

United Nations
**GENERAL
ASSEMBLY**

TWENTY-SIXTH SESSION

Official Records



**THIRD COMMITTEE, 1898th
MEETING**

Tuesday, 7 December 1971,
at 3.25 p.m.

NEW YORK

Chairman: Mrs. Helvi SIPILÄ (Finland).

AGENDA ITEM 49

Respect for human rights in armed conflicts (*concluded*):

- (a) Report of the Secretary-General (A/8313 and Add.1 to 3, A/8370 and Add.1, A/C.3/L.1895/Rev.1, A/C.3/L.1896/Rev.2, A/C.3/L.1911, A/C.3/L.1914/Rev.1, A/C.3/L.1915, A/C.3/L.1916);
- (b) Protection of journalists engaged in dangerous missions in areas of armed conflict: report of the Secretary-General (A/8371 and Add.1 and 2, A/8403, chap. XVII, sect. A; A/8438 and Add.1, A/C.3/L.1902, A/C.3/L.1903, A/C.3/L.1904/Rev.2, A/C.3/L.1905, A/C.3/L.1919/Rev.1)

1. The CHAIRMAN said that there were now two draft resolutions before the Committee concerning subitem (a): A/C.3/L.1896/Rev.2 and the amendments thereto submitted in documents A/C.3/L.1911 and A/C.3/L.1914/Rev.1, and A/C.3/L.1895/Rev.1 and the amendments thereto submitted in document A/C.3/L.1915. In response to requests by a number of delegations, and in the absence of objections, she intended to put the two draft resolutions to the vote in that order, on the understanding that they would both be voted on.

2. Mr. LOSHCHININ (Byelorussian Soviet Socialist Republic) agreed with the procedure proposed by the Chairman. In connexion with the amendments to draft resolution A/C.3/L.1896/Rev.2, he stressed that the second amendment submitted by his own delegation in document A/C.3/L.1914/Rev.1 and the second of the amendments submitted by the Algerian and other delegations in document A/C.3/L.1911 did not duplicate one another and were not mutually exclusive. The latter amendment proposed the inclusion of an important new operative paragraph providing that people struggling for liberation and self-determination should, in case of arrest, be treated as prisoners of war under the relevant international conventions, while his delegation's amendment was concerned with norms to increase the protection of such persons. It was important that both should be voted upon.

3. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.1896/Rev.2 and the amendments thereto.

The new preambular paragraph proposed in document A/C.3/L.1914/Rev.1 was adopted by 59 votes to 2, with 22 abstentions.

4. Mrs. WARZAZI (Morocco), speaking on a point of order, said, with regard to the amendment to the second

preambular paragraph contained in document A/C.3/L.1911, that her delegation could support the reference to General Assembly resolution 2674 (XXV) because it concerned respect for human rights in armed conflicts. It could not support the reference to the other three resolutions mentioned because they had been adopted in other committees. She accordingly requested a separate vote on the words "2652 (XXV), 2678 (XXV) and 2707 (XXV)" in that amendment.

The wording was adopted by 36 votes to 8, with 38 abstentions.

The amendment, as a whole, to the second preambular paragraph, contained in document A/C.3/L.1911, was adopted by 61 votes to 9, with 22 abstentions.

The second preambular paragraph, as amended, was adopted by 68 votes to 1, with 16 abstentions.

5. Mr. NASSER-ZIAYEE (Afghanistan) requested a separate vote on the seventh preambular paragraph.

The seventh preambular paragraph was adopted by 63 votes to none, with 24 abstentions.

6. Mr. NASSER-ZIAYEE (Afghanistan), speaking on a point of order, suggested that the word "under" in the proposed new paragraph in document A/C.3/L.1911 should be deleted, as it was superfluous.

7. Mr. KANGWA (Zambia), speaking on behalf of the sponsors of the amendment, confirmed that the word "under" should be deleted; that would bring the wording into conformity with operative paragraph 4 of General Assembly resolution 2674 (XXV).

8. The CHAIRMAN pointed out that the word "foreign" before the word "domination" had been replaced by the word "alien".

9. Mrs. WARZAZI (Morocco) proposed the deletion in the French text of the word "et" after the words "en Afrique australe".

10. Mr. FASSOU (Guinea) said that that would limit the paragraph to territories in Africa, whereas it was intended to cover all African, Asian and other regions where people were fighting for their independence.

