

Taking note of the observations which were submitted by Governments in response to the inquiry made pursuant to resolution 2697 (XXV) and which are set out in the report of the Secretary-General,¹²

Observing that less than a quarter of the Governments of Member States have replied to the Secretary-General's inquiry and that no general trend of opinion in the United Nations can be deduced from these replies,

Recognizing that a review of the Charter which was not generally supported would militate against the desired result, that is, the strengthening of the effectiveness of the United Nations,

Considering that the effectiveness of the United Nations depends in the first place on the conduct of Member States,

1. *Requests* the Secretary-General to invite Member States that have not already done so to communicate to him, before 1 July 1974, their views on the desirability of a review of the Charter of the United Nations and their actual suggestions in this respect;

2. *Further requests* the Secretary-General to submit to the General Assembly at its twenty-ninth session a report setting out the views and suggestions of Member States which have been communicated to him in accordance with paragraph 1 above;

3. *Requests* the Secretary-General to bring up to date as quickly as possible the *Repertory of Practice of United Nations Organs*;

4. *Decides* to include in the provisional agenda of its twenty-ninth session the item entitled "Need to consider suggestions regarding the review of the Charter of the United Nations".

2109th plenary meeting
14 December 1972

3032 (XXVII). Respect for human rights in armed conflicts

The General Assembly,

Conscious that only complete respect for the Charter of the United Nations and general and complete disarmament under effective international control can bring about full guarantees against armed conflicts and the suffering caused by such conflicts, and determined to continue all efforts to these ends,

Conscious that the development of many weapons and methods of warfare has made modern armed conflicts increasingly cruel and destructive of civilian lives and property,

Reaffirming the urgent need to ensure full and effective application of existing legal rules relating to armed conflicts and to supplement these rules by new ones in order to take into account the modern developments in methods and means of warfare,

Noting with concern that the existing legal rules and obligations relating to human rights in armed conflicts are frequently being disregarded,

Recalling the successive resolutions adopted by the United Nations relating to human rights in armed conflicts, in particular General Assembly resolutions 2852 (XXVI) and 2853 (XXVI) of 20 December 1971, and resolution XIII adopted by the twenty-first Inter-

national Conference of the Red Cross, held at Istanbul in 1969,¹³ concerning the reaffirmation and development of the laws and customs applicable in armed conflicts,

Noting with appreciation the report of the Secretary-General¹⁴ on the results of the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which was held at Geneva from 3 May to 3 June 1972 at the invitation of the International Committee of the Red Cross,

Having taken cognizance of the report prepared by the International Committee of the Red Cross on the work of the Conference of Government Experts,¹⁵

Expressing appreciation to the International Committee of the Red Cross for its dedicated efforts to promote the reaffirmation and development of international humanitarian law applicable in armed conflicts,

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

Welcoming the progress achieved at the second session of the Conference of Government Experts,

Noting with concern, nevertheless, that agreement has not emerged among government experts on drafts concerning a number of fundamental issues, such as:

(a) Methods to ensure a better application of existing rules relating to armed conflicts,

(b) Definitions of military objectives and protected objects, in order to counter the tendency in armed conflicts to regard ever growing categories of objects as permissible targets for attack,

(c) Definitions of protected persons and combatants, responsive to the need for improved protection of civilians and of combatants in modern armed conflicts,

(d) The question of guerrilla warfare,

(e) Prohibition of the use of weapons and methods of warfare which indiscriminately affect civilians and combatants,

(f) Prohibition or restriction of the use of specific weapons which are deemed to cause unnecessary suffering,

(g) Rules facilitating humanitarian relief in armed conflicts,

(h) Definition of those armed conflicts of a non-international character which should be subject to rules additional to those contained in the Geneva Conventions of 1949,¹⁶

Considering that substantial progress on fundamental issues such as those enumerated above is indispensable if the efforts to supplement international humanitarian law by new rules are to become significant for the alleviation of the suffering brought about by modern armed conflicts,

Welcoming the readiness of the Swiss Federal Council, as communicated to the Secretary-General, to convoke a diplomatic conference on the reaffirmation and development of international humanitarian law applicable in armed conflicts,

Believing that the further preparations for that conference as well as its organization must be such that

¹³ See A/7720, annex I, sect. D.

¹⁴ A/8781 and Corr.1.

¹⁵ Report on the Work of the Conference (Geneva, July 1972).

¹⁶ United Nations, Treaty Series, vol. 75, Nos. 970-973.

