

Official Documents

Diplomatic Conference on the
Adoption of a Third Protocol Additional
to the Geneva Conventions of
12 August 1949, and relating to the
Adoption of an Additional Distinctive
Emblem (Protocol III), 5–8 December
2005, Geneva, Switzerland



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of Foreign Affairs FDFA

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Published by:
Federal Department of Foreign Affairs FDFA
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Switzerland
www.eda.admin.ch

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This publication is also available in French, Spanish, Arabic, Russian and Chinese. It can be downloaded from www.eda.admin.ch/depository.

Bern, 2012

Introductory note

The official documents have been drawn up by the Federal Department of Foreign Affairs in conformity with article 15(c), 51, 53 and 54(1) of the Rules of Procedure of the Diplomatic Conference on the Adoption of Protocol III. In addition, their publication is one of the tasks of the Swiss Federal Council in its capacity as Depositary of the Geneva Conventions of 1949 and the Additional Protocols of 1977 and 2005.

The documentation is published in the six official languages of the Conference: English, Arabic, Chinese, Spanish, French and Russian. The detailed list of participants is published only in a mixed French-English version. The speeches reproduced herein should be checked against delivery.

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Part one: Preparatory phase

1. Diplomatic note of 7 November 2005 from the Federal Department of Foreign Affairs to the States Parties to the Geneva Conventions of 12 August 1949

The Swiss Embassy presents its compliments to the Ministry of Foreign Affairs of [...] and, in referring to its notes of [...] and of [...] as well as the communications of 14 and 30 September 2005 sent to the Permanent Missions to the UN in Geneva, has the honour to inform the [...] Authorities of the following:

The Swiss Federal Council, in its capacity as Depositary of the Geneva Conventions of 1949 and their Additional Protocols of 1977, has decided to convene a Diplomatic Conference of the High Contracting Parties in order to adopt a Third Protocol Additional to the Geneva Conventions, recognizing an Additional Distinctive Emblem.

This decision is based upon consultations undertaken by the Depositary since March of this year, including the results of the informal discussions of all interested High Contracting Parties held in Geneva on 12 and 13 September 2005 and the progress achieved since then in addressing the concerns of a number of States Parties regarding the territorial usage of the emblem and the geographical scope of the operational activities and of the competences of the National Societies in accordance with the statutes and rules of the International Red Cross and Red Crescent Movement. The Depositary will pursue its efforts in order to achieve further progress in addressing these issues and to prepare the ground for a harmonious and consensus-oriented conference.

The Conference will be held at the International Conference Centre Geneva on 5 and 6 December 2005. The Depositary expects it to last no more than two days. Nonetheless, the High Contracting Parties are asked to make the necessary arrangements to ensure the availability of their delegation at the Conference until 7 December in case an extension becomes necessary.

The Swiss Federal Council would be grateful if the [...] Authorities could return by 22 November 2005 the registration form for the Diplomatic Conference, which is enclosed in Annex 1. General Information concerning the Conference is contained in Annex 2 to this note.

The draft Protocol and the draft Rules of Procedure were sent to the Authorities of [...] by note of [...] May. They met with broad consensus and shall therefore form the basis of the work of the Conference (in the case of the draft Rules of Procedure a paragraph, highlighted in the draft for easy reference, was added). For reference purposes their text is attached again in Annexes 3 and 4.

As the draft Rules of Procedure foresee that the Conference shall only discuss proposals which have been circulated to all delegations, the Depositary invites the High Contracting Parties to send any proposals to be submitted to the Conference in writing and in one of the six Conference Languages to the Conference Secretariat in Geneva (same address as registration) no later than 27 November 2005 in order to allow time for translations.

In conformity with custom, the representatives of the High Contracting Parties at the Conference must be empowered to act on behalf of their government. The relevant documents must be signed by the Head of State or of Government or by the Minister of Foreign Affairs.

This invitation and its annexes are addressed to all the Permanent Missions to the UN in Geneva.

The Swiss Embassy avails itself of this opportunity to renew to the Ministry of Foreign Affairs of [...] the assurances of its highest consideration.

2. Draft of the Protocol Additional to the Geneva Conventions of 12 August 1948, and Relating to the Adoption of an Additional Distinctive Emblem (Protocol III)

a) Drafting process

A first draft version of the Additional Protocol was transmitted by the International Committee of the Red Cross to the Swiss government, which sent it to the States Parties to the Geneva Conventions on 5 July 2000.

A second draft version of 12 October 2000 took into account the negotiations that had been taking place during the summer and later formed the basis for discussions during the Diplomatic Conference of 5-8 December 2005. This draft Additional Protocol III was prepared by the International Committee of the Red Cross in consultation with the International Federation of Red Cross and Red Crescent Societies. The text is the product of discussions within the Joint Working Group established by the Standing Commission of the Red Cross and Red Crescent pursuant to the mandate assigned to it by Resolution 3 of the 27th International Conference of the Red Cross and Red Crescent and subsequent consultations.

b) Text of draft Additional Protocol III (12 October 2000)

The draft Additional Protocol III of 12 October 2000 is identical to the version adopted by the Diplomatic Conference on 8 December 2005. Therefore, please refer to the adopted document, which can be found below.

Part two: Proceedings of the Diplomatic Conference

3. Final Act and Annexes

a) Final Act

1. The Diplomatic Conference convened by the Swiss Federal Council, as the depositary of the Geneva Conventions of 1949 and their Additional Protocols of 1977, with a view to adopting the Third Protocol Additional to the Geneva Conventions, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III), was held in Geneva, Switzerland, from 5 to 8 December 2005.
2. The delegations of 144 High Contracting Parties to the Geneva Conventions participated in the Conference. The list of participating High Contracting Parties is enclosed in Annex 1.
3. The list of observers which were present at the Conference is enclosed in Annex 2.
4. The International Committee of the Red Cross (ICRC), the International Federation of the Red Cross and Red Crescent Societies (IFRC), and the Standing Commission of the Red Cross and Red Crescent participated in the work of the Conference as experts.
5. The Conference had before it a draft of Protocol III prepared by the ICRC in consultation with the IFRC, following discussions within a Joint Working Group established by the Standing Commission of the Red Cross and Red Crescent pursuant to the mandate assigned to it by Resolution 3 of the 27th International Conference of the Red Cross and Red Crescent and subsequent consultations, and circulated on 12 October 2000 by the depositary.
6. Under agenda item 1, the Secretary General of the Conference, Ambassador Didier Pfirter (Switzerland) opened the Conference on 5 December 2005.
7. Under agenda item 2, Federal Councillor Micheline Calmy-Rey, Head of the Swiss Federal Department of Foreign Affairs, and Mr Jakob Kellenberger, President of the International Committee of the Red Cross, made opening statements.
8. Under agenda item 3, the Conference then proceeded to the election of Ambassador Blaise Godet, Permanent Representative of Switzerland to the United Nations Office in Geneva, as its President.
9. Under agenda item 4, the Conference adopted its rules of procedure based on the draft rules transmitted on 30 May 2005 by the depositary to the High Contracting Parties of the Geneva Conventions of 1949.
10. Under agenda item 5, the Conference approved the draft agenda presented by the depositary (Annex 3).
11. Under agenda item 6, the Conference elected the representatives of the following High Contracting Parties as Vice-Presidents: Afghanistan, Austria, Chile, the People's Republic of China, the Democratic Republic of the Congo, Croatia, Ecuador, Ghana, Honduras, the Republic of Korea, Libya, Mauritania, Mexico, Nepal, Norway, the Russian Federation, Pakistan, Slovakia, Spain, Tanzania, Timor-Leste, Uganda, the United States of America.

12. Under agenda items 7 and 8, the Conference established the following organs in accordance with its rules of procedure:

General Committee: The President of the Conference, the Vice-Presidents of the Conference, the Chairpersons of the Drafting Committee and of the Credentials Committee and the Secretary General.

Drafting Committee: South Africa (chair), Brazil, Costa Rica, Ethiopia, the Hashemite Kingdom of Jordan, Japan, New Zealand, Nigeria, Pakistan, Romania, Senegal, Slovenia, the Syrian Arab Republic, the United Kingdom, the United States of America.

Credentials Committee: Chile (chair), Australia, Canada, the Republic of the Congo, Guatemala, Republic of Korea, Madagascar, the Syrian Arab Republic, Ukraine.

13. Under agenda item 9, the Conference held a general debate during which statements were made by representatives of 57 High Contracting Parties, some of whom spoke on behalf of groups of States. The Conference also heard statements by observers and by participants invited in an expert capacity.

14. The Conference heard statements by the ICRC and the IFRC concerning the name of the additional emblem. Although Protocol III referred to the additional emblem as the “third Protocol emblem”, the ICRC and the IFRC informed the Conference that the designation “red crystal” had gained currency and would be introduced formally at the next International Conference of the Red Cross and Red Crescent.

15. The President informed the Conference that, following the Informal Discussions among High Contracting Parties on 12-13 September 2005, Switzerland, as the depositary of the Geneva Conventions, had conducted intensive consultations. These latter led to the signing of a Memorandum of Understanding (MoU) and an Agreement on Operational Arrangements (AoA) between Magen David Adom in Israel (MDA) and the Palestine Red Crescent Society (PRCS) on 28 November 2005 in Geneva, which were concluded in an effort to facilitate the adoption of Protocol III and to pave the way for the admission of both societies to the International Red Cross and Red Crescent Movement at the next International Conference of the Red Cross and the Red Crescent.

16. The Conference was also informed that Switzerland accepts to monitor the implementation of the MoU and the AoA, in close co-operation with the ICRC and the IFRC and with respect for their mandates, as well as to report to the next International Conference of the Red Cross and Red Crescent.

17. The President of the Credentials Committee presented its report: The Committee proposed to accept the credentials of 144 delegations, entitling them to take part in the voting. The Conference adopted the Committee's report, thus closing the debate under agenda item 9.

18. In accordance with agenda item 10, the Conference proceeded to the adoption of Protocol III. The delegations of Pakistan and Yemen had previously proposed thirteen amendments, which enjoyed the support of Organization of the Islamic Conference (OIC) countries.

At the request of Pakistan, a roll-call vote was held on these amendments to the Protocol III as a whole with the following results:

Votes cast	107
Votes in favour of the amendments:	35
Votes against the amendments:	72
Abstentions	29
Required 2/3 majority to accept the amendments in accordance with Art. 37 para. 2 of the rules of procedure	72

19. Explanations of vote were made by the delegations of India, Chile, Colombia, the Russian Federation, Brazil and Venezuela.

20. Having failed to gain the necessary two-thirds majority, the amendments, in accordance with Article 37 para. 2 of the rules of procedure, were thus rejected by the Conference.

21. At the request of the Syrian Arab Republic, Protocol III was then put to a roll-call vote with the following results:

Votes cast	125
Votes in favour of the adoption of Protocol III:	98
Votes against the adoption of Protocol III:	27
Abstentions	10
Required 2/3 majority to accept Protocol III in accordance with Art. 37 para. 1 of the rules of procedure	84

22. Explanations of vote were made by the delegations of the People's Republic of China, the Hashemite Kingdom of Jordan, the Democratic Republic of the Congo, Lebanon, Singapore, the Russian Federation, Kenya, Turkey, the Holy See, Pakistan, the Arab Republic of Egypt and Israel.

23. Having thus obtained the necessary two-thirds majority in accordance with Article 37 para. 1 of the rules of procedure, the Conference adopted on 8 December 2005 the Third Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem whose certified true copies of the English, French and Spanish texts are annexed to this Final Act (Annex 4).

24. Upon the proposal of its President, the Conference mandated the depositary of the Geneva Conventions of 1949 and their Additional Protocols to establish the Final Act of the Conference. The President then closed the Conference on 8 December 2005.

25. Protocol III was opened for signature subject to ratification on the same day, in accordance with its provisions under Article 8. It will remain open for signature subject to ratification at the Swiss Federal Department of Foreign Affairs, Berne, until 7 December 2006, whereupon it will be opened for accession in accordance with its provisions under Article 10.

26. After entry into force, Protocol III shall be transmitted by the depositary to the Secretary General of the United Nations for registration and publication.

27. This Final Act has been established by the depositary of the Geneva Conventions of 1949 and their Additional Protocols in conformity with the mandate given by the Conference on 8 December 2005.

