

Resolutions of the Diplomatic Conference of Geneva of 1974-1977.

RESOLUTION 17 - USE OF CERTAIN ELECTRONIC AND VISUAL MEANS OF IDENTIFICATION BY MEDICAL AIRCRAFT PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Considering that :

- (a) in order to avoid their engagement by combatant forces there is an urgent need for both electronic and visual identification of medical aircraft in flight,
- (b) the Secondary Surveillance Radar (SSR) systems has the capability of providing unique identification of aircraft and of en route flight details,
- (c) the International Civil Aviation Organization is the most appropriate international body to designate SSR modes and codes in the range of circumstances envisaged,
- (d) this Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by aircraft exclusively engaged in medical transport,

Recognizing that the designation in advance of an exclusive, world-wide SSR mode and code for the identification of medical aircraft may not be possible owing to the extensive deployment of the SSR system,

1. Requests the President of the Conference to transmit to the International Civil Aviation Organization this document, together with the attached documents of this Conference, inviting that Organization to :

- (a) establish appropriate procedures for the designation, in case of an international armed conflict, of an exclusive SSR mode and code to be employed by medical aircraft concerned; and,
- (b) note the agreement of this Conference to recognize the flashing blue light as a means of identification of medical aircraft, and provide for that use in the appropriate International Civil Aviation Organization documents;

2. Urges the Governments invited to the present Conference to lend their full co-operation to this endeavour in the consultative processes of the International Civil Aviation Organization.

Fifty-fourth plenary meeting
7 June 1977 •

RESOLUTION 18 - USE OF VISUAL SIGNALLING FOR IDENTIFICATION OF MEDICAL TRANSPORTS PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Considering that :

- (a) in order to avoid attacks upon them there is a need for the improved visual identification of medical transports,
- (b) this Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by aircraft exclusively engaged in medical transport,
- (c) by special agreement, Parties to a conflict may reserve the use of a flashing blue light for the identification of medical vehicles and medical ships and craft, but, in the absence of such agreement, the use of such signals for other vehicles or ships is not prohibited;
- (d) in addition to the distinctive emblem and the flashing blue light, other means of visual identification, such as signal flags and combinations of flares, may be used eventually to identify medical transports,
- (e) the Inter-Governmental Maritime Consultative Organization is the most appropriate international body to designate and promulgate visual signals to be employed within the maritime environment,

Having noted that, though the Geneva Conventions of 12 August 1949 recognize the use of the distinctive emblem to be flown by hospital ships and medical craft, this use is not reflected in relevant documents of the Inter-Governmental Maritime Consultative Organization,

1. Requests the President of the Conference to transmit to the Inter-Governmental Maritime Consultative Organization this resolution, together with the documents of this Conference, inviting that Organization to :

- (a) consider introduction into the appropriate documents, such as the International Code of Signals, the flashing blue light as described in Article 6 of Chapter III of the Regulations contained in Annex I to Protocol I;
- (b) provide for recognition of the distinctive emblem in the appropriate documents (see Article 3 of Chapter II of the said Regulations);
- (c) consider the establishment both of unique flag signals and of a flare combination, such as white-red-white, which might be used for additional or alternative visual identification of medical transports;

2. Urges the Governments invited to this Conference to lend their full co-operation to this endeavour in the consultative processes of the Inter-Governmental Maritime Consultative Organization.

Fifty-fourth plenary meeting
7 June 1977 •

RESOLUTION 19 -USE OF RADIOCOMMUNICATIONS FOR ANNOUNCING AND IDENTIFYING MEDICAL TRANSPORTS PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Considering that :

- (a) it is vital that distinctive and reliable communications be used for identifying, and announcing

the movement of, medical transports,

(b) adequate and appropriate consideration will be given to communications related to the movement of a medical transport only if it is identified by an internationally recognized priority signal such as "Red Cross", "Humanity", "Mercy" or other technically and phonetically recognizable term,

(c) the wide range of circumstances under which a conflict may occur makes it impossible to select in advance suitable radio frequencies for communications,

(d) the radio frequencies to be employed for communicating information relative to the identification and movement of medical transports must be made known to all parties who may use medical transports,