11. Mrs. SELLAMI (Algeria) and Mrs. MARICO (Mali), speaking as sponsors of the proposed amendment, said that it would be better to retain the word "et".

12. The CHAIRMAN, in reply to a question by Mr. TARASOV (Union of Soviet Socialist Republics), confirmed that drafting changes had been made to ensure that the wording of the proposed new operative paragraph was the same as the wording in General Assembly resolution 2674 (XXV).

The new operative paragraph proposed in document A/C.3/L.1911, as orally revised, was adopted by 65 votes to 3, with 24 abstentions.

The new subparagraph to be inserted in operative paragraph 2, proposed in document A/C.3/L.1914/Rev.1, was adopted by 61 votes to 5, with 24 abstentions.

The amendment to operative paragraph 4 proposed in document A/C.3/L.1914/Rev.1 was rejected by 34 votes to 24, with 35 abstentions.

13. At the request of Mr. LOSHCININ (Byelorussian Soviet Socialist Republic) a separate vote was taken on operative paragraph 4.

Operative paragraph 4 was adopted by 58 votes to none, with 33 abstentions.

14. Mr. FOUNGUI (Congo), speaking on a point of order, said that he had not taken part in the vote but had he done so he would have voted in favour of operative paragraph 4.

Draft resolution A/C.3/L.1896/Rev.2 as a whole, as amended, was adopted by 88 votes to 1, with 5 abstentions.

15. The CHAIRMAN invited the Committee to vote on the amendments to draft resolution A/C.3/L.1895/Rev.1 contained in document A/C.3/L.1915. The sponsors of the draft resolution had accepted the first amendment, calling for the replacement of the words "and 2677 (XXV)" in the first preambular paragraph by the words "2674 (XXV), 2675 (XXV) and 2676 (XXV)", but the Bulgarian representative had asked for a separate vote on the words "and 2676 (XXV)".

16. In response to a question by Mrs. WARZAZI (Morocco), Mr. PENTCHEV (Bulgaria) explained that after the sponsors of the draft resolution had accepted the amendment in document A/C.3/L.1915 to the first preambular paragraph, he had had second thoughts concerning the reference to General Assembly resolution 2676 (XXV).

17. Mr. MANI (India), replying to a question by Mr. ČALOVSKI (Yugoslavia), recalled that General Assembly resolution 2676 (XXV) was entitled "Respect for human rights in armed conflicts" and was concerned particularly with prisoners of war. It had been introduced by the United States at the twenty-fifth session of the General Assembly and the United Kingdom was in favour of including a reference to it in the present draft resolution. His delegation had voted for resolution 2676 (XXV) but saw no need for it to be mentioned now and would abstain in the voting.

The words "2676 (XXV)" in the first preambular paragraph were adopted by 48 votes to 14, with 30 abstentions.

The amendment to the sixth preambular paragraph contained in document A/C.3/L.1915 was rejected by 33 votes to 31, with 30 abstentions.

The amendment to operative paragraph 3 contained in document A/C.3/L.1915 was rejected by 37 votes to 16, with 41 abstentions.

The amendment calling for the deletion of operative paragraph 4, contained in document A/C.3/L.1915, was rejected by 33 votes to 16, with 46 abstentions.

18. Mr. NENEMAN (Poland) requested a separate vote on the words "as a matter of priority" in operative paragraph 4.

The words were retained by 21 votes to 18, with 49 abstentions.

19. The CHAIRMAN invited the Committee to vote on draft resolution A/C.3/L.1895/Rev.1, as amended.

20. Mrs. MARICO (Mali) requested a roll-call vote on operative paragraph 4.

21. Mr. TRESSELT (Norway) said that as the Committee had rejected the proposal to delete paragraph 4, that request was out of order under rule 124 of the rules of procedure of the General Assembly.

22. The CHAIRMAN said that she saw no objection in principle to a roll-call vote on operative paragraph 4 and would agree to the request because it had been made before the actual voting on the amended draft resolution had begun.

23. Mrs. JOKA-BANGURA (Sierra Leone) said that she was opposed to the ruling in the light of the rules of procedure, but would have no objection to the Mali representative's request being granted purely as a matter of courtesy.

24. Miss DUBRA (Uruguay) said that she would not object to a roll-call vote being taken as a matter of courtesy, provided it did not set a precedent for departing from the rules of procedure.

