



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/9073  
9 July 1973

ORIGINAL: ENGLISH

Twenty-eighth session  
Item 54 of the preliminary list\*

HUMAN RIGHTS IN ARMED CONFLICTS

Protection of journalists engaged in dangerous missions  
in areas of armed conflicts

Note by the Secretary-General

1. The question of the protection of journalists engaged in dangerous missions in areas of armed conflicts has been examined by the General Assembly since its twenty-fifth session in 1970. By resolution 2673 (XXV) of 19 December 1970, the General Assembly had invited the Economic and Social Council to request the Commission on Human Rights to consider at its twenty-seventh session the possibility of preparing a draft international agreement ensuring the protection of journalists engaged in dangerous missions and providing, inter alia, for creation of a universally recognized and guaranteed identification document.
2. On the recommendation of the Commission on Human Rights at its twenty-seventh session, the Economic and Social Council, by resolution 1597 (L) of 21 May 1971, decided to transmit to the General Assembly at its twenty-sixth session a preliminary draft international convention on the protection of journalists engaged in dangerous missions (A/8371, annex I), as well as the relevant records of the Commission on Human Rights and of the Economic and Social Council, as a valid basis for discussion. In accordance with resolution 15 (XXVII) of the Commission on Human Rights, the General Assembly at its twenty-sixth session also had before it observations by Governments on the preliminary draft Convention (A/8371, annex II and A/8371/Add.1-2), the comments of the first session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, convened by the International Committee of the Red Cross (A/8371, annex III) and the report of a Working Group of Experts established under Commission on Human Rights resolution 15 (XXVII) to consider the appropriate composition of an international professional committee envisaged in the preliminary draft convention and the

---

\* A/9000.

conditions for the issue, recognition and withdrawal of the proposed safe-conduct card for journalists engaged in dangerous missions (A/8438). By resolution 2054 (XXVI) of 20 December 1971, the General Assembly, inter alia, invited the Economic and Social Council to request the Commission on Human Rights to consider as a matter of priority at its twenty-eighth session the preliminary draft convention contained in Council resolution 1597 (L), taking into consideration the draft conventions submitted by Australia 1/ and by the United States of America, 2/ the observations of Governments and other relevant documents, and decided to examine the question as a matter of the highest priority at its twenty-seventh session.

3. The Economic and Social Council, by resolution 1690 (LII) of 2 June 1972, decided to transmit to the General Assembly draft articles 1 to 14 of the International Convention on the Protection of Journalists Engaged in Dangerous Missions in Areas of Armed Conflicts, approved by the Commission on Human Rights at its twenty-eighth session as the basis for further work (A/8777, annex I). In accordance with Council resolution 1690 (LII) and with its own resolution 2054 (XXVI), the General Assembly had before it, at its twenty-seventh session, the amendments submitted to the Commission on Human Rights (E/CN.4/1096), and the records of discussion at the Commission on Human Rights (E/CN.4/SR.1165 to 1176), written observations by Governments (A/8777, annex II and A/8777/Add.1-2) and comments made by the Conference of Government Experts at its second session (A/8777, annex III).

4. In the course of the debate in the Third Committee, during the twenty-seventh session of the General Assembly, the representatives of Australia, Austria, Denmark, Ecuador, Finland, France, Iran, Lebanon, Morocco and Turkey proposed the text of the revised draft articles - including Final Clauses - of an International Convention for the Protection of Journalists Engaged in Dangerous Missions in Areas of Armed Conflicts. 3/ Amendments to the draft articles were submitted by Hungary, India and Spain, the USSR and the United Kingdom. 4/ For the convenience of the Members of the General Assembly, the revised draft articles have been reproduced as annex I of the present document and the amendments thereto have been reproduced as annex II.

5. At its 2107th plenary meeting, on 12 December 1972, the General Assembly decided to include the item entitled "Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflicts" in the provisional agenda of its twenty-eighth session and to consider it as a matter of high priority.

---

1/ Official Records of the General Assembly, Twenty-sixth Session, Annexes, agenda item 49, document A/8589, para. 26.

2/ Ibid., para. 27.

3/ Official Records of the General Assembly, Twenty-seventh Session, Annexes, agenda item 49 (b), document A/8917, para. 11.

4/ Ibid., para. 12.

ANNEX I

Draft articles proposed by Australia, Austria, Denmark, Ecuador,  
Finland, France, Iran, Lebanon, Morocco and Turkey at the twenty-  
seventh session of the General Assembly

ARTICLE 1

The provisions of this Convention shall extend to journalists who hold the card provided for in article 4 below and subsequent articles while engaged in dangerous professional missions in areas where armed conflicts are taking place.

