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### NEW INTERNATIONAL HUMANITARIAN ORDER

#### Report of the Secretary-General

Submitted pursuant to General Assembly resolution 38/125

#### Part One

## CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION .....	1 - 11	3
II. THE UNITED NATIONS AND AN INTERNATIONAL HUMANITARIAN ORDER	12 - 70	5
A. Human rights .....	18 - 40	6
B. Humanitarian law .....	41 - 61	10
C. Development .....	62 - 66	14
D. Social and humanitarian affairs .....	67 - 70	15
III. THE HUMANITARIAN NETWORK .....	71 - 149	16
A. Office of the United Nations Disaster Relief Co-ordinator .....	75 - 86	17
B. Office of the United Nations High Commissioner for Refugees .....	87 - 124	19
C. United Nations Children's Fund .....	125 - 136	27
D. International Committee of the Red Cross .....	137 - 142	29
E. Regional intergovernmental organizations .....	143	31
F. Non-governmental organizations .....	144	31
G. Other bodies .....	145 - 149	31
IV. ISSUES RAISED IN THE REPLIES OF GOVERNMENTS .....	150 - 178	33
A. Questions for discussion .....	150 - 169	33
B. Relevant information .....	170 - 178	36
V. CONCLUDING OBSERVATIONS .....	179 - 189	40

Annexes

I. Questionnaire .....	45
II. Information note on the Independent Commission on International Humanitarian Issues .....	46

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## I. INTRODUCTION

1. By a letter dated 28 October 1981 (A/36/245), the Permanent Representative of Jordan to the United Nations requested the inclusion of an additional item entitled "New international humanitarian order" in the agenda of the thirty-sixth session of the General Assembly. In the request it was stated that the proposal to promote a new international humanitarian order rested on the urgently felt need for strengthening - both in terms of legal principles and mechanisms - international response to human suffering caused by man-made and natural disasters. The new order might be launched, in the first place, by the elaboration of an internationally recognized framework of comprehensive humanitarian principles governing relations among peoples and nations in times of war and peace. As stated by His Royal Highness Crown Prince Hassan of Jordan in his address to the General Assembly (A/36/PV.15, p. 57), the new order should become the basis for the solution of problems of refugees and displaced persons, poverty, illiteracy, terrorism and other issues that were detrimental to the progress of mankind.

2. The subject was inscribed as item 138 in the agenda of the Assembly's thirty-sixth session. On 14 December 1981, the Assembly adopted resolution 36/136 in which, inter alia, it requested the Secretary-General to seek the views of Governments on the proposal for the promotion of a new international humanitarian order and decided to consider the question at its thirty-seventh session on the basis of the report of the Secretary-General.

3. Pursuant to the request made by the General Assembly, the Secretary-General sent a note verbale to Governments seeking their views on the proposal. The report of the Secretary-General was submitted to the Assembly at its thirty-seventh session and was based on comments received from 23 Governments (A/37/145).

4. The General Assembly, in its resolution 37/201 of 18 December 1982, inter alia, noted the proposal for the establishment, outside the framework of the United Nations, of an independent commission on international humanitarian issues, composed of leading personalities in the humanitarian field or having wide experience of government or world affairs (see A/36/245, annex, para. 10), and recognized that the deliberations of such a commission, if established, could be useful for further study of the proposal. In the same resolution, the General Assembly requested Governments that had not already done so to communicate their views to the Secretary-General and invited the Secretary-General to provide a more comprehensive report on the subject to the Assembly at its thirty-eighth session. In that report the Secretary-General informed the Assembly that no further views or information on the subject had been communicated to him by Governments (A/38/450).

5. In July 1983 the Independent Commission on International Humanitarian Issues was established, consisting of personalities from different parts of the world whose qualifications and expertise promised a significant contribution to the deliberations on the promotion of a new international humanitarian order. The inaugural session of the Independent Commission was held on 5 July 1983.

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6. At its thirty-eighth session, the General Assembly, in its resolution 38/125 of 16 December 1983, noted the establishment of the Independent Commission and recognized that the work of the Independent Commission could be useful for further study of the proposal relating to a new international humanitarian order, invited Governments that had not already done so to communicate their views regarding the proposal to the Secretary-General, requested the Secretary-General to remain in contact with Governments, as well as with the Independent Commission in order to provide a comprehensive report on the subject to the Assembly at its fortieth session and decided to review at that session the question of a new international humanitarian order.

7. The Secretary-General transmitted General Assembly resolution 38/125 to Governments with an invitation for further views and comments. Subsequently, on 25 October 1984 and 11 January 1985, the Secretary-General sent further notes to Governments indicating in a questionnaire some specific aspects on which their views would be appreciated. The questionnaire is reproduced in annex I. Replies or acknowledgements to the three notes of the Secretary-General were received from the following countries: Australia, Austria, Barbados, Belgium, Belize, Botswana, Burkina Faso, Burma, Burundi, Canada, Central African Republic, Cuba, Cyprus, Denmark, El Salvador, Equatorial Guinea, Germany, Federal Republic of, Guatemala, Honduras, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kuwait, Liechtenstein, Mexico, Netherlands, Pakistan, Philippines, Qatar, Romania, Saint Vincent and the Grenadines, Senegal, Solomon Islands, Sri Lanka, Sudan, Sweden, Switzerland, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela. The substantive parts of the replies received are reproduced in addenda to the present report.

8. With regard to relations with the Independent Commission on International Humanitarian Issues, the Assistant Secretary-General for Human Rights on 19 April 1984 sent a letter to the Co-Chairman of the Independent Commission, His Highness Prince Sadruddin Aga Khan, expressing the wish for close co-operation with the Commission and proposing the designation of contact persons. The Assistant Secretary-General also indicated the tentative lines of approach of the United Nations Secretariat to the preparation of the report and solicited the views of the Independent Commission thereon. The Co-Chairman welcomed the suggestion that contact persons be designated and offered to provide all possible assistance in the preparation of the report of the Secretary-General. A summary on the activities of the Independent Commission is reproduced in annex II.

9. In view of the interest of the Government of Jordan, as the initial sponsor of the item which led to the present report and under which it will be considered, appropriate contacts were maintained with representatives of that Government.

10. Informal consultations on the approach to be followed in the preparation of the report were also held with representatives of interested departments or organizations in the United Nations system as well as other interested international organizations.

11. In preparing the present report, the Secretary-General was mindful of related discussions which had taken place in the United Nations on the item concerning a new international human order (see General Assembly resolutions 37/225 and 38/170). Account has been taken of the views offered in various consultations undertaken by the Secretary-General. The need has also been kept in mind to present to the General Assembly a comprehensive picture of current work within the United Nations system related to the promotion of an international humanitarian order so that the Assembly could take the relevant information into account and also so that, on the occasion of the fortieth anniversary of the United Nations, the humanitarian activities of the United Nations system could be constructively reviewed.

## II. THE UNITED NATIONS AND AN INTERNATIONAL HUMANITARIAN ORDER

12. The proposal for the promotion of a new international humanitarian order might first be considered in the light of the basic provisions of the Charter of the United Nations, and due account taken of the world order envisioned by the Charter. It is a truism to say that the Charter launched a new international order characterized by its universal scope of application, as well as by its comprehensive and integrated nature. The Preamble to the Charter expresses the determination of the peoples of the United Nations to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, to establish conditions under which justice and respect for international obligations can be maintained and to promote social progress and better standards of life in larger freedom.

13. The Charter specifically includes among the purposes of the Organization the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex language or religion. Article 13 of the Charter provides for the General Assembly to initiate studies and make recommendations for the purpose of promoting international co-operation in the economic, social, cultural, educational and health fields and to assist in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

14. With a view to the creation of the necessary conditions of stability and well-being for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, Article 55 entrusts the United Nations with the task of promoting (a) higher standards of living, full employment and conditions of economic and social progress and development; (b) solutions of international economic, social, health and related problems, and international cultural and educational co-operation; and (c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. All Members pledge themselves, under Article 56, to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55.

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15. All the above provisions are the expression of the fact that the Charter of the United Nations launched a new international order of various dimensions and comprising various sectors, including the political, economic, social, cultural, legal and humanitarian. The Charter also established long-term goals, programmes and strategies for realizing its integrated vision and for building the comprehensive new international order.

16. Over the years, the General Assembly and other organs of the United Nations system have added to the policies, programmes and strategies devised by the Charter and new elements have been articulated. Some sectors have been singled out for special emphasis. The economic dimension of the international order, for example, has been the subject of a series of important pronouncements by the Assembly and by other organs. The relationship between the establishment of a new international economic order and the realization of development goals, as well as the realization of human rights and fundamental freedoms, has also been noted. 1/

17. The proposal for the promotion of a new international humanitarian order thus might give further impetus to the implementation of the humanitarian dimensions of the new international order launched by the Charter. In order to ascertain further measures to be taken to promote the humanitarian dimensions of the international order, account must first be taken of current efforts. Indeed, various past, as well as present, activities of the United Nations do give expression to the human rights and humanitarian dimensions of the new international order envisaged by the Charter of the United Nations.

#### A. Human rights

18. The advances made in the promotion and protection of human rights during this century - and particularly since the establishment of the United Nations - have been unprecedented in mankind's history. The legitimacy of international concern for human rights is registered in contemporary international law, and many norms for the protection of the individual and for safeguarding human rights have entered the very structure of the international community to such an extent that they have attained the status of imperative norms of international law or as norms of jus cogens.

19. In accepting to guarantee treaties for the protection of minorities, the League of Nations registered the first attempt by a comprehensive international organization to develop the international protection of human rights. Through the system thus established, the international law of human rights was given significant impetus in the course of its development. The work commenced by the League of Nations was taken up by the United Nations and generalized in scope. Henceforth, the concern was for the promotion and protection of human rights generally and it is with that in mind that the commitment to the principle of equality permeates the Charter. One of the first human rights organs established - by Economic and Social Council resolution 5 (I) of 16 February 1946 - was the Commission on Human Rights, which immediately embarked upon the preparation of an international bill of human rights that would provide universally applicable norms of human rights.

20. A significant distinction, however, marks the period before 1945 from the period following. Until 1945, the method utilized for promoting and protecting human rights was that of treaties between interested States. The Covenant of the League of Nations contained no general provision recognizing the rights of the individual or establishing arrangements designed to promote and to protect those rights.
21. With the adoption of the Charter of the United Nations, however, for the first time in recorded history a general commitment was made by the States of the international community to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction. International concern for human rights was thereby enlarged and entrenched in modern international law. Today, it has become a commonplace reality and no State can avoid being held internationally accountable for the way it treats human beings, whether they are its own citizens or nationals of a foreign State or, for that matter, stateless persons.
22. The State's performance is tested by reference to internationally proclaimed norms contained in instruments such as the Universal Declaration of Human Rights (General Assembly resolution 217 A (III)).
23. Virtually all aspects of the relationship between the individual and the State are regulated by the international code of human rights promulgated by the United Nations and its specialized agencies. Daily, everywhere in the world, individuals assert those rights and freedoms vis-à-vis their own Governments or call for their implementation by other Governments.
24. Among the regular activities for the promotion and protection of human rights is the submission to the United Nations and its organs of reports by States parties on the measures which they have adopted to comply with the international standards on human rights. These reports are scrutinized, with the co-operation of international experts who draw upon the experience of different countries and try to help in resolving difficulties. Various forms of advice, expertise and technical assistance are made available to Governments that may be in need of such assistance. Training and fellowship programmes are implemented on an ongoing basis.
25. Each year about 50,000 complaints concerning human rights are received by the United Nations and processed. Where the Secretary-General or his staff feel that they can help in a case or situation, they intercede on a humanitarian basis; some complaints are handled by the Commission on Human Rights, which seeks to establish a dialogue with the Governments concerned and which examines situations and makes recommendations. In cases where a country has accepted procedures of individual petition provided for under optional clauses and instruments, individual complaints may be received by an international organ. They are then examined and an authoritative pronouncement is made.
26. In the General Assembly, the Economic and Social Council and the Commission on Human Rights, situations of alleged gross violations of human rights are referred

to and debated openly. Many resolutions have been adopted expressing concern about such situations or establishing organs of fact-finding conciliation or good offices in respect of such situations. In recent years, situations in every region of the globe have been so examined and dealt with.