25. Mr. TARASOV (Union of Soviet Socialist Republics) said that he fully supported the Chairman's ruling.

26. Mr. RIOS (Panama) said that he would bow to the Chairman's ruling, but he urged that in general the proper procedure should be followed. The Committee had little time left and many important matters to deal with; a roll-call vote would only cause unnecessary delay.

27. The CHAIRMAN said that she would allow a roll-call vote on operative paragraph 4 as a matter of courtesy and to prevent prolonged procedural discussion.

Mr. Mahmassani (Lebanon), Vice-Chairman, took the chair.

At the request of the Malian representative, a vote was taken by roll-call on operative paragraph 4.

The Khmer Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Liberia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Philippines, Portugal, Singapore, Spain, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Argentina, Australia, Austria, Barbados, Canada, Costa Rica, Denmark, Ethiopia, Finland, Ghana, Greece, Guatemala, Ireland, Italy, Jamaica, Japan.

Against: Mali, Mongolia, Mauritania, Poland, Romania, Saudi Arabia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Congo, Cuba, Czechoslovakia, France, Guinea, Hungary.

Abstaining: Khmer Republic, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Mexico, Morocco, Niger, Nigeria, People's Democratic Republic of Yemen, Peru, Rwanda, Sierra Leone, Somalia, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, United Republic of Tanzania, Venezuela, Yemen, Yugoslavia, Zambia, Afghanistan, Algeria, Brazil, Burma, Burundi, Cameroon, Central African Republic, Colombia, Cyprus, Dahomey, Dominican Republic, Ecuador, Egypt, Guyana, Iceland, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jordan, Kenya.

Operative paragraph 4 was adopted by 31 votes to 17, with 48 abstentions.

28. Mr. MOHAMMED (Nigeria), speaking on a point of order, said that the Committee's action in taking a second vote on operative paragraph 4, which it had already adopted, without applying the procedure called for in rule 124 of the rules of procedure was clearly in violation of that rule. In order to prevent similar lapses from occurring in future, the Committee should adopt a formal decision to adhere strictly at all times to its rules of procedure.

29. After a procedural discussion in which Mr. MOHAMMED (Nigeria), Mr. NENEMAN (Poland), Mr. MANI (India) and Mr. MARTINEZ DEL SOBRAL (Mexico) took part, the CHAIRMAN said that the action had been taken without any formal objection by a member of the Committee and could therefore be considered as constitutional. The decision to accede to the Malian representative's request had been taken as a matter of courtesy, it being clearly understood that the procedure was an exceptional one.

At the request of the representative of Iraq, a roll-call vote was taken on draft resolution A/C.3/L.1895/Rev.1, as orally revised.

The Libyan Arab Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Madagascar, Malaysia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Philippines, Portugal, Rwanda, Singapore, Spain, Swaziland, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zaire, Zambia, Argentina, Australia, Austria, Barbados, Belgium, Brazil, Canada, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Guyana, India,

Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Liberia.

Against: Mexico, Mongolia, Morocco, Poland, Romania, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Ecuador, Guinea, Hungary, Iraq.

Abstaining: Libyan Arab Republic, Mali, Mauritania, People's Democratic Republic of Yemen, Peru, Saudi Arabia, Sierra Leone, Somalia, Sudan, Sweden, Togo, Tunisia, Uganda, United Republic of Tanzania, Yemen, Yugoslavia, Afghanistan, Burma, Burundi, Cameroon, Central African Republic, Congo, Dahomey, Egypt, Iceland, Kuwait.

Draft resolution A/C.3/L.1895/Rev.1 as a whole, as orally revised, was adopted by 54 votes to 18, with 26 abstentions.

30. The CHAIRMAN invited the Tunisian representative to speak on draft resolution A/C.3/L.1904/Rev.2 on behalf of the sponsors.

31. Miss FAROUK (Tunisia) said that the sponsors had decided to take into account the revised amendments appearing in document A/C.3/L.1919/Rev.1 and had accordingly reformulated the operative part of draft resolution A/C.3/L.1904/Rev.2. Operative paragraphs 2 and 3 had been deleted and a new paragraph had been inserted which would read:

"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 Australia (A/C.3/L.1902) and by the United States of America (A/C.3/L.1903), and the observations of Governments (A/8371, annex II, A/8371/Add.1 and 2), as well as all subsequent documents including the draft protocol prepared by the Working Group in accordance with resolution 15 (XXVII) of the Commission."