DONE at Berne on 31 January 2006 in Arabic, Chinese, English, French, Russian and Spanish, the original and the accompanying documents to be deposited in the archives of the Swiss Confederation.

b) Annex 1: List of High Contracting Parties Participating in the Diplomatic Conference on the Adoption of Protocol III Additional to the Geneva Conventions

List in French alphabetical order

1. RÉPUBLIQUE ISLAMIQUE D'AFGHANISTAN
ISLAMIC REPUBLIC OF AFGHANISTAN
REPÚBLICA ISLÁMICA DE AFGANISTÁN
ИСЛАМСКАЯ РЕСПУБЛИКА АФГАНИСТАН
阿富汗伊斯兰共和国 /
جمهورية أفغانستان الإسلامية
2. RÉPUBLIQUE D'AFRIQUE DU SUD
REPUBLIC OF SOUTH AFRICA
REPÚBLICA DE SUDÁFRICA
ЮЖНО-АФРИКАНСКАЯ РЕСПУБЛИКА
南非共和国
جمهورية جنوب أفريقيا
3. RÉPUBLIQUE D'ALBANIE
REPUBLIC OF ALBANIA
REPÚBLICA DE ALBANIA
РЕСПУБЛИКА АЛБАНИЯ
阿尔巴尼亚共和国
جمهورية ألبانيا
4. RÉPUBLIQUE ALGÉRIENNE DÉMOCRATIQUE ET POPULAIRE
PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA
REPÚBLICA ARGELINA DEMOCRÁTICA Y POPULAR
АЛЖИРСКАЯ НАРОДНАЯ ДЕМОКРАТИЧЕСКАЯ РЕСПУБЛИКА
阿尔及利亚民主人民共和国
الجمهورية الجزائرية الديمقراطية الشعبية

5. RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
FEDERAL REPUBLIC OF GERMANY
REPÚBLICA FEDERAL DE ALEMANIA
ФЕДЕРАТИВНАЯ РЕСПУБЛИКА ГЕРМАНИЯ
德意志联邦共和国
جمهورية ألمانيا الاتحادية
6. PRINCIPAUTÉ D'ANDORRE
PRINCIPALITY OF ANDORRA
PRINCIPADO DE ANDORRA
КНЯЖЕСТВО АНДОРРА
安道尔公国
امارة أندورا
7. ROYAUME D'ARABIE SAOUDITE
KINGDOM OF SAUDI ARABIA
REINO DE ARABIA SAUDITA
КОРОЛЕВСТВО САУДОВСКАЯ АРАВИЯ
沙特阿拉伯王国
المملكة العربية السعودية
8. RÉPUBLIQUE ARGENTINE
ARGENTINE REPUBLIC
REPÚBLICA ARGENTINA
АРГЕНТИНСКАЯ РЕСПУБЛИКА
阿根廷共和国
جمهورية الأرجنتين
9. RÉPUBLIQUE D'ARMÉNIE
REPUBLIC OF ARMENIA
REPÚBLICA DE ARMENIA
РЕСПУБЛИКА АРМЕНИЯ
亚美尼亚共和国
جمهورية أرمينيا
10. AUSTRALIE
AUSTRALIA
AUSTRALIA
АВСТРАЛИЯ
澳大利亚
أستراليا
11. RÉPUBLIQUE D'AUTRICHE
REPUBLIC OF AUSTRIA
REPÚBLICA DE AUSTRIA
АВСТРИЙСКАЯ РЕСПУБЛИКА
奥地利共和国
جمهورية النمسا
12. RÉPUBLIQUE D'AZERBAÏDJAN
REPUBLIC OF AZERBAIJAN
REPÚBLICA DE AZERBAIYÁN

АЗЕРБАЙДЖАНСКАЯ РЕСПУБЛИКА

阿塞拜疆共和国

الجمهورية الأذربيجانية

13. ROYAUME DE BAHREÏN
KINGDOM OF BAHRAIN
REINO DE BAHREIN
КОРОЛЕВСТВО БАХРЕЙН
巴林王国
مملكة البحرين
14. RÉPUBLIQUE POPULAIRE DU BANGLADESH
PEOPLE'S REPUBLIC OF BANGLADESH
REPÚBLICA POPULAR DE BANGLADESH
НАРОДНАЯ РЕСПУБЛИКА БАНГЛАДЕШ
孟加拉人民共和国
جمهورية بنغلاديش الشعبية
15. RÉPUBLIQUE DU BÉLARUS
REPUBLIC OF BELARUS
REPÚBLICA DE BELARÚS
РЕСПУБЛИКА БЕЛАРУСЬ
白俄罗斯共和国
جمهورية بيلاروس
16. ROYAUME DE BELGIQUE
KINGDOM OF BELGIUM
REINO DE BÉLGICA
КОРОЛЕВСТВО БЕЛЬГИЯ
比利时王国
مملكة بلجيكا
17. ROYAUME DU BHOUTAN
KINGDOM OF BHUTAN
REINO DE BUTÁN
КОРОЛЕВСТВО БУТАН
不丹王国
مملكة بوتان
18. RÉPUBLIQUE DE BOLIVIE
REPUBLIC OF BOLIVIA
REPÚBLICA DE BOLIVIA
РЕСПУБЛИКА БОЛИВИЯ
玻利维亚共和国
جمهورية بوليفيا
19. BOSNIE ET HERZÉGOVINE
BOSNIA AND HERZEGOVINA
BOSNIA Y HERZEGOVINA
РЕСПУБЛИКА БОСНИЯ И ГЕРЦЕГОВИНА
波斯尼亚和黑塞哥维那共和国
البوسنة والهرسك

20. RÉPUBLIQUE FÉDÉRATIVE DU BRÉSIL
FEDERATIVE REPUBLIC OF BRAZIL
REPÚBLICA FEDERATIVA DEL BRASIL
ФЕДЕРАТИВНАЯ РЕСПУБЛИКА БРАЗИЛИЯ
巴西联邦共和国
الجمهورية الاتحادية البرازيلية
21. RÉPUBLIQUE DE BULGARIE
REPUBLIC OF BULGARIA
REPÚBLICA DE BULGARIA
РЕСПУБЛИКА БОЛГАРИЯ
保加利亚共和国
جمهورية بلغاريا
22. RÉPUBLIQUE DU BURUNDI
REPUBLIC OF BURUNDI
REPÚBLICA DE BURUNDI
РЕСПУБЛИКА БУРУНДИ
布隆迪共和国
جمهورية بوروندي
23. ROYAUME DU CAMBODGE
KINGDOM OF CAMBODIA
REINO DE CAMBOYA
КОРОЛЕВСТВО КАМБОДЖА
柬埔寨王国
ملکة کمبودیا
24. CANADA
CANADA
CANADÁ
КАНАДА
加拿大
کندا
25. RÉPUBLIQUE DU CAP-VERT
REPUBLIC OF CAPE VERDE
REPÚBLICA DE CAPO VERDE
РЕСПУБЛИКА КАБО-ВЕРДЕ
佛得角共和国
جمهورية الرأس الأخضر
26. RÉPUBLIQUE DU CHILI
REPUBLIC OF CHILE
REPÚBLICA DE CHILE
РЕСПУБЛИКА ЧИЛИ
智利共和国
جمهورية شيلي
27. RÉPUBLIQUE POPULAIRE DE CHINE
PEOPLE'S REPUBLIC OF CHINA
REPÚBLICA POPULAR CHINA

КИТАЙСКАЯ НАРОДНАЯ РЕСПУБЛИКА
中华人民共和国
جمهورية الصين الشعبية

28. RÉPUBLIQUE DE CHYPRE
REPUBLIC OF CYPRUS
REPÚBLICA DE CHIPRE
РЕСПУБЛИКА КИПР
塞浦路斯共和国
جمهوریة قبرص
29. RÉPUBLIQUE DE COLOMBIE
REPUBLIC OF COLOMBIA
REPÚBLICA DE COLOMBIA
РЕСПУБЛИКА КОЛУМБИЯ
哥伦比亚共和国
جمهورية كولومبيا
30. UNION DES COMORES
UNION OF THE COMOROS
UNIÓN DE LAS COMORAS
СОЮЗ КОМОРСКИХ ОСТРОВОВ
科摩罗联盟
اتحاد جزر القمر
31. RÉPUBLIQUE DU CONGO
REPUBLIC OF THE CONGO
REPÚBLICA DEL CONGO
РЕСПУБЛИКА КОНГО
刚果共和国
جمهورية الكونغو
32. RÉPUBLIQUE DÉMOCRATIQUE DU CONGO
DEMOCRATIC REPUBLIC OF THE CONGO
REPÚBLICA DEMOCRÁTICA DEL CONGO
ДЕМОКРАТИЧЕСКАЯ РЕСПУБЛИКА КОНГО
刚果民主共和国
جمهورية الكونغو الديمقراطية
33. RÉPUBLIQUE DE CORÉE
REPUBLIC OF KOREA
REPÚBLICA DE COREA
РЕСПУБЛИКА КОРЕЯ
大韩民国
جمهورية كوريا
34. RÉPUBLIQUE POPULAIRE DÉMOCRATIQUE DE CORÉE
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
REPÚBLICA POPULAR DEMOCRÁTICA DE COREA
КОРЕЙСКАЯ НАРОДНО-ДЕМОКРАТИЧЕСКАЯ РЕСПУБЛИКА
朝鲜民主主义人民共和国
جمهورية كوريا الشعبية الديمقراطية

35. RÉPUBLIQUE DU COSTA RICA
REPUBLIC OF COSTA RICA
REPÚBLICA DE COSTA RICA
РЕСПУБЛИКА КОСТА-РИКА
哥斯达黎加共和国
جمهوريّة كوستاريكا
36. RÉPUBLIQUE DE CÔTE D'IVOIRE
REPUBLIC OF CÔTE D'IVOIRE
REPÚBLICA DE CÔTE D'IVOIRE
РЕСПУБЛИКА КОТ-Д'ИВУАР
科特迪瓦共和国
جمهوريّة كوت ديفوار
37. RÉPUBLIQUE DE CROATIE
REPUBLIC OF CROATIA
REPÚBLICA DE CROACIA
РЕСПУБЛИКА ХОРВАТИЯ
克罗地亚共和国
جمهوريّة كرواتيا
38. RÉPUBLIQUE DE CUBA
REPUBLIC OF CUBA
REPÚBLICA DE CUBA
РЕСПУБЛИКА КУБА
古巴共和国
جمهوريّة كوبا
39. ROYAUME DU DANEMARK
KINGDOM OF DENMARK
REINO DE DINAMARCA
КОРОЛЕВСТВО ДАНИЯ
丹麦王国
مملكة الدانمرک
40. RÉPUBLIQUE DOMINICAINE
DOMINICAN REPUBLIC
REPÚBLICA DOMINICANA
ДОМИНИКАНСКАЯ РЕСПУБЛИКА
多米尼加共和国
الجمهورية الدومينيكية
41. RÉPUBLIQUE ARABE D'ÉGYPTE
ARAB REPUBLIC OF EGYPT
REPÚBLICA ARABE DE EGIPTO
АРАБСКАЯ РЕСПУБЛИКА ЕГИПЕТ
阿拉伯埃及共和国
جمهورية مصر العربية
42. RÉPUBLIQUE D'EL SALVADOR
REPUBLIC OF EL SALVADOR
REPÚBLICA DE EL SALVADOR

РЕСПУБЛИКА ЭЛЬ-САЛЬВАДОР
萨尔瓦多共和国
جمهوريّة السلفادور

43. ÉMIRATS ARABES UNIS
UNITED ARAB EMIRATES
EMIRATOS ÁRABES UNIDOS
ОБЪЕДИНЕННЫЕ АРАБСКИЕ ЭМИРАТЫ
阿拉伯联合酋长国
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44. RÉPUBLIQUE DE L'ÉQUATEUR
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45. ÉTAT D'ÉRYTHRÉE
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ERITREA
ЭРИТРЕЯ
厄立特里亚国
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46. ROYAUME D'ESPAGNE
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REINO DE ESPAÑA
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47. RÉPUBLIQUE D'ESTONIE
REPUBLIC OF ESTONIA
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48. ETATS-UNIS D'AMÉRIQUE
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50. RÉPUBLIQUE DE FINLANDE
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51. RÉPUBLIQUE FRANÇAISE
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52. GÉORGIE
GEORGIA
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جورجيا

