

to adopt the Swedish proposal, taking into account the statements which had been made.

The Swedish proposal was adopted.

At the invitation of the Chairman, Mr. Pictet (Observer for Switzerland) took a place at the Committee table.

75. Mr. PICTET (Observer for Switzerland) expressed appreciation to the Chairman and the Committee for

the decision to invite him to participate in the Committee's work on the item under consideration. He was most grateful to the Swedish representative for his proposal and to the representatives who had supported it.

The meeting rose at 6.05 p.m.

1448th meeting

Tuesday, 27 November 1973, at 3.20 p.m.

Chairman: Mr. Sergio GONZÁLEZ GÁLVEZ (Mexico).

A/C.6/SR.1448

AGENDA ITEM 93

United Nations Conference on Prescription (Limitation) in the International Sale of Goods (*concluded*) (A/C.6/L.900, A/C.6/L.959/Rev.1, A/C.6/L.963)

1. Mr. FEDOROV (Union of Soviet Socialist Republics) introduced document A/C.6/L.963 containing his delegation's amendment to draft resolution A/C.6/L.959/Rev.1.

2. The amendment, largely self-explanatory, was the result of consultations and reflected the wishes of many delegations—even of a majority of the Committee—with regard to the need to use a formula providing for universal participation in the proposed Conference as opposed to the formula in operative subparagraph (c) of draft resolution A/C.6/L.959/Rev.1. The consultations undertaken by his delegation had shown that, on the whole, the sponsors of that draft resolution agreed in principle as to the desirability of universality. He did not wish to anticipate the comments of the Chairman of the Drafting Committee established for agenda item 90 but it had been acknowledged without objection in discussions in that body earlier in the day that there was a need to include in the convention on the protection of diplomatic agents a similar "all States" formula. That was a rather important event which should be taken into account. The basic obstacle to the "all States" formula had been doubts as to its advisability on the part of the Legal Counsel. The latter had been present at the Drafting Committee's latest meeting and had apparently agreed to the inclusion of the formula in the convention on the protection of diplomatic agents. That being so, his delegation appealed to the Committee to endorse the formula proposed in document A/C.6/L.963 as operative paragraph 2. In that connexion, he pointed out that that formula had already been embodied in the Conventions of Montreal and The Hague¹ and in the International Convention on the Suppression and Punishment of the Crime of *Apartheid* adopted by the Third Committee during the current session.² As the formula was also to be introduced in the convention on the protection of diplomatic agents, which was

considered under agenda item 90, it would be quite incomprehensible if, in the context of the Conference on prescription (limitation), there was a sudden reversion to the notorious "Vienna" formula, which would deprive a number of States of the opportunity to participate. As the Conference concerned such a particularly significant area of international relations he hoped that no member of the Committee had any doubts as to the importance of the principle of universality.

3. He pointed out that the operative part of draft resolution A/C.6/L.959/Rev.1 began with an unusual formula involving a request to the Secretary-General. He had examined as many resolutions adopted on similar issues as time allowed and found nothing resembling the formula in question. It was for the General Assembly, not the Secretary-General, to convene the Conference—hence operative paragraph 1 in the USSR amendment, whereby the Assembly would take the decision as the chief organ of the United Nations. That was a long-established practice; all questions relating to the essential features of the Conference should normally be decided by the Assembly. In the operative paragraph 5 proposed in the USSR amendment the Secretary-General was requested to provide summary records and all relevant documentation and to arrange for adequate facilities. That was precisely his normal role. Operative subparagraph (g) of draft resolution A/C.6/L.959/Rev.1 requested the Secretary-General to report on the results of the Conference but it was not clear how that was to be done. For the sake of accuracy, therefore, his delegation proposed that the relevant item should be included in the provisional agenda of the Assembly's next session. The same subparagraph (g) did not provide for the eventuality that the Conference might fail to adopt a convention but if, as his delegation proposed, the item was included in the provisional agenda of the next session the Sixth Committee would be able to decide whether to create an opportunity for work on the instrument to be completed.