Having noted :

(a) Recommendation No. 2 of the International Telecommunication Union (ITU) Plenipotentiary Conference, 1973, relating to the use of radiocommunications for announcing and identifying hospital ships and medical aircraft protected under the Geneva Conventions of 1949,

(b) Recommendation No. Mar2 - 17 of the International Telecommunication Union World Maritime Administrative Radio Conference, Geneva, 1974, relating to the use of radio-communications for marking, identifying, locating, and communicating with the means of transport protected under the Geneva Conventions of 12 August 1949, concerning the protection of war victims and any additional instruments of those conventions, as well as for ensuring the safety of ships and aircraft of States not Parties to an armed conflict;

(c) the memorandum by the International Frequency Registration Board (IFRB), a permanent organ of the International Telecommunication Union (ITU), relating to the need for national co-ordination on radiocommunication matters;

Recognizing that :

(a) - the designation and use of frequencies, including the use of distress frequencies,

- operating procedures in the Mobile Service,

- the distress, alarm, urgency and safety signals, and

- the order of priority of communications in the Mobile service

are governed by the Radio Regulations annexed to the International Telecommunication Convention;

(b) these Regulations may be revised only by a competent ITU World Administrative Radio Conference;

(c) the next competent World Administrative Radio Conference is planned for 1979 and that written proposals for the revision of the Radio Regulations should be submitted by Governments about one year before the opening of the Conference,

1. Takes note with appreciation that a specific item has been included on the agenda of the World Administrative Radio Conference, Geneva, 1979, which reads:

"2.6 to study the technical aspects of the use of radiocommunications for marking, identifying, locating and communicating with the means of medical transport protected under the 1949 Geneva Conventions and any additional instruments of these Conventions";

2. Requests the President of the Conference to transmit this document to all Governments and

organizations invited to the present Conference, together with the attachments representing the requirements, both for radio frequencies and for international recognition of an appropriate priority signal, which must be satisfied in the proceedings of a competent World Administrative Radio Conference;

3. Urges the Governments invited to the present Conference to make, as a matter of urgency, the appropriate preparations for the World Administrative Radio Conference to be held in 1979 so that the vital requirements of communications for protected medical transports in armed conflicts may be adequately provided for in the Radio Regulations.

Fifty-fourth plenary meeting
7 June 1977 •

RESOLUTION 20 - PROTECTION OF CULTURAL PROPERTY

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Welcoming the adoption of Article 53 relating to the protection of cultural objects and places of worship as defined in the said Article, contained in the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I),

Acknowledging that the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Additional Protocol, signed at The Hague on 14 May 1954, constitutes an instrument of paramount importance for the international protection of the cultural heritage of all mankind against the effects of armed conflict and that the application of this Convention will in no way be prejudiced by the adoption of the Article referred to in the preceding paragraph,

Urges States which have not yet done so to become Parties to the aforementioned Convention.

Fifty-fifth plenary meeting
7 June 1977 •

RESOLUTION 21 - DISSEMINATION OF KNOWLEDGE OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE IN ARMED CONFLICTS

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Convinced that a sound knowledge of international humanitarian law is an essential factor for its effective application,

Confident that widespread knowledge of that law will contribute to the promotion of humanitarian ideals and a spirit of peace among nations,

1. Reminds the High Contracting Parties that under the four Geneva Conventions of 1949 they have undertaken to disseminate knowledge of those Conventions as widely as possible, and that the Protocols adopted by the Conference reaffirm and extend that obligation;

2. Invites the signatory States to take all appropriate measures to ensure that knowledge of international humanitarian law applicable in armed conflicts, and of the fundamental principles on which that law is based, is effectively disseminated, particularly by :

(a) encouraging the authorities concerned to plan and give effect, if necessary with the assistance and advice of the International Committee of the Red Cross, to arrangements to teach international humanitarian law, particularly to the armed forces and to appropriate administrative authorities, in a manner suited to national circumstances;

(b) undertaking in peacetime the training of suitable persons to teach international humanitarian law and to facilitate the application thereof, in accordance with Articles 6 and 82 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I);

