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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. Carlos VELASCO MENDIOLA (Peru)

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-third session of the General Assembly, pursuant to paragraph 6 of General Assembly resolution 41/72 of 3 December 1986.
2. At its 3rd plenary meeting, on 23 September 1988, the General Assembly, on the recommendation of the General Committee, decided 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/43/532), pursuant to paragraph 5 of General Assembly resolution 41/72, as well as a letter dated 6 October 1988 from the Permanent Representative of Zimbabwe to the United Nations addressed to the Secretary-General (A/43/709).
4. The Sixth Committee considered the item at its 11th to 13th, 21st and 24th meetings, on 10, 11, 13, 24 and 28 October 1988. The summary records of those meetings contain the views of the representatives who spoke during the consideration of the item (A/C.6/43/SR.11-13, 21 and 24).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/43/L.5

5. At the 21st meeting, on 24 October, the representative of Denmark introduced a draft resolution (A/C.6/43/L.5), sponsored by Denmark, Finland, Iceland, Norway and Sweden, later joined by Austria, the Libyan Arab Jamahiriya, the Netherlands and New Zealand.

6. At its 24th meeting, on 28 October, the Committee adopted draft resolution A/C.6/43/L.5 without a vote (see para. 8).

7. Statements in explanation of position were made by the representatives of Israel and the United States of America. The representative of the Libyan Arab Jamahiriya made a clarifying statement, indicating the positive attitude of his Government towards this item.

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, 39/77 of 13 December 1984 and 41/72 of 3 December 1986,

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,

1/ A/43/532.

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

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 the 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,

1. Appreciates the virtually universal acceptance of the Geneva Conventions of 1949 ^{3/} and the increasingly wide acceptance of the two additional Protocols of 1977;
2. Notes, however, the fact that, in comparison with the Geneva Conventions, the number of State parties to the two additional Protocols is still limited;
3. Appeals to all States parties to the Geneva Conventions of 1949 that have not yet done so 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-fifth 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-fifth 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".

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