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Friday, 8 December 1972, at 10.45 a.m.

NEW YORK

Chairman: Mr. Erik SUY (Belgium).

AGENDA ITEM 90

Review of the role of the International Court of Justice *(continued)* (A/8747, A/C.6/L.887, A/C.6/L.891)

1. Mr. KRISPIS (Greece) said that his delegation, which was among those sponsoring draft resolution A/C.6/L.887, shared the views expressed the day before by some of the sponsors.

2. At the time of its establishment, the International Court of Justice had represented a novelty, an experiment and an element of progress in the peaceful settlement of disputes. After half a century, the Court—which, like the International Labour Organisation, went back to the time of the League of Nations—had come to be accepted as a fact of international life, but it was time to examine the results of the experiment, assess the available data and try to make the Court an organ to which States would wish to submit their legal disputes.

3. An examination of the present situation of the Court with a view to making it better would do no harm even if it had no practical results. Many aspects of the Court called for study. For example, the number of judges might be increased, the method of establishing the list of candidates should be reviewed and consideration should be given to the possibility of granting private individuals or bodies corporate limited conditional access to the Court. With regard to the last point, it might be desirable to turn for inspiration to article 177 of the Treaty of Rome,[1] which had created the European Economic Community, and grant the Court some sort of jurisdiction along the lines of that possessed by the Court of Justice of the European Communities. The possession of such jurisdiction by the Court would be beneficial to the administration of justice in individual States and would promote the progress of international law, while at the same time the activities of the court would be broadened. Also deserving of study was the question of making the Court a court of appeals for domestic cases connected with international law.

4. Mr. WOOD (United Kingdom) recalled that at its last two sessions the General Assembly had recognized the desirability of finding ways and means of enhancing the effectiveness of the Court. His Government welcomed all efforts along those lines, and his delegation had therefore joined in sponsoring draft resolution A/C.6/L.887. It was unfortunate that, for lack of time, the Committee would be unable to discuss the present item as fully as it should.

5. His delegation was heartened by the fact that in the past 12 months many Governments and non-governmental bodies had taken an increased interest in the role of the Court. The same was true of international lawyers, especially those concerned with the study and teaching of international law. The importance of their involvement could not be over-emphasized. Indeed, Article 6 of the Court's Statute itself recognized their role. He noted that an International Symposium concerning the Judicial Settlement of International Disputes had been held at Heidelberg in July on the initiative of the Max Planck Institute for Comparative Public Law and International Law. He also drew attention to the report just published by a committee of the American Branch of the International Law Association on steps that might be taken by the General Assembly to enhance the effectiveness of the Court. The report reviewed three groups of suggestions for a General Assembly resolution, which might draw the attention of Governments to existing possibilities for bringing disputes to the Court, call for action by Governments to open up new possibilities along those lines, and broaden the Court's advisory jurisdiction.

6. There had been a number of other important developments over the past year, foremost among which was the adoption by the Court of amendments to its Rules. In its report (A/8705), the Court indicated that the amendments had been adopted with the aim of making the Court's procedure as simple as possible, providing for greater flexibility, avoiding delays and simplifying both contentious and advisory proceedings in so far as such improvements depended upon the Court. That description of the Court's aim in making the amendments was reflected in the fourth preambular paragraph of draft resolution A/C.6/L.887. Clearly, the Court had also had in mind the desirability of reducing the cost of proceedings for parties. His delegation felt that the amendments would be beneficial, and it had studied with great interest the Gilberto Amado Memorial Lecture on the subject delivered on 15 June 1972 by Judge Jiménez de Arechaga. He hoped that the lecture would receive wide circulation.

7. The fact that the Court had adopted the amendments in 1972 did not mean that there was nothing left for the General Assembly to do. For one thing, as the Court noted in its report, the revision of its Rules had not yet been completed. More important, however, the present item went beyond revision of the Court's Rules and required the Committee to consider fundamental questions about the Court's role in the international community. Judge Jiménez de Aréchaga had very rightly observed that revision of the Rules was not a panacea which would solve all the difficulties with which the Court was faced or remedy its present problems and that mere changes in procedure could not be expected to correct the existing crisis of under-

[1] See United Nations, *Treaty Series*, vol. 298, No. 4300, p. 5.

employment affecting the Court; he had added, however, that an effort to improve procedures could help to bring about a renewal of confidence in the Court.

