Humanitarian Law in Armed Conflicts

The first session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, convoked by the Swiss Federal Council in cooperation with the International Committee of the Red Cross (**ICRC**), was held in Geneva from February 20 to March 29, 1974. The Canadian Delegation was headed by the Director of Legal Operations Division of the Department of External Affairs and the Deputy Head of Delegation was the Deputy Judge Advocate-General of the Department of National Defence. A second session of the **Diplomatic** Conference will be held in Geneva February 3 - April 30, 1975.

This Diplomatic Conference represents the culmination of four years of preparatory work which has been conducted under the auspices of the ICRC in cooperation with the United Nations to which Canada has been a major contributor. It is hoped that the Diplomatic Conference will approve and adopt two Additional Protocols which will reaffirm and update the four Geneva Conventions of August 12, 1949 for the Protection of War Victims.

The need to **reaffirm** and supplement those four Conventions, in order that they might better reflect the realities of contemporary **armed** conflict situations, particularly "non-international" armed conflicts, was identified by the ICRC and acknowledged by the 21st International Conference of the Red Cross which was held in Istanbul in 1969.

In 1971 and 1972, two Conferences of Government Experts on humanitarian law were convened by the ICRC to assist in the preparation of the two draft Additional Protocols, which now provide the basis for discussion at the Diplomatic Conference.

At the two preparatory Conferences of Government Experts, Canada's representatives vigourously promoted the view that, building upon common Article 3 of the four Geneva Conventions of 1949, a basic minimum standard of humanitarian treatment should be elaborated which would apply in all armed conflict situations even if they are considered to be