



Chairman: Mrs. Helvi SIPILÄ (Finland).

**AGENDA ITEM 49**

**Respect for human rights in armed conflicts (continued):**

- (a) Report of the Secretary-General (A/8313 and Add.1 to 3, A/8370 and Add.1, A/C.3/L.1895/Rev.1, A/C.3/L.1896/Rev.1, A/C.3/L.1910 to 1916);
- (b) Protection of journalists engaged in dangerous missions in areas of armed conflict: report of the Secretary-General (A/8371 and Add.1, A/8403, chap. XVII, sect. A; A/8438 and Add.1, A/C.3/L.1902, A/C.3/L.1903, A/C.3/L.1904/Rev.1, A/C.3/L.1905, A/C.3/L.1919)

1. Mrs. NHOUNG PENG (Khmer Republic) said that she attached great importance to the question under consideration, since her country was currently suffering the effects of a war which it had not wanted and which had been imposed on it by the Viet-Cong and the North Viet-Nameese, who were of a completely different race and were systematically destroying everything in their path, not even respecting people or temples. In the liberated regions, a number of common graves had been found with the remains of peasants murdered in cold blood by the aggressors because they had refused to collaborate. That was the usual practice adopted by the Viet-Cong and North Viet-Nameese in order to terrorize the population and, as a result, there had been a real exodus to the capital. Her country was thus involved in a war of resistance against genocide and the extermination of the Khmer race. Through their propaganda campaigns, the aggressors had succeeded in making some sectors of opinion believe in the "joint struggle of the Indo-Chinese people for their liberation" and Indo-China was often identified with Viet-Nam. In fact, that propaganda was being used to camouflage the expansionist aims of the North Viet-Nameese and the Viet-Cong. The Government of the Khmer Republic had done everything possible to protect the population and a State organ had been set up to help the victims of the aggression. That organ had worked with the Red Cross and the Khmer Government would therefore welcome any decision which the United Nations might adopt with the aim of ensuring respect for human rights in times of armed conflict.

2. Her delegation would support any effort designed to ensure the protection of journalists engaged in dangerous missions. In that connexion, the Khmer Republic had spared no effort to acquire information about journalists who had disappeared. There was no doubt that they had been captured by the armed forces of the Viet-Cong and the North Viet-Nameese. The Government of the Khmer Republic had proposed that the journalists should be

released in exchange for Viet-Cong and North Viet-Nameese prisoners, but North Viet-Nam had categorically refused. It was obvious that the aggressors wanted to eliminate all witnesses of their crimes and that the journalists, if they were freed, would be a very great obstacle to their pernicious propaganda. Nevertheless, the Khmer Republic would continue to promote any initiative designed to help the journalists.

3. Miss GENDRON (Canada) said that the 1949 Geneva Conventions had been a very important step and that their provisions were basic and effective; however, they referred to traditional conflicts and much more complex problems were currently arising which were causing great suffering to civilian populations. The problem of internal or non-international conflicts, together with the problem of the protection of civilians, seemed to be one of the most difficult to resolve. The Geneva Conventions, for example, did not deal with questions such as those raised by the Swedish representative concerning the restriction of the use of certain types of weapon and certain types of warfare. The Canadian Government attached special importance to the problem of the protection envisaged in the Geneva Conventions in the event of internal or non-international conflicts, whether they were a war for self-determination, a guerrilla war or any other type of conflict affecting primarily the civilian population. Although article 3, which was common to all four Conventions, spoke of armed conflict not of an international character, the Conventions did not adequately cover that type of situation. The fundamental humanitarian rules should apply to all conflicts. For that reason, the Canadian Government experts had submitted a draft protocol to supplement certain provisions of the Conventions with a view to applying them to internal armed conflicts. The provisions of the draft protocol had been carefully studied, so as to avoid interference in the internal affairs of States and the creation of categories of conflicts or of combatant status. The only valid distinction which could be drawn in applying the rules was that in international conflicts one should apply fully the law of war and that in non-international conflicts one should apply the basic minimum recognized by humanitarian law. The protection of non-combatants was one of the fundamental provisions which should be applied in all cases.

