

**TWO UNITED NATIONS RESOLUTIONS ON THE
DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW**

At its thirtieth session, the United Nations General Assembly adopted two resolutions, one on 11 December and the other on 16 December 1975, on matters to be considered by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, whose third session will take place at Geneva from 21 April to 11 June 1976, and by the second Conference of Government Experts on the Use of Certain Conventional Weapons, to be held at Lugano, under ICRC auspices, from 28 January 1976. The text of the resolutions is given below:

RESOLUTION 3464 (XXX)

**Napalm and other incendiary weapons
and all aspects of their possible use**

The General Assembly,

Convinced that the suffering of civilian population and combatants could be significantly reduced if general agreement can be attained on the prohibition or restriction for humanitarian reasons of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Mindful that positive results in this regard are likely to facilitate subsequent substantive disarmament negotiations with a view to the elimination of production, stockpiling and proliferation of the weapons in question, which should be an ultimate objective,

Recalling that the issue of prohibitions or restrictions for humanitarian reasons of the use of specific conventional weapons has been the subject of serious and substantive discussion at the level of government experts at the Lucerne Conference under the auspices of the International Committee of the Red Cross and of government representatives at the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts and in the General Assembly of the United Nations,

Aware that the discussions, as well as the proposals and suggestions which have been advanced, have regard not only to napalm and other incendiary weapons but to a number of other specific kinds of conventional weapons, such as various small-calibre projectiles, certain blast and fragmentation weapons, as well as some delayed action weapons and perfidious weapons,

Conscious of the need to continue discussion and for supplementary data to enable Governments to reach further conclusions and to seek broad agreement,

Noting with satisfaction that the issue will be before a second conference of government experts to be held under the auspices of the International Committee of the Red Cross at Lugano from 28 January to 26 February 1976, with a view to focusing on such weapons as have been or might become the subject of proposed bans or restrictions and to studying the possibility, contents and form of such proposed bans or restrictions and that, thereafter, the issue will come before the Diplomatic Conference on International Humanitarian Law Applicable in Armed Conflicts, to be held at Geneva from 21 April to 11 June 1976,

Trusting that this further work will be inspired by a sense of urgency and a wish to attain concrete results,

1. Takes note of the reports by the Secretary-General on the work of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts as regards the work of the Conference relevant to the present resolution;¹

2. Invites the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts to continue its consideration of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have

¹ A/10195 and Corr.1, and A/10222.

MISCELLANEOUS

indiscriminate effects, and its search for agreement for humanitarian reasons on possible rules prohibiting or restricting the use of such weapons;

3. Requests the Secretary-General, who has been invited to attend the Diplomatic Conference as an observer, to report to the General Assembly at its thirty-first session on aspects of the work of the Conference and of the Lugano Conference relevant to the present resolution;

4. Decides to include in the provisional agenda of its thirty-first session an item entitled "Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons."

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RESOLUTION 3500 (XXX)

Respect for human rights in armed conflicts

The General Assembly,

Conscious that a better application of existing humanitarian rules relating to armed conflicts and the development of further rules remains an urgent task in order to reduce the suffering brought by all such conflicts,

Recalling the successive resolutions adopted in the preceding years by the United Nations relating to human rights in armed conflicts and the debates on this subject,

Noting the report of the Secretary-General on the second session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts held at Geneva from 3 February to 18 April 1975 ¹,

Noting also the report of the Secretary-General on human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflicts ¹,

Welcoming the substantial progress made at the second session of the Diplomatic Conference,

Noting that the Diplomatic Conference will continue its consideration of the use of specific conventional weapons including any which may be

¹ A/10195 and A/10147.

deemed to be excessively injurious or to have indiscriminate effects, and its search for agreement for humanitarian reasons on possible rules prohibiting or restricting the use of such weapons,

1. *Calls upon all parties to armed conflicts to acknowledge and to comply with their obligations under the humanitarian instruments and to observe the international humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949;*

2. *Calls the attention of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts and the Governments and organizations participating in it, to the need for measures to promote on a universal basis the dissemination of and instruction in the rules of international humanitarian law applicable in armed conflicts;*

3. *Urges all participants in the Diplomatic Conference to do their utmost to reach agreement on additional rules which may help to alleviate the suffering brought about by armed conflicts and to respect and protect non-combatants and civilian objects in such conflicts;*

4. *Takes note with appreciation of the decision at the Diplomatic Conference on the protection of journalists engaged in dangerous professional missions in areas of armed conflicts, and of the intention of the Conference to complete its work on the subject during its next session;*

5. *Expresses its appreciation to the Swiss Federal Council for convoking the third session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts from 21 April to 11 June 1976 and to the International Committee of the Red Cross for convoking a second Conference of Government Experts on Weapons That May Cause Unnecessary Suffering or Have Indiscriminate Effects to be held at Lugano from 28 January to 26 February 1976;*

6. *Requests the Secretary-General to report to the General Assembly at its thirty-first session on relevant developments concerning human rights in armed conflicts, in particular on the proceedings and results of the 1976 session of the Diplomatic Conference;*

7. *Decides to include in the provisional agenda of its thirty-first session the item entitled "Respect for human rights in armed conflicts".*

FOUR RECENT ICRC PUBLICATIONS
ISSUED FOR THE DIPLOMATIC
CONFERENCE
ON THE REAFFIRMATION AND
DEVELOPMENT OF INTERNATIONAL
HUMANITARIAN LAW
APPLICABLE IN ARMED CONFLICTS

Sw. Fr.

Draft Additional Protocols to the Geneva Conventions of August 12, 1949, Geneva, 1973; 8vo, 46 pp.	10.—
Draft Additional Protocols to the Geneva Conventions of August 12, 1949, Commentary, Geneva, 1973; 8vo, 176 pp. . .	20.—
Weapons that may cause Unnecessary Suffering or have Indiscriminate Effects, Report on the Work of Experts, Geneva, 1973, 72 pp.	12.—
Conference of Government Experts on the Use of Certain Conventional Weapons, Geneva, 1975, 106 pp.	15.—