rights in armed conflicts are being frequently disregarded,"

The sponsors of draft resolution A/C.6/L.885/Rev.2 accepted the amendments submitted by the Union of Soviet Socialist Republics and by Pakistan, and orally revised the draft resolution accordingly.

12. At the 1392nd meeting, the representative of Uruguay proposed orally the deletion of subparagraph (d) of the eleventh preambular paragraph of draft resolution A/C.6/L.885/Rev.2 but did not press for a vote thereon. The representative of Canada requested at the same meeting a separate vote on the eleventh preambular paragraph of the draft resolution.

13. The representative of Ghana, at the 1391st meeting on 11 December, proposed orally to adjourn consideration of the item until the twenty-eighth session of the General Assembly.

14. At the 1392nd meeting, the Secretary of the Committee made a statement on the financial implications of draft resolution A/C.6/L.885/Rev.2.
III. VOTING

15. At its 1392nd meeting, on 12 December, the Sixth Committee proceeded to vote on the proposals and amendments set forth in section II of the present report as follows:

(a) By a roll-call vote of 49 to 31, with 18 abstentions, the Committee rejected the motion of Ghana to adjourn consideration of the item (see para. 13 above). The voting was as follows:

In favour: Argentina, Australia, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Colombia, Czechoslovakia, Finland, France, Ghana, Greece, Hungary, Indonesia, Italy, Ivory Coast, Japan, Liberia, Luxembourg, Madagascar, Mongolia, Poland, Portugal, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Algeria, Bahrain, Botswana, Burundi, Chile, China, Congo, Costa Rica, Cuba, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Guatemala, Guyana, Honduras, India, Iraq, Ireland, Jamaica, Kenya, Kuwait, Lebanon, Libyan Arab Republic, Mexico, Morocco, Niger, Norway, Oman, Pakistan, Peru, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yugoslavia, Zambia.

Abstaining: Austria, Burma, Cameroon, Chad, Ethiopia, Gabon, Guinea, Iceland, Iran, Malaysia, Nepal, Netherlands, New Zealand, Nigeria, Philippines, Romania, South Africa, Thailand.

(b) By a recorded vote of 59 to 20, with 29 abstentions, the Committee adopted a motion of priority in the voting on draft resolution A/C.6/L.885/Rev.2, as orally revised, proposed by Sweden. The voting was as follows:
In favour: Algeria, Bahrain, Botswana, Burundi, Cameroon, Chad, Chile, Congo, Costa Rica, Cuba, Cyprus, Dahomey, Democratic Yemen, Ecuador, Egypt, Finland, Guinea, Guyana, Haiti, India, Iraq, Ireland, Jamaica, Kenya, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Against: Argentina, Australia, Austria, Belgium, Brazil, Canada, France, Greece, Israel, Italy, Japan, Liberia, Luxembourg, Peru, Portugal, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, China, Colombia, Czechoslovakia, Denmark, El Salvador, Ethiopia, Gabon, Ghana, Guatemala, Honduras, Hungary, Indonesia, Iran, Ivory Coast, Laos, Lesotho, Mongolia, Nepal, Netherlands, Philippines, Spain, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

(c) By a recorded vote of 45 to 38, with 20 abstentions, the Committee rejected the first amendment of the United States of America (A/C.6/L.897) to draft resolution A/C.6/L.885/Rev.2. The voting was as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Colombia, Czechoslovakia, Ethiopia, France, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iran, Israel, Italy, Ivory Coast, Japan, Laos, Liberia, Luxembourg, Mongolia, Poland, Portugal, Spain, Sri Lanka, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.
Against: Algeria, Bahrain, Chile, Congo, Costa Rica, Dahomey, Democratic Yemen, Ecuador, Egypt, Ghana, Guinea, India, Iraq, Ireland, Jamaica, Kenya, Kuwait, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mexico, Morocco, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Peru, Romania, Saudi Arabia, Senegal, Sierra Leone, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Abstaining: Botswana, Burma, Burundi, Cameroon, Chad, Cyprus, Denmark, El Salvador, Finland, Gabon, Lesotho, Nepal, Netherlands, Pakistan, Philippines, Rwanda, South Africa, Thailand, Uganda, Venezuela.

