

THE GENERAL ASSEMBLY

GA6/I/7

SUBJECT OF RESOLUTION: Status of the Protocols Additional to the Geneva Convention of 1949 and Relating to the Protection of Victims of Armed Conflict

SUBMITTED TO: The Sixth Committee

SUBMITTED BY: Yemen

The Sixth Committee

1 *Recognizing* the continued importance of the Geneva Conventions especially with respect to
2 articles 43, 44, 45, and 75 of the Protocol Additional to the Geneva Convention of 12 August 1949
3 relating to the Protection of Victims of International Armed Conflict,

4 *Recalling* article 5 of the Universal Declaration of Human Rights, article 7 of the International
5 Covenant on Civil and Political Rights, and the Body of Principles for the Protection of All Persons
6 under Any Form of Detention or Imprisonment as acknowledged in the annex of Economic and Social
7 Council Resolution 43/173,

8 *Recalling* the Geneva Convention relative to the Treatment of Prisoners of War,

9 *Reaffirming* the sovereignty of all nations,

10 *Realizing* the importance of extradition of foreign nationals in all possible situations to their
11 country of origin,

12 *Deeply Concerned* about the disturbing situations occurring and developing as a result of the
13 International War on Terrorism, with respect to Prisoners of War as defined by the Geneva Convention
14 and Protocols Additional to,

15 *Drawing Attention* specifically to Section II Internment of Prisoners of War in the Geneva
16 Convention relative to the Treatment of Prisoners of War due to its extreme importance when ensuring
17 the rights of detained or imprisoned persons,

18 1. *Reminding* those parties responsible in the International War on Terror of the above
19 mentioned protocols and their duty to uphold these noble principles that protect human life;

20 2. *Deeply regrets* that those detained as a result of the International War on Terror have been
21 denied their just rights as persons as outlined in the Basic Principles for the Treatment of Prisoners as
22 annexed in GA Resolution 45/111;

23 3. *Calls* for the right of due process for all detainees of armed conflict within all territories as
24 called for by the Additional Protocol of Geneva Convention;

25 4. *Calls upon* all nations holding foreign nationals to strive, whenever possible, for the
26 extradition of those foreign nationals to their country of origin for trial;

27 5. *Also calls upon* the parties responsible for the detention of foreign nationals from armed
28 conflict to allow the International Committee for the Red Cross, the International Community for the
29 Red Crescent, and other international observers access to all detainees in order to monitor compliance
30 with the Geneva Conventions and the additional protocols;

31 6. *Further calls upon* those parties holding foreign nationals from armed conflict to
32 formally recognize them as Prisoners of War;

33 7. *Commends* the efforts of those states working to ensure the rights of detained persons, and
34 reaffirms the global commitment to the rule of international law through the Geneva Conventions and
35 its additional protocols.

Final Vote: 38 - 20 - 20