ARTICLE 2

For the purposes of the application of this Convention:

(a) The word "journalist" shall mean any correspondent, reporter, photographer, and their technical film, radio and television assistants who are ordinarily engaged in any of these activities as their principal occupation and who, in countries where such activities are assigned their particular status by virtue of laws, regulations or, in default thereof, recognized practices, have that status (by virtue of the said laws, regulations or practices);

(b) The term "armed conflict" shall apply to any armed conflict, whether or not international, to which the provisions of the Geneva Convention of 12 August 1949 relate;

(c) The words "dangerous professional missions" shall cover any professional activity exercised by a journalist carried out in an area where there is armed conflict for the purpose of collecting information, photographs, films, sound recordings or any other material and disseminating them through media of public information.

ARTICLE 3

1. There shall be established an International Professional Committee composed of nine members, renowned for their high professional standing and their impartiality, appointed by the Secretary-General of the United Nations in consultation with the Chairman of the Commission on Human Rights, with due regard for the principle of equitable geographical distribution and with the establishment of an equitable balance among the various information media. The Secretary-General shall be represented in that Committee.

2. The International Committee of the Red Cross shall be invited to participate in the work of the Committee as an observer.

3. The members of the Committee shall be appointed for four years. However, the term of five of its members, from among the initial appointees, shall end on the completion of two years. Immediately after the initial appointment, the names of these five members shall be drawn by lot by the Chairman of the Committee.

4. To fill any vacancy that may occur, the Secretary-General shall appoint another journalist in accordance with the provisions of paragraph 1 of the present article.

#### ARTICLE 4

1. The International Professional Committee shall adopt its own rules of procedure.

2. The Committee shall make regulations prescribing the conditions for the issue, renewal and withdrawal of a card, as well as its form and contents.

3. The Committee shall inform all States parties to the Convention of the form, contents and conditions for the issue and withdrawal of the card and an exact description of the distinguishing emblem or emblems provided for in article 9.

4. The Committee shall submit an annual report of its activities to the General Assembly through the Secretary-General.

5. The expenses relating to the activity of the Committee shall be borne by the States parties to this Convention.

6. The Committee shall normally hold its meetings in....

#### ARTICLE 5

1. The card shall certify the status of the journalist and shall indicate the occupation that gives him the right to that status within the meaning of article 2 (a) above. It shall also state his name, nationality, date and place of birth, blood group, habitual residence, the name and address of the organization employing him and of the person to be notified in case of accident; it shall bear his photograph, his signature and the distinguishing emblem or emblems provided for in article 9.

2. On the back of the card there shall be printed the following statement:

"The bearer of this card undertakes to conduct himself while on the mission in a manner consistent with the highest standards of journalistic integrity and not to interfere in the domestic affairs of the receiving State or engage in any political or military activities or in any activities which might involve direct or indirect participation in the conduct of hostilities in the areas where the dangerous mission is being undertaken."

3. The card shall be of different colours depending on whether the journalist belongs to the printed press or the technical press.

4. The card shall be issued for the execution of a dangerous professional mission in any area in which there is an armed conflict and shall be valid for a period of 12 months from the date of issue. It may be renewed on the same terms provided that its holder retains the status of a journalist.

5. This card may be withdrawn before the expiry of its validity if its holder ceases to be a journalist as defined in article 2 (a) of this Convention.

6. The authorities responsible for the issue of the card shall communicate without delay to the International Professional Committee the names and all other relevant personal data of journalists to whom cards have been issued. In the case of withdrawal of a card from a journalist, such withdrawal shall also be communicated immediately to the International Professional Committee.

7. The International Professional Committee shall establish and maintain an up-to-date register of journalists who hold cards.

#### ARTICLE 6

1. The competent authorities of the States parties to this Convention shall be responsible for the issue, authentication, renewal and, where necessary, withdrawal of the card on the terms prescribed in article 4.

2. The card may be issued only to a journalist who is a national of the State party to this Convention that issued the card or who is under its jurisdiction /or who has his permanent residence in it/.

#### ARTICLE 7

1. The States parties to this Convention and, as far as possible, all parties to an armed conflict in the territory of a State party to the Convention shall recognize a duly authenticated and current card and the distinguishing emblem or emblems provided for in article 9, and they shall give effect to them as required by this Convention.

2. States parties to this Convention shall give wide circulation to the model of the card and to the distinguishing emblem or emblems provided for in article 9.

#### ARTICLE 8

1. A journalist shall carry the card of which he is the holder and shall produce it when necessary to secure the protection of this Convention.