27. The world of today is by no means unblemished as far as human rights are concerned. Human rights, seen and applied in its international dimension, is an adventure that started only in the twentieth century, in a world still characterized by heterogeneity and differences in stages of material development.

28. However, three important elements underline the role of internationalism in this field: first, that there exist comprehensive international standards to which Governments are held accountable; second, that there are in place various procedures for promoting the implementation of those standards and for dealing with problems - procedures which are in motion; and third, that on the basis of these standards and procedures the international community is attempting to ensure that the rights and freedoms of every individual on this planet are observed.

29. In the field of human rights, internationalism has proven itself in a remarkable way. The gains referred to would not have been possible without the process of international co-operation or the instrumentalities of the United Nations and its specialized agencies.

30. In this connection, two crucial aspects must not be forgotten. First, the international norms on human rights envisage and pursue patterns of the organization of society aimed at safeguarding life, human integrity and liberty. Ultimately, all Governments are accountable to these standards. Accordingly, every system of government must pass the test of consistency with international human rights law. As international concern for human rights is relatively new, it is one of the most notable achievements of international co-operation for human rights and the standards elaborated by the United Nations are commonly accepted and that Governments realize that as a matter of principle every governmental system has to pass those human rights compatibility tests. The means and methods for administering these tests are largely in place, which is a source of encouragement and hope for the future.

31. Second, as regards the processes and procedures of international co-operation in the field of protection of human rights the following questions may be asked.

32. When there is a problem, can it be aired and discussed in the United Nations? The answer is "yes", as, for example, in the General Assembly, the Economic and Social Council, in the Commission on Human Rights and in the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as in bodies such as the Human Rights Committee and the Special Committee against Apartheid;

33. When situations of gross violations of human rights occur, are there measures and methods which can be adopted for combating them? The answer is also "yes". Various forms of fact-finding, conciliatory and diplomatic activities, good offices, direct contacts and technical assistance activities are available and are indeed being utilized more and more frequently.

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34. What is the speed and rapidity of response to situations of gross violations and is enough being done to anticipate and possibly prevent them? In this respect there would seem to be room for reflection and further consideration. Although the United Nations has made significant strides in moving from the stage of promotion of human rights to the stage of protection, and although protection has become an established part of the activities of the Organization faced as it is with a number of situations of gross violations of human rights, a system of adequate and effective protection would still require that the response to emerging or actual problems be swift.

35. One last question which cannot be avoided is: are there situations of violations of human rights that take place but that are not at all addressed by the United Nations for any reason whatsoever? If this is the case, even partially, then the world community needs to improve the methods of selection of those human rights situations that are discussed in the various forums of the United Nations.

36. Surely a great deal still remains to be done in the future. The key challenge facing the international community as it approaches the end of the twentieth century is that of the "implementation" of human rights. It is imperative that those norms that have been universally adopted should be applied everywhere in the world and that the human rights and fundamental freedoms of every individual be respected.

37. The basic international conventions in the field, particularly the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (see General Assembly resolution 2200 A (XXI)), must be universally ratified. Once a State has ratified these Covenants every means possible must be employed to convince the State of the necessity to implement the international obligations to which it has subscribed and to facilitate such implementation by all means at the Organization's disposal, including the provision of certain forms of assistance. In this regard, the advice and recommendations of supervisory bodies, such as the Human Rights Committee, are of importance.

38. At its forty-first session, the Commission on Human Rights endorsed proposals submitted by the Secretary-General for the development of technical assistance in the field of human rights to States which are in need of such assistance (see Commission resolution 1985/26 of 11 March 1985). Attention was drawn to the need to assist States in the preparation of legislation consistent with international standards of human rights, in the preparation, submission and follow-up of reports to international supervisory organ is and for the development of national and local institutions designed to promote and to protect human rights.

39. Obviously, gross violations of human rights and fundamental freedoms must continue to receive priority attention. The scale of violations of human rights and fundamental freedoms which are reported to the United Nations from different parts of the world give cause for distress and sadness. It is therefore all the more imperative for the Organization to persist in its efforts to increase the effectiveness of its methods in this area. Every situation of gross violations of human rights and fundamental freedoms that takes place in the world should be

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addressed by the international community, and the collective wisdom, advice and assistance of the international community should be made available to any Government in difficulty.

40. In a lecture recently delivered at Harvard University, the Secretary-General emphasized the importance of early-warning and urgent forms of response in the peace-making and peace-keeping activities of the United Nations. In the area of human rights, as much as in any other, it is imperative that responses to problem situations should come at the earliest possible time so as to avoid human suffering and to protect those individuals who are threatened. This question of an urgent reaction to situations of gross violations of human rights and fundamental freedoms deserves therefore to be given appropriate attention.

#### B. Humanitarian law

41. The protection of human rights in armed conflicts has been of continuing concern to United Nations bodies. 2/ The measures adopted for this purpose have been two-fold:

(a) Measures designed to promote respect for human rights in armed conflicts, taken for the most part by organs whose main concern is the realization of human rights and fundamental freedoms for all; and

(b) Measures designed to protect the enjoyment of human rights by the prohibition or restriction of the use of certain weapons, taken for the most part by organs whose main concern is disarmament.

42. The initiative of codifying rules of international law relating to armed conflicts has been traditionally undertaken by the International Committee of the Red Cross (ICRC). United Nations bodies have, however, lent their assistance to the ICRC and, while recommending humanitarian principles to be observed during periods of armed conflicts, have frequently made explicit reference to the Geneva Conventions of 12 August 1949 3/ and the two Additional Protocols thereto of 8 June 1977 (A/32/144, annexes I and II), as well as the earlier Hague Conventions of 1899 and 1907 4/ and the Geneva Protocol of 1925. 5/ In many instances in the past, the Secretary-General has been in direct contact with the ICRC with a view to alleviating human sufferings in specific situations.

43. The International Conference on Human Rights, held at Teheran in 1968, in its resolution XXIII, observed that armed conflicts continued to plague humanity; considered that the widespread violence and brutality of the times, including massacres, summary executions, tortures, inhuman treatment of prisoners, killing of civilians in armed conflicts and the use of chemical and biological means of warfare - including napalm bombing - eroded human rights and engendered counter-brutality; expressed the conviction that even during periods of armed conflict, humanitarian principles must prevail; and decided to recommend certain types of action. 6/

44. The Conference noted that the provisions of the Hague Convention of 1899 and 1907 were intended to be only a first step in the provision of a code prohibiting or limiting the use of certain methods of warfare and that they had been adopted at a time when the present means and methods of warfare did not exist. The Conference further pointed out that the Geneva Protocol of 1925, prohibiting the use of "asphyxiating, poisonous or other gases and of all analogous liquids, materials and devices", had not been universally accepted or applied and might need revision in the light of modern developments. It also expressed the opinion that the Geneva Conventions of 1949 were not sufficiently broad in scope to cover all armed conflicts.

45. The Conference noted that States parties to the Geneva Conventions of 1949 sometimes failed to appreciate their responsibility to take steps to ensure respect for these humanitarian rules in all circumstances by other States, even if they were not themselves directly involved in an armed conflict, and, in paragraph 1 of resolution XXIII, requested the General Assembly to invite the Secretary-General to study:

(a) Steps which could be taken to secure the better application of existing humanitarian international conventions and rules in all armed conflicts;

(b) The need for additional humanitarian international conventions or for possible revision of existing conventions to ensure the better protection of civilians, prisoners and combatants in all armed conflicts and the prohibition and limitation of the use of certain methods and means of warfare.

46. In paragraph 2 of resolution XXIII, the Conference requested the Secretary-General, after consultation with ICRC, "to draw the attention of all States members of the United Nations system to the existing rules of international law on the subject and urge them, pending the adoption of new rules of international law relating to armed conflicts, to ensure that in all armed conflicts the inhabitants and belligerents are protected in accordance with 'the principles of the law of nations derived from the usages established among civilized peoples, from the laws of humanity and from the dictates of the public conscience'." The Conference finally called upon all States which had not done so to become parties to the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949.

47. In resolution 2444 (XXIII) of 19 December 1968, the General Assembly took note of resolution XXIII of the Conference and affirmed that its provisions needed to be implemented effectively as soon as possible. At the same time, it endorsed resolution XXVIII, adopted at the twentieth International Conference of the Red Cross, held at Vienna in 1965, which laid down the following principles for observance by all governmental and other authorities responsible for action in armed conflicts:

(a) That the right of the parties to a conflict to adopt means of injuring the enemy is not unlimited;

(b) That it is prohibited to launch attacks against the civilian populations as such;

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(c) That distinction must be made at all times between persons taking part in the hostilities and members of the civilian population to the effect that the latter be spared as much as possible.

48. In the same resolution, the General Assembly invited the Secretary-General, in consultation with ICRC, to study steps that could be taken to secure the better application of existing humanitarian international conventions and rules in all armed conflicts and the need for additional instruments in that field.

49. The first report of the Secretary-General on respect for human rights in armed conflicts was presented to the General Assembly at its twenty-fourth session, in 1969 (A/7720). The report included a historical survey of international instruments of a humanitarian character relating to armed conflict, examined the relationship between the Geneva Conventions of 1949 and the United Nations human rights instruments, and raised the question of the humanitarian law applicable in conflicts not of an international character.

50. Pursuant to a request addressed to him in General Assembly resolution 2597 (XXIV) of 16 December 1969, the Secretary-General presented to the Assembly at its twenty-fifth session, in 1970, a second report on respect for human rights in armed conflicts (A/8052). The report contained a number of observations, suggestions and recommendations on the whole field of the protection of human rights in armed conflicts, both de lege lata and de lege ferenda. These included observations relating to the establishment of civilian sanctuaries and concerning the prohibition of the use of certain weapons such as chemical and bacteriological weapons, suggestions for the possible extension of the scope of the Geneva Conventions of 1949 to include rules applicable in conflicts not of an international character, and observations on the persons to be protected in internal conflicts and in situations involving guerrilla warfare, on conditions for privileged belligerency, and on the applicability of the fourth Geneva Convention (relative to civilian persons) to freedom fighters.

51. A third report of the Secretary-General on respect of human rights in armed conflicts was presented to the General Assembly at its twenty-sixth session, in 1971 (A/8370 and Add.1). For the most part the report was devoted to summarizing the organization, purposes and work of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which had been convened by ICRC at Geneva from 23 May to 11 June 1971.

52. In a fourth report on the subject (A/8781 and Corr.1), the Secretary-General surveyed the work of the second session of the Conference of Government Experts, convened by ICRC and held at Geneva from 3 May to 3 June 1972.

53. The Secretary-General presented to the General Assembly at its twenty-eighth session, in 1973, a fifth report on developments concerning respect for human rights in armed conflicts (A/9123 and Corr.1 and Add.1 and 2), summarizing relevant information concerning the twenty-second International Conference of the Red Cross, held at Teheran from 8 to 15 November 1973, and activities of ICRC and other non-governmental bodies. In addition, he submitted a survey of existing rules of international law concerning the prohibition or restriction of use of specific

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weapons, prepared pursuant to the request contained in paragraph 4 of Assembly resolution 3032 (XXVII) of 18 December 1972 (A/9215 vols. I and II).

54. The sixth report of the Secretary-General on the same subject (A/9669 and Add.1) was submitted to the General Assembly at its twenty-ninth session, in 1974; it gave a comprehensive account of the proceedings of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held at Geneva from 20 February to 29 March 1974.

55. The Secretary-General presented his seventh report on respect for human rights in armed conflicts (A/10195 and Corr.1 and Add.1), summarizing the proceedings and results of the second session of the Diplomatic Conference, to the General Assembly at its thirtieth session, in 1975. At the same time, the Secretary-General submitted to the Assembly a note on the protection of journalists engaged in dangerous missions in areas of armed conflicts (A/10147).

56. The eighth report of the Secretary-General on respect for human rights in armed conflicts (A/31/163 and Add.1), presented to the General Assembly at its thirty-first session, in 1976, reviewed the proceedings of the third session of the Diplomatic Conference, held at Geneva from 21 April to 11 June 1976, and of the second session of the Conference of Government Experts on the Use of Certain Conventional Weapons, which took place at Lugano, Switzerland, from 28 January to 26 February 1976. The report indicated that substantial progress had been made at both conferences.

