

Noting the obligation of Member States under the Charter to promote universal respect for, and observance of, human rights,

Recalling its resolutions 2444 (XXIII) of 19 December 1968 and 2597 (XXIV) of 16 December 1969, in which it invited the Secretary-General, in consultation with the International Committee of the Red Cross, to study, *inter alia*:

(a) Steps which could be taken to secure the better application of existing humanitarian international conventions and rules in all armed conflicts,

(b) The need for additional humanitarian international conventions or for other appropriate legal instruments to ensure the better protection of civilians, prisoners and combatants in all armed conflicts,

Believing, therefore, that the treatment accorded to victims of war and armed aggression is a concern of the United Nations,

Noting resolution XI, adopted by the twenty-first International Conference of the Red Cross held at Istanbul in 1969,²⁸ calling upon all parties to the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949,²⁹ to ensure that all persons entitled to prisoner-of-war status are treated humanely and given the fullest measure of protection prescribed by the Convention, and that all parties involved in an armed conflict, no matter how it is characterized, provide free access to prisoners of war and to all places of their detention by a protecting Power or by the International Committee of the Red Cross,

Considering that the direct repatriation of seriously wounded and seriously sick prisoners of war and the repatriation or internment in a neutral country of prisoners of war who have undergone a long period of captivity constitute important aspects of human rights as advanced and preserved under the Geneva Convention of 1949 and the Charter of the United Nations,

1. *Calls upon* all parties to any armed conflict to comply with the terms and provisions of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949, so as to ensure the humane treatment of all persons entitled to the protection of the Convention and, *inter alia*, to permit regular inspection, in accordance with the Convention, of all places of detention of prisoners of war by a protecting Power or humanitarian organization such as the International Committee of the Red Cross;

2. *Endorses* the continuing efforts of the International Committee of the Red Cross to secure the effective application of the Geneva Convention of 1949;

3. *Requests* the Secretary-General to exert all efforts to obtain humane treatment for prisoners of war, especially for the victims of armed aggression and colonial suppression;

4. *Urges* compliance with article 109 of the Geneva Convention of 1949, which requires the repatriation of seriously wounded and seriously sick prisoners of war and which provides for agreements with a view to the direct repatriation or internment in a neutral country of able-bodied prisoners of war who have undergone a long period of captivity;

5. *Urges* that combatants in all armed conflicts not covered by article 4 of the Geneva Convention of

1949 be accorded the same humane treatment defined by the principles of international law applied to prisoners of war;

6. *Urges* strict compliance with the provisions of the existing international instruments concerning human rights in armed conflicts, and urges those States which have not yet done so to ratify or accede to the relevant instruments in order to facilitate in all aspects the protection of the victims of armed conflicts.

1922nd plenary meeting,
9 December 1970.

2677 (XXV). Respect for human rights in armed conflicts

The General Assembly,

Determined to continue all efforts to eliminate the threat or use of force in international relations, in conformity with the Charter of the United Nations, and to bring about general and complete disarmament under effective international control,

Reaffirming its desire to secure the full observance of human rights applicable in all armed conflicts pending the earliest possible termination of such conflicts,

Convinced of the continuing value of existing humanitarian rules relating to armed conflicts, in particular the Hague Conventions of 1899 and 1907,³⁰ the Geneva Protocol of 1925³¹ and the Geneva Conventions of 1949,³²

Realizing, however, that because existing humanitarian rules do not adequately meet all contemporary situations of armed conflict it is necessary to develop the substance of these rules and procedures for their implementation,

Reaffirming the principles contained in resolution XXIII adopted by the International Conference on Human Rights held at Teheran in 1968,³³ and in General Assembly resolutions 2444 (XXIII) of 19 December 1968 and 2597 (XXIV) of 16 December 1969,

Aware of the importance and complexity of the tasks undertaken in pursuance of these resolutions, which require the continuing attention and concern of the United Nations, the International Committee of the Red Cross and the international community as a whole,

Noting with appreciation the two reports of the Secretary-General on respect for human rights in armed conflicts,³⁴

Recalling resolution XIII adopted unanimously by the twenty-first International Conference of the Red Cross held at Istanbul in 1969,³⁵ concerning the reaffirmation and development of the laws and customs applicable in armed conflicts,

Welcoming the decision of the International Committee of the Red Cross to convene at Geneva, from 24 May to 12 June 1971, a conference on the reaffirmation and development of international humanitarian

³⁰ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

³¹ League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138.