8. The Court had by no means been inactive during the past 12 months. It had recently rendered a judgement in a case relating to the jurisdiction of the Council of the International Civil Aviation Organization—a case which had demonstrated that, when the Court received full co-operation from the parties in dispute, it could decide cases most expeditiously. In another case, which was still pending, the Court had indicated provisional measures in accordance with Article 41 of its Statute. In addition, it was currently considering a request for an advisory opinion.

9. His delegation attached great importance to the present item, because it concerned the role of the principal judicial organ of the United Nations—an organ which, moreover, was central to the system of justice and international law that was so important for world order. Draft resolution A/C.6/L.887 recalled that, under Article 2, paragraph 3, of the Charter, Members of the United Nations were required to settle their international disputes by peaceful means in such a manner that international peace and security, and justice were not endangered. The United Kingdom had always supported recourse to the International Court of Justice as one of the means of settling international disputes. Whenever his Government had appeared as a party before the Court, it had scrupulously complied with the requirements of the Statute and the Rules of the Court and with decisions rendered by the Court. Recourse to the Court should be regarded by all States as a normal part of international relations. Article 33 of the Charter recognized it as one of the peaceful means for the settlement of international disputes. It was not, of course, the only such means, but it was one which States should always have in mind. The Court had a role to play in all kinds of disputes, not merely those of great political importance, and use could be made of it in settling many other matters at issue between States. His delegation believed that the most appropriate way for the General Assembly to enhance the effectiveness of the Court would be the adoption of draft resolution A/C.6/L.887.

10. Mr. BEESLEY (Canada) recalled that, in the comments of his Government in reply to the Secretary-General's questionnaire of the previous session on the role of the Court, contained in document A/8382, it had placed emphasis on proposals relating to procedure. Since that time, new Rules of the Court[2] had been published. It was perhaps too early to assess their significance, but it was clear that the new Rules represented the outcome of a careful review conducted by the Court over the past few years and were mainly intended to speed up procedures, provide for greater flexibility and reduce costs. However, procedural improvements would not in themselves lead to greater recourse to the Court by States. It should be recognized that not all disputes were amenable to adjudication by the Court. Indeed, Article 33 of the Charter enumerated many other means for the peaceful settlement of international disputes.

[2]See I.C.J. *Acts and Documents No. 2.*

11. On the occasion of the fiftieth anniversary of the institution of the international judicial system, the President of the Court had referred to the revision of its Rules and expressed the hope that the revision would encourage States to avail themselves of the Court more frequently. The President had, however, added that greater use of the Court could result only from a decision by States themselves in favour of more general resort to judicial settlement, moreover, it should be accepted that bringing another State before the Court in a serious dispute and on a proper jurisdictional basis was not to be regarded as an unfriendly act. He fully shared the views of the President of the Court.

12. He drew attention, in particular, to the amendments to articles 7 and 26.

13. The purpose of article 7 was to encourage States to have recourse to the Court by allaying their possible fears about any lack of special expertise or technical competence on the part of some of the judges. The new Rule enabled both the Court and the chambers to appoint assessors, that was to say, experts, and required the Court to take into account the views of the parties with regard to the choice of those assessors. Furthermore, the article related both to contentious cases and to requests for advisory opinions. The assessors were appointed by a simple majority, not by an absolute majority.

14. The new article 26 provided, for the first time, that the views of parties about the composition of an *ad hoc* chamber must be taken into account, not only with regard to the number of judges to be involved but also with regard to the particular judges who might most appropriately hear a given dispute. As some commentators had observed, the system had become sufficiently flexible to permit States to resort to an *ad hoc* chamber in the same way as they might otherwise resort to an *ad hoc* arbitral tribunal. Now that the Court had revised its Rules, it was to be hoped that the changes agreed upon would form a basis for further efforts to strengthen the role of the Court. The practice of States and their varying attitudes towards the Court and other means of settlement should similarly receive careful consideration. Canada was one of the sponsors of draft resolution A/C.6/L.887 and believed that the only way to make realistic recommendations based on national comments and academic studies was to set up an *ad hoc* committee of governmental experts to examine the role of the Court.

15. Mr. VAN BRUSSELEN (Belgium) recalled that at the 1322nd meeting the Secretary of the Committee had said that he had been informed by the Gilberto Amado Memorial Lecture Advisory Committee that the English and French texts of the lecture delivered by Judge Jiménez de Aréchaga were in the process of printing. He had considered that a wise move, and he supported the suggestion made by the representative of the United Kingdom.