2. A journalist who holds a card shall wear the distinguishing emblem or emblems described in article 9.

/...

#### ARTICLE 9

1. There shall be a distinguishing emblem, which shall consist of the letter P in black on a gold circular background and it shall be delivered at the time of issue by the authorities of the State responsible for issuing the card. The emblem shall be displayed on the left upper arm in such a way that it shall be clearly visible at a distance.

2. Journalists shall, as necessary, also wear the recognized distinguishing emblem in the area of conflict.

#### ARTICLE 10

1. The States parties to this Convention and, as far as possible, all the parties to an armed conflict in the territory of a State party to the Convention shall to the maximum extent feasible extend protection to journalists wearing the distinguishing emblem or emblems or producing the card and, in particular, shall:

(a) Extend to journalists reasonable protection from the inherent dangers of the conflict;

(b) Warn the journalists to keep out of dangerous areas;

(c) Grant, in case of internment, treatment identical to that provided for in articles 79 to 135 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

(d) Ensure that, if a journalist who holds a card is killed or injured, falls seriously ill, is reported missing or is arrested or imprisoned, the information concerning the said journalist is communicated forthwith to the State party that issued the card, to the organization mentioned on the card and to his next of kin, or ensure that the said information is made public. This information may be communicated through all appropriate media, in the quickest and most effective manner and, preferably, through the International Committee of the Red Cross or the Secretary-General of the United Nations, in order that the International Professional Committee may be informed without delay.

2. When undertaking dangerous professional missions in an area where there is a conflict within the meaning of article 2 (b) above, journalists have the right to protection from an immediate danger resulting from hostilities only to the extent that they shall not expose themselves to danger without needing to do so for professional reasons.

#### ARTICLE 11

Each State party to this Convention undertakes to comply with and to ensure compliance with this Convention in all circumstances.

#### ARTICLE 12

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

#### ARTICLE 13

1. This Convention shall not affect the sovereignty of States. Consequently, States shall apply national laws with respect to the crossing of frontiers or the movement of residence of aliens.

2. Possession of a card shall not confer on a journalist any right or privilege save and except as prescribed by this Convention.

3. Each State party has the right to grant or deny requests for access to specified danger-points on the same terms as apply to its own journalists.

#### ARTICLE 14

None of the provisions of this Convention shall affect the provisions of the Geneva Conventions of 12 August 1949.

#### ARTICLE 15

##### Signature, ratification and accession

1. This Convention shall be open, until... inclusive, at United Nations Headquarters, New York for signature by all States Members of the United Nations or members of a specialized agency or the International Atomic Energy Agency, by all States parties to the Statute of the International Court of Justice and by any other State which has been invited by the General Assembly of the United Nations to become a party to the Convention.

2. This Convention shall be subject to ratification by the States which have signed it.

3. This Convention shall be open to accession by the States referred to in paragraph 1 of this article.

4. Instruments of ratification and of accession shall be deposited with the Secretary-General of the United Nations.

## ARTICLE 16

### Entry into force

1. This Convention shall enter into force on the ... day after the date of deposit with the Secretary-General of the United Nations of the thirtieth instrument of ratification or instrument of accession.

2. For each State ratifying or acceding to the Convention after the deposit of the thirtieth instrument of ratification or instrument of accession, this Convention shall enter into force 30 days after the date of the deposit of its own instrument of ratification or instrument of accession.

## ARTICLE 17

### Settlement of disputes

1. Any dispute between two or more States parties with respect to the interpretation or application of the Convention which is not settled by negotiation shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision, unless the disputants agree to another mode of settlement.

2. Any State may, when it signs or ratifies this Convention or accedes thereto, declare that it does not consider itself bound by the provisions of the preceding paragraph concerning recourse to the International Court of Justice.

3. Any Contracting State which has made such a declaration may at any time withdraw it by means of a notification addressed to the depositary.

## ARTICLE 18

### Denunciation

A State party may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect... after the date of receipt of the notification by the Secretary-General. However, a denunciation notification of which has been given by a party engaged in armed conflict within the meaning of article 2 shall not take effect until after the conclusion of the operations to which the journalist's mission relates.



## ARTICLE 19

### Amendment

1. Any State party to the Convention may propose an amendment and file it with the Secretary-General of the United Nations.
2. The Secretary-General shall thereupon communicate any proposed amendments to the States parties to the Convention.
3. Amendments shall come into force when they have been accepted by a two-thirds majority of the States parties to this Convention in accordance with their respective constitutional processes.
4. When amendments come into force, they shall be binding on those States parties which have accepted them; other States parties shall continue to be bound by the provisions of this Convention or any earlier amendment which they have accepted.

