



General Assembly

Distr.
GENERALA/37/145
2 September 1982

ORIGINAL: ENGLISH

Thirty-seventh session
Item 95 of the provisional agenda*

NEW INTERNATIONAL HUMANITARIAN ORDER

Report of the Secretary-General

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. As at 10 July 1982, acknowledgements of receipt of the Secretary-General's note verbale had been received from seven Governments (Botswana, Burma, Equatorial Guinea,

* A/37/150.

Liechtenstein, Senegal, El Salvador and Sweden) and views had been received from 23 Governments (Australia, Austria, Barbados, Belgium, Central African Republic, Cuba, Cyprus, Germany, Federal Republic of, Ireland, Italy, Japan, Kuwait, Mexico, Netherlands, Pakistan, Philippines, Qatar, Romania, Sri Lanka, Saint Vincent and the Grenadines, Switzerland, United Kingdom of Great Britain and Northern Ireland, and United States of America).

4. All Governments supported the intentions underlying the proposal and the need for developing greater international awareness of humanitarian issues and more effective means of dealing with such issues.

5. A number of Governments welcomed the proposal as a means of initiating an in-depth study of existing international agreements of a humanitarian nature, emphasizing gaps that should be filled, points at which existing institutional mechanisms of protection and assistance strengthened and, where needed, new institutions created. Several Governments mentioned the importance in these efforts of the activities of existing organizations, such as the Red Cross.

6. Several Governments stated that the principles underlying the proposal would be well served if existing international agreements were fully respected and observed. While the proposal was useful and timely, special attention would have to be given to avoiding the risks of weakening existing legal instruments, which already represented major advances in the humanitarian field since the United Nations was founded.

7. Several Governments emphasized that the promotion of a new international humanitarian order might become a reality if the basic human right - the right to live in peace - were secured, and if the achievements of technology were not used for great evil but for the great good of mankind.

8. Most Governments stressed that the proposal concerned a very complex issue and that it required further careful study and elaboration before it became clear whether and how new principles, regulations and institutional arrangements could best serve the principles underlying it.

9. In this connexion, five Governments suggested the setting up of an international commission of experts and specialists in the humanitarian field to study the question.

10. The texts of the replies received from Governments are available in the Secretariat.