4. Members of the Committee would surely agree that the USSR proposals involved no major amendments but were designed simply to ensure that past practice was followed. With regard to any question which might arise as to interpretation of paragraph 2

¹ See International Civil Aviation Organization, documents 8966 and 8920, respectively.

² Subsequently adopted by the General Assembly as resolution 3068 (XXVIII).

of the USSR amendment, he felt that it would be well to follow the procedure adopted in the Drafting Committee earlier in the day which had reached a generally acceptable understanding on an identical question.

5. Mr. ROSENSTOCK (United States of America) agreed that the question of invitations to international conferences was not new and had arisen a few weeks previously when the First Committee had decided to recommend to the General Assembly that it convene the Third United Nations Conference on the Law of the Sea. On that occasion a viable arrangement had been adopted without objection in the First Committee in the 26-Power draft which was later adopted by the General Assembly as resolution 3067 (XXVIII). He questioned the usefulness of reopening issues which had already been resolved in the General Assembly. Invitations to conferences were different from accession formulas in conventions. With an accession formula, the worst that could happen was confusion, but such confusion in invitations to a conference would mean that the conference could not even begin. The Conventions of Montreal and The Hague were of only limited relevance to the current issue. Moreover, the triple depositary formula had been used in those Conventions because of the difficulties raised by the "all States" formula. He therefore hoped that the Committee would not spend any more time on an issue which had already been settled in the General Assembly by the adoption, with regard to invitations to a legal conference, of a text containing the formula employed in operative subparagraph (c) of draft resolution A/C.6/L.959/Rev.1.

6. Mr. SAM (Ghana) said that the Committee had to decide whether it would adopt draft resolution A/C.6/L.959/Rev.1 or the text set forth in document A/C.6/L.963. The latter repeated the former in different words. The only substantive difference was in paragraph 2 of document A/C.6/L.963. As he had stated at the 1426th meeting, referring to the draft resolution on the international conference of plenipotentiaries on the representation of States in their relations with international organizations, his country had always supported the principle of universality. However, it did not follow forms blindly. His delegation reserved its position concerning the content of the term "all States". The USSR representative had said that, if draft resolution A/C.6/L.959/Rev.1 was adopted as it stood, some States would be left out of the Conference. Like the representative of Thailand in the discussion of the item he agreed that the meaning of the term "all States" was unclear. Moreover, he did not see why the formula adopted in the case of the draft convention on the protection of diplomatic agents and other internationally protected persons should be imported wholesale on the current occasion. When the First Committee had been debating a similar subject, it had been realized that the "all States" formula might lead to polemics; accordingly, the First Committee had recommended to the General Assembly a formula similar to that used in operative subparagraph (c) of draft resolution A/C.6/L.959/Rev.1.

7. When the sponsors of draft resolution A/C.6/L.959/Rev.1 had consulted with the representatives of the Union of Soviet Socialist Republics and the German Democratic Republic, they had asked what States

would be left out of the Conference if the wording of that paragraph was retained. He recalled that the only answer had been that the Republic of South Viet-Nam would be left out. Accordingly, he had suggested that the names of the Republic of South Viet-Nam and the Republic of Guinea-Bissau should be inserted in subparagraph (c). Since the Republic of Guinea-Bissau had recently become a member of a specialized agency, its invitation would be automatic. The sponsors were prepared to include the name of the Republic of South Viet-Nam.

8. The Committee should avoid polemics and proceed with its work. Every State had an opportunity in plenary session of the General Assembly to state what it considered to be in its sovereign interest. Without prejudice to the position of any other State, his delegation would continue to support draft resolution A/C.6/L.959/Rev.1 and would therefore vote against the USSR amendment (A/C.6/L.963).

9. Mr. FEDOROV (Union of Soviet Socialist Republics) said that the Soviet delegation and that of Ghana were very close to a compromise on the point at issue. He could see the viewpoints of all delegations. He welcomed the fact that the Ghanaian representative had confirmed that he was in favour of universality. He appealed to that representative to agree to try to merge in a single paragraph what would seem to be the desire of a number of delegations. In paragraph 2 of document A/C.6/L.963 the words "all States" might be retained and there might be included in the Committee's report to the General Assembly a statement of the understanding that the words "all States" meant all the States referred to in General Assembly resolution 3067 (XXVIII). That should be acceptable to all members of the Committee. Operative paragraph 2 could then be properly interpreted. The formula he had suggested for inclusion in the Committee's report would represent the facts succinctly and clearly and would not prejudice the position of any delegation, while taking account of all views expressed. He therefore asked the Ghanaian representative to give consideration to his suggestion.