53. RÉPUBLIQUE DU GHANA
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加纳共和国

جمهوريّة غانا

54. RÉPUBLIQUE HELLENIQUE
HELLENIC REPUBLIC
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55. RÉPUBLIQUE DU GUATEMALA
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56. RÉPUBLIQUE DE GUINÉE
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57. RÉPUBLIQUE D'HAÏTI
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58. RÉPUBLIQUE DU HONDURAS
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59. RÉPUBLIQUE DE HONGRIE
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60. RÉPUBLIQUE DE L'INDE
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61. RÉPUBLIQUE D'INDONÉSIE
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62. RÉPUBLIQUE ISLAMIQUE D'IRAN
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63. IRLANDE
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64. RÉPUBLIQUE D'ISLANDE
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65. ÉTAT D'ISRAËL
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67. JAMAÏQUE
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68. JAPON
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69. ROYAUME HACHÉMITE DE JORDANIE
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70. RÉPUBLIQUE DU KAZAKHSTAN
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73. ÉTAT DU KOWEÏT
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75. RÉPUBLIQUE DE LETTONIE
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76. RÉPUBLIQUE LIBANAISE
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78. PRINCIPAUTÉ DE LIECHTENSTEIN
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80. GRAND-DUCHÉ DE LUXEMBOURG
GRAND DUCHY OF LUXEMBOURG
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84. RÉPUBLIQUE DU MALAWI
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85. RÉPUBLIQUE DU MALI
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86. RÉPUBLIQUE DE MALTE
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87. ROYAUME DU MAROC
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88. RÉPUBLIQUE ISLAMIQUE DE MAURITANIE

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89. ÉTATS UNIS MEXICAINS

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90. ÉTATS FÉDÉRÉS DE MICRONÉSIE

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91. RÉPUBLIQUE DE MOLDOVA

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92. PRINCIPAUTÉ DE MONACO

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93. MONGOLIE

MONGOLIA

MONGOLIA

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94. RÉPUBLIQUE DU MOZAMBIQUE

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95. UNION DU MYANMAR
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96. ROYAUME DU NÉPAL
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97. RÉPUBLIQUE DU NICARAGUA
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98. RÉPUBLIQUE DU NIGER
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99. RÉPUBLIQUE FÉDÉRALE DU NIGÉRIA
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101. NOUVELLE-ZÉLANDE
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102. SULTANAT D'OMAN
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103. RÉPUBLIQUE DE L'UGANDA

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104. RÉPUBLIQUE D'OUZBÉKISTAN

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105. RÉPUBLIQUE ISLAMIQUE DU PAKISTAN

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106. RÉPUBLIQUE DU PANAMA

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107. RÉPUBLIQUE DU PARAGUAY

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108. ROYAUME DES PAYS-BAS

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109. RÉPUBLIQUE DU PÉROU

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110. RÉPUBLIQUE DES PHILIPPINES

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111. RÉPUBLIQUE DE POLOGNE
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112. RÉPUBLIQUE PORTUGAISE
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114. ROUMANIE
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115. ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD
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116. FÉDÉRATION DE RUSSIE
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117. RÉPUBLIQUE DU RWANDA
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118. RÉPUBLIQUE DE SAINT-MARIN
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119. SAINT-SIÈGE
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120. RÉPUBLIQUE DU SÉNÉGAL
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121. SERBIE-ET-MONTÉNÉGRO
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122. RÉPUBLIQUE DES SEYCHELLES
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123. RÉPUBLIQUE DE SINGAPOUR
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124. RÉPUBLIQUE SLOVAQUE
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125. RÉPUBLIQUE DE SLOVÉNIE
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126. RÉPUBLIQUE DU SOUDAN
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127. RÉPUBLIQUE SOCIALISTE DÉMOCRATIQUE DE SRI LANKA
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128. ROYAUME DE SUÈDE
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129. CONFÉDÉRATION SUISSE
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130. RÉPUBLIQUE ARABE SYRIENNE
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131. RÉPUBLIQUE-UNIE DE TANZANIE
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132. RÉPUBLIQUE DU TCHAD
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133. RÉPUBLIQUE TCHÈQUE
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REPÚBLICA CHECA
ЧЕШСКАЯ РЕСПУБЛИКА

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134. ROYAUME DE THAÏLANDE
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135. RÉPUBLIQUE DÉMOCRATIQUE DU TIMOR-LESTE
DEMOCRATIC REPUBLIC OF TIMOR-LESTE
REPÚBLICA DEMOCRÁTICA DE TIMOR-LESTE
ДЕМОКРАТИЧЕСКАЯ РЕСПУБЛИКА ТИМОР-ЛЕШТИ

东帝汶民主共和国

جمهورية تيمور الشرقية الديمقراطية

136. RÉPUBLIQUE TOGOLOISE
TOGOLESE REPUBLIC
REPÚBLICA TOGOLESA
ТОГОЛЕЗСКАЯ РЕСПУБЛИКА

多哥共和国

جمهورية توغو

137. RÉPUBLIQUE TUNISIENNE
REPUBLIC OF TUNISIA
REPÚBLICA DE TÚNEZ
ТУНИССКАЯ РЕСПУБЛИКА

突尼斯共和国

الجمهورية التونسية

138. RÉPUBLIQUE DE TURQUIE
REPUBLIC OF TURKEY
REPÚBLICA DE TURQUÍA
ТУРЕЦКАЯ РЕСПУБЛИКА

土耳其共和国

جمهورية تركيا

139. UKRAINE
UKRAINE
UCRANIA
УКРАЇНА

乌克兰

أوكرانيا

140. RÉPUBLIQUE ORIENTALE DE L'URUGUAY
EASTERN REPUBLIC OF URUGUAY

REPÚBLICA ORIENTAL DEL URUGUAY
ВОСТОЧНАЯ РЕСПУБЛИКА УРУГВАЙ
乌拉圭东岸共和国
جمهورية أوروغواي الشرقية

141. RÉPUBLIQUE BOLIVARIENNE DU VENEZUELA
BOLIVARIAN REPUBLIC OF VENEZUELA
REPÚBLICA BOLIVARIANA DE VENEZUELA
БОЛИВАРСКАЯ РЕСПУБЛИКА ВЕНЕСУЭЛА
委内瑞拉玻利瓦尔共和国
جمهورية فنزويلا الボليفارية

142. RÉPUBLIQUE SOCIALISTE DU VIET NAM
SOCIALIST REPUBLIC OF VIET NAM
REPÚBLICA SOCIALISTA DE VIET NAM
СОЦИАЛИСТИЧЕСКАЯ РЕСПУБЛИКА ВЬЕТНАМ
越南社会主义共和国
جمهورية فييت نام الاشتراكية

143. RÉPUBLIQUE DU YÉMEN
REPUBLIC OF YEMEN
REPÚBLICA DEL YEMEN
ЙЕМЕНСКАЯ РЕСПУБЛИКА
也门共和国
الجمهورية اليمنية

144. RÉPUBLIQUE DE ZAMBIE
REPUBLIC OF ZAMBIA
REPÚBLICA DE ZAMBIA
РЕСПУБЛИКА ЗАМБИЯ
赞比亚共和国
زامبيا جمهورية

c) **Annex 2: List of Observers and Guests Represented at the Conference**

OBSERVATEURS / OBSERVERS / OBSERVADORES / НАБЛЮДАТЕЛИ / المراقبون / 观察员

PALESTINE
PALESTINE
PALESTINA
Палестина
巴勒斯坦
فُلْسَطِين

COMMUNAUTÉ EUROPÉENNE
EUROPEAN COMMUNITY
COMUNIDADE EUROPEA
ЕВРОПЕЙСКИЕ СООБЩЕСТВА

欧洲联盟

الجماعات الأوروبية

LIGUE DES ÉTATS ARABES

LEAGUE OF ARAB STATES

LIGA DE LOS ESTADOS ÁRABES

ЛИГА АРАБСКИХ ГОСУДАРСТВ

阿拉伯国家联盟

جامعة الدول العربية

ORGANISATION DE LA CONFÉRENCE ISLAMIQUE (OCI)

ORGANIZATION OF THE ISLAMIC CONFERENCE (OIC)

ORGANIZACIÓN DE LA CONFERENCIA ISLÁMICA

ОРГАНИЗАЦИЯ ИСЛАМСКОЙ КОНФЕРЕНЦИИ

伊斯兰会议组织

منظمة المؤتمر الإسلامي

COMMISSION PERMANENTE DE LA CROIX-ROUGE ET DU CROISSANT-ROUGE

STANDING COMMISSION OF THE RED CROSS AND RED CRESCENT

COMISIÓN PERMANENTE DE LA CRUZ ROJA Y DE LA MEDIA LUNA ROJA

ПОСТОЯННАЯ КОМИССИЯ КРАСНОГО КРЕСТА И КРАСНОГО ПОЛУМЕСЯЦА

红字红新月常设委员会

اللجنة الدائمة للصليب الأحمر والهلال الأحمر

COMITÉ INTERNATIONAL DE LA CROIX-ROUGE (CICR)

INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC)

COMITÉ INTERNACIONAL DE LA CRUZ ROJA (CICR)

МЕЖДУНАРОДНЫЙ КОМИТЕТ КРАСНОГО КРЕСТА (МККК)

红十字国际委员会

اللجنة الدولية للصليب الأحمر

FÉDÉRATION INTERNATIONALE DES SOCIÉTÉS DE LA CROIX-ROUGE ET DU CROISSANT-ROUGE

INTERNATIONAL FEDERATION OF RED CROSS AND RED CRESCENT SOCIETIES

FEDERACIÓN INTERNACIONAL DE SOCIEDADES DE LA CRUZ ROJA Y DE LA MEDIA LUNA ROJA

МЕЖДУНАРОДНАЯ ФЕДЕРАЦИЯ ОБЩЕСТВ КРАСНОГО КРЕСТА И КРАСНОГО ПОЛУМЕСЯЦА

红十字会与红新月会国际联合会

الاتحاد الدولي لجمعيات الصليب الأحمر والهلال الأحمر

ORGANISATION DES NATIONS UNIES (ONU)

UNITED NATIONS ORGANIZATION (UNO)

ORGANIZACIÓN DE LAS NACIONES UNIDAS (ONU)

ОРГАНИЗАЦИЯ ОБЪЕДИНЕННЫХ НАЦИЙ

联合国

منظمة الأمم المتحدة

INVITÉS / GUESTS / INVITADOS / ГОСТИ / 客人 / المدعوون

MAGEN DAVID ADOM, ISRAËL

MAGEN DAVID ADOM, ISRAEL

MAGEN DAVID ADOM, ISRAEL

МАГЕН ДАВИД АДОМ, ИЗРАИЛЬ

以色列红大卫盾会

نجمة داود الحمراء في إسرائيل

SOCIÉTÉ DU CROISSANT-ROUGE PALESTINIEN

PALESTINE RED CRESCENT SOCIETY

MEDIA LUNA ROJA DE PALESTINA

ПАЛЕСТИНСКОЕ ОБЩЕСТВО КРАСНОГО ПОЛУМЕСЯЦА

巴勒斯坦红新月会

جمعية الهلال الأحمر الفلسطيني

SOCIÉTÉ DE LA CROIX-ROUGE ÉRYTHRÉENNE

RED CROSS SOCIETY OF ERITREA

CRUZ ROJA DE ERITREA

ОБЩЕСТВО КРАСНОГО КРЕСТА ЭРИТРЕИ

厄立特里亚红十字会

جمعية الصليب الأحمر الإريتري

SOCIÉTÉ DU CROISSANT-ROUGE ARABE SYRIEN

SYRIAN ARAB RED CRESCENT

MEDIA LUNA ROJA ÁRABE SIRIA

СИРИЙСКОЕ АРАБСКОЕ ОБЩЕСТВО КРАСНОГО ПОЛУМЕСЯЦА

阿拉伯叙利亚红新月会

منظمة الهلال الأحمر العربي السوري

d) Annex 3: Agenda of the Diplomatic Conference

1. Public opening by the Secretary General of the Conference
2. Public opening remarks by the Head of the Federal Department of Foreign Affairs, as representative of the Depositary as well as by the President of the International Committee of the Red Cross
3. Election of the President
4. Adoption of the internal rules
5. Adoption of the Agenda, organisation of work
6. Election of the Vice-Presidents
7. Election of the Chairman of the Drafting Committee and appointment of its members
8. Appointment of the Chairman and the members of the Credentials Committee
9. Consideration of draft Additional Protocol III to the Geneva Conventions
10. Adoption of Additional Protocol III to the Geneva Conventions
11. Signing of the Final Act and of the Additional Protocol III to the Geneva Conventions

e) Annex 4: Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III)

Text as notified by the Depositary on 8 March 2006. The list of State Parties, the list of reservations and statements, as well as the notifications, are available on the Depositary's website: www.eda.admin.ch/depository

