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RESPECT FOR HUMAN RIGHTS IN ARMED CONFLICTS

PROTECTION OF JOURNALISTS ENGAGED IN
DANGEROUS MISSIONS IN AREAS OF ARMED CONFLICTS

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Working Group established under resolution 15 (XXVII) of the Commission on Human Rights.

REPORT OF THE WORKING GROUP ESTABLISHED UNDER RESOLUTION 15 (XXVII)
OF THE COMMISSION ON HUMAN RIGHTS

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ANNEX

Draft Protocol relating to the Composition and Functions
of the International Professional Committee for the
Protection of Journalists Engaged in Dangerous Missions
pursuant to article 3 of the draft International
Convention

LETTER OF TRANSMITTAL

Translated from French

16 September 1971

Sir,

On behalf of the Group of Experts established under operative paragraph 4 of resolution 15 (XXVII) of the Commission on Human Rights concerning the protection of journalists engaged in dangerous missions, I have the honour to transmit herewith the draft protocol which is to be annexed to the preliminary draft Convention, as well as our conclusions and recommendations. The draft protocol and the conclusions and recommendations were adopted unanimously on 15 September 1971, when we concluded our deliberations.

In view of the generally recognized urgency of bringing into force an international Convention on the subject, the Group of Experts appeals to the General Assembly to reach agreement on it during its twenty-sixth session. In this connexion, it expresses the hope that you will bring to bear the undeniable prestige of your office.

I should also like to tell you how much the experts appreciated the fact that, in spite of your especially heavy schedule, you made it a point to welcome them, thus demonstrating your interest in problems of information and of respect for human rights in periods of armed conflict.

Accept, Sir, the assurances of my highest consideration.

(Signed) René KERREMANS
Chairman of the
Working Group established
under resolution 15 (XXVII) of the
Commission on Human Rights

U Thant
Secretary-General of the
United Nations
New York

I. INTRODUCTION

1. By resolution 2673 (XXV) of 9 December 1970 the General Assembly invited the Commission on Human Rights, through the Economic and Social Council, to consider the possibility of preparing a draft international agreement ensuring the protection of journalists engaged in dangerous missions in areas of armed conflict and providing, inter alia, for the creation of a universally recognized and guaranteed identification document. The Assembly decided to give the highest priority to the consideration of the question at its twenty-sixth session.
2. The Commission on Human Rights, by resolution 15 (XXVII) of 24 March 1971, recommended that the Economic and Social Council should consider and transmit to the General Assembly a preliminary draft international convention on the subject. By resolution 1597 (L), the Council transmitted to the General Assembly that draft Convention as well as the relevant records of discussion in the Commission and the Council itself.
3. Article 3 of the draft Convention provides that:

"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."

4. The question of the issuance of the safe-conduct card by an international professional committee and other related matters referred to in the draft Convention were dealt with in paragraph 4 of resolution 15 (XXVII) of the Commission on Human Rights:

"The Commission on Human Rights

.....

"Requests the Secretary-General to establish a group of not more than seven experts which shall include in particular a consultant jurist, persons nominated by national professional organizations of journalists from different geographical regions and a representative of the International Committee of the Red Cross, for the purpose, in particular of:

/...

"(a) Considering the appropriate composition for an international professional committee for the protection of journalists engaged in dangerous missions, as envisaged in article 3 of the draft convention;

"(b) Considering the conditions, procedure and the criteria for the issue and withdrawal as well as the procedure for the recognition of the safe-conduct card;

"(c) Submitting to the General Assembly, so that it may have them before it as far as possible at its twenty-sixth session, its conclusions and recommendations together with a draft protocol annexed to the draft convention prescribing the composition, duties and methods of the international professional committee provided for in article 3."