16. With regard to the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter

of the United Nations, contained in General Assembly resolution 2625 (XXV), he said that the principle that "States shall refrain in their international relations from the threat or use of force" was so fundamental that recent doctrine had raised it to the rank of a peremptory norm of international law. That obligation to refrain was matched by the equally imperative obligation to settle international disputes by peaceful means. The latter obligation was so important that all of Chapter VI of the Charter had been devoted to it. That Chapter dealt primarily with the role of the Security Council and the General Assembly, but it also reaffirmed in Article 33, paragraph 1, the obligation of States to settle their differences by peaceful means, including judicial settlement. Judicial settlement, in turn, had been considered so essential by the authors of the Charter that the Permanent Court of International Justice, which had been an independent organ of the League of Nations, had been transformed into the International Court of Justice, the principal judicial organ of the United Nations, the Statute of which was an integral part of the Charter.

17. But the hopes placed in that mode of settlement had not been fulfilled: only 46 of the 132 Member States had subscribed to the optional clause recognizing the compulsory jurisdiction of the Court, and many of their declarations were subject to reservations, which in some cases were tantamount to non-recognition of the Court's jurisdiction. Moreover, few contentious cases had been brought before the Court in recent years, some of them only owing to the existence of machinery that provided for automatic or quasi-automatic referral to the Court. And yet the reduction in the Court's activities was not due to any lack of international disputes.

18. It was astonishing that so few States were willing to resort to judicial settlement, when they so often invoked juridical arguments and frequently proclaimed their respect for the rule of law. Belgium did not regard the submitting of legal disputes to an impartial and independent judicial organ as any diminution or abandonment of its sovereignty or as a procedure incompatible with the sovereign equality of States, and it had made ample use of the opportunity to submit disputes to the Permanent Court of International Justice and to the International Court of Justice. The Belgian Government might have lost some of its cases as a result, but it had gained, on the other hand, the certainty of having acted in good conscience and of having secured a decision in which law had been upheld with certainty.

19. His delegation regarded as totally groundless the argument that the judicial settlement of international disputes was contrary to the principle of sovereignty. Other criticisms of the Court concerned its composition, applicable law, slow and cumbersome procedure and, in particular, the fact that there was not always a clear line defined in practice with regard to the joinder of preliminary objections to the merits of the case. Some of those criticisms might be well founded, but it was important to consider whether or not those inadequacies were attributable to the litigant Governments rather than to the Court itself. Belgium welcomed the revision of the Court's Rules but believed that that measure alone was insufficient. It was important to give States renewed faith in international jurisprudence and to seek appropriate means for enabling all States, regardless of their political régimes, their degree of development and their juridical systems, to resort to it with full confidence. The time had come for Member States to declare their views on the matter. At the national level, judicial reform was undertaken regularly in the light of the new needs of social life; it was natural to envisage a similar undertaking at the international level. It would not be logical to argue that opposition to the judicial settlement of disputes, as currently organized or as currently functioning, was a valid reason for refusing to co-operate in the study of means that would make it possible to arrive at a better administration of justice. In his delegation's view, the search for such means would be the task of the proposed *ad hoc* committee, whose members should be experts of high repute in the field. It was now high time to decide to establish such an *ad hoc* committee.

20. Mr. MIMICA (Chile), on a point of order, suggested that the list of speakers on the question under consideration should be closed at the end of the current meeting.

21. Mr. FLEITAS (Uruguay) emphasized the importance which his country attached to the Court and recalled that Uruguay had been the first country to accept the compulsory jurisdiction of that body. If some Powers refused to concern themselves with the problem, the reason was that they preferred to resort to force; it was paradoxical that the world of today, so advanced in the technological sense, should be unsuccessful in establishing appropriate legal machinery to ensure peaceful coexistence. In any case, no one opposed the idea of reforming the Charter on a specific point, and the purpose of the sponsors of draft resolution A/C.6/L.887 was precisely to consider the Statute of the Court, which was an integral part of the Charter. The argument raising the question of the financial implications of that draft resolution was merely a pretext, since the cost of the envisaged *ad hoc* committee seemed insignificant in comparison with the cost of some international conferences that had been convened on far less important subjects. If the Sixth Committee did not adopt that draft resolution, it should at least take the initiative of holding informal consultations with a view to proposing a draft reform of the Court at the following session.

