

# INTERNATIONAL COMMITTEE OF THE RED CROSS

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## CONFERENCE OF GOVERNMENT EXPERTS ON WEAPONS

### SECOND SESSION

*The second session of the Conference of Government Experts on the Use of Certain Conventional Weapons opened in Lugano's Congress Centre on 28 January 1976. The first session took place in Lucerne in 1974, when substantial useful work was accomplished.<sup>1</sup> Because of the complexity of the problems arising from some of the suggestions and proposals put forward, and the acknowledged need to examine in depth all the data at present available and to pursue discussions which should lead eventually to wide agreement on possible prohibition or restriction of use, the experts considered that it would be advisable for the ICRC to convoke a second session of the Conference of Government Experts.*

*The current session which will last until 26 February 1976 is in response to the experts' wishes. An account of their deliberations at Lugano will appear in our next issue. Some 150 legal, military and medical experts are participating in this session.*

*At the opening meeting, presided over by Mr. Jean Pictet, Vice-President of the ICRC and President of the Conference, speakers included Mr. Benito Bernasconi, President of the State Council of the Canton of Tessin, Mr. Ferruccio Pelli, Mayor of Lugano, and Dr. Eric Martin, President of the ICRC, who delivered the following address:*

The presence on this platform of the President of the International Committee of the Red Cross and his desire to say a few words to you calls for an explanation. Why and under what circumstances did the ICRC come to concern itself with the regulation of certain types of weapons?

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<sup>1</sup> See *International Review*, September, October and November 1974.

In 1972, nineteen governments asked the International Committee of the Red Cross to sponsor a study into the possibility of restricting or forbidding the use of certain conventional weapons.

For this purpose, following an initial meeting of a group of experts in 1973, the ICRC organized in 1974 in Lucerne the first session of the present Conference, which led to deeper knowledge and understanding of the subject. Despite numerous disagreements, points of convergence were nevertheless encouraging. Most important was the interest and open-mindedness shown by the experts in considering opposing points of view, and the spirit of fruitful co-operation in which they studied the scientific aspects, both medical and military, of the problems before them.

A majority of the participants at the Lucerne Conference, however, believed that a second session should be convened, to gather and study new or complementary data. During the second session, they felt, attention should be focused on weapons which had been or might be the subject of proposals for the limitation or forbidding of their use, and on the content and form of possible standards. The ICRC declared its willingness to convene a second session, under the same conditions as those of the first session, while making it clear that it expected to see tangible results, even though these might deal with only a limited number of subjects.

The proposal was approved last spring by the ad hoc Committee on Conventional Weapons of the Diplomatic Conference on Humanitarian Law, which agreed to the programme drawn up by the ICRC for this session.

The General Assembly of the United Nations also gave its support in its 29th and 30th sessions, urging "all governments to examine the considerable body of facts now available on the matter and to compile without delay such supplementary data as may be required by them to focus on specific proposals for prohibitions or restrictions" (Resolution A/3255 (XXIX)).

It was only recently, as we have seen, that the ICRC, at the request of governments, organized under its auspices the study of possibilities of regulating certain types of weapons. The ICRC has always considered that its duty is to protect and assist the victims of conflicts, not to regulate the conduct of hostilities and the choice of arms to be used. Nevertheless, while it hopes for an end to warfare, the ICRC, along with everyone else, must realistically face the fact that conflicts continue, involving the use of weapons whose effects appear to be more "cruel", more "inhuman", than the effects of others. In addition, the laws of war constitute an entity, and it is more and more difficult to seek the application of standards to

protect individuals, especially prisoners of war and civilians in occupied territories, from the despotic exercise of power by an enemy without at the same time establishing restrictions on the conduct of hostilities and the use of weapons. It is therefore logical that such standards be reaffirmed and established, not only in the form of general principles but also in the form of concrete regulations: this the international community demands.

We do not yet know what form will be assumed by the outcome of this Conference nor the conditions under which it will lead to a more definitive structure. It is not up to the ICRC nor to its President to make any predictions about these questions. Nevertheless, I should like to express the wish that the calm and beauty of Lugano may contribute to the promotion of the same working ambience and spirit of mutual understanding which characterized the first session, and that results, even if incomplete, will be worthwhile.

I should like at this point to thank the authorities of the Swiss Confederation, of Tessin and of Lugano, the people of Tessin and the local branch of the Red Cross for their great contributions to the good organization of this Conference, and to the Orchestra of the Swiss-Italian Radio which was kind enough to make its contribution. I want also to thank the Government of Italy, our neighbour, for making all the necessary arrangements to facilitate the travel of experts to the Conference. Finally, we owe particular appreciation to those whose research between the sessions has placed increased scientific information at the disposal of the Conference. I trust that all of this good will and all of these efforts augur well for the success of your work.

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