Preamble

The High Contracting Parties,

(PP1) *Reaffirming* the provisions of the Geneva Conventions of 12 August 1949 (in particular Articles 26, 38, 42 and 44 of the First Geneva Convention) and, where applicable, their Additional Protocols of 8 June 1977 (in particular Articles 18 and 38 of Additional Protocol I and Article 12 of Additional Protocol II), concerning the use of distinctive emblems,

(PP2) *Desiring* to supplement the aforementioned provisions so as to enhance their protective value and universal character,

(PP3) *Noting* that this Protocol is without prejudice to the recognized right of High Contracting Parties to continue to use the emblems they are using in conformity with their obligations under the Geneva Conventions and, where applicable, the Protocols additional thereto,

(PP4) *Recalling* that the obligation to respect persons and objects protected by the Geneva Conventions and the Protocols additional thereto derives from their protected status under international law and is not dependent on use of the distinctive emblems, signs or signals,

(PP5) *Stressing* that the distinctive emblems are not intended to have any religious, ethnic, racial, regional or political significance,

(PP6) *Emphasizing* the importance of ensuring full respect for the obligations relating to the distinctive emblems recognized in the Geneva Conventions, and, where applicable, the Protocols additional thereto,

(PP7) *Recalling* that Article 44 of the First Geneva Convention makes the distinction between the protective use and the indicative use of the distinctive emblems,

(PP8) *Recalling further* that National Societies undertaking activities on the territory of another State must ensure that the emblems they intend to use within the framework of such activities may be used in the country where the activity takes place and in the country or countries of transit,

(PP9) *Recognizing* the difficulties that certain States and National Societies may have with the use of the existing distinctive emblems,

(PP10) *Noting* the determination of the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and the International Red Cross and Red Crescent Movement to retain their current names and emblems,

Have agreed on the following:

Article 1 - Respect for and scope of application of this Protocol

1. The High Contracting Parties undertake to respect and to ensure respect for this Protocol in all circumstances.
2. This Protocol reaffirms and supplements the provisions of the four Geneva Conventions of 12 August 1949 ("the Geneva Conventions") and, where applicable, of their two Additional Protocols of 8 June 1977 ("the 1977 Additional Protocols") relating to the distinctive emblems, namely the red cross, the red crescent and the red lion and sun, and shall apply in the same situations as those referred to in these provisions.

Article 2 - Distinctive emblems

1. This Protocol recognizes an additional distinctive emblem in addition to, and for the same purposes as, the distinctive emblems of the Geneva Conventions. The distinctive emblems shall enjoy equal status.
2. This additional distinctive emblem, composed of a red frame in the shape of a square on edge on a white ground, shall conform to the illustration in the Annex to this Protocol. This distinctive emblem is referred to in this Protocol as the "third Protocol emblem".
3. The conditions for use of and respect for the third Protocol emblem are identical to those for the distinctive emblems established by the Geneva Conventions and, where applicable, the 1977 Additional Protocols.
4. The medical services and religious personnel of armed forces of High Contracting Parties may, without prejudice to their current emblems, make temporary use of any distinctive emblem referred to in paragraph 1 of this Article where this may enhance protection.

Article 3 - Indicative use of the third Protocol emblem

1. National Societies of those High Contracting Parties which decide to use the third Protocol emblem may, in using the emblem in conformity with relevant national legislation, choose to incorporate within it, for indicative purposes:
 - a) a distinctive emblem recognized by the Geneva Conventions or a combination of these emblems; or
 - b) another emblem which has been in effective use by a High Contracting Party and was the subject of a communication to the other High Contracting Parties and the International Committee of the Red Cross through the depositary prior to the adoption of this Protocol.

Incorporation shall conform to the illustration in the Annex to this Protocol.

2. A National Society which chooses to incorporate within the third Protocol emblem another emblem in accordance with paragraph 1 above, may, in conformity with na-

tional legislation, use the designation of that emblem and display it within its national territory.

3. National Societies may, in accordance with national legislation and in exceptional circumstances and to facilitate their work, make temporary use of the distinctive emblem referred to in Article 2 of this Protocol.
4. This Article does not affect the legal status of the distinctive emblems recognized in the Geneva Conventions and in this Protocol, nor does it affect the legal status of any particular emblem when incorporated for indicative purposes in accordance with paragraph 1 of this Article.

Article 4 - International Committee of the Red Cross and International Federation of Red Cross and Red Crescent Societies

The International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, and their duly authorized personnel, may use, in exceptional circumstances and to facilitate their work, the distinctive emblem referred to in Article 2 of this Protocol.

Article 5 - Missions under United Nations auspices

The medical services and religious personnel participating in operations under the auspices of the United Nations may, with the agreement of participating States, use one of the distinctive emblems mentioned in Articles 1 and 2.

Article 6 - Prevention and repression of misuse

1. The provisions of the Geneva Conventions and, where applicable, the 1977 Additional Protocols, governing prevention and repression of misuse of the distinctive emblems shall apply equally to the third Protocol emblem. In particular, the High Contracting Parties shall take measures necessary for the prevention and repression, at all times, of any misuse of the distinctive emblems mentioned in Articles 1 and 2 and their designations, including the perfidious use and the use of any sign or designation constituting an imitation thereof.
2. Notwithstanding paragraph 1 above, High Contracting Parties may permit prior users of the third Protocol emblem, or of any sign constituting an imitation thereof, to continue such use, provided that the said use shall not be such as would appear, in time of armed conflict, to confer the protection of the Geneva Conventions and, where applicable, the 1977 Additional Protocols, and provided that the rights to such use were acquired before the adoption of this Protocol.

Article 7 - Dissemination

The High Contracting Parties undertake, in time of peace as in time of armed conflict, to disseminate this Protocol as widely as possible in their respective countries and, in particular, to include the study thereof in their programmes of military instruction and to encourage the study thereof by the civilian population, so that this instrument may become known to the armed forces and to the civilian population.

Article 8 - Signature

This Protocol shall be open for signature by the Parties to the Geneva Conventions on the day of its adoption and will remain open for a period of twelve months.

Article 9 - Ratification

This Protocol shall be ratified as soon as possible. The instruments of ratification shall be deposited with the Swiss Federal Council, depositary of the Geneva Conventions and the 1977 Additional Protocols.

Article 10 - Accession

This Protocol shall be open for accession by any Party to the Geneva Conventions which has not signed it. The instruments of accession shall be deposited with the depositary.

Article 11 - Entry into force

1. This Protocol shall enter into force six months after two instruments of ratification or accession have been deposited.
2. For each Party to the Geneva Conventions thereafter ratifying or acceding to this Protocol, it shall enter into force six months after the deposit by such Party of its instrument of ratification or accession.

Article 12 - Treaty relations upon entry into force of this Protocol

1. When the Parties to the Geneva Conventions are also Parties to this Protocol, the Conventions shall apply as supplemented by this Protocol.
2. When one of the Parties to the conflict is not bound by this Protocol, the Parties to the Protocol shall remain bound by it in their mutual relations. They shall furthermore be bound by this Protocol in relation to each of the Parties which are not bound by it, if the latter accepts and applies the provisions thereof.

Article 13 - Amendment

1. Any High Contracting Party may propose amendments to this Protocol. The text of any proposed amendment shall be communicated to the depositary, which shall decide, after consultation with all the High Contracting Parties, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, whether a conference should be convened to consider the proposed amendment.
2. The depositary shall invite to that conference all the High Contracting Parties as well as the Parties to the Geneva Conventions, whether or not they are signatories of this Protocol.

Article 14 - Denunciation

1. In case a High Contracting Party should denounce this Protocol, the denunciation shall only take effect one year after receipt of the instrument of denunciation. If, however, on the expiry of that year the denouncing Party is engaged in a situation of armed conflict or occupation, the denunciation shall not take effect before the end of the armed conflict or occupation.
2. The denunciation shall be notified in writing to the depositary, which shall transmit it to all the High Contracting Parties.
3. The denunciation shall have effect only in respect of the denouncing Party.
4. Any denunciation under paragraph 1 shall not affect the obligations already incurred, by reason of the armed conflict or occupation, under this Protocol by such denouncing Party in respect of any act committed before this denunciation becomes effective.

Article 15 - Notifications

The depositary shall inform the High Contracting Parties as well as the Parties to the Geneva Conventions, whether or not they are signatories of this Protocol, of:

- a) signatures affixed to this Protocol and the deposit of instruments of ratification and accession under Articles 8, 9 and 10;
- b) the date of entry into force of this Protocol under Article 11 within ten days of said entry into force;
- c) communications received under Article 13;
- d) denunciations under Article 14.

Article 16 - Registration

1. After its entry into force, this Protocol shall be transmitted by the depositary to the Secretariat of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.
2. The depositary shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to this Protocol.

Article 17 - Authentic texts

The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the depositary, which shall transmit certified true copies thereof to all the Parties to the Geneva Conventions.

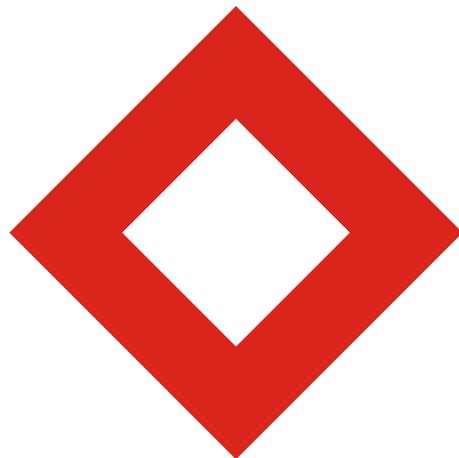
* * * * *

ANNEX

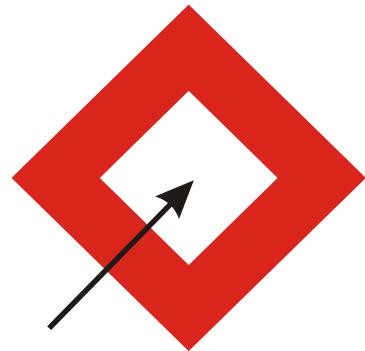
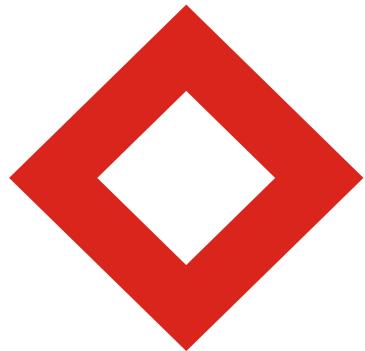
THIRD PROTOCOL EMBLEM

(Article 2, paragraph 2 and Article 3, paragraph 1 of the Protocol)

Article 1 - Distinctive emblem



Article 2 - Indicative use of the third Protocol emblem



Incorporation in
accordance with Art. 3

4. Appointment of committee members

a) Appointment of members of the General Committee

President: Ambassador B. Godet

Secretary-General: Ambassador D. Pfirter

23 members

Asian group: Afghanistan, Republic of Korea, Timor-Leste, China, Pakistan, Nepal

African group: Ghana, Libya, Mauritania, Democratic Republic of the Congo, Tanzania, Uganda

Latin-American group: Chile, Mexico, Honduras, Ecuador

Western group: Austria, Spain, United States of America, Norway

Eastern European group: Croatia, Russian Federation, Slovakia

b) Appointment of members of the Drafting Committee (15 members)

Presidency: South Africa

Asian group: Jordan, Japan, Pakistan, Syrian Arab Republic

African group: South Africa, Ethiopia, Senegal, Nigeria

Latin-American group: Brazil, Costa Rica

Western group: New Zealand, United Kingdom, United States of America

Eastern European group: Romania, Slovenia

c) Appointment of members of the Credentials Committee (9 members)

Presidency: Chile

Asian group: Republic of Korea, Syrian Arab Republic

African group: Republic of the Congo, Madagascar

Latin-American group: Chile, Guatemala

Western group: Australia, Canada

Eastern European group: Ukraine

5. Rules of Procedure of the Diplomatic Conference

I. Representation and Credentials

Rule 1: Composition of delegations

Each delegation participating in the Conference shall consist of a head of delegation, alternate representatives and advisers, as it may deem necessary.

Rule 2: Alternates and advisers

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Rule 3: Submission of credentials

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General not later than 24 hours after the opening of the Conference. Any subsequent change in the composition of delegations shall also be submitted to the Secretary-General. The credentials shall be issued either by the Head of State or Government, or by the Minister for Foreign Affairs.

Rule 4: Credentials Committee

A Credentials Committee shall be appointed at the beginning of the Conference. It shall consist of nine members, who shall be appointed by the Conference on the proposal of the President of the Conference. It shall examine the credentials of representatives and report to the Conference without delay.