³² United Nations, *Treaty Series*, vol. 75 (1950), Nos. 970-973.

³³ *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No.: E.68.XIV.2), p. 18.

³⁴ A/7720 and A/8052.

³⁵ See A/7720, annex I, section D.

²⁸ *International Review of the Red Cross*, No. 104 (November 1969), p. 614.

²⁹ United Nations, *Treaty Series*, vol. 75 (1950), No. 972.

law applicable to armed conflicts, to be attended by government experts,

Believing that one or more plenipotentiary diplomatic conferences of States parties to the Geneva Conventions and other interested States might be convened at an appropriate time, after due preparation, in order to adopt international legal instruments for the reaffirmation and development of humanitarian law applicable to armed conflicts,

Considering that the effective implementation of humanitarian rules relating to armed conflicts can best be attained if those rules are laid down in widely accepted agreements,

Emphasizing the importance of continued close collaboration between the United Nations and the International Committee of the Red Cross,

1. *Calls upon* all parties to any armed conflict to observe the rules laid down in the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925, the Geneva Conventions of 1949 and other humanitarian rules applicable in armed conflicts, and invites those States which have not yet done so to adhere to those instruments;

2. *Expresses the hope* that the conference of government experts to be convened in 1971 by the International Committee of the Red Cross will consider further what development is required in existing humanitarian laws applicable to armed conflicts, and that it will make specific recommendations in this respect for consideration by Governments;

3. *Requests* the Secretary-General:

(a) To invite early comments by Governments on his reports;

(b) To transmit his reports and the comments of Governments thereon, together with the records of relevant discussions and resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights, to the International Committee of the Red Cross for consideration, as appropriate, by the conference of government experts;

(c) To present the comments received to the General Assembly at its twenty-sixth session and to report at that session on the results of the conference of government experts to be convened by the International Committee of the Red Cross and on any other relevant developments;

4. *Decides* to consider this question again, in all its aspects, at the twenty-sixth session.

*1922nd plenary meeting,
9 December 1970.*

2712 (XXV). Question of the punishment of war criminals and of persons who have committed crimes against humanity

The General Assembly,

Recalling its resolution 2583 (XXIV) of 15 December 1969 on the punishment of war criminals and of persons who have committed crimes against humanity,

Welcoming with satisfaction the fact that the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity entered into force on 11 November 1970,

Noting with regret that the numerous decisions adopted by the United Nations on the question of the

punishment of war criminals and of persons who have committed crimes against humanity are still not being fully complied with,

Expressing deep concern at the fact that in present-day conditions, as a result of aggressive wars and the policies and practices of racism, *apartheid* and colonialism and other similar ideologies and practices, war crimes and crimes against humanity are being committed in various parts of the world,

Convinced that a thorough investigation of war crimes and crimes against humanity, as well as the arrest, extradition and punishment of persons guilty of such crimes—wherever they may have been committed—and the establishment of criteria for determining compensation to the victims of such crimes, are important elements in the prevention of similar crimes now and in the future, and also in the protection of human rights and fundamental freedoms, the strengthening of confidence and the development of co-operation between peoples and the safeguarding of international peace and security,

1. *Draws attention* to the fact that many war criminals and persons who have committed crimes against humanity are continuing to take refuge in the territories of certain States and are enjoying protection;

2. *Calls upon* all States to take measures, in accordance with recognized principles of international law, to arrest such persons and extradite them to the countries where they have committed war crimes and crimes against humanity, so that they can be brought to trial and punished in accordance with the laws of those countries;

3. *Condemns* the war crimes and crimes against humanity at present being committed as a result of aggressive wars and the policies of racism, *apartheid* and colonialism and calls upon the States concerned to bring to trial persons guilty of such crimes;

4. *Also calls upon* all the States concerned to intensify their co-operation in the collection and exchange of information which will contribute to the detection, arrest, extradition, trial and punishment of persons guilty of war crimes and crimes against humanity;

5. *Once again requests* the States concerned, if they have not already done so, to take the necessary measures for the thorough investigation of war crimes and crimes against humanity, as defined in article I of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, and for the detection, arrest, extradition and punishment of all war criminals and persons guilty of crimes against humanity who have not yet been brought to trial or punished;

6. *Requests* States which have not yet become parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity to do so as soon as possible;

7. *Appeals* to Governments to provide the Secretary-General with information on the measures which they have taken or are taking to become parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity;

8. *Also appeals* to States which have not yet become parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity strictly to observe the provisions of General Assembly resolution 2583 (XXIV)