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RESPECT FOR HUMAN RIGHTS IN ARMED CONFLICTS

Fourth session of the Diplomatic Conference on Reaffirmation
and Development of International Humanitarian Law Applicable
in Armed Conflicts

Report of the Secretary-General

Addendum

1. In paragraph 5 of resolution 31/19 of 24 November 1976, the General Assembly requested the Secretary-General to report to the Assembly at its thirty-second session on relevant developments concerning human rights in armed conflicts, in particular on the proceedings and results of the 1977 session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts. The report of the Secretary-General on the proceedings and results of the fourth session of the Diplomatic Conference, which was held in Geneva from 17 March to 10 June 1977, was issued as document A/32/144. This addendum contains a summary of the information received by the Secretary-General subsequent to the adoption of resolution 31/19 concerning activities of non-governmental organizations which have shown a special interest in various problems relating to respect for human rights in armed conflicts.

2. The International Institute of Humanitarian Law ^{1/} was founded on 26 September 1970 at the first Congress on International Humanitarian Law held at San Remo, Italy, in which more than 100 delegates of various professions took part, most of whom had a legal background and all being specialists in the fields of humanitarian law and human rights. It was inspired by the work and efforts already undertaken by several organizations in the field of human rights and international humanitarian law, notably by the United Nations, the International Red Cross and the Council of Europe.

^{1/} For previous activities of the Institute, see A/10195/Add.1 and A/31/163/Add.1.

3. During the period from October 1976 to September 1977, the Institute had a wide range of activities: the Institute continued to organize special courses for young officers in the field of humanitarian law and human rights. Two of these courses were organized: one for French-speaking people coming from different European and African countries and a second course for Italian-speaking people, i.e. for Italian officers and for some European and African countries. At these courses, the young officers were taught about the implementation and application of fundamental human rights and rules of humanitarian law during armed conflicts. The programme of the courses was adapted to military people and each course was divided in several classes directed by experts in the field of humanitarian law. The Institute intends to continue to organize regular courses in the future. All courses were organized in co-operation with the International Committee of the Red Cross, which placed at the disposal of the Institute a specialist in the field of law of war as Director of the courses.

4. It is useful to mention that already during the Diplomatic Conference problems appeared in relation to the application of the Additional Protocols within the armed forces. Some provisions relating to the conduct of combat contained in parts III and IV of Protocol I were considered as being too complicated or creating problems that would be difficult to solve. The Counsel of the Institute took the opportunity of the courses on law of war scheduled for 1977 to make practical tests. Thanks to the wide range of qualifications of the officers taking part in the courses, it was possible to reach valuable conclusions. The Institute and especially its Committee on Military Instructions will produce a detailed evaluation of the tests made.

5. The IVth Round Table on Current Problems of International Humanitarian Law took place from 30 August to 4 September 1977 at San Remo. Initially organized to be a forum for informal discussions between the sessions of the Diplomatic Conference in Geneva, it was set up again after the end of this Conference which adopted two Additional Protocols. The 83 participants felt the common interest and need for keeping and institutionalizing the round tables. The IVth Round Table discussed the question of ratification and implementation of the Additional Protocols, the role of the legal advisers in armed forces (article 82 of Protocol I), and the role of the United Nations concerning the ratification and dissemination of the Additional Protocols. During the discussion it was stressed that much should be done for the dissemination of humanitarian law. The activity of the International Committee of the Red Cross earned general appreciation on that matter. The dissemination should be as practical as possible and take into account the climate in which live the people among whom the law is to be disseminated. Priority should be given to the dissemination among the armed forces. It was also stated that the legal advisers within the armed forces provided in Additional Protocol I were necessary. The subject of the role of the United Nations concerning the ratification and dissemination of the Protocols evoked special interest among the participants. The participants also mentioned that the United Nations peace-keeping forces were obliged to respect the fundamental rules of international humanitarian law.

6. Besides the main problems in relation to the Diplomatic Conference, the Round Table discussed the question of torture in its humanitarian and legal aspects and how to summarize the essentials of humanitarian law for people in general.

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7. Finally, the Round Table discussed the legal and practical aspects of relief in peace time and during armed conflicts and the possibility of the preparation of a document on the fundamental rules of international humanitarian law which could be adopted by the International Conference of the Red Cross.

8. Other meetings and congresses were held together with organizations interested in humanitarian studies and activities: the "Congress on rights of man and armed forces" of the International Society of Penal Military Law and Law of War, the "Seminar on relief actions in case of natural disaster" with the Italian Red Cross and the League of the Red Cross Societies and the course on humanitarian law and principles for teachers of secondary schools with the Società Italiana per l'Organizzazione internazionale.