(d) By a recorded vote of 46 to 30, with 30 abstentions, the Committee rejected the second amendment of the United States of America (A/C.6/L.897) to draft resolution A/C.6/L.885/Rev.2. The voting was as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Colombia, Czechoslovakia, France, Hungary, Iran, Italy, Ivory Coast, Lesotho, Liberia, Luxembourg, Mongolia, Morocco, Poland, Portugal, Spain, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Algeria, Bahrain, Chad, Chile, Congo, Costa Rica, Cuba, Dahomey, Democratic Yemen, Ecuador, Egypt, Ghana, Guinea, Guyana, Iraq, Ireland, Jamaica, Kenya, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Peru, Romania, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, United Republic of Tanzania, Upper Volta, Yemen, Zambia.

Abstaining: Botswana, Burma, Burundi, Cameroon, Cyprus, Denmark, El Salvador, Ethiopia, Finland, Gabon, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Japan, Laos, Malaysia, Nepal, Oman, Pakistan, Philippines, Rwanda, South Africa, Thailand, Turkey, Uganda, Yugoslavia, Zaire.
(e) By a recorded vote of 62 to 18, with 27 abstentions, the Committee rejected the fifth amendment of the United States of America (A/C.6/L.897) to draft resolution A/C.6/L.885/Rev.2. The voting was as follows:

**In favour:** Argentina, Australia, Austria, Bolivia, Brazil, Canada, Colombia, Ethiopia, France, Israel, Italy, Laos, Liberia, Pakistan, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

**Against:** Algeria, Bahrain, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Ecuador, Egypt, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Kenya, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mexico, Mongolia, Morocco, Netherlands, Nicaragua, Niger, Nigeria, Norway, Peru, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

**Abstaining:** Belgium, Botswana, Burma, Burundi, Denmark, El Salvador, Finland, Gabon, Greece, Guatemala, Guyana, Honduras, Ivory Coast, Japan, Lesotho, Luxembourg, Malaysia, Nepal, New Zealand, Oman, Philippines, Poland, South Africa, Spain, Thailand, Turkey, Venezuela.

(f) By a recorded vote of 66 to 19, with 21 abstentions, the Committee adopted the eleventh preambular paragraph of draft resolution A/C.6/L.885/Rev.2. The voting was as follows:

**In favour:** Algeria, Bahrain, Botswana, Burundi, Cameroon, Chad, Chile, Congo, Costa Rica, Cyprus, Dahomey, Democratic Yemen, Ecuador, Egypt, Finland, Gabon, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Kenya, Kuwait, Laos, Lebanon, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua,
Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Against: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Colombia, El Salvador, France, Greece, Guatemala, Israel, Italy, Luxembourg, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.


(g) By a recorded vote of 81 to 3, with 22 abstentions, the Committee adopted draft resolution A/C.6/L.885/Rev.2 as a whole, as orally revised (see para. 18 below). The voting was as follows:

In favour: Algeria, Bahrain, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, Congo, Costa Rica, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, Finland, Gabon, Ghana, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Kenya, Kuwait, Laos, Lebanon, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Greece, Liberia, Uruguay.
Abstaining: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Canada, Colombia, Cuba, El Salvador, Ethiopia, Guatemala, Honduras, Israel, Italy, Japan, Nepal, Portugal, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

16. Following the voting, the representatives of Indonesia, Israel and France made statements in connexion with the results as recorded. Concerning the vote on the first amendment in document A/C.6/L.897, the representative of Indonesia stated that his vote had not been recorded and that his delegation had abstained. Concerning the vote on the second amendment in document A/C.6/L.897, the representative of Israel stated that his vote had not been recorded and that his delegation had voted in favour. Concerning the vote on draft resolution A/C.6/L.885/Rev.2 as a whole, as orally revised, the representative of France stated that his vote had not been recorded and that his delegation had abstained.