57. The ninth report of the Secretary-General on the subject (A/32/144 and Add.1), presented to the General Assembly at its thirty-second session, in 1977, gave an account of the proceedings and results of the fourth session of the Diplomatic Conference, held at Geneva from 17 March to 10 June 1977.

58. That Conference had resulted in the adoption of two Protocols Additional to the Geneva Conventions of 12 August 1949, namely, Protocol I relating to the protection of victims of international armed conflicts (A/32/144, annex I) and Protocol II relating to the protection of victims of non-international armed conflicts (annex II). In addition, the Diplomatic Conference recommended that a special conference be called on the issue of prohibition of use for humanitarian reasons of specific conventional weapons and adopted a series of resolutions and a Final Act.

59. In resolution 32/44 of 8 December 1977, the General Assembly welcomed the successful conclusion of the Diplomatic Conference and noted its recommendation concerning a special conference to be called on the issue of prohibition or restriction of use for humanitarian reasons of specific conventional weapons. The Assembly urged States to consider without delay the matter of signing and ratifying or acceding to the two Protocols opened for signature on 12 December 1977 at Berne; and appealed to all States which had not done so to become parties to the Geneva Conventions of 1949.

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60. The General Assembly has continued to follow the status of ratification of the Protocols and, at its thirty-ninth session on 13 December 1984, adopted resolution 39/77, entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

61. Other areas of international humanitarian law which have been given attention by United Nations organs include: the protection of journalists engaged in dangerous professional missions in areas of armed conflict; the question of assistance and co-operation in accounting for persons who are missing or dead in armed conflicts; the basic principles of the legal status of the combatants struggling against colonial and alien domination and racist régimes; the protection of human rights by the prohibition or restriction of the use of certain weapons. 7/

### C. Development

62. The quest for human dignity, an abiding goal of the United Nations system, has generated three decades of continuous development efforts. Indeed, most, if not all, the activities undertaken by the United Nations have this objective in mind.

63. The foundations for development have been laid by the United Nations and its agencies. If firmly supported and extended, those activities will contribute to further strengthening of the national economic structures of developing countries, and provide higher living standards to millions of people who at the present time live in conditions that are surely not commensurate with the basic requirements contained in article 25 of the Universal Declaration of Human Rights, which speaks of the right of everyone to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, and medical care and necessary social services.

64. An active effort is currently under way to examine how the right to development could be codified internationally; important proposals on this issue have been transmitted by the Commission on Human Rights and the Economic and Social Council to the General Assembly at its present session.

65. Other activities within the United Nations system that have a more direct effect serve similar purposes, albeit limited to specific sectors. Thus, for example, the United Nations Children's Fund (UNICEF), in co-operation with the United Nations Development Programme (UNDP) and the World Health Organization (WHO), has been able to reduce infant mortality and the debilitating effect that malnutrition and disease have on growing children. In many developing countries one can look forward to a quiet revolution in child care and the advent of a strong new generation, better equipped and capable of participating in the tasks of nationhood.

66. Another example is the eradication of smallpox, which is a remarkable achievement brought about by the efforts of WHO. The four-fold reduction in illiteracy, which is already a reality, and would be unthinkable without the sustained efforts of the United Nations Educational, Scientific and Cultural Organization (UNESCO), is one of the fine accomplishments of our century.

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D. Social and humanitarian affairs

67. The programme budget for the biennium 1984-1985 8/ gives a clear indication of the wide range of social and humanitarian activities undertaken by the United Nations. Part IV of the programme budget encompasses the activities of a variety of organs and secretariat units, among them the Economic and Social Council, its functional commissions and committees; special conferences such as those on population, crime, and the rights of women; the Department of International Economic and Social Affairs; the Centre for Science and Technology for Development; the Centre for Social Development and Humanitarian Affairs; the regional commissions; the Office of the United Nations Disaster Relief Co-ordinator; the United Nations Committee on Trade and Development; the United Nations Environment Programme; the United Nations Centre for Human Settlements; and the Office of the United Nations High Commissioner for Refugees. In addition, there are also a considerable number of directly related activities in the United Nations specialized agencies or programmes, such as the United Nations Development Programme.

68. The United Nations has had and continues to have a far-reaching impact on such issues as food, population, the environment, human settlements, the situation of women and children, youth, the rights of the disabled and the mentally retarded, the situation of the socially disadvantaged, crime prevention and the treatment of offenders, social development, the world social situation, popular participation in development, drug trafficking, and protection and assistance to refugees and victims of disasters or violations of human rights.

69. During the current biennium alone, the United Nations has been concerned with preparations for the International Youth Year (1985), the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women (1985), the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders (1985) and the implementation of the world programmes of action adopted following the International Year of Disabled Persons (1981) and the World Assembly on Aging (1982).

70. Studies are also in preparation on various issues related to specific groups of the population including women, youth, the aging, disabled persons and migrant workers and their families. The work begun in previous bienniums on strengthening the position of these less advantaged groups in the development process is being carried forward. Work is also continuing on defining the status and conditions for social integration in the light of changing patterns of economic growth, on equalization of opportunities for women, youth, the aging and disabled persons, and on the impact of the aging of populations on development. The role of the family in the development process as a unifying theme for national and international social development programmes is being studied. The subprogrammes on crime prevention and criminal justice have been focusing on actions aimed at minimizing criminality and delinquency and promoting criminal justice consonant with the principles of social justice, within the broader context of socio-economic development, while strengthening international co-operation in this field.

### III. THE HUMANITARIAN NETWORK

71. In considering the proposal for the promotion of a new international humanitarian order account must be taken of the existing humanitarian actors, and issues or problems that have arisen in their practical experience must be examined. There already exists an extensive network of humanitarian agencies and actors, all of which seek in their own ways to respond to humanitarian emergencies or to contribute to humanitarian causes generally.

72. This network consists, in the first place, of Governments that not only strive to promote the lot of their own people, but also repeatedly to demonstrate solidarity in cases of human need abroad. The record of humanitarian assistance provided by Governments is indeed an impressive one. Governmental contributions to humanitarian causes each year run into millions of dollars in cash contributions as well as contributions in the form of goods and services. Some Governments have established specific structures for dealing with humanitarian emergencies; for example, some government ministries have units devoted to international humanitarian issues.

73. Several international organizations also provide humanitarian assistance in times of need. Within the United Nations system, for example, reference may be made to the United Nations Disaster Relief Organization (UNDRO), the Office of the United Nations High Commissioner for Refugees (UNHCR), UNICEF, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), UNESCO, and the World Bank.

74. In particular, the United Nations is giving assistance to countries and regions in need of special humanitarian assistance in the following areas:

(a) Special programmes of economic assistance to developing countries in Africa, Asia, the Middle East and Latin America and the Caribbean region to provide financial, technical and material assistance in their development efforts or following natural disasters;

(b) Humanitarian assistance to refugees and displaced persons, in particular following the First and Second International Conference on Assistance to Refugees in Africa;

(c) Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region to assist the countries of that region in their efforts to combat the effects of prolonged drought and desertification;

(d) The critical economic situation in Africa, in particular through the newly created Office of Emergency Operations in Africa.



A. Office of the United Nations Disaster Relief Co-ordinator

75. Following a series of major disasters in the late 1960s the Members of the United Nations became convinced that a further element was needed in support of the world-wide emergency relief assistance that had been provided for many years by individual Governments, United Nations agencies, the Red Cross and other voluntary societies. A central office was therefore established within the United Nations for the purpose of mobilizing relief more rapidly, co-ordinating it more systematically and reducing risks of waste, duplication of effort or failure to supply essential items. It was recognized too that much more could and should be done to improve advance contingency planning and preparedness and to harness modern scientific and technological knowledge for the prevention and mitigation of disasters.

76. The United Nations Disaster Relief Organization (UNDRO) began operations in March 1972. It is headed by the United Nations Disaster Relief Co-ordinator, who holds the rank of Under-Secretary-General and who reports directly to the Secretary-General. The Office is located in Geneva.

77. The Co-ordinator's mandate derives from a number of General Assembly resolutions, mainly resolution 2816 (XXVI), "Assistance in case of natural disaster and other disaster situations"; resolution 36/225 "Strengthening the capacity of the United Nations system to respond to natural disasters and other disaster situations"; and resolution 37/144, "Office of the United Nations Disaster Relief Co-ordinator".

78. The Office has three broad functions. The first is that of relief co-ordination: to ensure that in case of natural disasters or other disaster situations, emergency relief activities of all donor sources are mobilized and co-ordinated so as to supply the needs of a disaster-stricken country in a timely and effective manner. Its second function is that of preparedness: to raise the level of pre-disaster planning and preparedness, including disaster assessment and relief management capability, in disaster-prone developing countries. Thirdly, there is the function of prevention: to promote the study, prevention, prediction and mitigation of natural disasters, through the application of appropriate measures. These include the collection and dissemination of information concerning scientific and technological developments. In order to strengthen the collective efforts of the United Nations system, UNDRO developed, and signed with most of the agencies, a series of Memoranda of Understanding defining areas and means of co-operation.

79. The Office is a focal point and a clearing-house to provide centralized reporting on relief needs and information on what donors are sending to meet these needs. UNDRO mobilizes and co-ordinates the relief assistance of the various organizations of the United Nations system and co-ordinates that assistance with what is given by others.

80. The Office obtains from the resident representatives of UNDP (who also represent the Disaster Relief Co-ordinator) information concerning disaster situations and relief needs. As necessary, the Co-ordinator sends specialist staff

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from Geneva to assist the resident representatives in these talks and in local co-ordination. The reports are sent by the fastest available means to Geneva where the Co-ordination Centre of UNDRO collates them with all other available information, which may be received from the League of Red Cross Societies or other sources, and transmits summary reports by telex to a large number of Governments, United Nations agencies, the Red Cross and other donors. An essential element in the co-ordination process is that donors keep UNDRO informed of the help they are giving so that the flow of supplies corresponds to the determined priority needs of the disaster victims and oversupply of relief items is avoided.

81. UNDRO maintains at Geneva a Co-ordination Centre, comprising a situation room with a computer terminal and telecommunications facilities. Data are compiled on the logistics of disaster relief, including donors' capabilities and preferences, stockpiles and other sources of supply for particular relief goods, airline and port information, freight and storage facilities, food habits and food prohibitions in disaster-prone areas, and much other information needed for relief operations. UNDRO operates a duty officer system so that incoming telephone or telex messages are dealt with promptly 24 hours a day.

82. Contingency plans include preparation of emergency measures; stockpiling of rescue and relief items, including food and medical supplies, tents and blankets; establishment of early warning and emergency communication systems; and training of civil and military personnel and steps to ensure the availability of funds, transport and other facilities before disaster strikes.

83. When requested, UNDRO also provides expert advice through technical advisory missions in preparedness to disaster-prone developing countries. These technical co-operation activities may involve individual countries or a group of countries in a region. The Office also arranges fellowships for individual training and organizes and co-operates in seminars on pre-disaster planning and related subjects for officials and others involved in disaster activities from both donor and disaster-prone countries.

84. The Office seeks to promote awareness of the need to adopt an international strategy for disaster prevention. Among the first steps in formulating the strategy, UNDRO has undertaken studies some of which summarize current knowledge on techniques of preventing or reducing the harmful effects of different types of natural phenomena; others describe the relevance of legal measures, public information, public health and civil engineering for disaster prevention. UNESCO, the World Meteorological Organization (WMO), the United Nations Environment Programme (UNEP) and other institutions have collaborated with UNDRO in these studies. UNDRO also promotes regional and national technical co-operation projects that almost invariably include the training of national staff and may include the development of new methodologies, e.g., for carrying out systematic vulnerability analyses of high-risk areas for physical planning and building purposes. In addition, UNDRO maintains a reference library containing documents and information on disaster-related matters.

85. The Office does not concern itself solely with natural disasters. Its terms of reference, as decided by the General Assembly, recognize that UNDRO may be called upon to deal with disaster situations that are not due to natural causes. For example, UNDRO, upon request, had played a co-ordinating role in connection with the problems of feeding and sheltering people affected by civil conflicts, especially where these have occurred in countries suffering simultaneously from adverse natural phenomena. In so doing UNDRO limits itself to a purely humanitarian role. UNDRO is also co-operating closely with the International Atomic Energy Agency (IAEA) in the development of manuals in the Nuclear Safety Series.