5. The Working Group established by the Secretary-General in accordance with the procedures provided by that provision was composed as follows:

Mr. Harding Bancroft
Former Legal Adviser of the International Labour Organisation,
Executive Vice-President of The New York Times
Consultant jurist

Mr. Aly H. El Gammal
Managing Director
Al-Ahram (Egypt)

Mr. René Kerremans
Secretary-General
National Union of Journalists (France)

Mr. Tibor Köves
Correspondent of the Hungarian Telegraph Bureau in Washington (Hungary)

Mr. Emigdio Maraboto
Secretary-General
Association of Publishers of Daily Newspapers of Mexico (Mexico)

Mr. B.R. Vats
Secretary-General
Indian Federation of Working Journalists (India)

Mr. R.J. Wilhelm
Assistant Director and Head of the Legal Division ICRC
Representative of the International Committee of the Red Cross

6. The Working Group met at Headquarters of the United Nations, New York, from 9 to 15 September 1971. The Group held its meetings in private.

7. Mr. René Kerremans (France) was elected Chairman unanimously.

Mr. Marc Schreiber, Director of the Division of Human Rights, represented the Secretary-General. Mr. Maxime Tardu acted as Secretary.

8. Besides the text of the draft Convention and the above-mentioned resolutions, the Working Group had before it a number of relevant documents, in particular: the records of discussions in the Commission on Human Rights (E/CN.4/SR.1134 and 1135) and the Economic and Social Council (E/AC.7/SR.678); the comments of the Governments of Austria, Brazil, Cambodia, Denmark, Ecuador, France, the Holy See, Italy, Jordan, Madagascar, Nauru, the Netherlands, Nicaragua, the Philippines, Spain, Switzerland and the United States of America on the draft Convention (see A/8371, annex II); and the relevant excerpt from the report of Commission III of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, convened by the ICRC at Geneva from 24 May to 11 June 1971 (ibid., annex III).

9. At its sixth meeting, on 15 September 1971, the Working Group unanimously adopted the following conclusions and recommendations as well as the draft Protocol contained in the annex to the present document.

II. CONCLUSIONS AND RECOMMENDATIONS

10. The Working Group of experts, having considered the documents referred to above and having exchanged views on the purpose and contents of the proposed draft Convention and the Protocol to be annexed to it were unanimous in wholeheartedly welcoming the humanitarian intent of the proposed international instrument.

11. Those of the experts who were members of the journalistic profession, viewed that initiative as a tangible proof of the appreciation by the world community of the importance of the mission of journalists in time of armed conflict. That mission consisted in particular in casting light on all armed conflicts, so that the peoples of the world were promptly and fully informed of events in the dangerous spots of their contemporary world. As expressed in the preamble of the draft Convention, it was essentially the need to promote world-wide dissemination of news on armed conflicts - more than the freely-chosen inherent risks of the profession - which justified certain additional safeguards for the journalists engaged in dangerous missions. Throughout its session, the Group was guided by those basic considerations.

A. Composition of the International Professional Committee for the Protection of Journalists Engaged in Dangerous Missions

12. All the members of the Group agreed that the Committee provided for in article 3 of the draft Convention should be composed essentially of professional journalists, and that the term "journalists" in that context should be broadly understood so that the Committee would give as far as possible adequate representation not only to news reporters and correspondents, but also to newspaper publishers, newspaper editors, news and photographic agencies staff, radio, television and cinema reporters and technicians, and in general to all categories of persons professionally engaged in gathering and disseminating information for the general public.

13. It was equally emphasized that the composition of the Committee should be such as to provide equitable representation of the various geographical regions of the world. Attention was drawn to the formulae governing geographical representation in various organs of the United Nations concerned with human rights.

14. The number of 21 members was considered to be a maximum for the membership of the Committee, as giving sufficient scope for adequate representation both geographical and in respect to categories of media, while allowing for the efficient functioning of that body. The need for swift action by the Committee was regarded as of the highest importance.

15. As regards the authority entrusted with the selection of the members of the Committee, mainly three alternatives were considered: election by the States Parties to the Convention; election by an appropriate body of the United Nations, such as the Commission on Human Rights or the Economic and Social Council; appointment by the Secretary-General of the United Nations.

16. The first alternative - election by the States Parties - was considered and it was noted that that mode of selection had been provided for in various international conventions on human rights, in particular the International Convention on the Elimination of All Forms of Racial Discrimination. Some experts felt, however, that certain difficulties might arise during the first years after the entry into force of the Convention, when a small number of States Parties - maybe five or six - would have to elect up to 21 members, hopefully on a world-wide basis.