Rule 5: Provisional participation in the Conference

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. Officers

Rule 6: Elections

The Conference shall elect a President and twenty-three Vice-Presidents, as well as the Chairman of the Drafting Committee provided for in rule 47. These officers shall be elected on the basis of ensuring the representative character of the General Committee. The Conference may also elect such other officers as it deems necessary for the performance of its functions.

Rule 7: General powers of the President

1. In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, declare

the opening and closing of each plenary meeting of the Conference, direct the discussion, ensure observance of these Rules, accord the right to speak, promote the achievement of general agreement, put questions to the vote and announce decisions. He or she shall rule on points of order and, subject to these rules of procedure, have complete control of the proceedings and over the maintenance of order thereat.

2. The President may propose to the Conference the limitation of time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate.
3. He or she may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the question under discussion.
4. The President, in the exercise of his or her function, remains under the authority of the Conference.

Rule 8: Acting President

1. If the President is absent from a meeting or any part thereof, he or she shall designate one of the Vice-Presidents to take his or her place.
2. A Vice-President acting as President shall have the same powers and duties as the President.

Rule 9: Replacement of the President

If the President is unable to perform his or her functions, a new President shall be elected.

Rule 10: Voting rights of the President

The President, or Vice-President acting as President, shall not vote in the Conference, but may appoint another member of his or her delegation to vote in his or her place.

III. General Committee

Rule 11: Composition

The President, the Vice-Presidents, the Chairman of the Drafting Committee, the Chairman of the Credentials Committee and the Secretary-General shall constitute the General Committee.

Rule 12: Substitute members

If the President or a Vice-President of the Conference is to be absent during a meeting of the General Committee, he or she may designate a member of his or her delegation to sit and vote in the General Committee. In case of absence, the Chairman of the Drafting Committee

shall designate a member of the Drafting Committee. When serving on the General Committee such member of the Drafting Committee shall not have the right to vote if he or she is of the same delegation as another member of the General Committee.

Rule 13: Functions

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the co-ordination of its work.

IV. Secretariat

Rule 14: Duties of the Secretary-General

1. The Secretary-General, designated by the Swiss Government, shall act in that capacity in all meetings of the Conference and its subsidiary bodies.
2. The Secretary-General may designate a member of the Secretariat to act in his or her place at these meetings.
3. The Secretary-General shall provide and direct the staff required by the Conference; he or she shall make all arrangements relating to meetings.

Rule 15: Duties of Secretariat

The Secretariat of the Conference shall, in accordance with these Rules:

- (a) Interpret speeches made at meetings;
- (b) Receive, translate, reproduce and circulate the documents of the Conference;
- (c) Publish and circulate the official documents of the Conference;
- (d) Prepare and circulate records of public meetings;
- (e) Make and arrange for the keeping of sound recordings;
- (f) Arrange for the custody and preservation of the documents of the Conference in the archives of the Depositary of the Geneva Conventions of 1949 and their Additional Protocols of 1977, and
- (g) Generally perform all other work that the Conference may require.

Rule 16: Statements by the Secretariat

The Secretary-General or any other member of the staff of the Secretariat who may be designated for that purpose may, at any time, make either oral or written statements concerning any question under consideration.

V. Opening of the Conference

Rule 17: Temporary President

A representative of the Swiss Government shall open the first meeting of the Conference and preside until the Conference has elected its President.

Rule 18: Decisions concerning organization

The Conference shall, to the extent possible, at its first meeting:

- (a) Adopt its Rules of Procedure, the draft of which shall, until such adoption, be the provisional Rules of Procedure of the Conference;
- (b) Elect its officers and constitute its committees;
- (c) Adopt its agenda, the draft of which shall, until such adoption, be the provisional agenda of the Conference;
- (d) Decide on the organization of its work.

VI. Conduct of Business

Rule 19: Quorum

1. The President may declare the meeting open and permit the debate to proceed when the representatives of at least a majority of the States participating in the Conference are present.
2. The Chairman of a committee or working group may declare the meeting open and permit the debate to proceed when the representatives of at least one third of the States members of the body in question are present.
3. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

Rule 20: Speeches

1. No person may address the Conference without having previously obtained the permission of the President. Subject to rules 21 and 22, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall be in charge of drawing up a list of such speakers. The President may call a speaker to order if his or her remarks are not relevant to the subject under discussion and should occasion arise, require him or her to stop speaking.
2. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting. In appealing against the President's ruling, a representative may not speak on the substance of the matter under discussion.

3. The Conference may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Before a decision is taken in that regard, two representatives may speak in favour of, and two against, the motion on such limits, after which the motion shall be immediately put to the vote. In any event, with the consent of the Conference, the President shall limit each intervention on procedural matters to five minutes. When the debate is limited and a representative has spoken his or her allotted time, the President shall call him or her to order without delay.

Rule 21: Precedence

The Chairman of a committee, or the representative of a working group, may be accorded precedence for the purpose of explaining the conclusions arrived at by the body concerned.

Rule 22: Points of order

During the discussion of any matter, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 23: Closing of list of speakers

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed.

Rule 24: Right of reply

1. Notwithstanding rule 23, the President shall accord the right of reply to a representative who requests it. A representative referred to in rule 58 may be granted the opportunity to make a reply.
2. The statements made under this rule shall normally be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant item if that is sooner.
3. The representatives of a State may make no more than two statements under this rule at a given meeting on any item. The first shall be limited to five minutes and the second to three minutes; representatives shall in any event attempt to be as brief as possible.

Rule 25: Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall

be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

Rule 26: Closure of debate

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his or her wish to speak. Permission to speak on the closure of the debate shall be accorded only to two representatives opposing the closure, after which the motion shall be immediately put to the vote.

Rule 27: Suspension or adjournment of the meeting

Subject to rule 40, a representative may move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and shall, subject to rule 28, be immediately put to the vote. The President may limit the time to be allowed to the speaker moving the suspension or adjournment.

Rule 28: Order of motions

Subject to rule 22, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the question under discussion;
- (d) To close the debate on the question under discussion.

Rule 29: Basic proposals

The draft Additional Protocol to the Geneva Conventions of 12 August 1949, prepared by the International Committee of the Red Cross, in close cooperation with the International Federation of Red Cross and Red Crescent Societies, shall constitute the basic proposal for discussion by the Conference.

Rule 30: Other proposals

1. Other proposals shall normally be submitted in writing and handed to the Secretary-General of the Conference, who shall circulate copies to the delegations.
2. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Conference unless copies of it have been circulated to all delegations, at least in the original language of the proposal and in English.
3. The President may, however, permit the discussion and consideration of amendments, or motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 31: Decisions on competence

Subject to rule 22, any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal or an amendment submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Rule 32: Withdrawal of proposals and motions

A proposal and motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended. A proposal and motion, thus withdrawn, may be reintroduced by any representative.

Rule 33: Reconsideration of proposals

When a proposal has been adopted or rejected it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on the motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Rule 34: International Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies

1. Having prepared the draft Additional Protocol, the International Committee of the Red Cross and its experts as well as experts of the International Federation of Red Cross and Red Crescent Societies shall join in the work of the Conference and may present oral or written statements on all matters submitted to the Conference for consideration.

2. The Conference may invite to one or more of its meetings any person whose technical advice it may consider useful in its work.

VII. Decision-making

Rule 35: General agreement

1. The Conference shall make its best endeavours to ensure that the work of the Conference is accomplished by general agreement.

2. If, in the consideration on any matter of substance, all feasible efforts to reach general agreement fail, the President of the Conference shall consult the General Committee and recommend the steps to be taken, which may include putting the matter to the vote.

Rule 36: Voting rights

Each State participating in the Conference shall have one vote.

Rule 37: Majority required

1. Subject to rule 35, decisions of the Conference on the adoption of the text of the draft Additional Protocol as a whole shall be taken by a two-thirds majority of the representatives present and voting, provided that such majority shall include at least a majority of the States participating in the Conference.
2. Subject to rule 35, decisions of the Conference on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.
3. Except as otherwise provided in these rules, decisions of the Conference on all matters of procedure shall be taken by a majority of the representatives present and voting.
4. If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.
5. Any decision relating to invitations to participate in the Conference shall be adopted by a simple majority of votes of the representatives present and voting.
6. If a vote is equally divided on matters other than elections, the proposal shall be regarded as rejected.

Rule 38: Meaning of the expression "representatives present and voting"

For the purpose of these rules, the phrase "representatives present and voting" means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Rule 39: Method of voting

1. The Conference shall normally vote by show of hands or by standing, but any representative may request a roll-call. The roll-call shall be taken in the French alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President. The name of each State shall be called in all roll-calls, and its representative shall reply "yes", "no" or "abstention".
2. The vote of each State participating in a roll-call shall be mentioned in all reports on the meeting.

Rule 40: Conduct during voting

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

Rule 41: Explanation of vote

Representatives may make brief statements consisting solely of explanation of vote, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

Rule 42: Division of proposals

A representative may move that parts of a proposal or an amendment be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. If the motion for division is carried, those parts of the proposal or amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Rule 43: Amendments

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Rule 44: Order of voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

Rule 45: Order of voting on proposals

1. If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted.
2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.
3. A motion requiring that no decision be taken on a proposal shall be put to the vote before a decision is taken on the proposal in question.

Rule 46: Elections

1. All elections shall be held by secret ballot unless otherwise decided by the Conference.

2. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of votes of the representatives present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.
3. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the preceding paragraph.
4. When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot an absolute majority of votes of the representatives present and voting shall be elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, the Conference shall take a second ballot, to which a relative majority shall apply, until all the places have been filled.

VIII. Committees

Rule 47: Drafting Committee

1. The Conference shall establish a Drafting Committee, which shall consist of fifteen members, including its Chairman who shall be elected by the Conference in accordance with rule 6. The other fourteen members of the Committee shall be appointed by the Conference on the proposal of the President of the Conference.
2. The Drafting Committee shall coordinate and refine the drafting of all texts referred to it without reopening substantive discussion on any matter. Without altering their substance, it shall formulate drafts and give advice on drafting as requested by the Conference and report to the Conference as appropriate.
3. Any delegation may attend the meeting of the Drafting Committee.

Rule 48: Other subsidiary bodies

In addition to the Drafting Committee mentioned above, the Conference may establish working groups as it deems necessary for the performance of its functions.

Rule 49: Officers

Each working group referred to in rule 48 shall elect its own officers.

Rule 50: Officers, conduct of business and voting

The rules contained in Chapters II, VI and VII shall be applicable, mutatis mutandis to the proceedings of working groups, except that the Chairman of the Drafting Committee and the chairmen of working groups may exercise the right to vote, and that decisions of committees

and working groups shall be taken by a majority of the representatives present and voting, but not in the case of a reconsideration of proposals or amendments, in which the majority required shall be that established by rule 33.

IX. Languages and records

Rule 51: Languages of the Conference

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Rule 52: Interpretation

1. Statements made in any of the Conference languages shall be interpreted into the other languages.

2. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language.

Rule 53: Language of official documents

Official documents of the Conference shall be made available in the languages of the Conference as soon as possible.

Rule 54: Records and sound recordings of meetings

1. Summary records of the plenary meetings of the Conference shall be kept in the languages of the Conference. As a general rule, they shall be circulated as soon as possible, simultaneously in all the languages of the Conference, to all representatives, who shall inform the Secretariat after the circulation of the summary record of any changes they wish to have made.

2. The Secretariat shall make sound recordings of plenary meetings of the Conference and of the Drafting Committee.

X. Public and private meetings

Rule 55: General principles

The plenary meetings of the Conference shall be held in public unless the body concerned decides otherwise. All decisions taken by the Conference at a private meeting shall be announced at an early public meeting of the Plenary.

Rule 56: Meetings of Committees or working groups

As a general rule, meetings of Committees and working groups shall be held in private.

Rule 57: Communiqués on private meetings

At the close of a private meeting, the chairman of the body concerned may issue a communiqué through the Secretary-General of the Conference.