86. UNDRO has for its work in the biennium 1984-1985 a regular budget allocation of \$5,236,400. This is supplemented by a sub-account of the UNDRO Trust Fund, established for the purpose of strengthening the Office, which has a total allocation for the biennium of \$1,992,400. In the calendar year 1984, UNDRO received contributions totalling \$6,866,800 earmarked for emergency relief in specific disaster situations and \$1,225,728 earmarked for particular technical co-operation projects in disaster prevention and preparedness. During the same year, as a result of its activities in the mobilization of emergency relief, UNDRO recorded bilateral contributions amounting to \$998 million and further assistance was given by donors who did not ascribe a monetary value to it.

#### B. Office of the United Nations High Commissioner for Refugees

##### Establishment and subsequent prolongation of the Office of the High Commissioner

87. When the United Nations decided, in 1949, to assume more direct responsibility for international action in favour of refugees upon the demise of the International Refugee Organization (IRO), two possibilities were open to the Assembly: either to entrust this task to a department of the United Nations Secretariat or to establish, within the administrative and financial framework of the United Nations, an ad hoc body capable of acting independently. On the proposal of the Secretary-General, the latter formula was adopted. In so doing, the General Assembly felt that it was preferable for the future body to remain as far as possible outside the political considerations with which the United Nations Secretariat had to deal. It also felt that a United Nations High Commissioner for Refugees would have the independence, authority and prestige required to enable him to intervene with Governments, especially in the task of ensuring the international protection of refugees.

88. The Office of the United Nations High Commissioner for Refugees (UNHCR) was set up on 1 January 1951 for a period of three years in accordance with General Assembly resolutions 319 (IV) of 3 December 1949 and 428 (V) of 14 December 1950. The Office was established as a subsidiary organ of the General Assembly under Article 22 of the Charter, on a basis similar to that of other programmes of the United Nations, such as UNICEF and UNDP. In the course of the next three years, it became clear that refugee problems required the continued attention of the United Nations. Thus, the General Assembly decided to prolong the mandate of UNHCR for a period of five years, renewable, beginning on 1 January 1954. Pursuant to

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resolution 32/68 of 8 December 1977, the Assembly decided that the Office should be continued for a further period of five years from 1 January 1979. At its thirty-seventh session, the Assembly adopted resolution 37/196 of 18 December 1982 by which the Office was continued for another five-year period beginning 1 January 1984 to 31 December 1988.

89. Under paragraph 13 of the Statute of UNHCR, the High Commissioner is elected by the General Assembly on the nomination of the Secretary-General.

90. Under the terms of chapter I of the Statute, the High Commissioner acts under the authority of the General Assembly and follows policy directives given to him by the Assembly and the Economic and Social Council. He also reports to the Executive Committee of the High Commissioner's Programme.

Persons of concern to the Office of the High Commissioner

91. Paragraph 2 of the Statute declares that

"The work of the High Commissioner shall be of an entirely non-political character, it shall be humanitarian and social and shall relate, as a rule, to groups and categories of refugees".

Its universal nature is reflected in the fact that UNHCR is called on to protect refugees whoever 9/ and wherever they may be. In pursuit of his world-wide responsibilities, the High Commissioner had in 1984 some 90 representatives, including nine regional representatives, accredited to over 100 countries.

92. Broadly speaking the competence of UNHCR can be considered under two headings:

(a) Competence for refugees as defined under the Statute ("statutory mandate");

(b) Competence for wider categories of persons in refugee-like situations outside their countries of origin pursuant to subsequent resolutions of the General Assembly and Economic and Social Council ("extended mandate").

93. Under the terms of paragraphs 6 and 7 of the Statute, a refugee coming within the mandate of UNHCR is defined as

"Any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, or political opinion, is outside the country of his nationality and is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to return to it."

94. The emergence of new and large-scale problems of refugees, notably outside Europe, led Governments to adopt a more flexible interpretation of the criteria to be applied by UNHCR, especially with regard to uprooted persons qualifying for

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material assistance. In various resolutions the General Assembly and the Economic and Social Council have requested the High Commissioner to protect and assist specific groups of refugees and displaced persons of a particular origin or located in a particular area. UNHCR has thus provided protection, material assistance and emergency relief, often on a large scale, to persons who are externally displaced due to man-made disasters and are in a refugee-like situation and for whom individual determination of refugee status would be impracticable on account of such factors as the size of the group, its rapid rate of influx and the urgency of its needs.

95. Some of the resolutions have also called upon the High Commissioner to concern himself with displaced persons, often within the framework of the United Nations humanitarian endeavours for which his Office may have particular expertise. It may participate in such endeavours with other United Nations agencies, as required, at the invitation of the Secretary-General or the General Assembly. UNHCR can be authorized to act on behalf of persons who are displaced as a result of man-made disasters and who are in a situation analogous to that of refugees. In other instances, UNHCR is called upon to assist persons displaced within their own country. This has been the case, for example, in former colonial territories where rehabilitation measures are carried out by UNHCR for former refugees repatriated to these countries. Such measures may be equally necessary for internally displaced persons returning to their homes after independence or the cessation of hostilities.

#### Functions of the Office of the High Commissioner

96. The protection of refugees and the seeking of durable solutions to their problems are the two main functions of UNHCR. In discharging the first function it seeks to promote the adoption of international standards for the treatment of refugees and the effective implementation of these standards in such fields as employment, education, residence, freedom of movement and safeguard against being returned to a country where a refugee may have reason to fear persecution. In discharging the second function, UNHCR seeks to facilitate voluntary repatriation of refugees or, where it is not a feasible solution, to assist Governments of countries of asylum to make the refugees self-supporting as rapidly as possible.

97. UNHCR has a major role in co-ordinating aid to refugees. Except in special circumstances, its material assistance activities are conducted through national or local authorities of the country concerned, other organizations of the United Nations system, non-governmental organizations or private technical agencies.

#### International protection

98. The legal basis for the protection function carried out by UNHCR is contained in paragraph 1 of the Statute. In the exercise of this function, UNHCR seeks in particular:

(a) To promote accessions to the basic international instruments relating to refugees and to ensure that the standards defined in these instruments are effectively implemented through the adoption of legislative and/or administrative measures at national level;

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(b) To ensure that refugees are treated in accordance with recognized international standards and receive an appropriate legal status and, in their country of durable asylum, are placed as far as possible on the same footing as nationals of that country in so far as economic and social rights are concerned so that their local integration may be facilitated;

(c) To promote the granting of asylum to refugees and to ensure that refugees are not forcibly returned to a country where they have reason to fear persecution (non-refoulement);

(d) To ensure that applications for asylum by persons claiming to be refugees are examined within the framework of appropriate procedures and that, while their requests are being examined, asylum-seekers are protected against forcible return to a country where they have reason to fear persecution;

(e) To promote a wider knowledge and understanding at the universal and regional levels of the recognized international principles for the treatment of refugees;

(f) To help refugees to cease being refugees either through voluntary repatriation to their countries of origin or, if this is not feasible, through the eventual acquisition of the nationality of their country of residence.

99. In a number of situations, the personal security of refugees and asylum-seekers has been seriously threatened or infringed through physical violence, acts of piracy or abusive detention. Efforts to ensure that refugees are safeguarded against action of this kind have assumed increasing importance for UNHCR.

100. A further important aspect of the protection function of UNHCR consists of efforts to promote the reunification of separated refugee families. The reunification of the family members of refugees, who may still be in the country of origin or who are in a country of asylum and who wish to join the head of the family in a resettlement country, is clearly in keeping with the purely humanitarian and social character of UNHCR activities. It has been the subject of numerous recommendations by the Executive Committee of the High Commissioner's Programme and was already highlighted in section IV.B. of the Final Act of the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, adopted in July 1951. 10/

#### International legal instruments relating to refugees

101. The protection function of UNHCR is derived from the Statute of the Office of the High Commissioner. However, international legal instruments are also of basic importance for the effective protection of refugees. The most important of these is the 1951 United Nations Convention 10/ and the 1967 Protocol relating to the Status of Refugees. 11/ These instruments provide a general and universally applicable definition of the term "refugee" and lay down minimum standards for the treatment of refugees. The Convention regulates in a detailed manner the status of refugees, thereby providing Contracting States with a uniform basis for the

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treatment of persons or groups of persons eligible for protection. The Convention also establishes a formal link between UNHCR and the national authority responsible for the protection of refugees by requesting the Contracting States, under article 35, to co-operate with UNHCR in the exercise of its functions. As at 1 February 1985, there were 97 States parties to the 1951 Convention and/or the 1967 Protocol.

102. Of the numerous other international legal instruments that are directly or indirectly concerned with refugees, special mention should be made of the Convention Governing the Specific Aspects of Refugee Problems in Africa, adopted by the Organization of African Unity (OAU) in 1969, which emphasizes, *inter alia*, the fact that the granting of asylum to refugees is a peaceful and humanitarian act and should not be regarded as unfriendly by any Member State (art. II, para. 2). A similar provision may be found in the Declaration on Territorial Asylum (General Assembly resolution 2312 (XXII) of 14 December 1967).

103. In order to be fully effective, it is important that the standards defined in the international instruments established for the benefit of refugees should be reflected in legislative and/or administrative measures adopted at the national level. In the exercise of international protection, UNHCR therefore seeks to promote the adoption of such national implementing measures. The standards defined in the international instruments and the legislative and/or administrative measures adopted for their implementation have more recently come to be designated as "refugee law".

#### Material assistance - General developments since the inception of UNHCR

104. The General Assembly, in its resolution 538 (VI) B of 2 February 1952, authorized the High Commissioner to issue an appeal for funds, under paragraph 10 of the Statute, to enable UNHCR to give emergency aid to the most needy groups of refugees. The fund that was thus constituted, referred to as the United Nations Refugee Emergency Fund, remained in operation until the establishment of the United Nations Refugee Fund (UNREF) in 1954 (see para. 107 below).

105. While the money collected helped to alleviate the plight of needy refugees, it soon became apparent that existing possibilities for voluntary repatriation and/or resettlement through migration would be inadequate to achieve durable solutions for the considerable number of remaining non-settled refugees, of whom some 100,000 were still in refugee camps. It was found, on the other hand, that the local settlement of refugees through economic and social integration in their country of residence might help to achieve solutions to the problems of a high proportion of the refugees concerned.

106. The General Assembly, by resolution 638 (VII) of 20 December 1952, accordingly invited UNHCR, in consultation with the International Bank for Reconstruction and Development, to explore, with the Governments concerned, the effective financing of the integration of refugees.

107. Following the successful launching of a programme of pilot integration projects, financed by a grant from the Ford Foundation, the General Assembly adopted resolution 832 (IX) of 21 October 1954, in which it authorized the High

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Commissioner to establish the United Nations Refugee Fund, known as UNREF, and to undertake a four-year programme designed to achieve durable solutions to the problems of refugees (through voluntary repatriation, integration and resettlement) and to continue emergency assistance to the most needy cases.

108. General Assembly resolution 832 (IX) established the pattern for all subsequent UNHCR assistance activities as they developed over the years and also laid down certain basic principles, which are explained in the section on UNHCR policy with regard to material assistance.

109. Although the number of non-settled refugees had been reduced by the end of 1957, the residual needs and the likelihood of the emergence of new refugee influxes led the General Assembly to agree to the continuation by UNHCR of an assistance programme to refugees, as described in its resolution 1166 (XII) of 26 November 1957.

110. Under the terms of that resolution and of decisions subsequently taken by the UNREF Executive Committee and its successor, the Executive Committee of the High Commissioner's Programme, the High Commissioner was authorized to put into effect an annual assistance programme - nowadays referred to as "General Programmes". The projects and financial targets submitted under these programmes are subject to prior approval by the Executive Committee. The High Commissioner was also authorized to establish an emergency fund and required to submit an annual progress report on the implementation of his programme.

111. As and when new large-scale problems concerning refugees arose, UNHCR was called on to provide essential material assistance for their benefit under Special Programmes in keeping with specific resolutions adopted by the General Assembly and the Economic and Social Council to that effect. Furthermore, pursuant to resolution 2956 A (XXVII) of 12 December 1972, the High Commissioner is requested, at the invitation of the Secretary-General, to continue to participate in those humanitarian endeavours of the United Nations for which his Office has particular expertise and experience.