22. The CHAIRMAN announced that Italy had become a sponsor of draft resolution A/C.6/L.877.

23. Mr. JACOVIDES (Cyprus) said that his delegation, a sponsor of draft resolution A/C.6/L.887, had already had an opportunity to state its position on the item under consideration and that the views it had expressed at the twenty-sixth session, at the 1283rd meeting of the Sixth Committee, remained unchanged.

24. Mr. ALISON-KONTEH (Sierra Leone) expressed surprise at the fact that those who had opposed the adoption of draft resolution A/C.6/L.870/Rev.1—submitted in respect of agenda item 89—because it was aimed at establishing a special committee on the Charter should

consider it desirable to establish a committee on the role of the Court. It was, after all, impossible to make changes in the Court without at the same time amending the Charter, and, in any event, the Sixth Committee, had not enough time at present to study that problem.

25. Mr. BRYDEN (Australia) said that his Government had at all times supported the role played by the International Court of Justice, and its detailed views on possible improvements were set out in document A/8747. As all were aware, the Court was only one means for the peaceful settlement of international disputes; the others were set out in Article 33 of the Charter. In recent times the role of the Court had come under study because of the small number of contentious cases that had been brought before it and the disappointment in various circles that the Court had not become the central instrument for the peaceful settlement of international disputes. On the other hand, it was necessary to recall that the Court had contributed to the development of modern international law through both its advisory opinions and its judgements, several of which had been reflected in international conventions.

26. Nevertheless, it must be admitted that States had some reluctance to have recourse to the Court, and that was probably the reason for the disappointment expressed in various quarters. Although some of the suggestions that had been put forward might indeed have merit, their implementation would not necessarily increase the work of the Court. His delegation welcomed the amendments which had been adopted to the Rules of Court and hoped that they might increase the attractiveness of the Court to Member States. Greater use of the Court would develop only as States gained confidence in judicial settlement. One method of achieving that result might be for the General Assembly to encourage more reference to the Court of matters that might be regarded as minor.

27. The CHAIRMAN suggested that the Committee should proceed to vote on draft resolution A/C.6/L.887.

28. Mr. YAÑEZ-BARNUEVO (Spain), in explanation of vote, said that his delegation had already stated its position at the 1211th and 1282nd meetings of the Committee during the twenty-fifth and twenty-sixth sessions. It would be unthinkable to change the role of the Court without revising the Charter, and it was paradoxical, when it had been decided not to establish a committee on the Charter, to contemplate establishing one on the Court. His delegation believed that the role of the Court should be reviewed but that it could be done only in the general context of the Charter. It would therefore be unable to support draft resolution A/C.6/L.887.

29. Mr. YASSEEN (Iraq) said he did not think that a decision of such importance concerning one of the principal organs of the United Nations could be taken after so brief a discussion. The Committee was not sufficiently informed about the current situation, as there were some recent developments to be taken into account. The Court was not inactive at the moment, since it had several cases before it, and it had also made some amendments to its Rules of Court which had only recently begun to be applied. Some time should therefore be allowed in order to see what effect those amendments had on the functioning of the Court. In any event, his delegation continued to believe that the role of the Court depended primarily on the attitude of States towards it, since in accordance with the principle of sovereignty States could not be forced to accept the compulsory jurisdiction of the Court and, indeed, must remain free to choose any of the means that were available to them for settling their disputes. His delegation would therefore vote against draft resolution A/C.6/L.887.

30. Mr. CASTILLO-ARRIOLA (Guatemala) noted that his country was one of the sponsors of draft resolution A/C.6/L.887, and said that he had not participated in the current debate because his delegation had already had occasion to state its position in the Sixth Committee at both the twenty-fifth and the twenty-sixth sessions. There was a general feeling that the Court was only partially performing its functions for reasons which derived from its Statute, and the Court itself had no authority to revise its Statute, although it had recently amended its Rules of Court. In the view of his delegation, the question under consideration had already been sufficiently discussed. No further developments were to be expected, and a decision should not be postponed at a time when the need to expedite the Committee's work generally was being stressed.

31. The CHAIRMAN pointed out that, in accordance with rule 130 of the rules of procedure and with established practice, it was not customary for sponsors of a proposal to explain their vote.

32. Mr. BESSOU (France), supported by Mr. SETTE CÂMARA (Brazil), said he believed that it was still too early to take a vote on so important a question as the review of the role of the Court. More time was needed to reflect on the matter. He therefore suggested that the vote should be postponed until all delegations wishing to do so had spoken on the next item on the agenda.