4. If Governments would agree not to consider the motives and objectives of a conflict and not to try to classify conflicts as a war of liberation, there would be no problem of definitions. The rules should apply to any conflicts since there was no principle of international law which said that inhuman treatment was permissible. There was also the question whether insurgents should be subject to the law of war. The only solution was therefore to apply the same rules to all types of situation.

5. The draft resolution submitted by the United Kingdom (A/C.3/L.1895/Rev.1) was the continuation of the work started by the Conference of Government Experts convened by the International Committee of the Red Cross. The other draft resolution (A/C.3/L.1896/Rev.1) indicated an order of priority which did not, as the debate had shown, command general support. Operative paragraph 2 raised certain difficulties. For example, if operative paragraph 2(b) was compared with the fifth preambular paragraph and with operative paragraph 4, it might seem that the report to be prepared by the Secretary-General would to a certain extent prejudice the measures to be adopted at the second Conference of Government Experts. The Secretary-General's report (see A/8370, para. 105) stated that the International Committee had already indicated that it would undertake a similar study, if the Secretary-General did not do so. It would perhaps be better therefore to ask the International Committee to await the results of the Secretary-General's study. Her delegation consequently had reservations about operative paragraph 2(b). It was unfortunate that the sponsors of the two drafts had not been able to combine them, since it would have been preferable not to have to decide on two texts which were so similar.

6. With regard to the amendments, she would oppose the inclusion of references to wars of aggression or of liberation, resistance movements and the like. In connexion with the protection of journalists engaged in dangerous missions, she supported certain provisions of the United States working paper (A/C.3/L.1900), particularly articles 2, 3 and 7. On the other hand, she did not agree with the Australian Government on the subject of the regulatory body, although she thought that the Australian draft (A/C.3/L.1902) was a good basis for discussion. The question should be studied in greater detail; for that reason, her delegation had co-sponsored a series of amendments (A/C.3/L.1919) to draft resolution A/C.3/L.1904, although it had reached agreement with the sponsors of that draft. The sponsors of the amendments had proposed the insertion of a new final preambular paragraph to take into account the observations submitted to date as well as the draft convention. They had also considered that the observations from States reproduced in the report of the Secretary-General (A/8371 and Add.1 and 2) were insufficient for the Assembly to be able to adopt the preamble and articles 1 to 10. In that connexion, she recalled that the representative of France had withdrawn the proposal that articles 1 to 10 should be adopted, although he had insisted that the preamble should be adopted. Even so, it seemed difficult to adopt a preamble to a convention which did not yet exist, as could be seen from the fact that the Committee had before it three widely differing drafts. Consequently, the sponsors of the draft resolution had considered that operative paragraph 2(a) should be changed accordingly and the sponsors of the amendments, for their part, had proposed another text designed to ensure that the Commission on Human Rights would have all the necessary material and would be able to review the situation and formulate a single draft acceptable to the majority. An attempt had also been made to replace operative paragraph 4 by another text in order to ensure that Governments would submit observations on the situation after the deliberations of the Commission on Human Rights. In her view, the sponsors of draft resolution

A/C.3/L.1896/Rev.1 had not taken sufficient account of the financial implications when they had included in operative paragraph 4 a reference to the use of qualified experts. In that connexion, it would be useful for the Secretariat to make an analytical study of the question, since apparently there would be no financial implications. Lastly, since a revised text (A/C.3/L.1904/Rev.1) of the draft resolution introduced by France had appeared, she would hold further consultations with the sponsors of that draft and hoped to be able to reach an agreement.

7. Mr. LOSHCHEV (Byelorussian Soviet Socialist Republic) said that his delegation was in principle in favour of the adoption of new instruments of international law designed to protect in times of armed conflict journalists, civilians and particularly fighters for freedom and independence in struggles for national liberation. Nevertheless, the French proposal concerning the protection of journalists engaged in dangerous missions referred only to one category of civilians and therefore did not solve the general problem of the protection of the civilian population. In addition, in order to be effective, the convention should not contain any formula such as the one currently appearing in the first paragraph of article 2 of the preliminary draft convention proposed by the Economic and Social Council in its resolution 1597 (L). That provision was contradictory, since articles 5 and 7 showed that journalists might go to countries which were parties to a conflict but not parties to the convention. In such cases, it was obvious that those countries could refuse to admit journalists and to grant them protection. It was necessary and important to remove that discriminatory formula.

