

ภาคผนวก 3

The United Nations General Assembly Resolution 2854 (XXVI) of 20 December 1971.¹

2854 (XXVI). Protection of journalists engaged in dangerous missions in areas of armed conflict

The General Assembly,

Recalling its resolution 2444 (XXIII) of 19 December 1968 concerning, in particular, the studies to be undertaken by the Secretary-General in consultation with the International Committee of the Red Cross and other appropriate international organizations with regard, *inter alia*, to 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 conflict,

Recalling also its resolution 2673 (XXV) of 9 December 1970, in which it expressed its conviction that there was a need for an additional humanitarian international instrument to ensure the better protection of journalists engaged in dangerous missions, particularly in areas where an armed conflict was taking place,

Being aware that the provisions of the humanitarian conventions at present in force do not cover some categories of journalists engaged in dangerous missions and do not correspond to their present needs,

Nothing Commission on Human Rights resolution 15 (XXVII) of 24 March 1971,² in which the Commission expressed its conviction that there was an urgent need to examine the question of the protection of journalists engaged in dangerous missions, both on humanitarian grounds and in order to enable journalists with due respect for the

¹ The United Nations, "The United Nations General Assembly Resolution 2854 (XXVI) of 20 December 1971," <<http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/328/70/IMG/NR032870.pdf?OpenElement>>.

² See *Official Records of the Economic and Social Council, Fiftieth Session, Supplement No.4 (E/4949)*, chap. XIX.

law to seek, receive and impart information fully, objectively and faithfully in the spirit of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights concerning freedom of information,

Nothing Economic and Social Council resolution 1597 (L) of 21 May 1971, in which the Council decided to transmit to the General Assembly the preliminary draft international convention on the protection of journalists engaged in dangerous missions, submitted to it by the Commission on Human Rights, as well as the relevant records of the Commission and of the Council, as a valid basis for the discussions of the Assembly at its twenty-sixth session,

Nothing the report of the Secretary-General³ containing the preliminary draft international convention on the protection of journalists engaged in dangerous missions, the observations received from Governments concerning the preliminary draft and the observations 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 24 May to 12 June 1971 at the invitation of the International Committee of the Red Cross,

Nothing with appreciation the report⁴ of the Working Group established by the Secretary-General in accordance with Commission on Human Rights resolution 15 (XXVII), and the annexed draft protocol relating to the composition and functions of the International Professional Committee for the Protection of Journalists Engaged in Dangerous Missions referred to in article 3 of the aforementioned preliminary draft convention,

Having considered the observations submitted by some Member States in accordance with Commission on Human Rights resolution 15 (XXVII), and the observations of the Conference of Government Experts as well as the discussions on the item and the alternate draft convention submitted during the debate at the twenty-sixth session of the General Assembly,

³ A/8371 and Add.1 and 2.

⁴ A/8438 and Add.1.

1. *Believes* that it is necessary to adopt a convention providing for the protection of journalists engaged in dangerous missions in areas of armed conflict;
2. *Invites* the Economic and Social Council to request the Commission on Human Rights to consider as a matter of priority at its twenty-eighth session the preliminary draft convention contained in Council resolution 1597 (L), taking into consideration the draft conventions submitted by Australia⁵ and by the United States of America,⁶ and the observations of Governments⁷, as well as subsequent documents including the draft protocol⁸ prepared by the Working Group in accordance with resolution 15 (XXVII) of the Commission;
3. *Further requests* the Commission on Human Rights to transmit its report on its twenty-eighth session the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts at its second session to be convened in 1972 by the International Committee of the Red Cross, in order that the International Committee may submit its observations to the General Assembly at its twenty-seventh session;
4. *Invites* Governments to transmit their observations on that part of the Commission on Human Rights on its twenty-eighth session relating to this questions;
5. *Requests* the Secretary-General to submit the replies received and an analytic report on those replies to the General Assembly at its twenty-seventh session;
6. *Decides* to examine this question as a matter of the highest priority at its twenty-seventh session, taking into consideration the recommendations transmitted to the General Assembly by the Economic and Social Council.

2027th plenary meeting

20 December 1971

⁵ *Official Records of the General Assembly, Twenty-sixth Session, Annexes*, agenda item 49, document A/8589, para.26.

⁶ *Ibid.*, para.27.

⁷ A/8371, annex II; A/8371 and Add.1 and 2.

⁸ A/8438, annex.