17. After some exchange of views, it was the consensus of the Group that appointment of the Committee's members by the Secretary-General would be the best solution providing for a simple practicable procedure with full guarantees of impartiality and independence. It was emphasized, in that connexion as well as in other respects, that the Committee should be established and should function under the auspices and within the framework of the United Nations.

18. Questions relating to the nomination procedure gave rise to further debate. One member suggested that nominations made by any national or international organizations of news personnel,^{1/} even without prior invitation by the Secretary-General, should be duly received and considered. It was generally felt that such a procedure might easily lead to abuses, as the Secretary-General would have no easy way of verifying the claims of various organizations that they represented large segments of news personnel.

^{1/} For the meaning of the term "news personnel", see paragraph 12 above.

19. There was a proposal that the international organization of journalists should send nominations for appointment on the Committee. The international organizations mentioned included the International Federation of Journalists (Brussels), the International Organization of Journalists (Prague), the International Press Institute (Zurich), the International Federation of Editors-in-chief (Paris) and the International Federation of Publishers of Newspapers and Publications (Paris). Other members of the Group were of the opinion that such a proposal took into account only some international organizations of journalists to which a privileged status would unjustifiably be granted in the form of "reserved seats" in the Committee. Further, some national organizations of journalists were not members of any international organization.

20. The other suggestion was that only national organizations of journalists should be invited by the Secretary-General to submit nominations. The general feeling, however, was that international federations, many of which had shown active concern for the issues at stake, should not be disregarded.

21. After some debate, it was agreed that nominations would be submitted, upon the Secretary-General's invitation, by: (a) international organizations of news personnel in consultative status with the Economic and Social Council, and (b) national organizations of news personnel. The Secretary-General would obtain the names of national organizations from the Governments concerned in accordance with usual United Nations practice.

22. All experts considered it highly desirable that representatives of the Secretary-General and of the International Committee of the Red Cross should participate to the largest extent practicable in the work of the Committee. Their presence and advice, it was felt, would be indispensable to give the necessary authority to the Committee's decisions and confidence as to its methods of work.

23. The representative of the International Committee of the Red Cross stated that, although he saw some difficulties in his organization accepting full membership in the Committee, he thought that the ICRC would be prepared to establish and maintain very close relationship with the body according to modalities to be determined by the two institutions concerned.

24. The Group agreed that membership in the proposed Committee should be for three years. The terms of office of individual members should expire on a rotating basis so that the terms of one third of the membership would expire each year.

B. Issuance of the safe-conduct card

25. It was generally felt that articles 1 and 2 of the draft Convention provided only general guidelines as regards the criteria for the issuance of the safe-conduct card, and that it was desirable to include in the Protocol some more specific regulations concerning the matter.

26. All the experts stressed the principle that the protection provided for in the draft Convention was intended for professional, bona fide, news personnel. It was consequently agreed that the safe-conduct card should not be given to mere "amateurs" who would perform some journalistic or pseudo-journalistic activities in areas of armed conflict without having any prior connexion with an information enterprise. Emphasis was repeatedly placed on the condition laid down in article 2, paragraph 2, of the draft Convention according to which the safe-conduct card would be granted only if journalists were sent in areas of armed conflict for the purpose of gathering news "for dissemination through a medium of public information". The existence of some definite professional relationship between the journalist and an information medium, to be proven to the satisfaction of the Committee, was unanimously regarded as fundamental.

27. It was also agreed that, in order to obtain the card, the applicant should make a declaration to the effect that during his mission he would conduct himself in a manner consistent with the highest standards of journalistic integrity and abstain from participating directly or indirectly in the hostilities, and that he would abide strictly by the law of the land.

28. Some experts expressed their inclination not to add any other basic criteria to those referred to in the two previous paragraphs. In their view, any person who performed in good faith the functions of a journalist - i.e., the gathering and transmission of news for a news medium - should be entitled to the protection of the draft Convention.

