

1597 (L). Preliminary draft international convention on the protection of journalists engaged in dangerous missions

The Economic and Social Council,

Recalling General Assembly resolution 2673 (XXV) of 9 December 1970 in which it invited the Economic and Social Council to request the Commission on Human Rights to study the possibility of preparing a draft international agreement ensuring the protection of journalists engaged in dangerous missions and providing, *inter alia*, for the creation of a universally recognized and guaranteed identification document,

Having taken cognizance with interest of the preliminary draft international convention on the protection of journalists engaged in dangerous missions which was transmitted to it by the Commission on Human Rights,

Noting that the Commission on Human Rights, in its resolution 15 (XXVII),⁶⁸ recommended to the Economic and Social Council that it consider and transmit to the General Assembly the preliminary draft international convention on the protection of journalists engaged in dangerous missions, together with the relevant records of the discussions held in the Commission and in the Council, as a valid basis for discussion on this subject by the General Assembly at its twenty-sixth session,

Noting also that, in the same resolution, the Commission requested the Secretary-General to communicate the preliminary draft convention together with the same documentation to the Governments of the States mentioned in the resolution as well as to the Intergovernmental Conference of Experts of the International Committee of the Red Cross to be held in May 1971 so that the General Assembly may have their observations before it at its twenty-sixth session,

Noting further that the Commission requested the Secretary-General to establish a group of experts for the purpose of preparing a draft protocol, annexed to the draft convention, prescribing the composition, duties and methods of the International Professional Committee provided for in article 3 of the preliminary draft convention,

Recalling further that the General Assembly decided to give the highest priority to the consideration of this question at its twenty-sixth session,

Decides to transmit to the General Assembly the preliminary draft international convention on the protection of journalists engaged in dangerous missions contained in the annex to the present resolution, as well as the relevant records of the Commission on Human Rights and of the Economic and Social Council, as a valid basis for the discussions of the General Assembly at its twenty-sixth session.

*1771st plenary meeting,
21 May 1971.*

ANNEX

PRELIMINARY DRAFT INTERNATIONAL CONVENTION ON THE PROTECTION OF JOURNALISTS ENGAGED IN DANGEROUS MISSIONS

The High Contracting Parties,

Considering that the Universal Declaration of Human Rights has proclaimed in its article 19 the right of everyone to freedom of opinion and expression, including freedom to seek,

⁶⁸ *Ibid.*, Fiftieth Session, Supplement No. 4 (E/4949), chapter XIX.

receive and impart information through any media and regardless of frontiers,

Considering that it is important to promote the right to complete, objective and truthful information,

Considering that the press plays a vital role in that connexion,

Considering that the quest for information may expose journalists to dangerous situations when their mission leads them to carry on their activity in areas where there is armed conflict,

Considering that those whose recognized function is to gather information for dissemination through an information organ should be afforded adequate protection in time of armed conflict,

Considering that without prejudice to the application of the Geneva Conventions of 12 August 1949^a it is desirable to guarantee for all categories of journalists, in view of the present-day requirements of their profession, effective protection when they carry out dangerous missions,

Have agreed on the following provisions:

Article 1

This Convention shall apply to journalists who engage in dangerous missions and who hold the safe-conduct card provided for in article 3 below.

It shall not apply to war correspondents covered by the provisions of the Geneva Conventions of 12 August 1949.

Article 2

For the purposes of the application of this Convention, the word "journalist" shall mean any correspondent, reporter, photographer, film cameraman or press technician who has that status by virtue of his country's law or practice, in the case of a State Member of the United Nations or member of a specialized agency or of the International Atomic Energy Agency or any other State party to the Statute of the International Court of Justice or Party to this Convention.

The words "dangerous mission" shall mean any mission carried out in an area where there is an armed conflict, whether or not of an international character, for the purpose of gathering information for dissemination through a medium of public information.

Article 3

A journalist who is to carry out a dangerous mission may hold a safe-conduct card.

The said card shall be issued by the International Professional Committee for the Protection of Journalists Engaged in Dangerous Missions, whose composition and functions are defined in a Protocol annexed to this Convention.

Article 4

The validity of the safe-conduct card shall be limited to a specified geographical area and to the expected duration of the mission.

It shall certify the status of the journalist and the references which entitle him to that status within the meaning of article 2 above; it shall, in particular, bear his photograph and state his name, date and place of birth, habitual residence and nationality.

Article 5

Every party to an armed conflict shall recognize the validity of the safe-conduct cards issued by the International Committee.

The Committee shall give wide circulation to the model of the card and to the distinguishing mark provided for in the following article.

