

(b) The need for a reaffirmation and development of relevant rules, as well as other measures to improve the protection of the civilian population during armed conflicts, including legal restraints and restrictions on certain methods of warfare and weapons that have proved particularly perilous to civilians, and also arrangements for humanitarian relief;

(c) The need to evolve norms designed to increase the protection of persons struggling against colonial and alien domination, foreign occupation and racist régimes;

(d) The need for development of the rules concerning the status, protection and humane treatment of combatants in international and non-international armed conflicts and the question of guerrilla warfare;

(e) The need for additional rules regarding the protection of the wounded and the sick;

4. *Expresses the hope* that the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts will result in specific conclusions and recommendations for action at the government level;

5. *Requests* the Secretary-General, in line with paragraph 126 of his report on respect for human rights in armed conflicts submitted to the General Assembly at its twenty-fifth session,³⁵ to prepare as soon as possible, with the help of qualified governmental consultant experts, a report on napalm and other incendiary weapons and all aspects of their possible use;

6. *Further calls upon* all States to disseminate widely information and to provide instruction concerning human rights in armed conflicts and to take all the necessary measures to ensure full observance by their own armed forces of humanitarian rules applicable in armed conflicts;

7. *Requests* the Secretary-General to encourage the study and teaching of principles of respect for human rights applicable in armed conflicts by the means at his disposal;

8. *Requests* the Secretary-General to report to the General Assembly at its twenty-seventh session on the results of the second session of the Conference of Government Experts and any other relevant developments;

9. *Decides* to include in the provisional agenda of its twenty-seventh session an item entitled "Human rights in armed conflicts" and to consider it in all its aspects.

2027th plenary meeting,
20 December 1971.

2853 (XXVI). Respect for human rights in armed conflicts

The General Assembly,

Recalling its resolutions 2674 (XXV), 2675 (XXV), 2676 (XXV) and 2677 (XXV) of 9 December 1970,

Noting also that the twenty-first International Conference of the Red Cross, held at Istanbul in 1969, adopted resolution XIII concerning the reaffirmation and development of the laws and customs applicable in armed conflicts,³⁶

Noting with appreciation the report of the Secretary-General on respect for human rights in armed conflicts,³⁷ concerning in particular the results of the first 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 24 May to 12 June 1971 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 Conference,³⁸

Emphasizing that effective protection for human rights in situations of armed conflict depends primarily on universal respect for humanitarian rules,

Recognizing that existing humanitarian rules relating to armed conflicts do not in all respects meet the need of contemporary situations and that it is therefore necessary to strengthen the procedure for implementing these rules and to develop their substance,

Welcoming the decision of the International Committee of the Red Cross to convene a second session of the Conference of Government Experts with the task of reaching agreement on the wording of various texts to facilitate discussion at a future diplomatic conference, and noting that all States parties to the Geneva Conventions of 1949³⁹ have been invited to participate,

Affirming that the successful development of humanitarian rules applicable in armed conflicts requires the negotiation of instruments which can be effectively implemented and which command the widest possible support,

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

1. *Reiterates* its call upon all parties to any armed conflict to observe the rules laid down in the Hague Conventions of 1899 and 1907,⁴⁰ the Geneva Protocol of 1925,⁴¹ the Geneva Conventions of 1949 and other humanitarian rules applicable in armed conflicts, and invites those States which have not yet done so to adhere to those instruments;

2. *Welcomes* the progress made by the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, as shown in its report, with regard to the following questions:

(a) Protection of the wounded and the sick;

(b) Protection of victims of non-international armed conflicts;

(c) Rules applicable in guerrilla warfare;

(d) Protection of civilian population against dangers of hostilities;

(e) Strengthening of the guarantees afforded by international humanitarian law for non-military civil defence organizations;

³⁷ A/8370 and Add.1.

³⁸ *Report on the Work of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts* (Geneva, August 1971).

³⁹ United Nations, *Treaty Series*, vol. 75 (1950), Nos. 970-973.

⁴⁰ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

⁴¹ League of Nations, *Treaty Series*, vol. XCIV, 1929, No. 2138.

³⁵ A/8052.

³⁶ See A/7720, annex I, sect. D.