#### Main aspects of UNHCR material assistance activities

112. Material assistance activities of UNHCR include emergency relief, assistance in voluntary repatriation or local integration, resettlement to other countries, as well as counselling, education and legal assistance. These assistance activities of the Office, however, are basically complementary to its primary function, which is, providing international protection to persons of its concern.

113. Emergency relief is provided mainly in the form of care and maintenance of new refugees or displaced persons when a variety of basic essentials such as food, shelter and medical aid are required on a large scale at short notice. In recent years, this type of aid has been needed, in Africa, Asia, and Central America, just to ensure survival. Many outside bodies are instrumental in making available various relief items and services to UNHCR.

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114. Assistance in voluntary repatriation hinges on the protection and material assistance functions of UNHCR. The protection element consists of ensuring that repatriation is voluntary. The assistance element consists of helping refugees, wherever possible, to overcome practical difficulties concerning their voluntary repatriation. It also allows UNHCR to ensure that the refugees are given basic help upon arrival in their homeland. Assistance to persons repatriated to their country of origin has frequently proved to be indispensable on account of their destitute condition. The General Assembly and the Economic and Social Council have accordingly adopted a number of resolutions whereby this type of aid may be provided for refugees and displaced persons returning to their homes under some of UNHCR Special Programmes.

115. The object of local integration is to assist refugees and displaced persons to become self-supporting in their country of residence and/or of first asylum. In industrialized countries this is done in a number of ways, such as providing refugees with loans or grants for establishing themselves in a profession and by assisting them through vocational training to learn a skill or to establish themselves in gainful occupations. New groups of refugees and displaced persons in the third world, mainly in Africa, are, to a large extent, provided with assistance to enable them to settle locally. Wherever possible, this is consolidated through close co-operation between UNHCR and other members of the United Nations system which provide development aid to the areas concerned.

116. From its inception, UNHCR has been actively engaged in the promotion of resettlement, in close co-operation with interested Governments, the Inter-Governmental Committee for Migration and voluntary agencies concerned with the resettlement of refugees. The main task of UNHCR in this field is to negotiate with Governments in an endeavour to obtain suitable and adequate resettlement opportunities for those refugees - both able-bodied and handicapped - who need this solution. UNHCR also encourages Governments to liberalize their criteria for the admission of refugees and draws up special immigration schemes for them wherever possible. UNHCR however, views resettlement as a durable solution of last resort, to be pursued in the event of inavailability of other durable solutions such as repatriation (which is the most ideal whenever feasible) or local integration in countries of first asylum.

117. Education has proved to be particularly important in facilitating the integration of refugees. Educational assistance at primary and lower secondary levels is made available under UNHCR General Programmes. At a higher level such assistance is given under the UNHCR Refugee Education Account. UNHCR co-operates closely with UNESCO and the United Nations Education and Training Programme for Southern Africa in this field. The problem of needy individual refugees seeking employment or educational opportunities in urban areas, mainly in certain countries in Africa, continues to claim special attention. Efforts to solve the students' problems are also made in conjunction with the OAU Bureau for African Refugees as well as a number of non-governmental organizations.

118. Counselling, which is provided under various UNHCR programmes, is particularly important in helping refugees to opt for a solution appropriate to their problems and to avail themselves of such facilities as may be open to them. Increasing

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support is given to the establishment and development of refugee counselling services, which operate mostly through voluntary agencies, mainly in urban centres.

119. The rehabilitation of disabled refugees is mostly undertaken in close co-operation with voluntary agencies, which implement special local programmes of assistance and treatment. A further response to the needs of disabled refugees is UNHCR promotion of special resettlement schemes, known as the "Ten-or-More Plan". Under this plan, several resettlement countries admit 10 or more handicapped refugees and their families per year. In addition, there are projects for the placing of the aged and sick in institutions.

120. Legal assistance is provided to help individual refugees with administrative formalities in their country of residence. It is also provided to refugees who are involved in court cases which could adversely affect their refugee status. This form of assistance consists mainly of making the services of experienced lawyers available to refugees.

#### Approach to material assistance activities

121. The approach of UNHCR to the assistance of refugees is, as stipulated in paragraph 1 of the Statute, to provide permanent solutions to their problems by promoting voluntary return to their own countries, or assimilation elsewhere. This approach is in keeping with the idea that refugees should be helped to help themselves. In applying this principle, every effort is made to resolve their problem in terms of the three possible solutions and in the following order of preference: voluntary repatriation, local settlement, or resettlement to another country.

122. While durable solutions constitute the ultimate goal, the overriding priority, in the first instance, is to ensure the refugees' well-being and to provide them with emergency relief. This has become more acute in recent years because of the suddenness of new influxes, the large numbers involved and, often, the lack of facilities in the area where the refugees arrive.

123. In keeping with General Assembly resolution 1166 (XII) of 26 November 1957, the basic resolution concerning UNHCR annual assistance programmes, every effort is made to activate durable solutions rapidly and to phase out settlement programmes as soon as the refugees concerned have become self-supporting. This approach also reflects the principle that primary responsibility for assistance to refugees rests with the Government of the host country. Measures are elaborated and implemented to help bring refugees to a level of self-sufficiency comparable to that of the local population and to enable them to participate in the social and economic life of the host country. In industrialized societies, UNHCR input usually represents only a small proportion of total refugee assistance, whereas in low-income countries UNHCR is expected to assume a far greater share of the burden. This being in accordance with the principles of international solidarity and equitable burden sharing.

#### Financing of activities of UNHCR

124. UNHCR expenditure is financed by a very limited subsidy from the regular budget of the United Nations (to be used exclusively for administrative costs) as well as by voluntary contributions from Governments, non-governmental organizations and individuals. Under paragraph 10 of the Statute, the High Commissioner administers any funds, public or private, which he receives for assistance to refugees.

#### C. United Nations Children's Fund

125. UNICEF was created on 11 December 1946, when millions of children were seriously malnourished and deprived as a result of the Second World War. The United Nations Relief and Rehabilitation Administration (UNRRA), which had been working to meet the worst of the post-war need, was being phased out. Foreseeing the suffering that would result for children if no further provision were made, the UNRRA Council recommended that a fund should be created for continuing aid to children through the United Nations. Accordingly, the General Assembly adopted resolution 57 (I) of 11 December 1946 which established the United Nations International Emergency Children's Fund and provided that it was to be financed from the residual assets of UNRRA and from voluntary contributions of Governments and individuals. UNICEF resources were to be used for supplies, material, services and technical assistance for the benefit of children and adolescents and to assist in their rehabilitation and for child health purposes generally, with priority to children of countries which were victims of aggression or which had been receiving UNRRA aid.

126. During its early years, UNICEF resources were devoted largely to meeting the emergency needs of children in Europe for food, drugs and clothing. Outside Europe, UNICEF began providing aid for health and child feeding, first in China in 1948 and then in other Asian countries. In 1949, UNICEF began extending aid, mainly for BCG anti-tuberculosis vaccinations, to several countries in the Eastern Mediterranean area and North Africa. Aid to Latin America for child feeding and health projects was first approved in 1949.

127. By the end of 1950, UNICEF had spent more than \$114 million for assistance. Of this amount, 76 per cent had gone to Europe, 11 per cent to Asia, 10 per cent to the Eastern Mediterranean area and North Africa, and 3 per cent to Latin America.

128. With recovery in Europe well under way, the future of UNICEF was discussed in various United Nations bodies from the middle of 1949 to the end of 1950. These discussions culminated in the General Assembly's decision, in resolution 417 (V) of 1 December 1950 to extend the life of the Fund for three years, shifting its main emphasis towards programmes of long-range benefit to children of developing countries.

129. By resolution 802 (VII) of 6 October 1953, the General Assembly decided to continue UNICEF indefinitely, reaffirming the broader terms of reference that it had established in 1950. The words "International" and "Emergency" were dropped

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from the name which then became the United Nations Children's Fund; however, the acronym "UNICEF" was retained.

130. UNICEF, as a subsidiary body of the General Assembly, is an integral part of the United Nations. It has its own governing body, and its staff and facilities are financed from its own resources. The work of UNICEF is reviewed annually by the Economic and Social Council and the Assembly, primarily on the basis of the Board's report on its annual regular session.

131. UNICEF is financed by voluntary contributions from Governments and from organizations and individuals. The major portion of UNICEF income comes from Governments as contributions to the general resources of UNICEF. Governments also make contributions for specific purposes (e.g. for "noted projects" and emergency relief and rehabilitation). Income also comes from private sources (greeting card net income, fund-raising campaigns and individual donations) from the United Nations system for specific purposes and from miscellaneous sources. Specific-purpose contributions may also be made by non-governmental organizations and by organizations in the United Nations system.

132. If an urgent situation affecting children arises between sessions of the UNICEF Board as a result of natural disasters, civil strife or economic emergencies, the Executive Director may appeal for specific-purpose contributions without waiting for Board approval by mail poll, and the funds can be put to use as soon as received. The same applies to funds coming to UNICEF from emergency appeals made by the Secretary-General. Programme commitments are entered corresponding to income received.

133. In recent years there has been growing programme involvements by non-governmental organizations in fields of interest to UNICEF, such as nutrition, water supply and sanitation, primary health care, family self-reliance, women's activities and non-formal education. In addition to mobilizing community support and participation in such fields, women's organizations and other non-governmental organizations may often be helpful in overcoming obstacles in project implementation, particularly where government administrative machinery in districts or provinces is new or understaffed.

134. In emergency relief situations UNICEF works closely with the League of Red Cross Societies, the International Committee of the Red Cross and, as appropriate, with a large number of voluntary relief agencies.

135. UNICEF co-operates with developing countries in the following main ways:

- (a) Providing advice and material support (consultancy services, supplies and equipment and cash grants for training and other local costs) for:
  - (i) Strengthening national capacities for analysing the situation of children and the possibilities of action to improve their condition of life. This may include help in connection with policies and services for which UNICEF is not providing material assistance;

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- (ii) The extension (both in coverage and quality) of services benefiting children, including the planning, administering and evaluating of these services;

(b) Assistance in seeking additional support for services benefiting children which might be made available both from within the country and from external sources.

136. For many years, the major field of UNICEF co-operation has been child health services with the objective of reducing infant and young child mortality and morbidity and promoting child growth and development. Working closely with WHO, the main UNICEF goal is to help countries expand their primary health care system, e.g., maternal and child health services, including immunizations and control of diarrhoeal diseases; family planning aspects of family health; safe, sufficient and accessible water supply; adequate sanitation; and health and nutrition education. Where special actions against specific diseases affecting children are supported, the goal is to integrate them at an appropriate stage into general health services. UNICEF has long been co-operating in the extension of maternal and child health services mainly at the local level, through assistance to health centres and subcentres, and to the training of their personnel (and more recently through the support of primary health care services).

#### D. International Committee of the Red Cross

137. The International Committee of the Red Cross (ICRC), founded in 1864, is one of the three components of the International Red Cross, the other two being the League of Red Cross and Red Crescent Societies and the recognized National Red Cross and Red Crescent Societies as a whole.

138. An independent humanitarian institution, ICRC is the founding body of the Red Cross. As a neutral intermediary in case of armed conflicts or disturbances, it endeavours, on its own initiative or on the basis of the Geneva Conventions, to protect and assist the victims of international and civil wars and of internal troubles and tensions, thereby contributing to peace in the world.

139. The role of ICRC is, generally speaking, to serve as a neutral intermediary between parties to conflicts in order to bring protection and assistance to the victims. More specifically, this entails the following activities:

(a) To visit and interview without witness prisoners of war (art. 126 of the third Geneva Convention of 1949) and detained or interned civilians (arts. 76 and 143 of the fourth Geneva Convention);

(b) To provide aid to the populations of occupied territories (arts. 59 and 61 of the fourth Convention);

(c) To look for missing persons and transmit family messages to prisoners of war (art. 123 of the third Convention) and to civilians (art. 140 of the fourth Convention);

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(d) To offer its services in the establishment of hospital zones and localities (art. 23 of the first Convention) and security zones and localities (art. 14 of the fourth Convention);

(e) To receive requests for aid from protected persons (art. 30 of the fourth Convention);

(f) To exercise its right of initiative; this means that it may ask the parties to a conflict to agree to its discharging other humanitarian functions in the event of non-international armed conflicts (art. 3 common to the four Geneva Conventions) and international armed conflicts (art. 9 of the first, second and third Conventions, and art. 10 of the fourth Convention);

(g) To act, wherever necessary, as a substitute for the Protecting Power.