The remaining paragraphs in the operative part should be renumbered accordingly. The new operative paragraph 6 (former paragraph 7) had also been revised and should read:

"*Decides* to examine this item as a matter of the highest priority at its twenty-seventh session, taking into consideration the recommendations transmitted to the General Assembly by the Economic and Social Council."

32. Miss GENDRON (Canada) said that the sponsors of the amendments in document A/C.3/L.1919/Rev.1 appreciated the efforts of the sponsors of the draft resolution to accommodate their wishes and had accordingly decided to withdraw their amendments.

33. Mr. TARASOV (Union of Soviet Socialist Republics), explaining the vote which he would cast, said that the revision had made the draft resolution more acceptable to his delegation. Nevertheless, it would have preferred the use

of the word “desirable” instead of “necessary” in operative paragraph 1. He called for separate votes on the fourth and seventh preambular paragraphs. With regard to the latter, he said that it seemed premature to note with appreciation a draft protocol which had not yet been thoroughly considered; the Committee should not prejudge the issue.

34. Mr. YAÑEZ-BARNUEVO (Spain), speaking in explanation of vote, said that his delegation wished to place on record its whole-hearted support for draft resolution A/C.3/L.1904/Rev.2, for which it would cast an affirmative vote. It wished it to be understood, however, that the words “dangerous mission” in the text should be construed as referring to missions in areas of armed conflict, wherever that was not explicitly stated. He understood the phrase “all subsequent documents” in the new operative paragraph 2 to include the Committee’s report and the relevant summary records.

35. Mr. MOHAMMED (Nigeria) called for a separate vote on the words “as a matter of the highest priority” in operative paragraph 6 (formerly paragraph 7).

36. Mr. BOURGOIN (France) requested that the separate vote called for by the Nigerian representative should be taken by roll-call.

The fourth preambular paragraph in draft resolution A/C.3/L.1904/Rev.2 was adopted by 50 votes to none, with 41 abstentions.

The seventh preambular paragraph was adopted by 46 votes to 1, with 45 abstentions.

37. Mr. MANI (India), speaking on a point of order, requested a separate vote on the words “as a matter of priority” in the new operative paragraph 2.

The words were retained by 43 votes to 4, with 49 abstentions.

At the request of the French representative a vote was taken by roll-call on the words “as a matter of the highest priority” in operative paragraph 6 (formerly paragraph 7).

The Central African Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Colombia, Costa Rica, Cyprus, Denmark, Egypt, Ethiopia, Finland, France, Greece, Iceland, Indonesia, Iran, Ireland, Italy, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Lesotho, Madagascar, Netherlands, Niger, Norway, Portugal, Senegal, Sierra Leone, Spain, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Argentina, Australia, Austria, Belgium.

Against: Cuba, Ghana, Guinea, Nigeria, United States of America, Canada.

Abstaining: Central African Republic, Chile, Congo, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, Guatemala, Guyana, Hungary, India, Iraq, Israel, Jordan, Kuwait, Liberia, Libyan Arab Republic, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, New

Zealand, Nicaragua, Panama, People’s Democratic Republic of Yemen, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Singapore, Somalia, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Algeria, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon.

The words were adopted by 37 votes to 6, with 59 abstentions.

Draft resolution A/C.3/L.1904/Rev.2 as a whole, as orally revised, was adopted by 79 votes to 1, with 19 abstentions.

Explanations of vote

38. The CHAIRMAN invited those delegations which wished to do so to explain their votes.

39. Mr. PEACHEY (Australia) said that his delegation had voted in favour of draft resolution A/C.3/L.1896/Rev.2, taking into account the reservations which it had expressed during the general debate. It also wished to express a reservation on the second amendment in document A/C.3/L.1911. The amendment would have the Assembly, *inter alia*, reaffirm that persons participating in resistance movements and struggling for liberation and self-determination should, in case of arrest, be treated as prisoners of war. In terms of legal principle, that amendment was unacceptable; his Government could not accept the amendment of international treaties by means of United Nations resolutions. It could agree with an interpretation that persons engaged in resistance were entitled to humane treatment on arrest, but could not agree that they were entitled as a right to be treated as prisoners of war.

40. Mr. HEYMAN (Sweden) said that in co-sponsoring draft resolution A/C.3/L.1896/Rev.2 his delegation had been inspired by a desire to encourage the widest possible support for that draft. Accordingly, it had been unable to support amendments which could not be unanimously adopted, although it shared the concern which had prompted the sponsors to submit those amendments. His delegation had furthermore been of the opinion throughout the discussion that one resolution under agenda item 49 (a) would have been enough; therefore, it had not been able to support draft resolution A/C.3/L.1895/Rev.1. It had abstained on that draft, and had found it appropriate also to abstain in the vote on the various amendments to that resolution.