8. It was also important to ensure that the convention was acceptable to the majority of States; but that was difficult, for States incurred considerable obligations and no equivalent obligations were placed on the journalists to be protected. Under articles 4 and 5, States had to recognize the validity of the safe-conduct cards and journalists would be able to travel within a specified geographical area for the expected duration of the mission. Yet such freedom of access to a specified area was undoubtedly equivalent to the issue of a visa by a country, something which might in many instances prove unacceptable. For example, a provision of that nature might be unacceptable in cases of internal conflicts, where it was obvious that free access to combat areas at all times could not be permitted, particularly when, as had been demonstrated recently, information might sometimes tend to aggravate the situation.

9. The fact that, under articles 4 and 5, the validity of the card was to be limited to a geographical area specified by the International Professional Committee meant that journalists could have access to the territory of both parties to a conflict; that was inadmissible, since it should not be forgotten that journalists might well sympathize with one or other of the parties. There was nothing to guarantee that they would not take advantage of that freedom of movement and communicate the other party's secrets to the party which had their sympathies. His delegation was of the view that the geographical area should be limited to territory of one of the parties, and that the geographical area and the duration of the mission should be established with the full agreement of the State concerned.

10. As to article 7, paragraph (1), his delegation could agree to the obligation in question solely on condition that it did not at the same time imply any obligation on the part of the State concerned to admit the journalists to its territory.

11. Again, article 2 established that the purpose of a journalist's mission must be that of disseminating the information obtained. Nevertheless, there was no guarantee that the information would be put to that use. The public would put special trust in journalists holding a safe-conduct card issued by an international organization and it would therefore be necessary to guarantee in some way the authenticity and accuracy of their information. On the other hand, all were aware that, in the Western countries, the press frequently indulged in sensationalism and journalists might take advantage of their privileges and try to aggravate conflict situations. For those reasons, it was essential for the convention to indicate not only the rights enjoyed by journalists but also their duties. In their articles, many journalists justified wars of aggression, colonialism and racism and supported régimes such as those in southern Africa, while opposing the struggle waged by the national liberation movements. Those who engaged in such activities, which were plainly at variance with the Charter of the United Nations, should not be allowed to obtain the proposed safe-conduct card.

12. Another matter of concern to his delegation was the establishment of new international bodies. In that particular instance, the problem was that an international convention, the parties to which would be States, spoke of the establishment of an International Professional Committee for the Protection of Journalists Engaged in Dangerous Missions whose members would be not States but journalists belonging to various professional organizations. That Committee would issue the safe-conduct cards with which the convention was concerned, but the convention itself would be signed and ratified not by journalists' organizations but by States and it was States which would have to ensure that journalists were protected. Accordingly, the International Professional Committee was granted powers which States would be obliged to respect although they were not represented on that Committee.

13. Mr. GONZALEZ GALVEZ (Mexico), introducing the revised draft resolution (A/C.3/L.1896/Rev.2) announced that Austria, Ecuador, Morocco and Norway had become sponsors of the text. It had been decided to incorporate in the draft resolution several suggestions and amendments proposed by various delegations, with a view to arriving at a text which would meet with the approval of the majority of the members of the Committee.

14. The following phrase had been added at the end of operative paragraph 2 (a): "particularly the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the four Geneva Conventions of 1949, including the need for strengthening the system of protecting Powers contained in such instruments". The text thus incorporated the amendments proposed by the delegations of the Syrian Arab Republic (A/C.3/L.1910) and Austria (A/C.3/L.1913), which those delegations had therefore agreed to withdraw.

15. The phrase "as well as arrangements for humanitarian relief", suggested by the delegation of Norway, had been inserted at the end of operative paragraph 2 (b).

16. The sponsors had also agreed to include in their text the amendment proposed by the delegation of Greece (A/C.3/L.1912), omitting only the word "accepted", which had caused difficulties for one delegation.

17. After studying the note of the Secretary-General (A/C.3/L.1916) concerning the financial implications of draft resolution A/C.3/L.1896/Rev.1, the sponsors had, with a view to reducing the high costs which would apparently be incurred for the requisite services of consultants, decided to insert the word "governmental" between the words "qualified" and "consultant experts" in operative paragraph 4. The change should be interpreted as meaning that the Secretariat would thus not be obliged to meet the costs of the consultant experts, which would be paid by the Governments whose assistance the Secretary-General would enlist in preparing the proposed report.

