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QUESTION OF GENERAL AND COMPLETE DISARMAMENT

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Members of the General Assembly the attached communication dated 7 December 1966, which was addressed to him by the President of the International Committee of the Red Cross.

INTERNATIONAL COMMITTEE OF THE
RED CROSS

Geneva, 7 December 1966

Sir,

We were interested to learn of the discussions recently held in the First Committee of the General Assembly on the subject of disarmament.

We have taken note of the draft resolution which was adopted by the First Committee (A/C.1/L.374/Rev.1) and which contains a paragraph concerning the Geneva Protocol of 17 June 1925 on prohibition of the use of asphyxiating, poisonous and other gases and bacteriological methods of warfare.

In this connexion, I had the honour to send you, with my letter of 13 January 1966, the complete set of resolutions adopted by the Twentieth International Conference of the Red Cross, held at Vienna in October 1965. Among the resolutions adopted at the Conference was resolution No. 28, of which you will find a copy attached.

Since the resolution expressly invites all Governments which have not yet done so to become Parties to the Geneva Protocol of 1925, the International Committee of the Red Cross sent letters, in July 1966, to all States that are not Parties to that Protocol. In its letter to the Governments of those States, the International Committee of the Red Cross noted that, so far, only forty-nine States are Parties to the Protocol. Attached you will find a list of the latter States. This list should also include Cuba, which notified its accession to the French Government, the depositary of the agreement, on 24 May 1966.

The action taken by the International Committee of the Red Cross has already had some results, for the Holy See, in reply, indicated that it had decided to accede to the Geneva Protocol. Its instrument of accession was, in fact, deposited with the French Government on 12 October 1966. Also, the Government of Gambia transmitted a declaration to the French Government stating that it considered itself bound by the earlier ratification made by the United Kingdom Government, and thus confirmed its participation in the Geneva Protocol.

His Excellency U Thant
Secretary-General of the United Nations
New York

The Government of the Republic of the Ivory Coast has informed us of its decision to become a Party to the Geneva Protocol, and the Government of the Maldivian Islands has given us similar notice. We have just received word from the Government of the Principality of Monaco announcing that its instruments of accession were about to be delivered to the French Government. The Government of Cyprus has informed us that it too considers itself bound by the earlier ratification made by the United Kingdom Government and that notice to this effect has been given to the French Government.

The Governments of the Democratic Republic of the Congo and of Laos have informed us that they have decided to become parties to the Protocol and propose to notify the French Government to that effect shortly. The Governments of Honduras, Guyana, Jamaica, Guatemala, Nicaragua, Argentina and San Marino have also informed the International Committee of the Red Cross that their countries are giving favourable consideration to accession and that they have asked their competent authorities to study the question.

We thought that this information might be of use to you, and we naturally leave you entirely free, should you so wish, to convey it to the Members of the General Assembly.

As you can see from the foregoing, the Twentieth International Conference of the Red Cross has taken action along lines very similar to those underlying the draft resolution adopted by the First Committee, and it is to be hoped that these joint efforts will produce favourable results.

The draft resolution adopted by the First Committee contains, in addition to the passages dealing with the Geneva Protocol, provisions relating to the rules of international law on the conduct of warfare and, in particular, to weapons of mass destruction. This is a subject in which the Red Cross in general, and the International Committee of the Red Cross in particular, has been especially interested for many years, and we therefore very much hope that, in this field too, positive results will be achieved for the greater good of mankind.

Accept, Sir, the assurances of my highest consideration.

(Signed) Samuel A. Gonard

ANNEX I

XXth International Conference of the Red Cross

Resolution XXVIII

Protection of civilian populations against the dangers
of indiscriminate warfare

The XXth International Conference of the Red Cross,

in its endeavours for the protection of the civilian population, reaffirms resolution No. XVIII of the XVIIIth International Conference of the Red Cross (Toronto, 1952), which, in consideration of resolution No. XXIV of the XVIIth International Conference of the Red Cross (Stockholm, 1948) requested Governments to agree, within the framework of general disarmament, to a plan for the international control of atomic energy which would ensure the prohibition of atomic weapons and the use of atomic energy solely for peaceful purposes,

thanks the International Committee of the Red Cross for the initiative taken and the comprehensive work done by it in defining and further developing international humanitarian law in this sphere,

states that indiscriminate warfare constitutes a danger to the civilian population and the future of civilization,

solemnly declares that all Governments and other authorities responsible for action in armed conflicts should conform at least to the following principles:

- that the right of the parties to a conflict to adopt means of injuring the enemy is not unlimited;
- that it is prohibited to launch attacks against the civilian populations as such;
- that distinction must be made at all times between persons taking part in the hostilities and members of the civilian population to the effect that the latter be spared as much as possible;
- that the general principles of the Law of War apply to nuclear and similar weapons;

expressly invites all Governments who have not yet done so to accede to the Geneva Protocol of 1925 which prohibits the use of asphyxiating, poisonous,

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or other gases, all analogous liquids, materials or devices, and bacteriological methods of warfare.

urges the ICRC to pursue the development of International Humanitarian Law in accordance with resolution No. XIII of the XIXth International Conference of the Red Cross, with particular reference to the need for protecting the civilian population against the sufferings caused by indiscriminate warfare,

requests the ICRC to take into consideration all possible means and to take all appropriate steps, including the creation of a committee of experts, with a view to obtaining a rapid and practical solution of this problem,

requests National Societies to intervene with their Governments in order to obtain their collaboration for an early solution of this question and urges all Governments to support the efforts of the International Red Cross in this respect,

requests all National Societies to do all in their power to persuade their Governments to reach fruitful agreements in the field of general disarmament.

ANNEX II

List of the States Parties to the Geneva Protocol of 1925

Australia	(1930)	Mexico	(1932)
Austria	(1928)	Netherlands	(1930)
Belgium	(1928)	New Zealand	(1930)
Bulgaria	(1934)	Norway	(1932)
Byelorussian SSR	(1928)	Pakistan	(1960)
Canada	(1930)	Paraguay	(1933)
Ceylon	(1954)	Poland	(1929)
Chile	(1935)	Portugal	(1930)
China (People's Rep.)	(1929)	Romania	(1929)
Czechoslovakia	(1938)	Rwanda	(1964)
Denmark	(1930)	South Africa	(1930)
Ethiopia	(1935)	Spain	(1929)
Finland	(1929)	Sweden	(1930)
France	(1926)	Switzerland	(1932)
Germany (Democratic Rep.)	(1929)	Thailand	(1931)
Germany (Federal Rep.)	(1929)	Turkey	(1929)
Greece	(1931)	Uganda	(1965)
Hungary	(1952)	Ukrainian SSR	(1928)
India	(1930)	USSR	(1928)
Iran	(1929)	United Arab Republic	(1928)
Iraq	(1931)	United Kingdom	(1930)
Ireland	(1930)	United Rep. of Tanzania	(1963)
Italy	(1928)	Venezuela	(1928)
Liberia	(1927)	Yugoslavia	(1929)
Luxembourg	(1936)		