140. ICRC is a custodian of international humanitarian law, which is made up of all international legal provisions, whether of written or customary law, ensuring respect for the individual in armed conflict. Taking its inspiration from the sentiment of humanity, it postulates the principle the belligerents must not inflict harm on their adversaries out of proportion to the object of warfare, which is to destroy or weaken the military strength of the enemy.

141. International humanitarian law comprises the "law of Geneva", which aims at safeguarding military personnel hors de combat and persons who do not take part in the hostilities, and the "law of the Hague", which determines the rights and duties of belligerents in the conduct of operations and limit the choice of the means of harming an enemy.

142. ICRC places emphasis on seven fundamental rules summarizing international humanitarian law applicable in armed conflicts, and it seeks to promote, disseminate and secure respect for these rules:

- "1. Persons hors de combat and those who do not take a direct part in hostilities are entitled to respect for their lives and physical and moral integrity. They shall in all circumstances be protected and treated humanely without any adverse distinction.
- "2. It is forbidden to kill or injure an enemy who surrenders or who is hors de combat.
- "3. The wounded and sick shall be collected and cared for by the party to the conflict which has them in its power. Protection also covers medical personnel, establishments, transports and matériel. The emblem of the red cross (red crescent, red lion and sun) is the sign of such protection and must be respected.
- "4. Captured combatants and civilians under the authority of an adverse party are entitled to respect for their lives, dignity, personal rights and convictions. They shall be protected against all acts of violence and reprisals. They shall have the right to correspond with their families and to receive relief.

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- "5. Everyone shall be entitled to benefit from fundamental judicial guarantees. No one shall be held responsible for an act he has not committed. No one shall be subjected to physical or mental torture, corporal punishment or cruel or degrading treatment.
- "6. Parties to a conflict and members of their armed forces do not have an unlimited choice of methods and means of warfare. It is prohibited to employ weapons or methods of warfare of a nature to cause unnecessary losses or excessive suffering.
- "7. Parties to a conflict shall at all times distinguish between the civilian population and combatants in order to spare civilian population and property. Neither the civilian population as such nor civilian persons shall be the object of attack. Attacks shall be directed solely against military objectives." 12/

In 1984, ICRC delegates visited 60,000 persons in detention, including 40,000 prisoners of war. They made 4,650 visits to 772 places of detention.

#### E. Regional intergovernmental organizations

143. Regional intergovernmental organizations such as the Council of Europe, the Council for Mutual Economic Assistance, the League of Arab States, the Organization of African Unity and the Organization of American States also contribute to international humanitarian activities.

#### F. Non-governmental organizations

144. Non-governmental organizations in all parts of the world also make valuable contributions in direct or indirect forms, whether by generating funds or in providing and distributing goods and services. The contributions of specific groups and individuals should not be forgotten. Each time there is an international humanitarian emergency individuals and groups may be found throughout the world collecting funds, offering their services or collecting and providing materials required for humanitarian relief and assistance. The response of those groups and individuals is tangible proof that the humanitarian spirit is part of the common heritage of mankind and offers encouragement for the promotion of a new international humanitarian order.

#### G. Other bodies

145. The efforts of the Independent Commission on International Humanitarian Issues may also be noted (see paras. 5 and 6 and annex II). The purpose of the Commission is to enhance public awareness of important humanitarian issues, to promote an international climate favouring progress in the humanitarian field, to review where necessary existing instruments and mechanisms relating to humanitarian issues and to make recommendations for furtherance of solutions to humanitarian problems.

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146. The Commission is an independent body whose members participate in their personal capacity and not as representatives of Governments or international bodies to which they may belong. The work of the Commission is not intended to interfere with governmental negotiations or inter-State relations nor to duplicate work being done by existing governmental or non-governmental international bodies.

147. The Commission seeks to carry out its deliberations and reach conclusions in a purely humanitarian and non-political context. The Commission is free to determine its own programme of work and fields of study. It may invite eminent persons or recognized bodies to share the benefit of their experience with the Commission. It may, as appropriate, visit countries at their invitation or seek views of world leaders on issues under discussion. Both written and oral presentations may be made to the Commission. Their eventual use, for purposes of the Commission's report or related publications, is to be determined in close consultation with the person or persons submitting them.

148. In furthering its purposes, the Commission may direct its efforts to the following:

(a) Promotion of a new international humanitarian order in the general context of the pertinent General Assembly resolutions and related United Nations documents;

(b) Review of existing problems and solutions relating to situations of refugees and displaced persons; phenomena of mass exodus and demographic movements;

(c) Examination of various aspects of manpower movements North/South and South/South; brain drain and related issues;

(d) Identification of shortcomings in the existing body of international humanitarian law and practice relating to war and peace;

(e) Review of methods and means for promoting protection of human rights and for improving the "quality of life";

(f) Inquiry into ways and means to further strengthen, where necessary, international humanitarian institutions and their activities.

149. Finally, the efforts of the Secretary-General of the United Nations himself may be noted. Recently, for example, the Secretary-General has been instrumental in the establishment of arrangements for monitoring the implementation of international humanitarian law in specific conflict situations, in dispatching fact-finding or observer missions in such situations and in spear heading international relief activities in situations such as that of famine in Africa.



#### IV. ISSUES RAISED IN THE REPLIES OF GOVERNMENTS

##### A. Questions for discussion

150. The replies received from Governments are reproduced in an addendum to the present report. The present section sketches some of the issues that were raised for discussion in those replies.

##### 1. Issues of a general character

151. Consideration of the proposal for the promotion of a new international humanitarian order was generally welcomed and the proposal was considered to be deserving of further study and examination. The global perspective implicit in the proposal was considered useful. Indeed, it was suggested that there should be nothing short of a global mobilization on humanitarian questions.

152. The aims of the proposed new order were viewed in the light of, and were said to derive essentially from, the Charter of the United Nations. The relationship of the proposal to the objectives of the United Nations was raised for consideration. In this regard, the international order envisaged by the Charter of the United Nations was considered to be of a multi-dimensional character, including a humanitarian aspect which, it was felt, should naturally be constantly promoted and developed. The humanitarian principles contained in the Charter of the United Nations, particularly in Articles 1 and 2, were specifically invoked. They were considered thorough and all-embracing principles which, if observed and practised, would suffice to produce a healthy international community.

153. Many references were made to existing instruments and procedures in the fields of human rights and humanitarian law, which, it was repeatedly emphasized, must be the starting point as well as the basis for discussion of the proposal. The predominant question was considered to be the implementation of existing international instruments, including the achievement of their universal ratification and application.

154. It was recognized in many replies that issues of peace, development, the satisfaction of basic human needs, respect for the rights of the individual and humanitarian co-operation were interrelated and could profitably be discussed together. The complexity of some aspects was, however, underlined and the question was specifically asked whether it was expedient to consider so many highly complex issues in the light of one single concept, that is to say the proposal for a new international humanitarian order. It was also further urged that related initiatives, such as the consideration currently being given in the General Assembly and the Commission on Human Rights to the question of massive exoduses, should not be prejudiced.

155. A related question raised was whether all aspects of the proposal should be considered at the same time or whether issues could be selected for priority treatment. Among topics suggested for priority treatment were the following: a possible review of existing institutional or conventional arrangements; examination

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of those aspects of humanitarian co-operation that are not yet covered or adequately regulated by international legal instruments; study of essential problems of the human being and of the protection of vital human rights; discussion of ways and means to control and eradicate famine and malnutrition, eradicate disease and protect public health; increasing efforts to eliminate illiteracy and guarantee everyone the right to education; and enhancing the exercise and protection of civil and political rights and economic, social and cultural rights.

## 2. Possible need for further study or research

156. The need for further study or research into the proposal was raised in some replies. An extensive range of questions posed by the proposal, and the manner in which they were currently being examined, were mentioned for study. Existing instruments and institutions were referred to for specific examination. An in-depth study was recommended of present international laws and regulations in the human rights and humanitarian fields, emphasizing gaps to be filled, overlaps to be eliminated and institutions to be reinforced. A comprehensive study on the efficacy of existing international humanitarian institutions was also suggested.

157. Other topics mentioned for possible studies were the following: the relationship between the Universal Declaration of Human Rights and the 1949 Geneva Conventions, on the one hand, and the proposed new international humanitarian order, on the other; the relationship between the proposed new order and religions; and a study of the relationship between the principles of the proposed new order and the principles of the Charter of the United Nations.

## 3. Need for implementation of standards

158. In a large number of the views a broad consensus emerged on the need for urgent and priority attention to be given to the implementation of the existing international standards. Many Governments emphasized that, if these standards were implemented, much would have been done towards the realization of a new international humanitarian order.

## 4. Protection activities

159. The need for increased protection efforts was emphasized, especially since it was felt that the bodies authorized to act by the international community often faced serious difficulties in fulfilling their mandates. Among the questions raised for discussion was how further humanitarian protection could be provided through the activities of international organizations, the support of all States and the meticulous follow-up and monitoring of possible sources of threat.

#### 5. Assistance activities

160. The need for heightened humanitarian assistance was emphasized. A question raised for consideration was how greater assistance could be provided to Governments seeking to implement international standards on human rights and humanitarian law.

#### 6. Early-warning systems

161. The potential of early-warning systems in monitoring and following up areas of tensions in the world was raised for examination. The need was underlined for the speedy and early handling of crises, before they came to a head.

#### 7. Institutional questions

162. It was suggested that in discussing the proposal for the promotion of a new international humanitarian order attention be given to how the existing complex of humanitarian institutions could be made to function better. In this regard, it was felt that consideration of such an order could stimulate the process of streamlining, updating and improving the relevant institutional mechanisms. However, it was cautioned, it would be important to ensure that nothing was done to impair the effectiveness of existing institutions.

#### 8. Co-ordination

163. The question of co-ordination was raised in many replies. It was felt that consideration of the proposal for the promotion for a new international humanitarian order should keep very much in mind how the efforts of existing humanitarian institutions can be better co-ordinated.

#### 9. Diplomatic efforts, good offices, conciliation and mediation

164. It was suggested that consideration be given to how such activities could be further developed and used as important tools for realizing humanitarian objectives.

#### 10. Education, training and the dissemination of information

165. Education, training, and the dissemination of information were considered essential factors for the success of the proposed new order. The need for bringing into being a humanitarian mind-set conscious of the need to respect humanitarian values was cited. Lack of awareness of legal standards was considered to be often at the heart of the difficulties which arose in the application of standards and a sustained effort for the dissemination of those standards was considered indispensable. Training of persons concerned with the observance of standards was also urged.

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# 11. Further standard-setting

166. It was urged that should further standard-setting be undertaken, principles common to all States should be elaborated in such a manner as to respond to the pressing needs of the international community. According to one set of views, the preparation of appropriate international legal instruments might facilitate the extension and diversification of human rights co-operation between States. In this regard, it was mentioned that it might be appropriate to express the humanitarian ideal in a written code of conduct which could affirm, crystallize and guide the evolution of customary international law from the practice of States. Such a code might, in this view, consist of a universal declaration accompanied by corresponding covenants.

167. In another set of views, attention was drawn to the impressive body of norms and principles already formulated in the field of human rights and on humanitarian and social questions. It was felt that while there was room for further improvement of the body of standards and the work in progress in that regard should be vigorously pursued, universal acceptance of and respect for the norms and principles laid down in the various existing international and regional instruments would already meet most of the objectives outlined in the proposal for the promotion of a new international humanitarian order. Emphasis was, therefore, urged for ways and means of increasing the effectiveness of implementation mechanisms.

168. It was felt that any comprehensive code to guide States in the conduct of their affairs should incorporate rather than replace what had already been achieved in those instruments. Similarly, the intention should be to assist existing relief efforts of the United Nations and humanitarian organizations, such as ICRC. Thus, any improvements to existing arrangements suggested should not compromise either the efficacy or the independence of existing agencies.