41. It had also abstained in the separate vote on the words “as a matter of the highest priority” in operative paragraph 6 of draft resolution A/C.3/L.1904/Rev.2 because it was stated in draft resolution A/C.3/L.1896/Rev.2, previously adopted by the Committee, that the General Assembly “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”. Indeed, draft resolution A/C.3/L.1895/Rev.1 also expressed that idea. His delegation could therefore not support the idea of giving special priority to only one aspect of the

whole item, and would take it that, at the twenty-seventh session, the item would be considered as a whole.

42. Mr. COSTA COUTO (Brazil) said that his delegation considered that the wording of operative paragraph 2 (d) (formerly 2 (c)) of draft resolution A/C.3/L.1896/Rev.2 might give rise to some confusion. His delegation interpreted that subparagraph as consisting of two different points: the International Committee of the Red Cross was invited to devote special attention among the questions to be taken up, firstly, to the need for development of the rules concerning the status, protection and humane treatment of combatants in international and non-international armed conflicts, and secondly, to the question of guerrilla warfare.

43. Mr. SHEPARD (United States of America) said that his delegation strongly supported the initiative of the International Committee of the Red Cross aimed at reaffirming and developing international humanitarian law applicable to armed conflicts. Both draft resolutions just adopted on that subject contained very important endorsements of the work of the International Committee. However, draft resolution A/C.3/L.1896/Rev.2 contained certain provisions which suggested a tendency to involve the International Committee in the matter of weapons control. His Government opposed that tendency because of its firm belief that such measures could most usefully be considered in a disarmament forum, such as the Conference of the Committee on Disarmament.

44. With regard to operative paragraph 5 of that draft resolution, his delegation considered that the financial implications were excessive and that every effort should be made to secure a substantial reduction in the cost of the report to be prepared.

45. Mr. GOLOVKO (Ukrainian Soviet Socialist Republic) said that his delegation, like many others, regretted that, although the two draft resolutions contained similar ideas, the sponsors had not found it possible to merge them. It was also unfortunate that the amendment submitted by his delegation and that of Bulgaria (A/C.3/L.1915) to draft resolution A/C.3/L.1895/Rev.1 in order to bring it closer to the other draft resolution had been rejected.

46. Since it felt that all the positive elements contained in draft resolution A/C.3/L.1895/Rev.1 had been reflected in draft resolution A/C.3/L.1896/Rev.2, on which it had cast an affirmative vote, his delegation had been unable to vote in favour of the former.

47. Miss LOPES (Portugal) said that the study of the complex question before the Committee must be continued if practical conclusions were to be reached. Although positive and praiseworthy efforts had been made by the United Nations in close co-operation with the International Committee of the Red Cross, certain very important and delicate issues deserved closer study. Her delegation hoped that the Conference of Government Experts to be held in 1972 would make a useful contribution.

48. Her delegation considered that existing humanitarian rules must be respected and it would support all efforts to strengthen them.

49. The fact that her delegation had voted in favour of draft resolution A/C.3/L.1895/Rev.1 did not mean that it accepted all the General Assembly resolutions referred to in the first preambular paragraph, particularly resolution 2674 (XXV). Her delegation had voted against the first amendment in document A/C.3/L.1911, which referred to certain resolutions, such as resolutions 2674 (XXV) and 2707 (XXV), that were unacceptable to her Government. It had also voted against the second amendment in document A/C.3/L.1911, since that amendment ran counter to the spirit of draft resolution A/C.3/L.1896/Rev.2 and to the human rights that States had accepted. Furthermore, the affirmation contained in it prejudged the conclusions of studies to be undertaken by the forthcoming Conference of Government Experts.

50. Her delegation had been unable to accept the amendments in document A/C.3/L.1914 because they involved political rather than purely humanitarian objectives. Consequently, it had voted against draft resolution A/C.3/L.1896/Rev.2 as a whole.

51. Guided by humanitarian considerations, her delegation considered that journalists needed to be protected when engaged in dangerous missions in areas of armed conflict; during times of conflict, the need for objective and accurate information was greater than ever.

