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NAPALM AND OTHER INCENDIARY WEAPONS AND ALL
ASPECTS OF THEIR POSSIBLE USE

Report of the Secretary-General

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CANADA

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The report entitled Napalm and Other Incendiary Weapons and All Aspects of Their Possible Use (A/8803/Rev.1) 1/ indicates the importance of giving further consideration to the question of napalm and other incendiary weapons, and provides a useful point of departure for this consideration. The report goes on to point to the need for wider study of the implications, especially for non-combatants, arising out of the use of a range of weaponry and tactical military practices of contemporary war, whose employment may have indiscriminate effects or cause unnecessary suffering. Paragraph 190 of the conclusions of the report places the question in perspective when observing that the military use of incendiary weapons is "but one aspect of the more general phenomenon of the increasing mobilization of science and technology for war purposes".

In the light of the continuing development in recent years of weapons and battlefield tactics for their employment, the question arises whether international attention should be directed, not only to the use of incendiaries, horrifying as they are, but to all types of conventional weapons which can be indiscriminate in effect or cause unnecessary suffering, or more broadly, to the ways in which weapons could be used with these same undesired consequences.

The provisional conclusions drawn from the report by the Canadian Government are:

(1) Broadly, there should be concern with the use of all types of weapons in ways which could cause unnecessary suffering or be indiscriminate in effect; for this reason, the protocols additional to the Geneva Conventions of 1949 which are currently being prepared under the auspices of the International Committee of the Red Cross in close co-operation with the United Nations General Assembly, should reaffirm the existing principles and rules of conventional and customary international law of armed conflicts which apply generally to the choice and use of weapons by States in armed conflict and are contained, inter alia, in the Hague Declaration of 1899, the Hague Conventions of 1907 2/ and the Geneva Protocol of 1925; 3/

(2) Further consideration should be given to the use of incendiary weapons,

1/ United Nations publication, Sales No.: E.73.I.3.

2/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

3/ League of Nations, Treaty Series, vol. XCIV, 1929, No. 2138.

and at the same time examination should be made of the implications, especially for non-combatants, of the use of a range of contemporary conventional weaponry;

(3) Both consideration of limitations on the use of specific weapons, such as napalm and other incendiary weapons, and efforts to promote the further development of the international humanitarian law of armed conflict, should be undertaken quickly and effectively; this end would be best served by undertaking the examination of limitations on the use of specific weapons in a body other than that charged under the auspices of the International Committee of the Red Cross with the preparation of protocols additional to the Geneva Conventions of 1949, although perhaps remaining under the auspices of the International Committee of the Red Cross.