17. Statements in explanation of vote were made at the 1392nd meeting by the representatives of Canada, Kenya, Japan, Jamaica, Argentina, Egypt, New Zealand and Uruguay in connexion with the motion to adjourn consideration of the item, and at the 1393rd meeting by the representatives of the Union of Soviet Socialist Republics, Austria, Romania, Belgium, Spain, the United Kingdom of Great Britain and Northern Ireland, Madagascar, Canada, the United States of America and Guatemala in connexion with the draft resolution and amendments thereto voted upon.
IV. RECOMMENDATION OF THE SIXTH COMMITTEE

18. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Respect for human rights in armed conflicts

The General Assembly,

Conscious that only complete respect for the Charter of the United Nations and general and complete disarmament under effective international control can bring about full guarantees against armed conflicts and the suffering caused by such conflicts, and determined to continue all efforts to these ends,

Conscious that the development of many weapons and methods of warfare has made modern armed conflicts increasingly cruel and destructive of civilian lives and property,

Reaffirming the urgent need to ensure full and effective application of existing legal rules relating to armed conflicts and to supplement these rules by new ones in order to take into account the modern developments in methods and means of warfare,

Noting with concern that the existing legal rules and obligations relating to human rights in armed conflicts are being frequently disregarded,

Recalling the successive resolutions adopted by the United Nations relating to human rights in armed conflicts, in particular General Assembly resolutions 2852 (XXVI) and 2853 (XXVI) of 20 December 1971, and resolution XIII adopted by the twenty-first International Conference of the Red Cross, held at Istanbul in 1969, 5/ concerning the reaffirmation and development of the laws and customs applicable in armed conflicts,

Noting with appreciation the report of the Secretary-General 6/ on the results of the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which was held at Geneva from 3 May to 3 June 1972 at the invitation of the International Committee of the Red Cross,

Having taken cognizance of the report prepared by the International Committee of the Red Cross on the work of the Conference of Government Experts, 7/ 5/ See A/7720, annex I, sect. D.
Expressing appreciation to the International Committee of the Red Cross for its dedicated efforts to promote the reaffirmation and development of international humanitarian law applicable in armed conflicts,

Emphasizing the importance of continued close collaboration between the United Nations and the International Committee of the Red Cross,

Welcoming the progress achieved at the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts,

Noting with concern, nevertheless, that agreement has not emerged among government experts on drafts concerning a number of fundamental issues, such as:

(a) Methods to ensure a better application of existing rules relating to armed conflicts,

(b) Definitions of military objectives and protected objects, in order to counter the tendency in armed conflicts to regard ever growing categories of objects as permissible targets for attack,

(c) Definitions of protected persons and combatants, responsive to the need for improved protection of civilians and of combatants in modern armed conflicts,

(d) The question of guerrilla warfare,

(e) Prohibition of use of weapons and methods of warfare which indiscriminately affect civilians and combatants,

(f) Prohibition or restriction of the use of specific weapons which are deemed to cause unnecessary suffering,

(g) Rules facilitating humanitarian relief in armed conflicts,

(h) Definition of those armed conflicts of a non-international character which should be subject to rules additional to those contained in the Geneva Conventions of 1949, 8/

Considering that substantial progress on fundamental issues such as those enumerated above is indispensable if the efforts to supplement international humanitarian law by new rules are to become significant for the alleviation of the suffering brought by modern armed conflicts,

Welcoming the readiness of the Swiss Federal Council, as communicated to the Secretary-General, to convene a diplomatic conference on the reaffirmation and development of international humanitarian law applicable in armed conflicts,

Believing that the further preparations for such conference as well as the organization of the conference itself must be such that substantial progress is achieved on fundamental issues which are now unresolved,

Expressing its appreciation to the International Committee of the Red Cross for undertaking a series of consultations to ensure the complete preparation for the diplomatic conference;

1. Urges all Governments and invites the International Committee of the Red Cross to continue to seek through consultations to achieve rapprochement in the positions of Governments to ensure that the diplomatic conference envisaged will adopt rules which mark substantial progress on fundamental legal issues connected with modern armed conflicts and which will contribute significantly in the alleviation of the suffering brought by such conflicts;

2. Calls upon all parties to armed conflicts to observe the international humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907, 9/ the Geneva Protocol of 1925 10/ and the Geneva Conventions of 1949, and, to this end, to provide instruction concerning these rules to their armed forces and information concerning the same rules to the civilian population;

3. Requests the Secretary-General to encourage the study and teaching of principles of respect for international humanitarian rules applicable in armed conflicts;

4. Requests the Secretary-General to report to the General Assembly at its twenty-eighth session on relevant developments concerning human rights in armed conflicts, and to prepare, as soon as possible, a survey of existing rules of international law concerning the prohibition or restriction of use of specific weapons;

5. Decides to include in the provisional agenda of its twenty-eighth session an item entitled "Human rights in armed conflicts: respect for human rights in armed conflicts".