18. Unfortunately, the sponsors of the amendments in documents A/C.3/L.1911 and A/C.3/L.1914 had been unable to accept some of the suggestions that the sponsors of draft resolution A/C.3/L.1896/Rev.1 had made for incorporating those amendments in their text. While his delegation respected their motives, he felt that it was necessary to maintain the balance of the proposed draft resolution. As to the amendment in document A/C.3/L.1911, he noted the problem of mentioning certain specific resolutions, because there was always the risk of omitting one which was specially important. For example, the amendment did not mention either resolution 1514 (XV), which had in practice modified Chapters XI and XII of the Charter of the United Nations by establishing the obligation to grant independence to all dependent Territories, or 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), which inferred the right to fight for self-determination, freedom and independence. Consequently, the sponsors had not wanted to recall specific resolutions and would have preferred instead to refer to other relevant resolutions.

19. There was no objection to the substance of the new paragraph proposed in the second amendment in document A/C.3/L.1911, but the formulation was not consonant with the interpretation which should be given to a convention in respect of which the Secretary-General did not even perform depositary functions. Acceptance of that amendment would have meant divided views regarding the draft resolution concerned. The sponsors of the draft resolution would have agreed to add in operative paragraph 2 (c) the phrase "including conflicts involving a struggle for international independence and freedom", a suggestion which might also cover the second amendment submitted by Byelorussia (A/C.3/L.1914, para. 2).

20. With regard to the first Byelorussian amendment (A/C.3/L.1914, para. 1), particularly the insertion of the words "prevent the unleashing of aggressive wars and", it should be remembered that, although it had devoted

considerable time to the matter, the United Nations had still not succeeded in defining aggression. Furthermore, the Charter condemned the threat or use of force. So far as Mexico was concerned, no war could be justified unless it was waged in exercise of the right of self-defence recognized in Article 51 of the Charter. The other features of that amendment were already included in some fashion in the original draft resolution and to accept them would only upset the balance of the original. His country urged the sponsors of the amendments in documents A/C.3/L.1911 and A/C.3/L.1914 to reconsider the advisability of putting them to the vote.

21. The sponsors of draft resolution A/C.3/L.1896/Rev.2 had, first and foremost, wanted to introduce all the changes needed to obtain the widest support for their draft, without deviating from the purpose of the text. The Australian delegation had also made interesting suggestions. Those had been studied but, although they did not dismiss them entirely, the sponsors had felt that they were already implicit in the text.

22. The sponsors of draft resolution A/C.3/L.1896/Rev.2 requested that, in the voting, priority should be given to their draft resolution.

23. Mr. PENTCHEV (Bulgaria) said that his delegation attached very great importance to respect for human rights in armed conflicts. Man's natural state was peace, and the best way of showing respect for human rights was to eliminate war completely by doing away with its causes. For that reason Bulgaria considered the problem to be essentially political, for an analysis of the characteristics of the conflicts that had broken out since the Second World War would show that they were wars of aggression waged by certain imperialist States to suppress the peoples' struggle for liberation. Those States used war as a means of imposing their policy and defending their economic interests. That was obvious from both the United States aggression against the peoples of Indo-China and that of Israel against the Arab States, from Portugal's colonial war in Angola, Mozambique, and Guinea (Bissau), and from the veiled hostilities that the racist régimes of South Africa and Southern Rhodesia were carrying on against the indigenous inhabitants. The United Nations should call upon States to refrain from unleashing wars of aggression and condemn the countries that were carrying on such wars. General Assembly resolution 2674 (XXV) was a good model to follow, but its provisions should be constantly broadened.

24. In the meantime, the effective protection of victims of armed conflicts must be assured. Modern warfare was so terrible that it spared no one, combatant or non-combatant. The massacres at Song My and My-Lai which had aroused so much international concern, even in the United States, were not isolated cases; they were inseparable from a system of wars of aggression. The war in Indo-China was the cruelest, most brutal and most barbaric war there had ever been, and the rapid increase in the number of civilian victims meant that it was definitely becoming nothing less than genocide. A member of the United States Administration had admitted that between the beginning of hostilities and April 1971 about 5.8 million people—i.e., nearly one third of the population of South Viet-Nam—had been killed, wounded or left homeless.