## ARTICLE 20

### Notifications

The Secretary-General of the United Nations shall inform all States which are or which become parties to the Convention of the following particulars:

- (a) Signatures, ratifications and accessions under article 15;
- (b) The date of entry into force of the Convention under article 16, and the date of entry into force of any amendment under article 19;
- (c) Denunciations under article 18.

## ARTICLE 21

The original text of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned plenipotentiaries, duly authorized by their Governments, have signed this Convention.

DONE at... on....

/...

ANNEX II

Amendments submitted by Hungary, by India and Spain, by the  
Union of Soviet Socialist Republics and by the United  
Kingdom of Great Britain and Northern Ireland

(a) Draft article 2

Amendments submitted by the Union of Soviet Socialist Republics  
(A/C.3/L.1952):

- (i) Delete the words "or press technician" a/ in paragraph 1;
- (ii) Delete the third paragraph.

(b) Draft article 3

- (i) Amendment submitted by the United Kingdom (A/C.3/L.1960):

Delete article 3;

- (ii) Amendment submitted by Hungary (A/C.3/L.1956):

Insert, in the second paragraph, the words "the International Federation of Journalists and the International Confederation of Journalists" after the words "of the Red Cross".

(c) Draft article 4

Amendment submitted by Hungary (A/C.3/L.1956):

Add, at the end of the first paragraph, the words "on the basis of the provisions of this Convention".

(d) Draft article 5

Amendment submitted by the United Kingdom (A/C.3/L.1961):

Replace the first sentence of paragraph 4 by the words "The card shall be valid in any part of the world for any dangerous professional missions undertaken within a period of twelve months from the date of issue".

---

a/ These words were replaced by the words "their technical film, radio and television assistants" in the revised draft articles (A/C.3/L.1963/Rev.1).

(e) Draft article 6

(i) Amendment submitted by the United Kingdom (A/C.3/L.1960):

Replace draft article 6 by:

"The card shall be issued by the International Professional Committee described in article . The International Professional Committee shall also be responsible for the renewal and, where necessary, withdrawal and authentication of the card.

"Cards may be issued only to journalists who are nationals or habitual residents of States Parties to this Convention."

(ii) Amendment submitted by the Union of Soviet Socialist Republics (A/C.3/L.1952):

Insert, in paragraph 1, after the words "where necessary", the words "because of a violation of the provisions of this Convention or of the laws of the country of assignment".

(iii) Amendment submitted by India and Spain (A/C.3/L.1958):

Replace, in paragraph 2, the words "who is under its jurisdiction" by the words "who is within its territorial jurisdiction".

(f) New articles to follow article 6

Amendments submitted by the United Kingdom (A/C.3/L.1960):

Insert the following new articles and renumber the remaining articles accordingly:

"1. There shall be established an International Professional Committee consisting of nine journalists of high professional standing and acknowledged impartiality, elected by States Parties to the Convention, who shall serve in their personal capacity, consideration being given to equitable geographical distribution and balance amongst the various categories of information media.

"2. The Secretary-General shall invite the International Committee of the Red Cross to nominate an observer who may participate in the work of the International Professional Committee.

"3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties to the Convention. Each State Party may nominate one person.

"4. The initial election shall be held six months after the date of entry into force of this Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare the list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them and the category of their professional expertise, and shall submit this list to all States Parties.

"5. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and absolute majority of the votes of the representatives of the States Parties present and voting.

"6. The members of the Committee shall be elected for a term of four years. However, the terms of five of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these five members shall be chosen by lot by the Chairman of the meeting of States Parties.

"7. For the filling of casual vacancies the Secretary-General shall appoint another journalist in accordance with the provisions laid down in paragraph 1 of this Article and subject to the approval of the Committee.

"8. States Parties shall be responsible for all those expenses of the Committee, including secretariat expenses, not met by means of levying a reasonable charge on journalists for the issue of cards."

(g) New draft article 11

The following new draft article (A/C.3/L.1952) was proposed by the USSR:

"A journalist on a dangerous professional mission in an area in which there is taking place an armed conflict as defined in the Geneva Convention of 1949 must conform to the instructions of the military authorities, especially as regards his movements, access to areas in which fighting is actually taking place and bans on the collection of information or its transmission to any other person."

(h) Draft article 16

Amendment submitted by Hungary (A/C.3/L.1956):

Replace in paragraph 1 the word "fifth" b/ by "fiftieth".

-----

---

b/ This word was replaced by "thirtieth" in the revised draft articles (A/C.3/L.1963/Rev.1).