Article 6

When engaged in a dangerous mission, a journalist who holds a safe-conduct card must be able to produce it on any occasion and, in particular, at the request of any competent authority.

^a United Nations, *Treaty Series*, vol. 75 (1950), Nos. 970-973.

A journalist who holds a safe-conduct card may also, at his discretion, wear a readily recognizable distinguishing mark, an exact description of which shall be drawn up by the International Committee.

Article 7

The States Parties to this Convention and all parties to the conflict shall:

- (1) Recognize persons holding a safe-conduct card as journalists within the meaning of the provisions of articles 2, 3 and 4 above;
- (2) Enable such persons to identify themselves;
- (3) Extend to them the same protection of their persons as to their own journalists;
- (4) Recognize, in case of internment, that the regulations for the treatment of internees laid down in the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,^b shall apply;
- (5) Make public the internment order;
- (6) Also make public any information on journalists who have been wounded or who have died.

Such facts may be made public through all appropriate media, in the quickest and most effective manner and, preferably, through the International Committee on the Red Cross or any organ of the United Nations family in order that the International Professional Committee for the Protection of Journalists Engaged in Dangerous Missions may be informed without delay.

Article 8

The application of this Convention shall have no legal effect on the situation of the parties to a conflict.

Article 9

This Convention shall not affect national regulations concerning the crossing of frontiers or the movement or residence of aliens.

Article 10

None of the provisions of this Convention may be interpreted as affecting the provisions of the Geneva Conventions of 12 August 1949.

1598 (L). Report of the Commission on Human Rights

The Economic and Social Council

Takes note of the report of the Commission on Human Rights on its twenty-seventh session.⁶⁹

*1771st plenary meeting,
21 May 1971.*

1599 (L). Allegations regarding infringements of trade union rights

The Economic and Social Council,

Recalling its resolutions 1216 (XLII) of 1 June 1967, 1302 (XLIV) of 28 May 1968, 1412 (XLVI) of 6 June 1969 and 1509 (XLVIII) of 28 May 1970,

^b *Ibid.*, No. 973.

⁶⁹ *Official Records of the Economic and Social Council, Fiftieth Session, Supplement No. 4 (E/4949).*

Having examined the report on trade union rights in southern Africa,⁷⁰ submitted in accordance with Economic and Social Council resolution 1412 (XLVI), by the *Ad Hoc* Working Group of Experts established under resolution 2 (XXIII) of the Commission on Human Rights,

Gravely concerned at the continued suppression of trade union rights in South Africa, Namibia, Angola, Mozambique and Southern Rhodesia,

1. *Endorses* the conclusions and recommendations of the *Ad Hoc* Working Group of Experts,⁷¹

2. *Strongly condemns* the repression and detention of trade union leaders in southern Africa and calls for their immediate and unconditional release;

3. *Condemns also* the treatment of African producers of primary products in the Territories under Portuguese domination;

4. *Calls upon* Portugal to stop immediately the confiscation of African lands;

5. *Calls upon* the Government of the United Kingdom of Great Britain and Northern Ireland to fulfil its responsibility to put an immediate end to discrimination and repression against African workers and trade unionists in Southern Rhodesia;

6. *Requests* the Secretary-General to bring the report of the *Ad Hoc* Working Group of Experts to the attention of the International Labour Organisation;

7. *Welcomes* the activities of the International Labour Organisation in this field and requests it to continue its efforts to bring to an end the discrimination against African workers in southern Africa and to submit the results of its endeavours to the Economic and Social Council as soon as possible but not later than at its fifty-fourth session;

8. *Requests* the *Ad Hoc* Working Group of Experts to investigate thoroughly the system of recruitment of African workers in Namibia, Southern Rhodesia and the Territories under Portuguese domination and to report to the Economic and Social Council as soon as possible but not later than at its fifty-fourth session;

9. *Requests* the Secretary-General to bring the present resolution and the report of the *Ad Hoc* Working Group of Experts to the attention of the Committee on the Elimination of Racial Discrimination;

10. *Requests* the Secretary-General to transmit the present resolution and the report of the *Ad Hoc* Working Group of Experts to the General Assembly at its twenty-sixth session.

*1771st plenary meeting,
21 May 1971.*

⁷⁰ E/4953.

⁷¹ *Ibid.*, paras. 217-242.

Decision

Human rights

(Item 5)

At its 1771st meeting, on 21 May 1971, the Council decided to transmit to the Commission on Human Rights the summary records of the discussions concerning the work programme of the Commission which took place on the draft resolution on this item⁷² during the fiftieth session of the Council.

⁷² E/AC.7/L.601.