XI. Observers

Rule 58: Observers

1. The representatives of the United Nations and the representatives of specialized agencies of the United Nations and of other intergovernmental bodies invited as observers may participate in the deliberations of the Conference and its working groups. They shall not have any right to vote. The Conference and its working groups shall decide as the case arises whether such observers shall be permitted to present written or oral statements on problems relating to their sphere of activity.
2. National Red Cross and Red Crescent Societies invited as observers may participate in the deliberations of the Conference and its working groups. They shall not have the right to vote. The Conference and its working groups shall decide as the case arises whether such observers shall be permitted to present written or oral statements on problems relating to their sphere of activity.
3. Representatives designated by organizations and other entities that have received a standing invitation from the General Assembly pursuant to its relevant resolutions to participate, in the capacity of observers, in its sessions and work, may participate as observers in the deliberations of the Conference and its working groups. They shall not have any right to vote.
4. Non-governmental organizations and other institutions invited as observers may participate in the deliberations of the Conference and its working groups. They shall not have the right to vote. The Conference and its working groups shall decide as the case arises whether such observers shall be permitted to present written or oral statements on problems relating to their sphere of activity.

XII. Amendments to the Rules of Procedure

Rule 59: Method of amendment

These Rules of Procedure may be amended by a decision of the Conference taken by a two-thirds majority of the representatives present and voting.

6. Introductory speeches

a) Opening Address by the Swiss Foreign Minister, Mrs Micheline Calmy-Rey, 5 December 2005

Ladies and Gentlemen, distinguished Delegates,

Ladies and Gentlemen, distinguished representatives of the Red Cross and Red Crescent Movement,

It is a great pleasure for me to address the opening of this Diplomatic Conference, which I hope will bring an end to the century-old controversy over the emblems of the Geneva Conventions and the Red Cross and Red Crescent Movement. The fact that we are gathered here today with the aim of resolving once and for all this thorny question is the result of a difficult search for compromise which has taken years to reach. In addition to issues of substance, we have had to work in a complex environment where it has not been easy to maintain a clear distinction between humanitarian and political issues.

Tradition has it that it is for Switzerland to make the call for support for the development of international humanitarian law. The Swiss Federal Council accords importance to this task, which it regards both as a great honour and a major responsibility for my country. We take it upon ourselves to approach this task from a standpoint of neutrality and objectivity. We will see to it that the views of all States Parties are taken into account without discrimination, and we will endeavour to find solutions which are acceptable to the largest majority. We are grateful for the support in this task that we have received from the ICRC, which in accordance with the Statutes of the Movement has in particular the role of preparing any developments in humanitarian law, as well as that from the whole Red Cross and Red Crescent Movement and from the States Parties.

This meeting could not have taken place today without the enormous efforts of a large number of people over a period of years as well as of the Movement and of the States Parties. It is also to a great extent due to the flexibility and courage of a number of States Parties, observers and National Societies. I congratulate them on this demonstration of the humanitarian spirit, which is so urgently needed, and I express the wish that it will guide us all in the coming days, enabling us to arrive at the adoption of the Protocol in an atmosphere of serenity and harmony becoming of a cause such as this.

The passage of time has perhaps allowed us to forget that this process started with the request of a number of States to obtain recognition of their own emblems. It is true that the three emblems recognized up to now are derived from national symbols. The Red Cross is the inversion of the Swiss flag, symbolizing Switzerland's neutrality. The Red Crescent as well as the Red Lion and Sun, which were recognized in 1929, were taken from the national symbols of Turkey and Iran respectively. None of these symbols had any religious connotation, and it is wrong to make this association as some do today.

In view of the decision taken in 1929, the claims of other States for recognition of their individual symbols are understandable. At the same time however, it is important to acknowledge that a proliferation of emblems would seriously harm the universal nature of respect for these emblems. It is therefore imperative to prevent any such proliferation. I pay tribute to the wisdom and sense of responsibility of those States which have renounced their national aspirations in the interest of the humanitarian cause by adopting the recognized emblems, as well as to those which have declared themselves willing to renounce their claims in favour of an additional emblem devoid of any national, political or religious connotation. Without this spirit of compromise we would not have today a draft Additional Protocol which enjoys such wide support.

Our thoughts and demarches have also been guided by the concern to strengthen protection for the victims of war. Whether we like it or not, the current emblems have given rise to interpretations which all too often have led in recent years to violations of these emblems and to the deaths of members of health services and of humanitarian actors. The adoption of an additional emblem, free of any national, political or religious connotation will provide a new instrument for the protection of military and civilian health services on the battlefield and of humanitarian workers in precisely those situations where the current emblems are not sufficiently recognized and respected.

The emergence of a consensus in favour of adding a last emblem without connotation has paved the way for the process which we hope to see crowned with success at this Conference. I am very happy to see among us today HRH Princess Margriet of the Netherlands, former President of the Permanent Commission of the Red Cross and Red Crescent whose role was crucial to the launching of this process. I also welcome here today Mrs Christina Magnuson, former President of the Working Group of States Parties and members of the Movement which drafted the text of the Protocol on the basis of a proposal made by the ICRC in the year 2000. For all those involved in the process five years ago, it was a bitter blow to see it broken off only days before its conclusion due to political events. Other people who gave a lot at that time, in particular the current Legal Advisor of the United Nations, are unable to be here today but are following our demarches very closely. The torch held by those who have since been called to other functions has been passed on to successors who have pursued the cause with the same vigour. I am thinking in particular of the current President of the Standing Commission, Dr Mohammed Al-Hadid, of his Special Representative, Mr Philippe Cuvillier, as well as of the President and of the Secretary-General of the Federation, Mr Juan Manuel Suárez del Toro and Mr Markku Niskala.

But we also have some “veterans” among us, who have followed and supported the cause all these years, including during the years of postponement, and who have been waiting for better days. In particular, I would like to mention the unrelenting commitment of the President of the ICRC, Mr Jakob Kellenberger, of the Director of Legal Affairs of the ICRC, Mr François Bugnion – who some call the father of the new emblem – and of Mr Christopher Lamb, Special Counsellor of the Federation.

It is to a large extent thanks to these people as well as to the many others who supported them that we are here today. The 28th International Conference of the Red Cross and Red Crescent, which was convened in Geneva in December 2003, launched an appeal calling on us to continue “to give high priority to the efforts to achieve as soon as circumstances permit a global and lasting solution to the question of the emblem [...] on the basis of the draft Third Additional Protocol”. The Standing Commission took up the torch and contacted the Depositary on behalf of the Movement. The Depositary appointed an “Ambassador at Large for the Emblems of the Geneva Conventions” in March this year, who immediately started consultations with the Permanent Representatives in Geneva and in various capitals.

At the end of May, the Depositary opened a formal consultation procedure via diplomatic note which showed that the draft protocol as it stood met with no opposition, but that there were a number of differences of view regarding the appropriate time of its adoption. Informal discussions were subsequently held in Geneva on 12 and 13 September 2005.

These confirmed an agreement in principle on the substance of the draft Third Additional Protocol and the widely shared wish that the Diplomatic Conference for the adoption of the Protocol be held as soon as possible. Nevertheless, a group of States wanted to see a number of points addressed before the Conference took place, in particular the questions of the territorial use of the emblem, the geographical area of operational activities and competences of the National Societies in conformity with the Statutes and rules of the International Movement of the Red Cross and Red Crescent. Finally, they showed themselves in general to be positively disposed to dialogue and to finding common ground, as well as to a widely shared desire for a consensus based approach.

Encouraged by this state of affairs, in his final declaration, the President of the meeting said that the Depositary intended to convene a Diplomatic Conference in the near future, at the latest by the end of the year, and with this end in view had committed itself to conduct a consultation process to note the concerns expressed by certain delegations. In spite of a number of reservations, this way to proceed was not contested.

I took the matter in hand immediately and conducted intensive consultations at the United Nations General Assembly in New York with a large number of my counterparts from countries with a special interest in this issue. These consultations indicated that we still had a certain way to go before the Conference could be held in a harmonious atmosphere.

On Tuesday 27 September 2005, Dr Noam Yifrach, President of the Executive Committee of the Israeli National Society, Magen David Adom, signed a declaration of principle in the presence of the Presidents of the Standing Commission of the Red Cross and Red Crescent, of the International Committee of the Red Cross, and of the International Federation of Red Cross and Red Crescent Societies, as well as with High Representatives of the Depositary. The Declaration, which was sent to all the missions in Geneva, provides answers to the above-mentioned questions. Magen David Adom declared itself ready to negotiate among other things cooperation agreements with its neighbouring Societies, in particular the Palestinian Red Crescent and the Syrian Arab Red Crescent.

Thereupon the Special Envoy of the Federal Council travelled to the Middle East to make contact with the governments and National Societies concerned. He urged the neighbouring Societies of MDA to accept the offer to negotiate agreements which would open up the way to giving concrete form to the declaration of principle. The Palestinian Red Crescent and Magen David Adom finally agreed to the parameters of such a negotiation process in my presence at the end of October, and asked Switzerland to facilitate these discussions.

On 28 November, I had the pleasure to preside over the signing ceremony of a Memorandum of Understanding and of an agreement on operational arrangements between these two Societies in the presence of representatives of the Israeli Government and the Palestinian Authority in this very Conference Centre. In their Memorandum, the two Societies express the wish that it facilitate the adoption of the Third Additional Protocol as well as the wish of the two Societies to be admitted to the International Movement of the Red Cross and Red Crescent.

At the request of the two Societies, the Swiss government accepted to monitor the implementation of this agreement in close cooperation with the ICRC and the Federation and in full respect for the latter's prerogatives.

I would like to congratulate Magen David Adom and the Palestinian Red Crescent for the exemplary attitude of mutual understanding with which they conducted the negotiations, and I am grateful to the Israeli and Palestinian authorities for having delegated representatives to the signing of these agreements.

It has only been possible to commence negotiations between Magen David Adom and the Red Crescent Society of the Syrian Arab Republic in the last few days. They are being conducted under the auspices of the Depositary with the indirect assistance of the Federation and of the ICRC. In spite of the constraints of time and procedure, some progress can be reported, and efforts are continuing in a constructive spirit on both sides.

Ladies and Gentlemen,

It is exactly one month since the Federal Council decided to convene this Diplomatic Conference to examine and adopt the Third Additional Protocol to the Geneva Conventions. It addressed a note to this effect to all the States you represent. Before taking this decision, I went in person to a number of States with a particular interest in this question and I held telephone discussions with representatives of a number of others. The Swiss Special Envoy visited other capitals, in some cases in the company of representatives of the ICRC and the Federation, and he has maintained intensive contact with the Permanent Representatives in Geneva for the purpose of preparing the ground for this Conference. We have taken very se-

riously the responsibility for this decision in all senses, and we have arrived at the conclusion that the moment has come to seize the opportunity to adopt the Third Additional Protocol and in this way finally to close this file.

When communicating our decision, we reiterated our wish to do everything within our power to find the largest possible consensus, and we have spared no effort to achieve this end. This spirit will also continue to guide our actions during the Conference. We are grateful for the assurances we have received from all the groups of States that this spirit of compromise will also guide their action at the Conference. It allows me to hope that we will be able to adopt the Protocol by consensus and thus to pursue the tradition which characterizes the action of the international community in the codification of international humanitarian law.

For only the second time since 1949, the Geneva Conventions will be further developed – Protocols I and II having been adopted simultaneously in 1977. The Third Additional Protocol will allow the Movement to come closer to achieving its objective of universality. It will also strengthen protection for the victims of war in the current political climate. We are all called upon to meet this challenge and to understand its crucial importance for humanitarian law and the Red Cross and Red Crescent Movement.

On behalf of the Depositary, I thank you now for your cooperation.

b) Opening remarks by the President of the International Committee of the Red Cross, Dr Jakob Kellenberger, 5 December 2005

Madame Minister, Excellencies, Ladies and Gentlemen,

This conference is called to clear a decisive step toward the true universality of the Red Cross and Red Crescent Movement.

"This protocol" — I quote from Article 1 of the draft third Protocol Additional to the Geneva Conventions — "reaffirms and supplements the provisions of the four Geneva Conventions (...) and, where applicable, of their two additional protocols (...) relating to the distinctive emblems, namely the Red Cross, the Red Crescent and the Red Lion and Sun, and shall apply in the same situations as those referred to in these provisions."

By adopting the Third Additional Protocol to the Geneva Conventions this Conference will reaffirm existing international humanitarian rules regarding the emblems and introduce an additional emblem with equal status and relevance.