169. The view was further expressed that the traditional field of humanitarian law did not currently appear to be a promising area for work on either the suggested universal declaration or new enforcement mechanism. The Diplomatic Conference on the Reaffirmation and Development of International Law Applicable in Armed Conflicts had been the culmination of efforts spanning several years. The results of that Conference were still relatively fresh, and represented substantial recent progress in the field of international humanitarian law. Nevertheless, it was added, further examination might well reveal areas, for example, relating to the problem of refugees, where establishment of additional principles would help. The area of disaster relief might also benefit from formulation of internationally recognized standards and additional mechanisms, considering the degree of international co-ordination needed to help the victims of natural disasters.

## B. Relevant information

170. As some replies suggested that, as a prerequisite to further consideration of the proposal in general or of possible additional standards in particular, the General Assembly should be provided with information on the existing standards and,

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where applicable, their state of ratifications or accessions, some basic information is provided below on the principle international instruments that appear relevant to the subject under consideration. The International Covenant on Economic, Social and Cultural Rights now has the following 84 States parties: Afghanistan, Australia, Austria, Barbados, Belgium, Bolivia, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Mauritius, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saint Vincent and the Grenadines, Senegal, Solomon Islands, Spain, Sri Lanka, Suriname, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire and Zambia.

171. The International Covenant on Civil and Political Rights now has the following 80 States parties: Afghanistan, Australia, Austria, Barbados, Belgium, Bolivia, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Guinea, Guyana, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Mauritius, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Poland, Portugal, Romania, Rwanda, Saint Vincent and the Grenadines, Senegal, Spain, Sri Lanka, Suriname, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire and Zambia.

172. The Optional Protocol to the International Covenant on Civil and Political Rights has the following 35 States parties: Barbados, Bolivia, Cameroon, Canada, Central African Republic, Colombia, Congo, Costa Rica, Denmark, Dominican Republic, Ecuador, Finland, France, Iceland, Italy, Jamaica, Luxembourg, Madagascar, Mauritius, Netherlands, Nicaragua, Norway, Panama, Peru, Portugal, Saint Vincent and the Grenadines, Senegal, Spain, Suriname, Sweden, Trinidad and Tobago, Uruguay, Venezuela, Zaire and Zambia.

173. The Geneva Conventions of 12 August 1949 have been ratified by or adhered to by 161 States parties, leaving only eight States Member of the United Nations and two non-member States that have not yet become States parties.

174. The Protocols Additional to the Geneva Conventions have the following States parties:

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Protocol I

Angola, Austria, Bahamas, Bangladesh, Belize, Bolivia, Botswana, Cameroon, Central African Republic, China, Congo, Costa Rica, Cuba, Cyprus, Denmark, Ecuador, El Salvador, Finland, France, Gabon, Ghana, Guinea, Jordan, Korea, Republic of, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mauritania, Mauritius, Mexico, Mozambique, Namibia, Niger, Norway, Oman, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Seychelles, Sweden, Switzerland, Syrian Arab Republic, Togo, Tunisia, United Arab Emirates, United Republic of Tanzania, Vanuatu, Viet Nam, Yugoslavia and Zaire.

Protocol II

Austria, Bahamas, Bangladesh, Belize, Bolivia, Botswana, Cameroon, Central African Republic, China, Congo, Costa Rica, Denmark, Ecuador, El Salvador, Finland, France, Gabon, Ghana, Guinea, Jordan, Korea, Republic of, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mauritania, Mauritius, Namibia, Niger, Norway, Oman, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Senegal, Sweden, Switzerland, Togo, Tunisia, United Arab Emirates, United Republic of Tanzania, Vanuatu and Yugoslavia.

175. The following are States parties to the 1951 Convention relating to the Status of Refugees and/or the 1967 Protocol as at 1 February 1985:

States party to the 1951 Convention and to the 1967 Protocol .....	92
States party to the 1951 Convention only (marked "C") .....	3
States party to the 1967 Protocol only (marked "P") .....	2
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Total	97
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## I. AFRICA

Algeria	Ghana	Senegal
Angola	Guinea	Seychelles
Benin	Guinea-Bissau	Sierra Leone
Botswana	Ivory Coast	Somalia
Burkina Faso	Kenya	Sudan
Burundi	Lesotho	Swaziland (P)
Cameroon	Liberia	Togo
Central African Republic	Madagascar (C)	Tunisia
Chad	Mali	Uganda
Congo	Morocco	United Republic of Tanzania
Djibouti	Mozambique (C)	Zaire
Egypt	Niger	Zambia
Ethiopia	Nigeria	Zimbabwe
Gabon	Rwanda	
Gambia	Sao Tome and Principe	

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## II. AMERICA

A. Central and South America

Argentina	Dominican Republic	Nicaragua
Bolivia	Ecuador	Panama
Brazil	El Salvador	Paraguay
Chile	Guatemala	Peru
Colombia	Haiti	Suriname
Costa Rica	Jamaica	Uruguay

B. North America

Canada	United States of America (P)
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## III. ASIA

China	Israel	Philippines
Iran (Islamic Republic of)	Japan	Yemen

## IV. EUROPE

Austria	Iceland	Portugal
Belgium	Ireland	Spain
Cyprus	Italy	Sweden
Denmark	Liechtenstein	Switzerland
Finland	Luxembourg	Turkey
France	Malta	United Kingdom of
Germany, Federal Republic of	Monaco (C)	Great Britain
Greece	Netherlands	and Northern Ireland
Holy See	Norway	Yugoslavia

## V. OCEANIA

Australia	Fiji	New Zealand
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176. Taking the number of States which are Members of the United Nations (159), it can thus be seen that the above-mentioned instruments are still lacking ratification or accessions by a considerable number of States, as follows:

International Covenant on Civil and Political Rights: 79 States

International Covenant on Economic, Social and Cultural Rights: 76 States

Geneva Conventions: 8 States

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Additional Protocol I: 108 States, Protocol II: 144 States

Refugee Conventions and Protocol: 62 States

A major effort thus remains to be made to achieve universal ratification of these fundamental conventions.

177. Reference might also be made at this stage to norms relevant to this subject which are currently under preparation. In the human rights area the following instruments are under preparation presently: a convention on the human rights of migrant workers; a convention on the rights of the child; a declaration on the rights of minorities; a declaration on the rights of non-citizens; a declaration on the rights of detained or imprisoned persons; an instrument on the human rights of indigenous populations; an instrument on the protection of persons detained in mental health institutions; and an instrument on the rights and responsibilities of those who seek to defend human rights.

178. The International Committee of the Red Cross has also announced that work is being done to develop humanitarian rules governing: (a) maritime warfare; (b) neutrality; (c) lawful methods and means of combat; (d) medical transport; and (e) the improvement of identification and signalling techniques. ICRC has also decided to prepare a declaration which would apply to situations of internal disturbances or tensions, drawing on human rights as well as on humanitarian law.

#### V. CONCLUDING OBSERVATIONS

179. In the contemporary world, a broad range of acute humanitarian issues has engaged the attention of the international community and will continue to deserve urgent attention for the foreseeable future. In this the year of the fortieth anniversary of the United Nations, serious stocktaking appears to be required on the part of all concerned, for it would be no exaggeration to say that the picture of the world mirrored by these continuing crises is traumatic.

180. The issues vary in nature and scope, and, in particular, the following were identified as acute humanitarian problems that require attention and that lend themselves to solutions within the scope of humanitarian organizations: hunger and starvation, health and environmental conditions, massive unemployment, massive illiteracy, the situation of women and children, genocide, arbitrary and summary executions, torture, enforced or involuntary disappearances, slavery and slavery-like practices, armed conflicts, weapons that cause unnecessary human suffering, situations of gross violations of human rights, disrespect for basic standards in the areas of human rights, humanitarian law, refugees and disaster relief, mass exoduses and displacements, migrant workers and non-citizens, natural and man-made disasters, population questions, vulnerable groups whose survival is threatened, racial and religious intolerance, the drug problem and regions or countries in need of special humanitarian assistance.

181. The principle of humanity is a long standing and entrenched principle of international law, and the International Court of Justice has reaffirmed that

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elementary considerations of humanity must guide the conduct of all Governments, as indeed of all organs of society. The term "humanitarian" is employed in various ways in contemporary parlance: sometimes it is used to describe a specific body of law such as the "law of The Hague", created around the turn of the century to ameliorate the conditions prevailing in armed conflicts, or the "law of Geneva", developed since 1864 under the aegis of ICRC, notably the Geneva Conventions of 1949 and the Protocols Additional of 1977. At times it is used to denote a particular approach to problems, that is to say an approach that emphasizes protection and assistance to the individual as opposed to politically influenced considerations. At other times the term is used in a broad, generic sense and gives expression to a widely shared sentiment: anything that can be done to relieve human suffering and to help in the realization of human needs should be done.

182. A conceptual understanding of the humanitarian dimensions of the prevailing international order would probably need to encompass all of those aspects and to include the normative framework that has been established by the international community to determine minimum standards of humane treatment and of human solidarity. The internationally established norms on human rights, particularly the Universal Declaration of Human Rights and the International Covenants, together with the conventions on the rights of refugees and the Geneva Conventions of 1949 and the Protocols Additional thereto form the backbone of this normative structure.

183. The initial proposal of the Government of Jordan for the promotion of a new international humanitarian order presented, in its essence, an approach characterized by the following main elements: an attempt to visualize global humanitarian issues in their totality and, possibly, to devise comprehensive, integrated strategies for dealing with those issues; a plea for the humanitarian ideal to inform and exercise a certain control over the international and internal conduct of States; the identification of urgent, acute problems; and the advancing of specific proposals, such as that for a universal declaration formulating certain fundamental humanitarian principles.

184. Thus far, the proposal has had a beneficial impact inasmuch as it has encouraged a comprehensive re-assessment of international humanitarian issues and stimulated a re-examination of the problems and issues to be addressed. The establishment of the Independent Commission on International Humanitarian Issues must also be counted among the positive results of the process that was initiated by the proposal.

185. The comments of Governments and of international organizations that have been discussed in the present report or that have been expressed in other forums, including the Independent Commission, yield a picture that may summarily be described as follows: in practical terms, humanitarian emergencies arise in situations of natural or man-made disaster, armed conflicts, internal disturbances and refugee outflows. Substantial normative instruments exist in each of these areas. Obviously, as normative systems are not static, certain issues require further standards. The adaptation of the normative system to changing conditions is therefore a continuing task for the community of nations. Further there exists an institutional framework to deal with each of the main areas referred to above. The achievements of dedicated institutions such as UNDRO, UNHCR and ICRC are a matter of historic record.

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186. While the essential normative and institutional frameworks exist, the main problem that occurs in practice is the failure to implement existing norms, which may stem either from unawareness of their existence, deliberate disregard of their provisions, non-adherence to certain parts of the normative system through the non-ratification of treaties, or lack of education, training and dissemination of information. In this area the work remaining is indeed formidable.

187. In the light of the above-mentioned realities, a basic issue presents itself for consideration during examination of the proposal for the establishment of a new international humanitarian order: whether emphasis is to be given to a broad, future-based approach, or whether emphasis is to be given to those concrete, practical problems that need to be addressed and resolved. Certainly the two approaches are not mutually exclusive. Rather, the issue is one of emphasis. The deliberations that have taken place on this topic in the United Nations, the views presented by Governments and international organizations, and the discussion that will take place at the fortieth session of the General Assembly will assist the national and international decision-makers to see the issues in a broad context and in a long-term perspective.

188. Whatever the approach to be adopted by the General Assembly, certain elements deserve priority, among them:

(a) Immediate emphasis should be given to current humanitarian emergencies. The resolution of such problems is imperative in order to lessen human suffering and prevent its recurrence in the future;

(b) The most fundamental problem to be addressed is the lack of compliance with internationally recognized standards. The key issues are implementation and protection. If the existing norms were applied faithfully by all concerned, humanitarian crises would arise far less often. The means of promoting implementation of international norms is, thus, the priority issue;

(c) Related to the question of implementation is that of ensuring that the relevant treaties are universally ratified as soon as possible. The General Assembly may wish to consider how this goal could be attained;

(d) Also related to the question of implementation are the issues of education, training and the dissemination of information on the international standards. The resources available for such activities by the United Nations have been rather limited and a new action programme would seem to be needed in this area. The problem is a simple one: if the norms are not universally known, the chances of their implementation are correspondingly reduced;

(e) In future standard-setting, priority should be given to current pressing problems. ICRC is already addressing the need for standards in situations of internal strife. Within the framework of refugee organizations, consideration has begun on the normative implications of the evolution of the concept of a refugee and of problems such as refoulement or refusal to grant asylum. The recently adopted Cartagena consensus (A/39/331-E/1984/126, annex) contains some interesting ideas in this area. The question of massive displacement of people is also being considered by the Inter-American Commission on Human Rights. In the area of human rights, nearly a dozen new instruments are presently under preparation;

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(f) In the light of the considerations stated above, the idea for the preparation of a universal declaration of fundamental humanitarian principles might be considered from the point of view of its timeliness, urgency and possibly, whether the objectives sought would actually require a new declaration or could be achieved by other means. Since an extensive body of international norms already exists and since the need has been identified for their ratification, implementation and dissemination, it might be asked whether a distillation of universal humanitarian principles might not be appropriately the subject of a publication to be disseminated widely. Such a publication could draw on the fundamental principles of existing instruments and be accompanied by the text of the basic instruments.