(f) Rules relative to the behaviour of combatants;

(g) Measures intended to reinforce the implementation, in armed conflicts, of existing international humanitarian law;

3. *Expresses the hope* that the second session of the Conference of Government Experts will make recommendations for the further development of international humanitarian law in this field, including, as appropriate, draft protocols to the Geneva Conventions of 1949, for subsequent consideration at one or more plenipotentiary diplomatic conferences;

4. *Calls upon* States parties to the existing international instruments to review, as a matter of priority, any reservations they may have made to those instruments;

5. *Requests* the Secretary-General:

(a) To transmit his latest report,⁴² together with any further observations received from Governments as well as the records of relevant discussions and resolutions of the General Assembly, to the International Committee of the Red Cross for consideration, as appropriate, by the Conference of Government Experts at its second session;

(b) To report to the General Assembly at its twenty-seventh session on the progress made in the implementation of the present resolution;

6. *Decides* to consider this question again, in all its aspects, at its twenty-seventh session.

2027th plenary meeting,
20 December 1971.

2854 (XXVI). Protection of journalists engaged in dangerous missions in areas of armed conflict

The General Assembly,

Recalling its resolution 2444 (XXIII) of 19 December 1968 concerning, in particular, the studies to be undertaken by the Secretary-General in consultation with the International Committee of the Red Cross and other appropriate international organizations with regard, *inter alia*, to the need for additional humanitarian international conventions or for other appropriate legal instruments to ensure the better protection of civilians, prisoners and combatants in all armed conflicts,

Recalling also its resolution 2673 (XXV) of 9 December 1970, in which it expressed its conviction that there was a need for an additional humanitarian international instrument to ensure the better protection of journalists engaged in dangerous missions, particularly in areas where an armed conflict was taking place,

Being aware that the provisions of the humanitarian conventions at present in force do not cover some categories of journalists engaged in dangerous missions and do not correspond to their present needs,

Noting Commission on Human Rights resolution 15 (XXVII) of 24 March 1971,⁴³ in which the Commission expressed its conviction that there was an urgent need to examine the question of the protection of journalists engaged in dangerous missions, both on

humanitarian grounds and in order to enable journalists with due respect for the law to seek, receive and impart information fully, objectively and faithfully in the spirit of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights concerning freedom of information,

Noting Economic and Social Council resolution 1597 (L) of 21 May 1971, in which the Council decided to transmit to the General Assembly the preliminary draft international convention on the protection of journalists engaged in dangerous missions, submitted to it by the Commission on Human Rights, as well as the relevant records of the Commission and of the Council, as a valid basis for the discussions of the Assembly at its twenty-sixth session,

Noting the report of the Secretary-General⁴⁴ containing the preliminary draft international convention on the protection of journalists engaged in dangerous missions, the observations received from Governments concerning the preliminary draft and the observations 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 24 May to 12 June 1971 at the invitation of the International Committee of the Red Cross,

Noting with appreciation the report⁴⁵ of the Working Group established by the Secretary-General in accordance with Commission on Human Rights resolution 15 (XXVII), and the annexed draft protocol relating to the composition and functions of the International Professional Committee for the Protection of Journalists Engaged in Dangerous Missions referred to in article 3 of the aforementioned preliminary draft convention,

Having considered the observations submitted by some Member States in accordance with Commission on Human Rights resolution 15 (XXVII) and the observations of the Conference of Government Experts as well as the discussions on the item and the alternate draft convention submitted during the debate at the twenty-sixth session of the General Assembly,

1. *Believes* that it is necessary to adopt a convention providing for the protection of journalists engaged in dangerous missions in areas of armed conflict;

2. *Invites* the Economic and Social Council to request the Commission on Human Rights to consider as a matter of priority at its twenty-eighth session the preliminary draft convention contained in Council resolution 1597 (L), taking into consideration the draft conventions submitted by Australia⁴⁶ and by the United States of America,⁴⁷ and the observations of Governments,⁴⁸ as well as all subsequent documents including the draft protocol⁴⁹ prepared by the Working Group in accordance with resolution 15 (XXVII) of the Commission;

3. *Further requests* the Commission on Human Rights to transmit its report on its twenty-eighth session to the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts at its second session to be convened in 1972 by the International Committee of the Red Cross, in order that

⁴⁴ A/8371 and Add.1 and 2.

⁴⁵ A/8438 and Add.1.

⁴⁶ *Official Records of the General Assembly, Twenty-sixth Session, Annexes*, agenda item 49, document A/8589, para. 26.

⁴⁷ *Ibid.*, para. 27.

⁴⁸ A/8371, annex II; A/8371/Add.1 and 2.

⁴⁹ A/8438, annex.

⁴² A/8370 and Add.1.

⁴³ See *Official Records of the Economic and Social Council, Fiftieth Session, Supplement No. 4 (E/4949)*, chap. XIX.