10. Mr. TALAMAS (Uruguay) said that his delegation supported draft resolution A/C.6/L.959/Rev.1, of which it was a sponsor, because it felt that, like General Assembly resolution 3067 (XXVIII), it represented the reconciliation of all viewpoints and was most likely to be the subject of a compromise.

11. Mr. BESSOU (France) expressed gratitude to the Ghanaian delegation for the submission of draft resolution A/C.6/L.959/Rev.1, which he felt was a good basis for a compromise that would be largely acceptable to the Committee. His delegation therefore endorsed that draft resolution but must reserve its position concerning any other formula which might be suggested.

12. Mr. RICHARDS (Liberia) requested that a vote be taken on the USSR amendment (A/C.6/L.963).

13. The CHAIRMAN said that, in accordance with the rules of procedure, the Committee must take a decision on the Liberian request.

14. Mr. KARASSIMEONOV (Bulgaria) proposed that time should be allowed for the USSR representative,

who had proposed a new compromise formula, and for the sponsors of draft resolution A/C.6/L.959/Rev.1 to consider the new proposal. There was much to gain from the new USSR proposal, because it was fully in keeping with the principle of universality and avoided difficulties which might be implied for the Secretary-General by the "all States" formula. His statement also related to a point of order, and he had requested the floor before the Liberian representative had spoken.

15. Mr. CATARINO (Portugal) recalled that on the previous day the problem of the participation of the so-called Republic of Guinea-Bissau in the United Nations Conference on prescription (limitation) had been raised in the Committee. The Nigerian delegation had even submitted at the 1446th meeting a formal proposal for the inclusion of the name of the Republic of Guinea-Bissau in operative subparagraph (c) of draft resolution A/C.6/L.959/Rev.1. That proposal had later been withdrawn, after it had been announced by the Secretariat that the Food and Agriculture Organization of the United Nations had decided to admit the so-called Republic of Guinea-Bissau as a member.

16. With regard to the discussion of that matter in the Sixth Committee and the unfortunate decision taken by a specialized agency of the United Nations, his delegation would like to emphasize that such a decision could not in any way affect the basic realities of the non-existence of the so-called Republic of Guinea-Bissau.

17. None of the requirements of international law for the accordance of recognition to new States applied in the case of the so-called Republic of Guinea-Bissau, which was admitted to have neither a capital, nor any edifice to function from, nor any territory or population to control. The Partido Africano da Independência da Guiné e Cabo Verde (PAIGC) claimed to control some two thirds or three quarters of the territory. If that was true, why should its political and military headquarters and its training, logistical and operational bases be situated in neighbouring countries? If it had as many magnificent schools, hospitals and other political, administrative, social and cultural institutions as its leaders affirmed, why had it been necessary to proclaim its independence in a forest, and not in one of the splendid buildings that housed those institutions? Again, why had that alleged proclamation of independence, an event purported to be of great historical significance, been made secretly and without the presence of witnesses? It would be only natural to invite representatives of Governments which had contributed so generously to PAIGC. Moreover, it was surprising that the news of such an extraordinary event had only been given to the world two days after its supposed occurrence on 24 September. Security reasons had been alleged by *Jeune Afrique*; but how could it then be claimed that the area where the proclamation had been made was a liberated area of Portuguese Guinea, controlled by PAIGC?

18. The truth was that no part of Portuguese Guinea was liberated or under the control of PAIGC. Its terrorist bands did, indeed, infiltrate from across the frontiers, in order to commit acts of violence and murder, and, during those moments of terror, PAIGC

might be said to exercise such control over the populations of the victimized villages. That was comparable to the control exercised by the hijackers of planes over the crew and passengers before they were overpowered or by robbers assaulting a bank or some other institution before the agents of law and order arrived to re-establish authority. Was that enough to justify the proclamation of a republic? What nation within which a respect for common sense and international law prevailed could answer in the affirmative?