189. The preparation of a universal declaration would perforce draw upon the existing instruments, and it is open to discussion whether principles could be drawn up in a new declaration that would extend much further than those existing presently. On the one hand, an attempt to "re-negotiate" existing principles could lead to weakening them. The idea of a universal declaration of fundamental humanitarian principles would thus seem to be basically a project of codification which has attendant risks. On the other hand, an incremental approach involving the addition of standards dealing with pressing new problems might avoid such risks. The tasks of consolidation, systematization, codification and progressive development, which undoubtedly are important, might, for the time being, be left to be resolved through evolving practice and to the endeavours of scholars. As the distinguished co-chairman of the Independent Commission on International Humanitarian Issues, Prince Sadruddin Aga Khan, has aptly put it: "Implementation is the issue, not law. The political and moral will of Governments is the key factor. Certainly the international disaster relief systems must be improved, but what will ultimately be acceptable to Governments is not yet clear. In fact, the institutional and juridical factors already exist and can be the instruments for the advancement of humanitarian achievements." 13/

#### Notes

1/ See, for example, "Study on the New International Economic Order and the Promotion of Human Rights" by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities; report of the Seminar on the Relations that Exist between Human Rights, Peace and Development, United Nations Headquarters, New York, 3-14 August 1981 (ST:HR/SER.A/10); and report of the Secretary-General on the international dimensions of the right to development as a human right in relation with other human rights based on international co-operation, including the right to peace, taking into account the requirements of the new international economic order and the fundamental human needs (E/CN.4/1334).

2/ See United Nations Action in the Field of Human Rights (United Nations publication, Sales No. E.83.XIV.2), chap. XI ("Measures to protect human rights in armed conflicts").

3/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

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Notes (continued)

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

5/ League of Nations, Treaty Series, vol. XCIV (1929), No. 2136.

6/ See Final Act of the International Conference on Human Rights, Teheran, 22 April to 13 May 1968 (United Nations publication, Sales No. E.68.XIV.2).

7/ See United Nations Action ..., chap. XI.

8/ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 6 (A/38/6 and Corr.1).

9/ With the exception of Palestine refugees receiving assistance from the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). UNRWA was established in 1949 and provides essential services for Palestine refugees living in Jordan, Lebanon, the Syrian Arab Republic and the Gaza Strip. UNHCR, however, extends the same international protection functions to the Palestine refugees living outside the area of operations of UNRWA as it does for any other refugees.

10/ United Nations, Treaty Series, vol. 189, No. 2545, p. 137.

11/ Ibid., vol. 606, No. 8791, p. 267.

12/ See "Fundamental Rules of International Humanitarian Law Applicable in Armed Conflicts", International Committee of the Red Cross, League of Red Cross Societies, Geneva, 1979.

13/ Foreword to P. Macalister-Smith, International Humanitarian Assistance (Geneva, Henri Dunant Institute, and The Hague, Martinus Nijhoff, 1985), p. xi.

## ANNEX I

Questionnaire

1. General comments or observations on the proposal for the establishment of a new international humanitarian order (see document A/36/245).
2. The relationship between the humanitarian elements in the Charter of the United Nations and the proposal for the establishment of a new international humanitarian order.
3. Comments or observations on the existing humanitarian network consisting of the efforts of Governments, international organizations, non-governmental organizations, groups and individuals.
4. How should existing humanitarian activities be viewed in relation to, or integrated within, efforts for the establishment of a new international humanitarian order?
5. Comments or observations on the most urgent humanitarian needs to be addressed currently: comments might refer specifically to the following headings:
  - (a) Standard-setting;
  - (b) Implementation of standards;
  - (c) Protection;
  - (d) Assistance to Governments;
  - (e) Institutional aspects;
  - (f) Co-ordination;
  - (g) Early-warning;
  - (h) Crisis preparedness;
  - (i) Humanitarian actions, including diplomatic efforts and good offices;
  - (j) Education, training and dissemination of information;
  - (k) Urgent humanitarian problems requiring attention.
6. How could higher priority be obtained for humanitarian causes and for a humanitarian approach to issues at the international, regional and national levels?

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## ANNEX II

### Information note on the Independent Commission on International Humanitarian Issues a/

The establishment of an Independent Commission on International Humanitarian Issues is the response of a group of eminent persons from all parts of the world to the deeply felt need to enhance public awareness of important humanitarian issues and to promote an international climate favouring progress in the humanitarian field.

The work of the Commission is intended to be a part of the continuing search of the world community for a more adequate international framework to uphold human dignity and rise to the challenge of colossal humanitarian problems arising with increasing frequency in all continents.

In 1981, the United Nations General Assembly adopted by consensus a resolution relating to a "new international humanitarian order" in which it recognized: "the importance of further improving a comprehensive international framework which takes fully into account existing instruments relating to humanitarian questions as well as the need for addressing those aspects which are not yet adequately covered". In doing so, the Assembly bore in mind that "institutional arrangements and actions of governmental and non-governmental bodies might need to be further strengthened to respond effectively in situations requiring humanitarian action".

The following year, the General Assembly adopted by consensus a further resolution relating to the international humanitarian order noting "the proposal for establishment, outside the United Nations framework, of an 'Independent Commission on International Humanitarian Issues' composed of leading personalities in the humanitarian field or having wide experience of government or world affairs".

The Independent Commission on International Humanitarian Issues was inaugurated in July 1983 and held its first plenary meeting in New York in November 1983. A few days later, the United Nations General Assembly adopted another resolution in which it noted the establishment of the Commission and requested the Secretary-General to remain in contact with Governments as well as with the Independent Commission in order to provide a comprehensive report on the humanitarian order to the Assembly in 1985. The Commission expects to hold its last plenary meeting by November 1986.

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a/ Text taken from Famine: A Man-Made Disaster? A report for the Independent Commission on International Humanitarian Issues (London and Sydney, Pan Books, 1985), appendix 2.

### Composition of the Commission

The Commission is an independent body whose members participate in their personal capacity and not as representatives of Governments or international bodies to which they may belong. Its work is not intended to interfere with governmental negotiations or inter-State relations nor to duplicate work being done by existing governmental or non-governmental international bodies.

In its deliberations, the Commission seeks to benefit from the advice of Governments, existing international governmental and non-governmental bodies and leading experts. Its composition, which is intended to remain limited, is based on equitable geographical distribution. At present, the Commission has 26 members. Details are provided below. Its life span is three years and its final report will be issued in 1986.

### Programme of work

During its limited life span of three years, 1983-1986, the Commission will deal with a wide range of subjects relating to humanitarian issues of relevance to contemporary society. Its conclusions and recommendations will be based largely on in-depth studies of selected subjects carried out with the help of recognized experts and national or international bodies, chosen from all parts of the world for their specialized knowledge or experience. In addition to direct input by experts in the form of policy-orientated research papers, the Commission also sponsors panel discussions or brainstorming sessions. Similarly, close contact is maintained with agencies dealing with subjects of interest to the Commission in order to avoid duplication of efforts and strengthen the Commission's role of complementarity to the ongoing efforts and its catalytic role for innovative purposes. Heads of these agencies, or their representatives, are invited to testify at the Commission's plenary sessions.

The in-depth studies and expert advice received by the Commission will also help in the preparation of sectoral statements, to be made public occasionally in order to encourage follow-up action which may be initiated within the lifespan of the Commission. These sectoral reports will be addressed, in the first place, to policy-makers within Governments, regional bodies as well as intergovernmental and private voluntary agencies. The overall effort of the Commission will thus be a pyramid-like process culminating in the final report at the end of 1986.

The main areas selected by the Independent Commission for study are:

- (i) Humanitarian norms in the context of armed conflicts.
- (ii) Natural and man-made disasters.
- (iii) Vulnerable groups requiring special care and protection such as refugees and displaced persons, stateless persons, children and youth, indigenous populations, etc.

Members of the Commission

Sadruddin AGA KHAN (Iran) - Special Consultant to the Secretary-General of the United Nations since 1978. Former United Nations High Commissioner for Refugees (1965-1977).

Susanna AGNELLI (Italy) - Under-Secretary of State for Foreign Affairs since 1982. Member of Italian Parliament since 1976 and of the European Parliament from 1979-1981.

Talal Bin Abdul Aziz AL SAUD (Saudi Arabia) - President of the Arab Gulf Programme for the United Nations Development Organizations (AGFUND). Former Minister of Communications and of Finance and National Economy.

Paulo Evaristo ARNS (Brazil) - Cardinal Archbishop of Sao Paulo. Chancellor of the Pontifical Catholic University in the State of Sao Paulo.

Mohammed BEDJAOUI (Algeria) - Judge at the International Court of Justice in The Hague since 1982. Former Minister of Justice. Algeria's Ambassador to France, UNESCO and the United Nations in New York.

Henrik BEER (Sweden) - Former Secretary-General of the League of Red Cross Societies (1960-1982). Former Secretary-General of the Swedish Red Cross.

Luis ECHEVERRIA ALVAREZ (Mexico) - Former President of Mexico (1970-1975). Mexican Ambassador to Australia and New Zealand. Delegate of Mexico to UNESCO.

Pierre GRABER (Switzerland) - Former President of the Confederation and former Foreign Minister and President of the Diplomatic Conference on Humanitarian Law.

Ivan HEAD (Canada) - President of the International Development Research Centre, Canada. Served as Special Assistant to the Prime Minister (1968-1978).

M. HIDAYATULLAH (India) - Former Vice-President of India, former Chief Justice of the Supreme Court.

Aziza SOUKRY HUSSEIN (Egypt) - President of the International Planned Parenthood Federation.

Manfred LACHS (Poland) - Judge of the International Court of Justice, The Hague. Served as its President (1973-1976). Professor of political science.

Robert S. McNAMARA (United States) - Former Defense Secretary (1961-1968). Former President of the World Bank (1968-1980).

Lazar MOJSOV (Yugoslavia) - Member of the Presidency of the Socialist Federal Republic of Yugoslavia, former Federal Secretary for Foreign Affairs, President of the United Nations General Assembly (thirty-second session).

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Mohamed MZALI (Tunisia) - Prime Minister. Formerly Minister of National Defence, Education, Youth and Sports and Health.

Sadako OGATA (Japan) - Diplomat, Professor, Institute of International Relations for Advanced Studies on Peace and Development in Asia.

David OWEN (United Kingdom) - Member of Parliament since 1966, leader of the Social Democratic Party. Former Foreign Secretary, former Minister of State for Health and Social Security.

Willibald PAHR (Austria) - Ambassador, Foreign Minister (until 1983).

Shridath SURENDRANATH RAMPHAL (Guyana) - Secretary-General of the Commonwealth. Former Attorney-General, Foreign and Justice Minister.

Salim AHMED SALIM (Tanzania) - Prime Minister. Former Foreign Minister; President of the United Nations General Assembly (thirty-fourth session).

Leopold SEDAR SENGHOR (Senegal) - Former President of the Republic. Member of the French Academy. Poet and philosopher.

SOEDJATMOKO (Indonesia) - Rector of the United Nations University, Tokyo. Former Ambassador.

Hassan BIN TALAL (Jordan) - Crown Prince of the Hashemite Kingdom of Jordan. Founder of the Royal Scientific Society of Jordan and the Arab Thought Forum.

Simone VEIL (France) - Member and former President of the European Parliament. Former Minister of Health and Family Affairs.

Gough WHITLAM (Australia) - Ambassador to UNESCO. Former Prime Minister and Minister for Foreign Affairs.

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