52. Paragraph (4) of article 4 of the third Geneva Convention referred to war correspondents, who were specially identified and authorized by the armed forces without being members of them. That was a limited protection under international law. Before that protection was extended to all journalists engaged in dangerous missions in areas of armed conflict the profession of journalist must be clearly defined so that protection was accorded only to genuine and easily identifiable journalists. Their reports provided the basis for certain judgements in social, political and even religious fields. While objective and truthful reports contributed to peace, tendentious or false information only aggravated the situation, particularly in time of armed conflict.

53. Although her Government wished to give further study to the preliminary draft convention, her delegation had voted in favour of draft resolution A/C.3/L.1904/Rev.2.

54. Miss SOLESBY (United Kingdom) said that her delegation had abstained in the vote on draft resolution A/C.3/L.1896/Rev.2, because the draft covered proposals affecting arms control measures. Her delegation considered that that question should not be discussed in the Committee, which lacked the requisite competence and expertise to deal with it effectively. For that reason, her delegation believed that the Secretary-General's report on napalm requested in operative paragraph 5 of the draft resolution should be considered by the First Committee rather than the Third. Her Government would do its best to co-operate with the Secretary-General in the preparation of that report.

55. Mr. MARTINEZ DEL SOBRAL (Mexico) said his delegation had voted against draft resolution A/C.3/L.1895/Rev.1 because it felt that most of the provisions of

that text were contained in draft resolution A/C.3/L.1896/Rev.2, which had already been adopted by a large majority. Furthermore, his delegation found certain provisions in draft resolution A/C.3/L.1895/Rev.1 unacceptable. Finally, it felt that there would be unnecessary confusion if the International Committee of the Red Cross were invited to consider two resolutions on the same item.

56. Mr. TORRES (Philippines) said that his delegation had abstained in the vote on the second amendment in document A/C.3/L.1911, because its wording was to all intents and purposes identical to that of operative paragraph 4 of General Assembly resolution 2674 (XXV), in the vote on which his delegation had abstained for reasons that were still valid. While it supported the legitimate struggle for independence and self-determination of peoples still under colonial and alien domination, such as the freedom fighters in southern Africa, it considered that the phrase "foreign occupation" should not have been included in the resolution, since that treatment of people under foreign occupation was governed by different rules. Furthermore, the words "should be treated" were open to two interpretations: firstly, it might be considered that such persons should be treated in the same manner as prisoners of war, or, secondly, they might be considered a separate class of prisoners of war under the relevant Conventions. His delegation would have preferred the words "should be accorded the same treatment". That would have avoided a reaffirmation which was tantamount to the amending of existing Conventions—a task that fell outside the Committee's competence. Since, however, his delegation wished to see existing conventions improved, it had voted in favour of the amendment in document A/C.3/L.1914/Rev.1.

57. Mr. LAHERA (Chile) said his delegation had voted against draft resolution A/C.3/L.1895/Rev.1 because it felt that the adoption of draft resolution A/C.3/L.1896/Rev.2, which it had co-sponsored, was sufficient.

58. Mr. MANI (India) said his delegation had been obliged to abstain in the vote on draft resolution A/C.3/L.1895/Rev.1. Firstly, the reference to General Assembly resolution 2676 (XXV) was irrelevant, since the draft contained no reference to prisoners of war, to the seriously wounded or seriously sick or to the Geneva Convention relative to the Treatment of Prisoners of War. Secondly, the words "as a matter of priority" had lost their meaning in the Third Committee. Thirdly, the second of the Bulgarian and Ukrainian amendments in document A/C.3/L.1915 had been rejected by the Committee. His delegation had voted in favour of that amendment, since it felt that all States parties to the Geneva Convention in question should participate. As to the third of the Bulgarian and Ukrainian amendments, his delegation felt that the question of a plenipotentiary diplomatic conference was premature; the whole matter was before the International Committee of the Red Cross.

59. With regard to draft resolution A/C.3/L.1896/Rev.2, for financial reasons his delegation had voted against the words "with the assistance of qualified governmental consultant experts". However, it had voted in favour of the draft resolution as a whole.

60. As to draft resolution A/C.3/L.1904/Rev.2, his delegation had voted in favour of the words "with appreciation" in the seventh preambular paragraph because one of India's expert journalists had been a member of the working group that had participated in preparing the draft protocol. His delegation had voted in favour of the draft resolution as a whole because it considered that it was time to adopt measures for the protection of journalists engaged in dangerous missions.

The meeting rose at 6.30 p.m.