¹² A/8746 and Corr.1 and Add.1-3.

substantial progress is achieved on fundamental issues which are as yet unresolved,

Expressing its appreciation to the International Committee of the Red Cross for undertaking a series of consultations to ensure the complete preparation for the conference,

1. *Urges* all Governments and invites the International Committee of the Red Cross to continue to seek through consultations to achieve a rapprochement in the positions of Governments to ensure that the diplomatic conference envisaged will adopt rules which will mark substantial progress on fundamental legal issues connected with modern armed conflicts and which will contribute significantly to the alleviation of the suffering brought about by such conflicts;

2. *Calls upon* all parties to armed conflicts to observe the international humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907,¹⁷ the Geneva Protocol of 1925¹⁸ and the Geneva Conventions of 1949, and, to this end, to provide instruction concerning these rules to their armed forces and information concerning the same rules to the civilian population;

3. *Requests* the Secretary-General to encourage the study and teaching of principles of respect for international humanitarian rules applicable in armed conflicts;

4. *Requests* the Secretary-General to report to the General Assembly at its twenty-eighth session on relevant developments concerning human rights in armed conflicts and to prepare, as soon as possible, a survey of existing rules of international law concerning the prohibition or restriction of use of specific weapons;

5. *Decides* to include in the provisional agenda of its twenty-eighth session the item entitled "Human rights in armed conflicts: respect for human rights in armed conflicts".

2114th plenary meeting
18 December 1972

3033 (XXVII). Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,¹⁹

Drawing attention to its resolutions 2747 (XXV) of 17 December 1970 and 2819 (XXVI) of 15 December 1971, in which it urged the Government of the host country to make certain that the measures taken to ensure the protection and security of permanent missions to the United Nations and their personnel were adequate to enable those missions to perform properly the functions entrusted to them by their Governments,

Recalling the responsibilities of the Government of the host country with respect to the United Nations and the missions accredited to it, their personnel and their correspondence under the Agreement between the United Nations and the United States of America

¹⁷ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

¹⁸ League of Nations, *Treaty Series*, vol. XCIV, No. 2138, p. 65.

¹⁹ *Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 26 (A/8726)*.

regarding the Headquarters of the United Nations,²⁰ the Convention on the Privileges and Immunities of the United Nations²¹ and general international law,

Recalling the duty of missions accredited to the United Nations to respect the laws and regulations of the host country,

Considering that the problems related to the privileges and immunities of the United Nations and to the status of the missions accredited to it are of mutual concern to Member States, including the host country, as well as to the Secretary-General,

Noting with satisfaction the ratification by the host country of the Vienna Convention on Diplomatic Relations of 1961,²²

Taking note of the report of the Committee on Relations with the Host Country and of the recommendations contained therein,

1. *Condemns* all acts of violence, terrorist attacks and harassment directed against the premises of missions accredited to the United Nations or against their personnel as fundamentally incompatible with the status of such missions and personnel under international law and calls upon the host country to take all appropriate preventive measures;

2. *Welcomes* the adoption, on 24 October 1972, of the Act for the Protection of Foreign Officials and Official Guests of the United States²³ and hopes that this Act will form a basis for the application of effective measures against acts of violence, terrorist attacks and harassment directed at the premises of missions accredited to the United Nations or their personnel, including the application of effective measures against the organization of demonstrations and picketing where there is reason to believe that they may be accompanied by acts of violence or may prevent the conduct of the normal business of missions accredited to the United Nations;

3. *Considers* it necessary that active measures should be taken on the part of the authorities of the host country, the United Nations Secretariat and all others concerned to enhance the relations between the diplomatic community and the local community, in order to ensure the existence of conditions conducive to the effective functioning of the United Nations and the missions accredited to it;

4. *Decides* that the Committee on Relations with the Host Country should continue its work in 1973 in conformity with General Assembly resolution 2819 (XXVI) with the purpose of examining all matters falling within its terms of reference;

5. *Requests* the Secretary-General to furnish all appropriate assistance to the Committee on Relations with the Host Country and to bring to its attention issues of mutual concern relating to the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations and the Convention on the Privileges and Immunities of the United Nations;

6. *Requests* the Committee on Relations with the Host Country to submit to the General Assembly at its twenty-eighth session a report on the progress of its work and to make, if it deems necessary, appropriate recommendations;

²⁰ See resolution 169 (II).

²¹ See resolution 22 A (I).

²² United Nations, *Treaty Series*, vol. 500, No. 7310, p. 95.

²³ See A/8871/Rev.1.