29. Other experts felt that, for the purpose of the Protocol, the concept of "professional journalist" might be more strictly circumscribed. Various views

were expressed in that connexion. In keeping with the criteria for accreditation of United Nations press correspondents applied by the Office of Public Information, several experts strongly felt that for obtaining the card, applicants should in principle draw their main income from the exercise of the journalistic profession and/or exercise such a profession on a full-time basis. Some members of the Group suggested as another prerequisite a minimum number of years of employment as a professional journalist.

30. According to some experts, it would be desirable that the applicant should undertake not only to abstain from participating in the hostilities but also from transmitting to either belligerent information which might influence the outcome of the conflict, and in general to refrain from taking any unduly partial attitude. The same experts also felt that, in some ways and to some extent, the contents of the information transmitted by the journalist should be taken into account by the Committee in issuing or renewing the safe-conduct card: in their view, the protection of the Convention was not intended for the authors of deliberately false or distorted news. It was also suggested that refusal to comply with the laws concerning the right of correction should be taken into account. Other experts considered, however, that it would be impractical and undesirable for the Committee to attempt to verify the accuracy of the news transmitted by the journalists in dangerous missions, or to go in any way into the contents of such information.

31. While some experts would consider granting the card to persons temporarily (but genuinely) employed as a journalist (see para. 28 above), some other members of the Group were in favour of restricting such protection to full-time, permanently-employed journalists, and they would not admit of any exception. It was stressed for instance that the granting of the card to certain experts in scientific and technological warfare claiming to be "temporary journalists" might well lead to condoning inadmissible espionage activities. After some discussion, it was agreed by most experts that some exceptions might be made in favour of widely known literary authors who would temporarily act as bona fide correspondents in areas of armed conflict.

32. As regards the procedure for the issuance of the safe-conduct card, it was agreed that, in all cases, the Committee or, acting on its behalf, its permanent secretariat, would require as documentary evidence, aside from the applicant's own statement, a certification of employment by a bona fide information media as well as, whenever possible, another written statement by the professional union of the applicant or by any other body entitled to issue national journalists' cards to the effect that the applicant was a bona fide member of the journalistic profession. One member suggested also the requirement of a curriculum vitae.

33. One further suggestion was that the card should not be issued until the Committee was satisfied that the applicant had obtained the necessary entry visas to the territory in which his mission was intended to take place.

34. It was agreed that, in view of the need for expeditiousness on the part of the Committee and in view of the probable difficulty of convening meetings quickly, a register of the names of professional journalists who were likely to be sent on dangerous missions should be established, after proper scrutiny, kept up-to-date, and published by the permanent secretariat of the Committee. The Committee's Secretary, with the approval of the Bureau, would gather such names as would be sent to him by information enterprises throughout the world. When a person already on the register was to be sent on a dangerous mission, the issuance of the card would only call for a relatively simple and quick procedure which might not require the convening of the Committee or its Bureau.

35. For persons not included on such a register, and particularly as regards occasional or temporary journalists who might fall under the category of exceptions, the procedure would inevitably be a little more complex, involving the need for decision by the full Committee, its Bureau or a standing committee which it might establish for that purpose. It was felt, however, that such cases would be relatively few, as most war correspondents and most information media that covered areas of armed conflict were generally very well known in journalistic circles.

36. While the view was expressed that exceptions in favour of temporary journalists should be granted only by unanimous decision of the Committee, most other experts were of the view that a qualified majority constituted a sufficient procedural guarantee.

37. It was agreed that the card should be issued for a limited duration, not exceeding, of course, in any case the duration of the conflict. One suggestion was that the card might be granted first for a one-month testing period, subject to renewal for six months. Another proposal was to issue it for three months, subject to a one-year prolongation. There was no objection to the possibility of renewal of the card when required.

C. Withdrawal of the safe-conduct card

38. It was emphasized that withdrawal of the card would be a very serious action likely to be detrimental to a journalist's reputation, which the Committee should take only after a most serious consideration of the allegation made against the journalist concerned.

39. It was agreed that the journalist and his employer should be under a clear obligation to inform the Committee of any relevant changes in the circumstances which existed at the time of issuance, and that the card should be returned to the Committee immediately after the end of the conflict or the termination of the journalist's employment or mission. Some members raised the question whether, in case the journalist changed employer in the course of his mission, a new card should or should not be issued.