19. As opposed to the imaginary organizations claimed by PAIGC, Portugal was able to show the world, openly and without camouflage, an array of well organized services, with qualified personnel manning them and installed in their own buildings, where activities were carried out for the benefit of all the elements of the population in the province and even some of the citizens from neighbouring countries.

20. In March 1973, elections to the Legislative Assembly, enlarged by the recent constitutional amendments, had been held throughout the province of Portuguese Guinea. Those elections had also been held in the various regions which PAIGC claimed to have liberated from Portugal's sovereignty, with absolute normalcy, and 89.4 per cent of the registered voters had exercised their right to vote. Unlike the so-called PAIGC elections, the elections had taken place publicly, without the need for any secrecy.

21. The results had shown that all the seats in the Legislative Assembly had been won by Portuguese Africans of indigenous Guinean ancestry, who would henceforth enthusiastically shoulder greater responsibilities in an ever-growing climate of autonomy. The dominant traits of Portuguese policy were the granting of progressive self-rule to the province and increasing participation by Portuguese Africans in public administration and the conduct of affairs, with wide access to the structures of economic and social development. Thus, the control of the province's political, social and economic life was in the hands of the population of the Territory.

22. In like fashion, there had been established in the province popular assemblies, under the designation of "Congresses of the People", for the purpose of discussing their pressing needs and suggesting solutions. The last such Congress of the People of Portuguese Guinea had been held from 18 to 24 April 1973, in Bissau. That Congress, which could be called truly representative, had been attended by delegates from all regions, including the regions within the areas allegedly liberated by PAIGC.

23. Furthermore, the Portuguese presence was not, as claimed by PAIGC and its friends, reduced to half a dozen urban centres but extended even to the confines of the neighbouring countries. Similarly, the presence of the armed forces extended to the entirety of the province, not only through the existing garrison posts and barracks but also through the regular patrols visiting all parts of Portuguese Guinea. In that connexion, he stressed that more than 60 per cent of the armed forces in Portuguese Guinea were composed of Africans and that numerous villages scattered throughout the province had organized their own militias, armed by

the Government, for self-defence against the murderous raids of the violent bands dispatched against them from Conakry.

24. That situation had not been altered. On the contrary, it had been clearly confirmed by several reports from independent sources, and he read out some excerpts from a translation of an article written by a German journalist, Gunther Krabbe, who had visited Portuguese Guinea very recently and had been in Medina do Boé itself. In the *Frankfurter Allgemeine Zeitung*, on 20 November 1973, Gunther Krabbe had said that it seemed that, in fact, no Republic of Guinea-Bissau existed. Although, since the proclamation of independence in September 1973 by the PAIGC revolutionary movement, 70 nations had recognized the Republic, they had recognized a mere fantasy. No rebel control could be discovered over the population of Medina do Boé, in the south of the country, where rebels claimed to have convened a national assembly consisting of 120 deputies, who had proclaimed the Republic. From that report, it was clear that in Portuguese Guinea, particularly in the military sector, nothing had changed. A similar event had occurred some years ago in Angola. However, the head of the Government in exile of Angola had had no success, and his Government and the so-called Republic had lost the support even of the African States.

25. Mr. KARASSIMEONOV (Bulgaria), speaking on a point of order, said that, although the part of the Portuguese representative's statement which concerned Guinea-Bissau might conceivably be regarded as having something to do with the matter under discussion—the draft resolution on the Conference on prescription (limitation)—his references to the situation in Angola were totally irrelevant.

26. The CHAIRMAN said he had assumed that the Portuguese representative's statement would be an explanation of vote in the usual sense of the term and asked him to confine his remarks to the issue before the Committee.

27. Mr. CATARINO (Portugal) said that, according to the journalist he was quoting, all parts of the territory of Guinea-Bissau were in the hands of the Portuguese, including over half of the area where the guerrillas were most active and where the population was being terrorized by the launching of missiles from Senegal and Guinea and by the mining of roads.