25. Israel's aggressive war against the Arab States was another typical case and it was having the same effect on human rights. Israel's policy of conquest had left thousands of people homeless and without support; and the Israeli authorities were still pursuing a policy of terror in the occupied territories. Israel systematically denied the facts given in the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories<sup>1</sup> and of the Special Working Group of Experts of the Commission on Human Rights.<sup>2</sup> It also denied other evidence mentioned by several delegations during the Committee's debate. Such tactics should cause no surprise, seeing that Israel was not respecting the United Nations resolutions and decisions on the situation in the Middle East.

26. Thus, aggression inevitably brought with it repression of the civilian population by methods which were inhuman by definition and therefore contrary to all international rules, particularly to the Charter of the United Nations. The General Assembly had called upon States to observe those rules in resolution 2677 (XXV); but that was not enough. What had to be done was to ensure the accession of all States to the existing international humanitarian instruments and take effective measures to see that those instruments were applied. That was the conclusion of the excellent report that the Secretary-General had submitted to the General Assembly at its twenty-fifth session,<sup>3</sup> paragraph 14 of which worded the conclusion very clearly. The next important task before the United Nations was the elaboration of new norms to complement and broaden the existing rules. That might be done by means of additional protocols to the existing Conventions, the basic material for which was to be found in the work of the Third Committee and the reports prepared by the Secretary-General pursuant to General Assembly resolutions 2444 (XXIII) and 2597 (XXIV).

27. The International Committee of the Red Cross had done a great deal also, as was clear from the report of the first Conference of Government Experts held in 1971. There were grounds for hoping that the second meeting of that Conference, planned for 1972, would be even more fruitful. The main objective should be to strengthen and broaden the protection of civilian populations in times of armed conflict. In that connexion, he recalled that at the Diplomatic Conference at Geneva in 1949, the socialist countries had done their utmost to extend as much protection as possible to the civilian population, particularly in occupied territories, and to restrict the rights of the occupying Power as much as possible. Unfortunately, the big Western Powers had opposed those efforts, with the result that there were some gaps in the Conventions that had been adopted.

28. Clarification of the status of freedom fighters in the colonial countries of southern Africa and the occupied territories was another matter of urgency. In Bulgaria's view, the freedom fighters were entitled to protection under the existing Conventions, but since doubts had been

<sup>1</sup> Documents A/8389 and Corr.1 and 2 and Add.1 and Add.1/Corr.1 and 2.

<sup>2</sup> Documents E/CN.4/1016 and Add.1 to 5.

<sup>3</sup> Document A/8052.

expressed in certain cases and in the report of the Secretary-General, thought should be given to elaborating special norms to protect combatants in that category. The General Assembly had taken the unequivocal position that freedom fighters should be treated as prisoners of war at its twenty-third and twenty-fourth sessions and again more recently in resolution 2674 (XXV).

29. Another point to which attention should be given was the use of weapons of mass destruction, particularly some nuclear, chemical and bacteriological methods of warfare. It was to be hoped that the General Assembly would approve the draft Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.<sup>4</sup> Bulgaria shared the view expressed by the representative of Mexico regarding the need to spell out the penal and international responsibility for violations of human rights in armed conflict. Those were complex aspects of the crime of aggression and of crimes against peace and humanity.

30. His delegation had no difficulty in accepting draft resolution A/C.3/L.1896/Rev.1, particularly in the form it would take if the complementary amendments to it were accepted. One of those was the first amendment submitted by the Byelorussian delegation in document A/C.3/L.1914, the text of which expressed the idea he had been discussing, that was to say, that the primary task of the United Nations was to prevent the unleashing of aggressive wars. He had underlined the need to work out norms for the protection of the freedom fighters in southern Africa; that point was covered also by the second Byelorussian amendment. The same concern had prompted the sponsors to present the second amendment in document A/C.3/L.1911. The justification for the third Byelorussian amendment emerged from the note of the Secretary-General (A/C.3/L.1916) on the financial implications of operative paragraph 4 of draft resolution A/C.3/L.1896/Rev.1. Bulgaria was sure that studies of that kind were not lacking and that therefore the Secretariat could perfectly well produce the report without calling on consultant experts for help. Since the sponsors had accepted the inclusion of the adjective "governmental" before the word "experts", it might not be necessary to press the third amendment contained in document A/C.3/L.1914 to a vote, but that was for the sponsors to decide.

