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Agenda item 122

### STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED CONFLICTS

#### Report of the Sixth Committee

Rapporteur: Mr. José María CASTROVIEJO (Spain)

#### I. INTRODUCTION

1. The item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts: report of the Secretary-General" was included in the provisional agenda of the forty-first session of the General Assembly, pursuant to paragraph 4 of Assembly resolution 39/77 of 13 December 1984.
2. On the recommendation of the General Committee, the General Assembly decided, at its 3rd plenary meeting, on 20 September 1986, to include the item in its agenda and to allocate it to the Sixth Committee.
3. The Sixth Committee had before it the report submitted by the Secretary-General (A/41/535) pursuant to paragraph 3 of General Assembly resolution 39/77.
4. The Sixth Committee considered the item at its 46th and 50th meetings, on 17 and 21 November 1986. The summary records of those meetings (A/C.6/41/SR.46 and 50) contain the views of representatives who spoke during the consideration of the item.

#### II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/41/L.10

5. At the 46th meeting, on 17 November, the representative of Sweden introduced a draft resolution (A/C.6/41/L.10) sponsored by Denmark, Finland, Iceland, Norway and Sweden, later joined by Colombia.

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6. At the 50th meeting, on 21 November, the Committee adopted draft resolution A/C.6/41/L.10 without a vote (see para. 8).

7. Statements in explanation of position were made by the representatives of Israel, Mexico and the United States of America.

### III. RECOMMENDATION OF THE SIXTH COMMITTEE

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

Status of the Protocols Additional to the Geneva Conventions of 1949  
and relating to the Protection of Victims of Armed Conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982 and 39/77 of 13 December 1984,

Having considered the report of the Secretary-General 1/ on the status of the Protocols Additional 2/ to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments pending the earliest possible termination of such conflicts,

Mindful of the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

Particularly mindful of the need to protect the civilian population, especially women and children, against the effects of hostilities and of the role of the International Committee of the Red Cross, the national Red Cross and Red Crescent societies and civil defence organizations in this respect,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and to disseminate knowledge of the two additional Protocols,

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1/ A/41/535.

2/ A/32/144, annexes I and II.

1. Appreciates the virtually universal acceptance of the Geneva Conventions of 1949; 3/
2. Notes, however, the fact that so far a more limited number of States have become parties to the two additional Protocols;
3. Appeals to all States parties to the Geneva Conventions of 1949 to consider becoming parties also to the additional Protocols at the earliest possible date;
4. Calls upon all States becoming parties to Protocol I to consider making the declaration provided for under article 90 of that Protocol;
5. Requests the Secretary-General to submit to the General Assembly at its forty-third session a report on the status of the Protocols based on information received from Member States;
6. Decides to include in the provisional agenda of its forty-third session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts: report of the Secretary-General".

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