(c) recommending that the appropriate authorities intensify the teaching of international humanitarian law in universities (faculties of law, political science, medicine, etc.);

(d) recommending to educational authorities the introduction of courses on the principles of international humanitarian law in secondary and similar schools;

3. Urges National Red Cross, Red Crescent and Red Lion and Sun Societies to offer their service to the authorities in their own countries with a view to the effective dissemination of knowledge of international humanitarian law;

4. Invites the International Committee of the Red Cross to participate actively in the effort to disseminate knowledge of international humanitarian law by, inter alia :

(a) publishing material that will assist in teaching international humanitarian law, and circulating appropriate information for the dissemination of the Geneva Conventions and the Protocols,

(b) organizing, on its own initiative or when requested by Governments or National Societies, seminars and courses on international humanitarian law, and co-operating for that purpose with States and appropriate institutions.

Fifty-fifth plenary meeting
7 June 1977

RESOLUTION 22 - FOLLOW-UP REGARDING PROHIBITION OR RESTRICTION OF USE OF CERTAIN CONVENTIONAL WEAPONS

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977

Having met at Geneva for four sessions, in 1974, 1975, 1976 and 1977, and having adopted new humanitarian rules relating to armed conflicts and methods and means of warfare,

Convinced that the suffering of the civilian population and combatants could be significantly reduced if agreements 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,

Recalling that the issue of prohibitions or restrictions for humanitarian reasons of the use of specific conventional weapons has been the subject of substantive discussion in the Ad Hoc Committee on Conventional Weapons of the Conference at all its four sessions, and at the Conferences of Government Experts held under the auspices of the International Committee of the Red Cross in 1974 at Lucerne and in 1976 at Lugano,

Recalling, in this connection, discussions and relevant resolutions of the General Assembly of the United Nations and appeals made by several Heads of State and Government,

Having concluded, from these discussions, that agreement exists on the desirability of prohibiting the use of conventional weapons, the primary effect of which is to injure by fragments not detectable by X-ray, and that there is a wide area of agreement with regard to land-mines and booby-traps,

Having also devoted efforts to the further narrowing down of divergent views on the desirability of prohibiting or restricting the use of incendiary weapons, including napalm,

Having also considered the effects of the use of other conventional weapons, such as small

calibre projectiles and certain blast and fragmentation weapons, and having begun the consideration of the possibility of prohibiting or restricting the use of such weapons,

Recognizing that it is important that this work continue and be pursued with the urgency required by evident humanitarian considerations,

Believing that further work should both build upon the areas of agreement thus far identified and include the search for further areas of agreement and should, in each case, seek the broadest possible agreement,

1. Resolves to send the report of the Ad Hoc Committee and the proposals presented in that Committee to the Governments of States represented at the Conference and to the Secretary-General of the United Nations;

2. Requests that serious and early consideration be given to these documents and to the reports of the Conferences of Government Experts of Lucerne and Lugano;

3. Recommends that a Conference of Governments should be convened not later than 1979 with a view to reaching:

(a) agreements on prohibitions or restrictions on the use of specific conventional weapons including those which may be deemed to be excessively injurious or have indiscriminate effects, taking into account humanitarian and military considerations; and

(b) agreement on a mechanism for the review of any such agreements and for the consideration of proposals for further such agreements;

4. Urges that consultations be undertaken prior to the consideration of this question at the thirty-second session of the United Nations General Assembly for the purpose of reaching agreement on the steps to be taken in preparation for the Conference;

5. Recommends that a consultative meeting of all interested Governments be convened during September/October 1977 for this purpose;

6. Recommends further that the States participating in these consultations should consider inter alia the establishment of a Preparatory Committee which would seek to establish the best possible basis for the

achievement at the Conference of agreements as envisaged in this resolution;

7. Invites the General Assembly of the United Nations at its thirty-second session, in the light of the results of the consultations undertaken pursuant to paragraph 4 of this resolution, to take any further action that may be necessary for the holding of the Conference in 1979.

Fifty-seventh plenary meeting
9 June 1977