31. He supported the amendments in documents A/C.3/L.1910, A/C.3/L.1911 and A/C.3/L.1912, which complemented the text of the draft resolution.

32. As to the other draft resolution (A/C.3/L.1895/Rev.1), it seemed unobjectionable to his delegation, which had submitted, with the Ukrainian delegation, a few complementary amendments (A/C.3/L.1915) to that text, which it trusted would be acceptable to most delegations. In reality, that was only a procedural draft resolution and he recalled that resolution 2677 (XXV), which was similar in kind, had been adopted at the previous session almost unanimously. By introducing those amendments he wished to make a contribution that would enable the draft resolution to command unanimous support. For that reason the first amendment proposed that the words "and

2677 (XXV)" should be replaced by the words "2674 (XXV) and 2675 (XXV)"; resolution 2676 (XXV), mentioned in document A/C.3/L.1915, had been included in error. The other amendments in that document dealt with the problem of what kind of international conference would examine the text that would emerge from the Conference of Government Experts. It seemed somewhat premature to take up that problem, particularly as there were great divergencies in the views expressed. It was for that reason that he had suggested the deletion of the end of the sixth preambular paragraph, since it was not the time to consider the problem. As to the fourth amendment, operative paragraph 4 should be deleted because many States parties to the Geneva Convention had made reservations, and it would be unwise to make difficulties for them by forcing their representatives to assume the responsibility of reconsidering those reservations without having had any opportunity of consulting their Governments. It would be better not to put any delegation in a position in which it would have to abstain in the voting on the draft.

33. Lastly, three drafts had been put forward for the convention on the protection of journalists; he agreed with the majority that it was unlikely that the Committee would be able to consider two completely new texts before the competent national authorities had studied them, and also the text submitted by the Council, which its own sponsors acknowledged to be not yet in its final form. It would therefore be better to refer the drafts to the Commission on Human Rights for its consideration.

34. Mr. MANI (India) said that the General Assembly had been discussing the item on respect for human rights in armed conflicts since 1968. Four resolutions had been adopted on that item at the twenty-fifth session. The General Assembly in resolution 2675 (XXV) had reaffirmed the basic principles for the protection of civilian populations in armed conflicts and stressed that a distinction should be made at all times between combatants and non-combatants. In other resolutions, it had recognized the need to draw up new international instruments to protect civilians and freedom fighters in countries under foreign domination and under racist régimes.

35. He approved the conclusion reached by the Conference of Government Experts Convened by the International Committee of the Red Cross that the Geneva Conventions of 1949 were the basic instruments to be used as a starting-point. He also believed that they should not be amended but should be supplemented.

36. Very few of the armed conflicts which had occurred since 1949 had been purely international in the meaning given to that word in the Geneva Conventions. Consequently, the existing rules should be amplified to cover those cases.

37. Another important problem was the question of the application of the existing rules of humanitarian law. Wide dissemination was not enough; some means to ensure a way of enforcing them should be found and should be sought by the next Conference of Experts to be held in 1972.

<sup>4</sup> The draft Convention was adopted by the General Assembly on 16 December 1971, by its resolution 2826 (XXVI).



38. Mr. LEHTIHET (Algeria) welcomed the efforts made by the sponsors of draft resolution A/C.3/L.1896/Rev.2, but said that, in view of the importance he attached to the position of freedom fighters, he was obliged to maintain his amendments in document A/C.3/L.1911.

39. Mr. SCHREIBER (Director of the Division of Human Rights) said that operative paragraph 4 of draft resolution A/C.3/L.1896/Rev.1 requested the Secretary-General to prepare, with the help of experts, a report on napalm and other incendiary weapons and all aspects of their possible use. Paragraph 126 of the report of the Secretary-General on respect for human rights in armed conflicts submitted at the previous session<sup>3</sup> stated that the preparation of that report might in general be patterned after the Secretary-General's report on chemical and bacteriological weapons.<sup>5</sup> Consultations had therefore been held with the persons dealing with political and disarmament questions and the financial services had prepared a summary of the financial implications.