40. All experts felt that the card should be withdrawn in cases where the journalist had clearly violated his undertaking not to participate in any way in the armed conflict. It was recognized, however, that implementation of that principle might raise certain difficult questions. Some members thought that the Committee should consider and investigate every complaint or information from any source bearing upon the impartiality and integrity of the journalist. Others placed the emphasis on complaints from parties to the armed conflict, and on the duty of the Government concerned to inform the Committee of any case of expulsion, arrest or other sanction inflicted upon the card-bearer. The question of the admissibility of possible complaints from fellow journalists who had an interest in the correct application of the Convention was also considered.

41. Most experts expressed their concern that, whatever might be the grounds for withdrawal, such a serious decision should be arrived at only after a fair, albeit

expeditious, procedure giving the accused journalist full opportunity to know the charges and to submit his views and explanations thereon. It was agreed that one of the first steps in such a procedure might be in certain cases the suspension of the privileges attached to the card pending investigation and without prejudice to the final decision of the Committee and to the procedural rights of the journalist concerned.

42. Although the view was expressed that card withdrawal should be decided upon by unanimous decision, the final consensus of the Group was that a qualified majority would suffice.

D. Recognition of the safe-conduct card

43. The Group frequently emphasized the need for full publicity for all the activities of the Committee and in particular as regards the existence, form and conditions of issuance of the card. That would be a basic prerequisite for its wide recognition.

44. Some members were of the view that recognition of the card by all parties to an armed conflict might not be easily obtained in certain circumstances. Certain problems which might arise out of the attitude of de facto (insurgent) authorities were referred to in that connexion.

45. It was considered that the International Committee might be empowered to call on States which were not Parties to the Convention, whenever they were involved in an armed conflict, to apply the provisions of the Convention in such a manner as to give validity to the safe-conduct card in the areas which were or might come under their control.

46. Such considerations lead some members to raise the question whether or to what extent the Committee might be allowed under the draft Convention to make representation or démarches with de jure and de facto parties to an armed conflict, with a view to ensuring the proper fulfilment of articles 5 and 7 of the draft Convention. It was felt that the Committee should enjoy the latitude of action necessary to fulfil its mandate in the light of the objectives of the Convention.

E. Form and contents of the card

47. Aside from the data mentioned in article 4, paragraph 2, of the Convention, it was felt that all questions relating to the form and contents of the card should be left to the Committee. The advisability was mentioned of including data in several languages - perhaps the official languages of the United Nations and the language of the country where the mission was to be performed.

48. As regards the distinguishing mark referred to in article 6, the general feeling was that the use of such a distinguishing mark would be useful but it was noted that the decision whether to wear it or not would be left to the judgement of the journalist.

F. Bureau and secretariat of the Committee

49. It was the consensus of the Group that the requirement of swiftness coupled with the difficulty of convening plenary meetings of up to 21 working journalists might make it indispensable for the Committee to delegate various functions to its Bureau or to a standing committee and to a small permanent secretariat. It was agreed that the standing committee might consist of not more than five persons and of representatives of the Secretary-General of the United Nations and of the International Committee of the Red Cross. The secretariat would have not only to perform numerous routine tasks but also, subject to close liaison with the Bureau, to take important publicity measures and to compile and keep up-to-date registers of correspondents (see para. 34 above).

50. Various formulae were considered for the selection of the executive Secretary. It was agreed that he should have links with, or be part of, the United Nations Secretariat, but that he should also enjoy a certain degree of autonomy. For instance, he might be elected by the Committee upon nomination by the Secretary-General. The general conclusion was however that his appointment might be entrusted to the Secretary-General.

G. Financing

51. Questions relating to the financing of the Committee received great attention on the part of the experts.

52. Stressing the "professional" character of the Committee as was apparent in the draft Convention, some members raised the question of financing wholly or partly through contributions from professional organizations. Some other experts, while agreeing with the idea of independence which underlay that proposal, stressed certain difficulties which might arise, notably as regards establishing scales of assessment, and they expressed some doubts as regards the financial capabilities of many professional organizations.