33. Mr. BEESLEY (Canada), speaking on his own behalf and not for the sponsors of draft resolution A/C.6/L.887 generally, agreed that it would be best to postpone the vote for the time being.

34. Mr. HAPPY TCHANKOU (Cameroon) endorsed the comments of the representative of Sierra Leone. His delegation believed that the question under discussion was too important to be the subject of a hasty decision and suggested that consideration of it should be postponed until the following session.

35. The CHAIRMAN said that, since the sponsors of draft resolution A/C.6/L.887 apparently agreed that the vote should be postponed, the current debate should be suspended.

36. Mr. VELASCO ARBOLEDA (Colombia), Mr. ALCIVAR (Ecuador) and Mr. FALL (Senegal) said they reserved the right to explain their votes on the draft resolution before the vote.

37. Mr. FEDOROV (Union of Soviet Socialist Republics) questioned whether it was in accordance with the rules of procedure to take up the next item when the current debate had not yet been concluded and no time-limit had been set for the submission of other draft resolutions on the question now before the Committee. The French delegation's suggestion was apposite, but the postponement should apply not only to the vote on the one draft resolution now before the Committee but also to consideration of the question generally and of any other draft resolutions that might be submitted.

38. Mr. SHITTA-BEY (Nigeria) recalled that, at the twenty-fifth session, his delegation had been one of the sponsors of draft resolution A/C.6/L.800 and Rev.1, calling for the establishment of an *ad hoc* committee on the role of the Court. The draft resolution had not been adopted because States had not yet had time to study the question and because the Court had undertaken a revision of its Rules. Those two arguments were no longer valid, and Nigeria continued to believe that a review by an *ad hoc* committee was the most effective means of seeking to enhance the role of the Court. His delegation was becoming a sponsor of draft resolution A/C.6/L.887, and it did not feel that a decision on it could be regarded as hasty, since nothing new had been said during the current debate. His delegation would not, however, object to a postponement of the vote.

39. The CHAIRMAN suggested that consideration of the present item should be suspended and that the vote on draft resolution A/C.6/L.887 and the consideration of any amendments or other draft resolutions that might be submitted should be postponed.

It was so decided.

AGENDA ITEM 49

Human rights in armed conflicts:

(a) Respect for human rights in armed conflicts: report of the Secretary-General under General Assembly resolutions 2852 (XXVI), paragraph 8, and 2853 (XXVI) (A/8781 and Corr.1, A/C.6/L.884, A/C.6/L.885)

40. Mr. SCHREIBER (Director, Division of Human Rights) said that the present occasion was the fifth since the International Conference on Human Rights at Teheran in 1968 on which the General Assembly had considered the question of respect for human rights in armed conflicts. In its resolution XXIII,[3] the Conference had declared that peace was the underlying condition for the full observance of human rights and war was their negation, had observed that armed conflicts continued to plague humanity and had expressed its conviction that even during the periods of armed conflict humanitarian principles must prevail. The United Nations had reaffirmed in its Charter, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights contained in General Assembly resolution 2200 A (XXI) that human rights were inalienable both in time of peace and in time of war. Both the General Assembly and the United Nations and the International Committee of the Red Cross (ICRC) had acknowledged that there were quite a large number of lacunae in humanitarian law in that field and that changes should be made in the law through the introduction of additional rules. The General Assembly had taken steps to that end, notably in resolutions 2444 (XXIII) and 2597 (XXIV), in which it had affirmed that the provisions of resolution XXIII of the Teheran Conference should be implemented as soon as possible. Pursuant to those resolutions, the Secretary-General had submitted to the General Assembly, at its twenty-fourth and twenty-fifth sessions, two reports on the question of respect for human rights in armed conflicts.[4] Those reports, which were intended to draw fresh attention to the problem and to contribute to its solution, had been received with interest and approval by the General Assembly, as well as outside the United Nations. In the second report, it was stated that the problems could be tackled through the adoption of resolutions by the General Assembly and the negotiation of special protocols to the existing conventions. Obviously, it was for Governments to take a decision as to the urgency of those problems and the means of resolving them.

