

Committee II:

Committee II was easily able to complete the adoption of all articles of both Protocols dealing with the wounded and sick and with medical transports. A series of articles on missing and dead persons and on war graves was accepted after intense negotiations among the USA, West Germany, East Germany and USSR with Canadian participation. The technical annex to Protocol I on signalling and the marking of medical transports was also adopted. However the chapter on Civil Defence was deferred pending resolution of the whole Civil Defence issue which itself proved highly contentious since differences remained mainly over the way military units and personnel so engaged should enjoy protection and whether Civil Defence personnel should be permitted small arms while so protected. The committee failed, however, to take up relief in either Protocol, although efforts were made to find more suitable provisions for Protocol I by, among others, Finland, Australia and Canada.

Committee III:

Committee III adopted a series of articles in Protocol I respecting individual rather than state obligations (e.g. the prohibition of perfidy and the determination of POW status based on the Geneva Conventions). A background to debate was the unresolved and thorny issue concerning new categories of POWS covering essentially guerrilla fighters in national liberation wars. For instance, the prime example of perfidy discussed was feigning civilian status in killing or injuring the adversary, but since guerrilla fighters often wear civilian clothing, it was advocated principally by the Arabs that this should not be pleaded to avoid protection for guerrillas as a new category of POW. It was agreed that this would be dealt with in the elaboration of such a new category next year. A new concept affecting all provisions adopted by the committee is the common definition for all armed forces, whether regular or irregular, to which all rules will apply uniformly. Unfortunately, national liberation organizations and others among the Africans wanted rules designed specifically to meet the operational requirements of guerrilla warfare without affecting other rules governing uniformed forces. It will be necessary next year, therefore, to anticipate a maximum effort by them to adopt rules providing minimum requirements for distinguishing combatants from the civilian population, while maintaining combatant status and POW protection for such combatants on capture. Also next year the committee will have to resolve acute differences concerning the protection, if any, to be given to mercenaries, however they are to be defined. Proposed immunity from attack for oil installations and facilities as demanded by the Arabs will have to be carefully considered next year.