28. Mr. MAÏGA (Mali), speaking on a point of order, said that the Portuguese representative's statement, far from being an explanation of vote, was a political tirade which had no place in the Sixth Committee.

29. The CHAIRMAN requested the Portuguese representative to curtail his statement, bearing in mind the fact that the Committee was concerned with procedural matters.

30. Mr. CATARINO (Portugal) said that his delegation intended to conclude its statement by making a procedural proposal. Meanwhile, the journalist in question had reported that nowhere in the territory were there liberated zones over which the rebels held permanent and effective control.

31. Mr. MESLOUB (Algeria), speaking on a point of order, said that the Portuguese representative's statement was an insult to the countries which had recognized Guinea-Bissau and to the delegations which wanted that State to be covered by the important draft resolution before the Committee.

32. The CHAIRMAN reiterated his appeal to the Portuguese representative to limit his statement to the question at issue.

33. Mr. CATARINO (Portugal) said that, in view of the remarks made during the debate and the spirit in which some of them had been made, his delegation could not accept either the formula in operative subparagraph (c) of draft resolution A/C.6/L.959/Rev.1 or the vague and imprecise text of operative paragraph 2 proposed by the USSR delegation (A/C.6/L.963). It therefore formally requested a separate vote on that subparagraph (c), whatever changes might be made in that text.

34. The CHAIRMAN suggested that, in order to meet the requests of the Liberian and Bulgarian representatives, the meeting should be suspended for a short time to enable the USSR delegation to make another attempt to reach a compromise with the sponsors of the draft resolution, on the understanding that a vote would be taken immediately after the resumption of the meeting.

It was so decided.

The meeting was suspended at 4.20 p.m. and resumed at 4.45 p.m.

35. Mr. SAM (Ghana) said that the sponsors of the draft resolution and the USSR delegation were grateful for the further time given them to try to reach a compromise which would have greatly facilitated the Committee's work. Nevertheless, despite the co-operative spirit in which the talks had been undertaken, it had proved impossible to agree on a compromise text.

36. Mr. FALL (Senegal), speaking in the exercise of the right of reply, said that, unlike the Portuguese representative, he was extremely reluctant to waste the Committee's time when it had fallen so far behind in its work. Nevertheless, he felt obliged to refute the allegation that the territory of Guinea-Bissau was being attacked from Senegal; such allegations were obviously being made out of rancour and disappointment at the fact that Guinea-Bissau had been recognized as a State by the General Assembly and had recently been admitted to membership of the Food and Agriculture Organization of the United Nations. The actual facts were, of course, quite different: it was Portugal which had made repeated military attacks against Senegal and, indeed, had been censured for those attacks by the Security Council in its resolutions 178 (1963) of 24 April 1963, 204 (1965) of 19 May 1965, 294 (1971) of 15 July 1971 and 321 (1972) of 23 October 1972. In connexion with the last-named resolution, the Portuguese Government had for the first time not denied the validity of the Senegalese complaint and had even proposed to pay compensation to that country, claiming that the military commander concerned had suffered a loss of his mental faculties.

37. Mr. LEE (Canada), speaking in explanation of vote before the vote, said he understood the Soviet proposal to mean that operative paragraph 2 of its amendment would be interpreted in the Committee's report as following the precedent set in the First Committee in connexion with invitations to the Conference on the law of the sea. If that was so, it would surely be less confusing simply to vote for the formula in operative subparagraph (c) of draft resolution A/C.6/L.959/Rev.1, which was sponsored by a wide geographical range of delegations and followed the compromise adopted in the First Committee. His delegation would therefore vote against the USSR amendment (A/C.6/L.963) and for the draft resolution.

38. Mr. KOLESNIK (Union of Soviet Socialist Republics) expressed his delegation's regret that, owing to lack of time, it had proved impossible to arrive at a compromise formulation which would consolidate the principle of universal participation in international conferences. His delegation would not press its amendment (A/C.6/L.963) to the vote.

39. The CHAIRMAN thanked the Soviet representative for the co-operation he had shown and invited the Committee to vote on the Mongolian proposal made at the 1446th meeting to add the name of the Democratic Republic of Viet-Nam to operative subparagraph (c) of draft resolution A/C.6/L.959/Rev.1.