41. The General Assembly's adoption of resolutions 2673 (XXV) to 2677 (XXV) had been a major development. Resolution 2675 (XXV) contained a statement of eight basic principles for the protection of civilian populations in armed conflicts, without prejudice to any future elaboration of those principles within the framework of progressive development of the international law of armed conflict. Pursuant to resolution 2677 (XXV), the Secretary-General had submitted to the General Assembly at its twenty-sixth session a report on the first session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts,[5] which ICRC had convened in 1971, and on certain other new and relevant developments.

42. In resolution 2852 (XXVI) the General Assembly had invited ICRC to continue its work, taking into account all relevant United Nations resolutions. It had also expressed the hope that the second session of the Conference of Government Experts would result in specific conclusions and recommendations for action at the governmental level. The Secretary-General had been requested to report to the General Assembly at its twenty-seventh session on the results of the second session of the Conference and any other relevant developments. In resolution 2853 (XXVI), the General Assembly had expressed the hope that the second session of the Conference would make recommendations for the further development of international humanitarian law applicable to armed conflicts including, as appropriate, draft protocols to the Geneva Conventions of 1949,[6] for subsequent consideration at one or more plenipotentiary diplomatic conferences. The Secretary-General had been requested to transmit his report on the first session of the Conference, together with any further observa-

[3] See *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No.: E. 68. XIV. 2), chap. III.

[4] A/7720 and A/8052.

[5] A/8370 and Add.1.

[6] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

tions received from Governments as well as the records of relevant discussions and resolutions of the General Assembly, to ICRC for consideration, as appropriate, by the Conference of Government Experts at its second session. He had also been requested to report to the General Assembly at its twenty-seventh session on the progress made in the implementation of resolution 2853 (XXVI).

43. The report of the Secretary-General bore the symbol A/8781 and Corr.1. The very numerous written proposals submitted during the second session of the Conference of Government Experts, together with the observations of the representative of the Secretary-General, were summarized in part two of that report.

44. At its second session, the Conference had completed a considerable amount of work on the basis of two draft additional protocols to the Geneva Conventions, prepared by ICRC. The first had concerned international armed conflicts and the second, which related to the article 3 common to the Geneva Conventions, to non-international armed conflicts. In addition, there had been a discussion of the advisability and the possibility of dealing with both types of conflict in a single protocol.

45. During the Conference, many governmental experts had mentioned the first reports of the Secretary-General and numbers of them had endorsed the various views and suggestions therein. The representatives of the Secretary-General had reviewed various suggestions which had been made in the reports. In particular, they had pointed out that, in adapting substantive rules of international humanitarian law to existing conditions of armed conflicts, full account must be taken of the Universal Declaration of Human Rights and other international instruments adopted by the United Nations which, by virtue of their provisions, were applicable in time of war as in time of peace. With regard to the strengthening of executory and supervisory procedures in the context of international humanitarian law, they had stated that the system of protecting Powers should be made as effective as possible and steps should be taken in peace time to ensure that it functioned properly. It was more likely that the role of a protecting Power, or a suitable alternative, would be accepted if some freedom of choice was left to the parties concerned and a wide range of possibilities, including the possibility of *ad hoc* arrangements, made available to them. The Conference had also discussed the provision of international assistance to civilian populations; those activities were dealt with in the large sections of two draft protocols and in various written proposals. The representatives of the Secretary-General had explained how great an interest the Secretary-General took in those matters.

46. The report on the Conference of Government Experts had been distributed by ICRC to States parties to the Geneva Conventions of 1949 and it was available to members of the Sixth Committee. In a letter to the Secretary-General, the Chairman of ICRC had indicated that the second session of the Conference had been fruitful and that the experts were generally agreed that work had reached the stage where it would be possible to convene a diplomatic conference, which the Swiss Government had stated that it was prepared to convene at Geneva in 1974. It was the intent of ICRC to submit, in the spring of 1973, new draft protocols, drawn up on the basis of the results of the Conference of Experts and other consultations, to the depository of the Geneva Conventions, namely, the Swiss Government, for their communication to the Governments of States parties to the Conventions. The Swiss Federal Council had notified States parties to the Geneva Conventions and to States Members of the United Nations that it was prepared to convene such a conference, which might take place at Geneva from 18 February to 11 April 1974.

47. The CHAIRMAN announced that Italy had joined the sponsors of draft resolution A/C.6/L.884, and that Ecuador, Kenya, Peru, Sierra Leone, Trinidad and Tobago, the United Republic of Tanzania, Upper Volta and Yugoslavia had joined the sponsors of draft resolution A/C.6/L.885.

The meeting rose at 12.50 p.m.