For long, the International Red Cross and Red Crescent Movement has sought, with the help of the governments, a comprehensive and lasting solution on the question of the emblems, acceptable to all parties in terms of substance and procedure. The International Conferences of the Red Cross and Red Crescent adopted resolutions supporting this objective in 1999 and 2003. The Council of Delegates of the International Red Cross and Red Crescent Movement, at its last session in Seoul on 16-18 November, adopted by consensus a Resolution urging all National Red Cross and Red Crescent Societies to approach their respective governments in order to underline to them the necessity to settle the question of the emblem at this diplomatic conference through the adoption of the proposed draft Third Additional Protocol with the aim of achieving subsequently, as soon as possible, the principle of universality. The Council of Delegates is, as you are well aware, the body where the representatives of all components of the Movement meet to discuss matters which concern the Movement as a whole. As Chairman of the Council in Seoul and as President of the International Committee of the Red Cross, "guardian" of the international humanitarian law, I invite you to both support the Movement's goal to reach universality and to foster the efficiency of international humanitarian law by adopting an additional emblem for the protection of the victims of armed conflict. The Third Additional Protocol on the emblems is of an exclusively humanitarian nature. As an international treaty it has to be adopted by the States Party to the Geneva Con-

ventions. The Red Cross and Red Crescent Movement therefore needs and requests your support to reach universality and fulfil its mission as well as it can. I thank the Swiss Government, in particular the Foreign Minister, Madame Calmy-Rey, Ambassador Godet and Ambassador Pfirter for the strong commitment to this important humanitarian issue and for having convened this Conference today. A week ago, in this very building, the Chairman of Magen David Adom in Israel and the President of the Palestine Red Crescent Society signed a Memorandum of Understanding and an Agreement on Operational Arrangements. These texts, beyond the precise wording of the different points, reflect a strong common humanitarian commitment, a genuine spirit of cooperation and mutual respect. The dedication and courage of the two Societies who carry out their humanitarian tasks admirably well under often very difficult circumstances deserve to be praised. You can, by adopting the Third Additional Protocol, also facilitate their humanitarian task. The Memorandum of Understanding starts with the following words: "Magen David Adom in Israel and the Palestine Red Crescent Society, in an effort to facilitate the adoption of the Third Additional Protocol to the Geneva Conventions of 1949 and to pave the way for the membership of both societies in the Red Cross and Red Crescent Movement; [...]" . The ICRC, the International Federation of the Red Cross and Red Crescent Societies and the Standing Commission support these objectives. I hope this Conference will do so as well.

In the interest of the credibility of the Movements fundamental principal of universality and in the name of all those in need of the best possible protection and assistance I would be grateful to you for adopting the Third Additional Protocol at this Conference, I would be very grateful indeed. It is time. Thank you.

c) Introduction to the draft Third Additional Protocol by Francois Bugnion, Director for International Law and Cooperation, International Committee of the Red Cross

Mr Chairman,

Excellencies,

Distinguished Delegates, Ladies and Gentlemen,

The paramount objective of the draft Third Protocol is to reinforce the protection of medical services, of humanitarian action and of war victims through the adoption of an additional distinctive emblem free of any national, religious or political connotation and which should be recognized alongside the existing emblems of the Geneva Conventions and for the same purposes.

Do I need to stress that this additional emblem is not meant to replace the existing emblems whose legal and moral authority is fully recognized in the draft Protocol? We, at the International Committee of the Red Cross are fully committed to those emblems and so is the International Federation of Red Cross and Red Crescent Societies.

Although the additional is still formally referred to as "the third protocol emblem", the term "red crystal" has already gained currency, and it is our intention to propose the adoption of this name when the Movement's regulations on the emblem are updated to take account of the Third Protocol. With your permission, Mr Chairman, I will from now on refer to it as the "red crystal" for the sake of clarity.

When the Protocol is adopted, the additional emblem - the red crystal - will be available to those countries and National Societies which, for whatever reason, consider that they cannot make use of the red cross or red crescent.

The Third Additional Protocol will also allow the medical services and National Societies of other countries to make temporary use of the red crystal in exceptional circumstances when

this will facilitate their work and improve the protection of their personnel and installations, without in any way affecting their identity.

The adoption of the Additional Protocol will also permit the International Red Cross and Red Crescent Movement to reach universality by paving the way for the full membership of Magen David Adom within the Movement. So as to reach true universality, it is foreseen that the Palestine Red Crescent Society will also achieve full membership, and we look forward to the day when we will be able to welcome both Societies as full members, hopefully at the same time.

With these objectives in mind, I do not think that it is necessary to give long explanations on each and every provision.

I would therefore like to concentrate on a few key elements

The **title** of the draft Protocol clearly indicates that it is additional to the Geneva Conventions and that the objective is to create an additional emblem which will be recognized alongside the existing emblems of the Geneva Conventions.

The preamble starts by reaffirming the existing provisions of the Geneva Conventions and their Additional Protocols I and II, and recalls the recognized right of the High Contracting Parties to continue to use the emblems they have been using in conformity with the relevant provisions of the Geneva Conventions and Additional Protocols.

The preamble also refers to the distinction between the protective and indicative use of the emblems.

Mr Chairman, please allow me to explain briefly this distinction, which is important for the continuation of our debates.

Indeed, the red cross and red crescent emblems fulfil two different purposes.

- when displayed by the military or civilian medical services in time of war, the emblem is the visible manifestation of the protection granted to medical personnel, vehicles, medical installations or hospital ships. Such use is regulated by precise provisions of the Geneva Conventions and their Additional Protocols; we speak in this case of the protecting use;
- but the red cross and red crescent emblems are also used to indicate that a person, a vehicle, a building, has a link with a Red Cross or Red Crescent Society; such use is regulated by other provisions of the Geneva Conventions and by the internal regulations adopted by the International Red Cross and Red Crescent Movement on the use of the emblem by National Societies; in this case, we refer to the indicative use of the emblem.

Preambular paragraph 8 recalls that any National Society undertaking activity on the territory of another State has to comply with the rules of the Movement regulating such situation. This includes Resolution XI of the 1921 International Conference of the Red Cross; in other words, any National Society working outside its own national territory must do so with the consent of the host National Society.

The last preambular paragraph reaffirms the strong determination of the ICRC, International Federation and indeed, the whole International Red Cross and Red Crescent Movement to preserve their current names, emblems and identities.

Article 1 clearly indicates that the Third Protocol reaffirms the provisions of the Geneva Conventions and Additional Protocols relating to the distinctive emblems, namely the red cross, red crescent and red lion and sun. This provision again aims at alleviating any fear that the new emblem might be intended to replace the existing emblems. This is not the case and the Protocol would not allow such interpretation.

Article 2 recognizes and describes the additional emblem and indicates that the conditions for the use of the red crystal are identical to those of the existing emblems of the red cross or

red crescent. It introduces however an element of flexibility since the medical services and religious personnel of the armed forces of any High Contracting Party may make temporary use of the red crystal, in exceptional circumstances, where this may enhance protection.

Article 3 relates to the indicative use of the additional emblem, or the use by National Societies. In which case can National Societies make use of the red crystal?

Let me first recall that indicative use is the use with which most people are most familiar. It is what people see when their own Red Cross or Red Crescent Society is carrying out its ordinary work in its own country. Indicative use is also the use which describes the activity of a National Society beyond its own country when working to assist other National Societies on occasions of natural disaster, epidemics or similar circumstances.

In this respect, I would like to stress that no recognized National Society will come under pressure to make use of the new symbol. Those who are comfortable with the red cross will continue using the red cross, and those who are comfortable with the red crescent will continue using the red crescent.

The National Societies of countries which decide to make use of the red crystal, will be authorized to insert into it for indicative purposes, either the red cross, or the red crescent, or the two emblems together, or another emblem which has been in effective use and duly notified through the good offices of the depositary; the objective of this provision is to take into account continuous usage over many years, while preventing the risk of a proliferation of emblems, which we are all keen to avoid.

Article 4 allows the ICRC and International Federation to make temporary use of the red crystal in exceptional circumstances in order to facilitate their work. Again, such use would be purely temporary and limited to specific places where the existing symbols are not adequately understood, and would not affect the long standing identity of either institution.

Article 5 offers similar flexibility to the medical services and religious personnel of forces taking part in operations under the auspices of the United Nations.

Article 6 concerns the prevention of misuse of the red crystal and aims at establishing the same obligations to prevent and repress misuse of the new symbol as apply to the existing emblems of the Geneva Conventions.

Mr Chairman, the provisions of **Articles 7 to 17** concerning dissemination of the Third Additional Protocol, signature, ratification, accession, entry into force, treaty relations upon entry into force of the Protocol, amendment, denunciation, notifications, registrations and authentic texts are largely copied from the corresponding provisions of either the Geneva Conventions or the 1977 Additional Protocols I and II. If you allow me Mr Chairman, I will therefore refrain from commenting them at that stage.

Mr Chairman, please allow me one last remark. The Third Protocol was drafted by a joint working group of States and National Societies set up by the Standing Commission of the Red Cross and Red Crescent pursuant to a mandate received in December 1999 from the 27th International Conference of the Red Cross and Red Crescent, to pave the way for a comprehensive and lasting solution to the issue of the emblem. The draft Protocol is the result of thorough consultations in which numerous States and national Societies did take part. It does not reflect the positions of any individual State or group of States. It is a balanced compromise between the requirement of uniformity and the requirement of specific identification. The objective of the draft Third Protocol is to create an additional distinctive emblem – the red crystal -, free of any national, political or religious connotation, which will be recognized alongside the red cross and red crescent and which will be at the disposal of the States and National Societies who cannot make use of the existing emblems. It is not the recognition of a specific emblem used in any particular country.

It is our hope that your Conference will be able to adopt it without affecting the balance reached at the end of extensive consultations and negotiations; it is our hope that your Conference will perceive this as a humanitarian endeavour to solve a humanitarian issue; it is our

hope that your Conference will be able to adopt the draft Protocol by consensus so as demonstrate the ability of the international community to unite on humanitarian issues.

I will be happy, together with my colleague from the International Federation, to answer any question which any delegation might raise about any of these or any other points in the text.

Thank you Mr Chairman.

7. Record of the plenary sessions of the Diplomatic Conference

a) Summary record of the 1st plenary session

Held on the morning of Monday 5 December 2005 (10 a.m. – 1.30 p.m.)

1. Public opening by the Secretary-General of the Conference

The Secretary-General explained the subject of the Conference and the issues at stake.

2. Introductory speeches

Opening address by Mrs Micheline Calmy-Rey: *please refer to the speech as set out above*

Address by the President of the ICRC: *please refer to the speech as set out above*

The Secretary-General of the Conference asked the press to leave the room.

3. Election of the President

The Secretary-General of the conference, in application of arts. 6, 11 and 18 of the provisional Rules of Procedure, asked if there was a proposal for the presidency of the Conference.

Syria would have liked Mrs Calmy-Rey's words to reflect the true facts. It was wrong to say that negotiations had taken place between the Syrian authority and Switzerland.

The Secretary-General of the Conference regretted that the Syrian delegate should cast doubt on what Mrs Calmy-Rey had said and explained that it had not been possible to begin negotiations on the previous Thursday because the Syrian delegation had not arrived until the Saturday. Negotiations with the Syrians had nevertheless taken place indirectly on the Saturday and Sunday. The Secretary-General of the Conference again asked if a delegation wished to propose a President.

Chile expressed the wish that Switzerland would assume the presidency (requesting that the vote take place by acclamation).

The Secretary-General of the Conference acceded to Chile's request. There followed the election by acclamation of Ambassador B. Godet, representing Switzerland.

Mr Godet promised to do everything in his power to ensure the success of the Conference.

4. Adoption of the Rules of Procedure

The President noted that draft Rules of Procedure had been adopted some months previously, then submitted to the States Parties. They were comparable to the rules of earlier diplomatic conferences. The President asked if anyone was opposed to the adoption of these Rules.

Syria congratulated Switzerland on obtaining the presidency. According to its delegate, the Rules in question were no more than a draft, of which he would like to further discuss the terms. He also asked for clarification of art. 35 para. 2 concerning decision-making. (Syria read out the article). The delegate then asked two questions: what was the impact of the President of the Conference's vote in consultations with the members of the General Committee in the event of disagreement? Would there be a democratic process in the event of a

breakdown in negotiations? How could this Conference be held while there were outstanding problems, contrary to what had been said (he referred to the consultations of 12 and 13 September 2005)?

The President refused to engage in a debate on procedure. According to his interpretation of the Rules, the function of the General Committee was to advise the President of the Conference and it was not therefore a decision-making body. The President could ask it to take the decision to proceed to a vote. The President reminded the meeting of his commitment, made during the informal consultations in September, to do everything possible to reach as broad a consensus as possible. However, this did not mean granting each delegation a right of veto.

Within the framework of earlier contacts, it had been possible to reach an agreement between the MDA and the Palestine Red Crescent Society. During the two working days remaining, the President would leave no stone unturned, would try to be a president for each delegation, and counted on the active and constructive support of each of the delegations. The President asked if there were any objections to the adoption of the Rules of Procedure: there were no objections.