53. The view was expressed that before deciding upon contributions from the professional associations and news media, the views of national and international organizations of journalists might be sought. Several experts stressed that, in their view, any financing by professional organizations should only be made on a voluntary basis.

54. The attention of the experts was drawn to various formulae which governed the financing of activities of United Nations bodies, in particular the Committee on the Elimination of Racial Discrimination.

55. After some discussion, the Group expressed itself in favour of an alternative that, for the first few years following the entry into force of the Convention, the expenses of the Committee be borne by the United Nations, thereafter the question of financing would be reviewed, with the possibility that such expenses would be borne by the States Parties after their number had sufficiently increased.

H. Recommendation concerning the entry into force of the Convention

56. It was noted that the draft Convention in its present form did not contain any final clauses, and in particular no provision concerning the number of ratifications needed for the entry into force of that instrument. Bearing in mind the importance of the speediest possible entry into force as well as considerations relating, inter alia, to equitable geographical distribution, the Group recommends that the General Assembly should set at five the number of ratifications or accessions needed for the entry into force of the Convention and the Protocol annexed thereto.

I. Distribution of the report of the Working Group

57. The Group express the wish that its report be sent by the Secretary-General for information to the national organizations of news personnel of which he had knowledge and to international organizations of news personnel in consultative status with the Economic and Social Council.

ANNEX

DRAFT PROTOCOL RELATING TO THE COMPOSITION AND FUNCTIONS OF THE
INTERNATIONAL PROFESSIONAL COMMITTEE FOR THE PROTECTION OF
JOURNALISTS ENGAGED IN DANGEROUS MISSIONS PURSUANT TO ARTICLE 3
OF THE DRAFT INTERNATIONAL CONVENTION

Article 1

Composition of the International Professional Committee

1. The International Professional Committee (hereinafter referred to as the Professional Committee) shall consist of not more than 21 members appointed in accordance with the following provisions.

2. Nominations for membership in the Professional Committee shall be made by international and national organizations of journalists representative of the various news media or their managements upon invitation by the Secretary-General of the United Nations and submitted to the Secretary-General in accordance with such procedures as he may establish. Any such international or national organization representing any form of information media may submit not more than two such nominations.

3. The Secretary-General shall appoint from among the nominations so submitted the members of the Professional Committee. In making his appointment the Secretary-General shall ensure equitable geographical representation and an equitable balance among the various categories of information media.

4. In the event of a vacancy in the membership of the Committee occurring more than six months before the expiration of the term of office of the member whose seat becomes vacant, the Secretary-General shall appoint a new member to the Committee in conformity with the provisions of paragraph 3 above.

5. The Secretary-General of the United Nations may be represented at the meetings of the Professional Committee by a special representative.

6. The International Committee of the Red Cross may also be represented at the meetings of the Professional Committee by a representative.

Article 2

Term of membership, status, staff and finances

1. The members of the Professional Committee shall serve for a term of office of three years, provided that the terms of office of one third of the first members appointed upon the coming into force of the Convention shall expire after one year, and the term of office of another third of the first members appointed upon the coming into force of the Convention shall expire after two years. Individual members shall be eligible for reappointment.
2. The Professional Committee shall function under the auspices of, and within the framework of, the United Nations. Its headquarters shall be at the Headquarters of the United Nations. The Committee shall continue in existence so long as the Convention is in force.
3. The Secretary-General shall appoint the executive secretary of the Professional Committee and furnish to the Committee such other staff as may be required.
4. The expenses of the Professional Committee shall be financed under the budget of the United Nations.^{a/}

Article 3

Procedure

1. The Professional Committee shall establish its own rules of procedure, which may provide inter alia for the designation of a standing committee of limited membership, appointed by the Committee with due regard to equitable geographical representation, to which the Committee may entrust the performance of such functions under the Protocol as it may determine. The Standing Committee shall have a Chairman from among its members who shall serve on a rotating basis.
2. Decisions shall be taken by a majority of the members present and voting at any meeting at which a quorum exists, except in the cases specified in this Protocol. The quorum shall be constituted by a majority of the members of the Committee.

^{a/} It is understood that, after the first few years following the entry into force of the Convention, the question of financing would be reviewed, with the possibility that such expenses would be borne by the States Parties after their number had sufficiently increased (see para. 55 of the above report).