40. The report on chemical and bacteriological weapons had been prepared by a group of 14 experts who had held three sessions in one year. The cost of that report had been \$U.S.153,000. The subject-matter of the proposed report was more specialized, although more restricted, and it had therefore been thought that 12 experts would be sufficient, leaving room for various points of view and for the application of the principle of equitable geographical distribution. It had likewise been thought that two sessions would be sufficient.

41. The Secretariat did not have the staff to carry out such a specialized technical study and the existing documentation on the subject did not seem sufficient for the preparation of a study such as that requested in draft resolution A/C.3/L.1896/Rev.1.

42. The sponsors' insertion of the word "governmental" before the words "consultant experts" could be a positive step if Governments were indeed prepared to pay the fees, subsistence and travel for the consultants; but past experience had shown that difficulties usually arose. Nevertheless the Secretariat had no objections and would be willing to try the idea. If some Governments made experts available to the Secretary-General, the expenditure would clearly not amount to \$64,000.

43. Mr. NENEMAN (Poland) asked the Director of the Division of Human Rights how many pages there had been in the reports on the possible effects of the use of nuclear weapons and of chemical and bacteriological weapons. He thought they had been shorter than had been suggested for the proposed report on the use of napalm and incendiary weapons, although their scope was much broader.

44. He also inquired what Secretariat officials would be doing for the proposed report, if all the work including translation was to be given to external personnel. He suggested that Secretariat staff should draft the report and

then submit it for consideration by consultants, which would reduce the costs somewhat.

45. Mr. TARASOV (Union of Soviet Socialist Republics) said he thought that the questions put by the representative of Poland were relevant; he also requested clarification on the duties of the consultant who was to be paid \$16,500 for six months.

46. Mr. SCHREIBER (Director of the Division of Human Rights), replying to the questions from the representative of Poland, said that he would request more detailed information on the preparation of the reports mentioned from the Disarmament Affairs Division. Meanwhile, he could inform the Committee that the report on nuclear weapons<sup>6</sup> was approximately 150 pages long and the report on chemical and bacteriological weapons about 200 pages. It should also be borne in mind that annexes usually swelled the reports.

47. With regard to the estimates in item III of the statement of financial implications (A/C.3/L.1916), he pointed out that the Secretariat had an extremely heavy translation and other work load and that consequently it was the practice to communicate to the General Assembly, in such statements, the full cost of the services. When all the estimates were consolidated towards the end of the session, it was possible that the estimated cost would be reduced if permanent staff were able to take on all or part of the work.

48. The representative of the Soviet Union had asked about the remuneration of the consultant. The subject of the report requested was very technical and the Secretariat did not have experts able to deal adequately with that subject. It would not be practical for the Secretariat to draft a report and then submit it for consideration by consultants; it was highly probable that the experts would not agree and for that reason an exchange of views between experts was important with a view to preparing joint conclusions. The consultant working for six months would be responsible for comparing, analysing and summarizing the various opinions and would put the finishing touches to the report, so that the Secretary-General could transmit a coherent report to the Assembly. The proposed time-table was not final but had seemed the most suitable if the Secretary-General was to submit a study of the depth requested by the Assembly.

49. Mr. ALVAREZ TABÍO (Cuba) proposed that the Spanish version of the last sentence in operative paragraph 4 of draft resolution A/C.3/L.1896/Rev.1 should be amended to read "*todos los aspectos de su empleo eventual*" instead of "*todos los aspectos de su posible empleo*".

50. The CHAIRMAN announced that the time-limit for the submission of amendments to the draft resolution on agenda item 52 would be 5 p.m. that day.

*The meeting rose at 1.25 p.m.*

<sup>5</sup> *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use* (United Nations publication, Sales No. E.69.I.24).

<sup>6</sup> *Effects of the Possible Use of Nuclear Weapons and the Security and Economic Implications for States of the Acquisition and Further Development of these Weapons* (United Nations publication, Sales No. E.68.IX.1).