40. Mr. KASEMSRI (Thailand) suggested that the Mongolian proposal should be adopted by acclamation, in the light of the precedent set by the First Committee.

41. Mr. ESSONGUE (Gabon) said that his delegation would prefer a vote to be taken, to avoid confusion.

The Mongolian proposal was adopted by 93 votes to 1, with 5 abstentions.

42. The CHAIRMAN put to the vote operative subparagraph (c) of draft resolution A/C.6/L.959/Rev.1, as amended.

The subparagraph, as amended, was adopted by 92 votes to 1, with 11 abstentions.

43. Mr. SOGLO (Dahomey) said that his delegation had not taken part in the vote on subparagraph (c) for the reasons he had explained at the 1446th meeting.

The draft resolution as a whole, as amended, was adopted by 97 votes to none, with 11 abstentions.

44. Mr. TOTHILL (South Africa) said that the fact that his delegation could associate itself with the draft resolution in no way implied its acceptance of subparagraph (d). South Africa's position on the matter, which had been stated elsewhere, remained unchanged.

45. Mr. KOLESNIK (Union of Soviet Socialist Republics) said that his delegation had abstained in the vote on the draft resolution as a whole because subparagraph (c) did not properly reflect the principle of the universal participation of States in international conferences and because that clause had the effect of discriminating against the Republic of South Viet-Nam, which had every right to participate in such an important conference on an equal footing with all other States.

46. The CHAIRMAN announced that the Committee had concluded consideration of agenda item 93.

AGENDA ITEM 96

Respect for human rights in armed conflicts: report of the Secretary-General (*continued*) (A/9123 and Corr.1 and Add.1 and 2, A/9215)

47. Mr. ŠAHOVIĆ (Yugoslavia) said that the question of human rights in armed conflicts was of very particular interest to his delegation and, for some years, had been a source of concern for the international community. Yugoslavia had been involved in various activities, primarily through the International Committee of the Red Cross, which had culminated in the convening by the Swiss Federal Council of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts. The General Assembly had taken a number of decisions on current problems in the area in question, but his delegation regretted that the Sixth Committee would apparently have insufficient time to discuss those problems as fully as they deserved with a view to the formulation of views as to the way in which existing rules and principles should be developed. That was the more regrettable in that the report of the Secretary-General (A/9215) on existing rules of international law concerning the prohibition or restriction of use of specific weapons was a useful basis for the broad exchange of views which was necessary. The draft Additional Protocols to the Geneva Conventions of 12 August 1949, prepared by the International Committee of the Red Cross³ for consideration at the Diplomatic Conference in 1974, were a further point of departure for the same debate.

48. His delegation still attached capital importance to the eleventh preambular paragraph of resolution 3032 (XXVII), in which the Assembly had noted with concern that agreement had not emerged among Government experts on drafts concerning a number of fundamental issues. The problems in question were still a prime source of concern for his delegation in preparing for the Diplomatic Conference in Geneva in 1974. Those problems were a reflection of the political, military and technological circumstances surrounding international and non-international conflicts in recent decades. Those conditions could not fail to influence the interpretation of the Geneva Conventions of 1949 and the development and implementation of the relevant international law. It went without saying that new methods must be found of ensuring the more effective application of existing rules, and that there must be new definitions of military objectives, protected objects, protected persons and combatants, as well as of the status of resistance movements—and more especially movements fighting for self-determination or freedom from colonial domination. New rules must be formulated to prohibit the use of weapons and methods of warfare indiscriminately affecting civilians and combatants, as well as for the prohibition or restriction of the use of specific weapons deemed to cause unnecessary suffering. Rules must also be formulat-

³ Geneva, June 1973.

ed to facilitate humanitarian relief in armed conflicts and there must be a definition of armed conflicts of a non-international character which should be subject to rules additional to those contained in the Geneva Conventions of 1949.