Article 4

Functions of the Professional Committee

1. The Professional Committee shall issue safe-conduct cards to bona fide journalists as defined in article 3 of the Convention. Such cards shall be limited to a specified geographical area and they shall be issued for a specified duration.
2. The Professional Committee shall ensure by its procedures that the issuance of safe-conduct cards is effected in the most expeditious manner possible, consistent with the purposes of the Convention.
3. The Professional Committee shall have the authority to withdraw a safe-conduct card in cases where the journalist has failed to conform to his undertakings under article 5, paragraph 1, of this Protocol. A decision to withdraw a safe-conduct card shall be taken by a two-thirds majority vote of the members of the Committee present at a meeting called for this purpose.
4. The Professional Committee shall decide on a readily distinguishing mark which a journalist holding a safe-conduct card may wear, as provided in article 6, paragraph 2, of the Convention, and it shall determine the nature of such a distinguishing mark.
5. At the request of the journalist on a dangerous mission to which a safe-conduct card has been granted in accordance with this Protocol or on its own initiative, the Professional Committee may take such steps as it may consider appropriate with a view to obtaining from the authorities concerned the observance of the provisions of the Convention.
6. The Professional Committee may perform such other functions and have such other duties and responsibilities within the general purposes of the Convention as may be recommended to it by the States Parties to the Convention or by the Economic and Social Council of the United Nations.
7. The activities of the Committee shall be of a humanitarian and entirely non-political character.

Article 5

Persons to whom the safe-conduct card may be issued

1. The Professional Committee shall give consideration to applications for the safe-conduct card from those who represent a bona fide news or information medium, whether in press, radio, television, films, or photos, and who are themselves bona fide professional journalists.

2. All applications shall be supplemented by an official statement to the Committee from an authorized representative of the news media certifying that the applicant will be solely engaged in covering the conflict from the journalistic point of view.

3. The applicant shall be required in a personal statement to state that he or she represents a bona fide news or information media, that he or she is solely or primarily employed in journalism in any given field, and that such activity constitutes his or her sole or main source of income.

4. At its discretion, the Professional Committee may, in exceptional cases, such as in cases of well-known literary persons, waive these requirements as regards his or her personal statement, when it is satisfied that, although the applicant is not primarily a journalist, he or she is nevertheless engaged in a reporting mission in a specified dangerous area on a scheduled and regular basis for an established and bona fide news media.

5. In such exceptional cases, the decision of the Professional Committee shall be taken by a two-thirds majority of its members present and voting.

Article 6

Applications for, and form of, safe-conduct cards

1. Without prejudice to the provisions of article 5, the Professional Committee shall establish rules which shall determine the information required to be set forth in applications for safe-conduct cards submitted by the journalist and by the enterprise by which he or she is employed or with which he or she has contracted. Such information shall include the applicant's name, date and place of birth, residence, nationality, as well as his or her experience and qualifications and the medium of information in which he or she will be working.

The journalist applicant shall, in a signed document submitted to the Professional Committee, undertake to conduct himself or herself while on the mission in a manner consistent with the highest standards of journalistic integrity and not to engage in any political or military activities in the area in which the safe-conduct card is valid or in any activities which may involve a direct or indirect participation in the conduct of hostilities.

2. The Professional Committee shall establish a uniform form for the safe-conduct card. It shall contain the journalist's name, date and place of birth, habitual residence and nationality, and it shall bear his or her photograph. It shall also certify the status of the journalist and the references which entitle him or her to that status under article 2 of the Convention, and the medium of information in which he or she will be working.

Article 7

Relationship with the International Committee of the Red Cross

The Professional Committee shall maintain close relationship with the International Committee of the Red Cross in a manner best suited to the effective performance of its functions under the Convention and this Protocol.

Article 8

Reports of the Professional Committee

The Professional Committee shall submit an annual report on its activities to the Secretary-General of the United Nations, who shall transmit it to the States Parties to the Convention and to the Economic and Social Council. The Secretary-General shall transmit to the Professional Committee any observations and recommendations which the Economic and Social Council may address to the Committee.