49. His delegation would certainly not contend that there had been no effort to search for solutions to those problems since the adoption of resolution 3032 (XXVII). The Secretary-General's report showed that the International Committee of the Red Cross and other international organizations had organized a whole series of related meetings. In that connexion, mention should be made of the formulation of suitable rules for the prohibition or restriction of the use of conventional weapons which could cause unnecessary suffering or whose effects could not be confined to limited targets. The draft Additional Protocols to the Geneva Conventions of 1949 did not specifically deal with those questions but his delegation was encouraged by the results of the International Conference of the Red Cross held at Teheran (see A/9123/Add.2) which had called for a meeting of experts to prepare recommendations for the Diplomatic Conference. The real and historical value of the Conference would depend in large measure on the extent to which any new international instruments took account of the need to prohibit the weapons in question. The adoption by the First Committee of the draft resolution concerning napalm and other incendiary weapons—of which his delegation had been a sponsor⁴—should be understood as a direct expression on the part of the international community of a desire for a constructive and positive solution of problems posed by the existence and current development of weapons causing unnecessary suffering.

50. Aside from that issue, the draft Additional Protocols could be regarded as a general response to the issues raised in resolution 3032 (XXVII) and his delegation hoped that they would prove to be a sound basis for the Diplomatic Conference. It would, however, be necessary to prepare more detailed provisions regarding the status of members of resistance movements, especially those fighting against colonial domination and for self-determination. The draft Additional Protocols dealt with that aspect only with regard to the recognition of prisoner-of-war status for members of such movements. His delegation, however, considered

that the relevant rules should be extended to cover the wounded and new methods of warfare.

51. His delegation supported the conclusion of the Teheran Conference to the effect that the leaders of liberation movements should be invited to participate in the work of the Diplomatic Conference. It further considered that the item on respect for human rights in armed conflicts should remain on the Assembly's agenda in the hope that it would be possible at the twenty-ninth session to hold a thorough debate on the basis of the documents prepared by the Secretary-General and the results of the Diplomatic Conference of 1974.

52. Mr. STAVROPOULOS (The Legal Counsel) recalled that in resolution 3032 (XXVII) the General Assembly had welcomed the readiness of the Swiss Federal Council, as communicated to the Secretary-General, to convoke a diplomatic conference on the reaffirmation and development of international humanitarian law applicable in armed conflicts. In a letter addressed to the Secretary-General by the Swiss Federal Political Department, the United Nations had been invited to be represented in the capacity of an observer at the Diplomatic Conference at Geneva, from 20 February to 29 March 1974. In the letter the Secretary-General was informed that all States parties to the Geneva Conventions of 1949 and all States Members of the United Nations had been invited to participate in the Conference.

53. It was the intention of the Secretary-General to be represented at the Conference by a delegation which would include one or more members of the Office of Legal Affairs. In that connexion, he reiterated the great interest that that Office was taking in the efforts being made towards the reaffirmation and development of international humanitarian law applicable in armed conflicts. As evidence of that interest, he referred to the survey prepared by the Secretariat entitled "Existing rules of international law concerning the prohibition or restriction of use of specific weapons" (A/9215). He also pointed out that the Office of Legal Affairs had been represented at the twenty-second International Conference of the Red Cross held recently at Teheran. The Office would continue its co-operation towards the promotion of the reaffirmation and development of international humanitarian law applicable in armed conflicts.

The meeting rose at 5.25 p.m.

1449th meeting

Wednesday, 28 November 1973, at 3.30 p.m.

Chairman: Mr. Sergio GONZÁLEZ GÁLVEZ (Mexico).

A/C.6/SR.1449

AGENDA ITEM 90

Draft convention on the prevention and punishment of crimes against diplomatic agents and other internationally protected persons (*continued*)* (A/8710/

Rev.1, chap. III; A/9127 and Add.1, A/C.6/421, A/C.6/L.898, A/C.6/L.944 and Add.1-3, A/C.6/L.951/Rev.1, A/C.6/L.962 and Corr.2 and 3)

1. The CHAIRMAN observed that the title of the draft convention was unwieldy and hoped that the

⁴ Subsequently adopted by the General Assembly as resolution 3076 (XXVIII).

*Resumed from the 1447th meeting.