5. Adoption of the agenda; organization of the work of the Conference

The President read out the draft agenda (appointment of Vice-Presidents,...) and announced that if no one had any issues to raise, it would be adopted.

Syria saw no problem in adopting this draft agenda. However, its delegate contested the final two items. In his opinion, items 10 and 11 should remain suspended until item 9 had been dealt with (he thought it false to say that the meeting would lead to the adoption and signature of the Protocol, which was the effect of items 10 and 11 of the draft agenda).

The President explained that these items did not mean that the Protocol would be adopted but, on the contrary, that there would be a vote to decide whether the delegations wanted to adopt it. Signatures would not be added, if appropriate, until it had been adopted, and this would not concern all the delegations. It was therefore not possible to strike these two points from the agenda. The President proposed that the discussion continue.

Syria did not question the President's commitment to consensus but was making a point precisely for the sake of consensus. Its delegate referred to the badge which the President had displayed earlier (Mr Godet had presented his badge to the meeting, saying that if the delegations could reach consensus on the Protocol, they would see the red crystal, for the time-being drawn with dotted lines, appear in its full and final form. For the Syrian delegate, this was putting the cart before the horse, as the crystal was present in any case. He therefore wanted to change the formulation of agenda items 10 and 11.

The President stressed that he interpreted the words of the Syrian delegation as demonstrating its desire to see the text adopted by consensus. He referred to the thorny problems which remained, particularly regarding the question of the emblem, but the time had not yet come to discuss this issue. He moved on to ask if there were any objections to the draft agenda being adopted. There were no objections.

6. Election of Vice-Presidents

The President, in conformity with articles 10, 11 and 18, proceeded to the election of the General Committee. The Swiss delegation proposed Mr Pfirter for the post of Secretary-General. The President enumerated the delegations which had put themselves forward for the 23 vice-presidential posts. The resulting list was proposed for adoption: Afghanistan, the Republic of Korea, Iran (error, replaced by Timor Leste), the People's Republic of China, Pakistan, Syria (replaced by Nepal), Ghana, Libya, Mauritania, the Democratic Republic of

Congo, Tanzania, Chile, Mexico, Honduras, Ecuador, Austria, Spain, the United States of America, Norway, Croatia, the Russian Federation and Slovakia.

Syria reminded the meeting that it had expressed reservations about agenda items 10 and 11 and felt unable to fill this role. It asked that another representative be chosen in its place, from the Asiatic group of countries.

Iran stated that it had not been put forward as a candidate for the Vice-Presidency in error and asked the Asiatic group to propose another delegation. Mr Godet apologized for the confusion and said that he would arrange a further consultation to obtain two other names.

The Democratic Republic of Congo expressed surprise that there were only five seats for its region, believing that the region was entitled to six seats.

The President confirmed that the Africa region was indeed entitled to six seats (the 6th delegation was Uganda).

7. Election of the President of the Drafting Committee and appointment of members

The President proposed that the presidency of the Drafting Committee be assigned to South Africa, to which there were no objections. As for the members, the delegations proposed were: Jordan, Japan, Pakistan, Syria, South Africa, Ethiopia, Kenya, Nigeria, Brazil, Costa Rica, New Zealand, the United Kingdom, the United States of America, Romania, Slovenia.

The Democratic Republic of Congo pointed out that the African countries had proposed Senegal, not Kenya.

The President confirmed that the choice was indeed Senegal.

8. Appointment of the President and members of the Credentials Committee

The President proposed Chile for the presidency of the Committee, which Chile accepted. As there were no objections, he moved on to the appointment of the nine members of the Credentials Committee and proposed: The Republic of Korea, Syria, the Democratic Republic of Congo, Madagascar, Chile, Guatemala, Australia, Canada and Ukraine.

The Democratic Republic of Congo pointed out that it was Congo that had been proposed, not the Democratic Republic of Congo.

The President confirmed that this was the case.

The Republic of Korea suggested that countries wishing to replace Iran and Syria in the vice-presidential posts might approach its delegation, and confirmed that the group had not proposed Iran for the post of Vice-President.

The President noted that changes in appointments should not prevent the work from going ahead. He declared that the statutory bodies were now constituted, with Congo in the place of the wrongly nominated Democratic Republic of Congo. The composition of the Credentials Committee was adopted unopposed.

9. Proceedings (examination of the draft Third Protocol Additional to the Geneva Conventions)

The President explained how the work would be organized: the sessions would begin at 10 a.m. and the six working languages would be French, English, Spanish, Russian, Arabic and Chinese. The Drafting Committee would meet at 3 p.m. in Room 8 and the Credentials Committee the following day, Tuesday, from 1 to 3 p.m.

The President invited anybody wishing to speak in relation to agenda item 9 to make known their intention by raising their identity plaque. He wished to limit the time allotted to each delegation to 3 minutes, except for delegations speaking on behalf of regional groups.

Syria requested 5 minutes, as accorded to representatives of regional groups, because it had a great deal to say.

The President corrected a misunderstanding: he had not said anything about limiting the time allotted to regional groups to 5 minutes, but he refused to make an exception for Syria.

For debating amendments, the President proposed appointing a delegation to play a coordinating role. This delegation would ensure contacts for the implementation and following up of such amendments. He invited Norway to make itself available to the Presidency to initiate consultations regarding amendments. As there were no objections, the President confirmed Norway in this role.

He invited Mr Bugnion to speak to explain the significance of the Movement and the emblem, and above all to present the Third Additional Protocol.

Mr Bugnion (ICRC): *please refer to the speech as set out above*

The President proposed that the meeting examine the draft Protocol.

Syria wished to ask Mr Bugnion some questions.

The President refused the request and noted that Mr Bugnion would be available to answer questions from delegations, but at a later stage.

Syria claimed its right to speak. It wished to raise the issue of the Golan area, occupied by Israel.

The President insisted that it would be possible to ask Mr Bugnion questions in the framework of general discussion and refused to engage in a “pre-discussion”.

Pakistan, on behalf of the Organisation of the Islamic Conference (OIC), expressed its thanks to Mrs Calmy-Rey. It said that the possibility of resolving the issue of the emblem was within reach and referred to the efforts of the Palestine Red Crescent Society (PRCS) and the Magen David Adom in Israel (MDA), and also to Swiss mediation. Its delegate was hopeful of agreement between the Syrian Arab Red Crescent Society (SARCS) and the MDA, and stated that no one should be excluded from the discussion, as the decision must be reached by consensus. He stressed the point at issue: this new emblem would make it possible to avoid a profusion of emblems.

The draft document that had been distributed was an acceptable basis, but Pakistan believed it needed to be improved, by incorporating the amendments that had been proposed. It would be naïve to imagine that the political difficulties would be resolved, hence the importance of establishing a legal framework. Pakistan joined with Mr Kellenberger in saying that this emblem was a humanitarian matter. Progress must be made on the issue.

The United Kingdom, on behalf of the European Union, Romania and Bulgaria, expressed its gratitude to Switzerland and warmly welcomed the adoption of the Memorandum of Understanding (MoU) between the PRCS and the MDA. The Additional Protocol was a response to humanitarian problems that had been left unresolved for too long and the United Kingdom called on the Member States to support its adoption without amendment.

The Holy See warmly welcomed the agreement between the Palestine Red Crescent Society and the MDA, because it believed a solution in relation to the new emblem was intimately connected with the Israeli-Arab conflict. Adoption of the Additional Protocol augured well for peace, but above all meant recognition of the distinctive symbols of the Red Cross and Red Crescent. In addition, an information campaign was essential, if the force of the new emblem was not to be weakened. The proposal must not undermine the principles of the Movement. The Holy See lent its support to the proposal.

The United States of America insisted that adoption of the Protocol was necessary. The red cross and red crescent symbols were symbols of compassion and it was time the protection associated with them was extended to all. The MoU was a significant step forward. The United States of America did not think any change to the text was necessary and requested that it be adopted in its present form.

Japan believed the time had come to adopt draft Protocol III. The Japanese delegation broadly supported the text as it stood.

Brazil stated that the issue was sensitive and it was important to seek consensus. Brazil hoped that the MoU would open the way to adoption of the Third Additional Protocol.

Croatia supported the statement made by the United Kingdom. Croatia knew just how important the Movement's work and the protection afforded by the emblem were. It was a humanitarian issue, connected with the safety of workers in the field and the affiliation of societies not yet recognized by the Movement. It was also necessary to avoid a proliferation of emblems. The project deserved total, constructive cooperation.

Venezuela confirmed that it would be supporting the work of the Conference. Adoption of a third emblem would promote universality by facilitating the affiliation of National Societies that had previously been excluded. It recognized that some points needed to be resolved, but saw adoption of the Protocol as a priority. Much was expected of the Conference. Venezuela also thought the agreement between MDA and PRCS was a good sign.

Syria pointed out that the Conference had not been held in 2000 because of the situation in the occupied territories. Although the situation remained unresolved, and in spite of the Sanaa Declaration concerning the inappropriateness of organizing the Conference, Switzerland had decided to go ahead and convene it.

Syria reaffirmed the need to remedy the deficiencies of the text before it was adopted and opposed the imposition of a *fait accompli*. Syria and the OIC had decided to take part in the Conference and Pakistan had affirmed the need to reach an agreement. Unfortunately, the MDA continued its violations in the occupied territories, despite Resolution XI of 1921. Syria had done everything possible to come into line with the position of the Depositary State and regretted that such was not the case of the MDA in Geneva.

Syria pointed out that it was being asked not to politicize the Conference, whereas the politicization was being done by Israel. The situation in the Golan area could not be ignored: the occupation of the Golan must be resisted, in the same way as the Nazi occupation of Poland or the occupation of the Sudetenland. Syria should not be isolated but efforts made to ensure the free passage of ambulances. The draft Protocol did not resolve these issues. Israel, which did not comply with the Geneva Conventions, could not be permitted to continue to occupy the Golan. Mr Bugnion had not achieved the desired result.

Mexico maintained its commitment to ensuring that international humanitarian law was respected. It should not be forgotten that this was a question of legal protection. Mexico supported the Third Protocol and pointed out that settlement of the issue of the emblem must take into account the concerns of all parties considering the role of humanitarian aid workers in the field. Mexico expressed its gratitude to the Swiss government.

The President announced two administrative points: credentials (credentials to take part in the Conference and sign the Final Act, as well as special credentials for signing the Protocol) must be handed in to the secretariat. These documents were valid only if signed by the Head of State, Head of Government or Minister of Foreign Affairs. Some delegations had handed in documents which seemed not to fulfil these conditions. These documents were to be handed in within 24 hours of the start of the Conference, i.e. by 10.15 a.m. on Tuesday.

He announced that the Islamic Conference would meet in Room 2 from 1.30 to 2.30 p.m. and adjourned the session until 3 p.m., with Russia designated to speak first.

The session ended at 1.30 p.m.

b) Summary record of the 2nd plenary session

Held on Monday 5 December 2005 (3 – 6 p.m.)

9. Examination of the draft Third Protocol Additional to the Geneva Conventions (continued)

The President proposed that the meeting continue to examine agenda item 9.

He announced that more than 30 delegations had asked to speak, and those which had a written version were asked to hand it to the interpreters. The President also wished to convey two or three messages: the lists of the General Committee, Drafting Committee and Credentials Committee were available at the entrance to the meeting room. He reminded the meeting that he had already invited delegations to hand their credentials documents in to the secretariat. He noted that the Drafting Committee was meeting in Room 18 at that moment.

Russia expressed its gratitude to the President and to the Swiss, because the issue of the adoption of the new emblem needed to be settled. Russia considered that the additional distinctive symbol had only one purpose: to protect victims of conflicts and medical personnel. It should be a symbol of unity, not disunity. Everyone should ensure that the red cross and red crescent symbols were respected.

Russia congratulated those concerned on the conclusion of the MoU between the MDA and the PRCS. The draft Third Protocol would ensure universality and should be adopted as it stood. Russia therefore declared that it would not support any amendments or changes to the draft. Political differences should be set aside to enable the spread of international humanitarian law (IHL). Russia was prepared to make every effort to perform its task.

Egypt was unaware that there were six official languages and gave its report in English. Egypt thanked the Swiss government and the President. It warmly welcomed the MoU between the Palestine Red Crescent Society and the MDA, and hoped that the objectives of the MoU would be achieved. Egypt wanted to be sure that Protocol III would not undermine respect for the Israeli and Palestinian territories and insisted on the importance of consensus.

Guatemala pointed out that some countries did not identify with either of the existing emblems, because of their perceived political or religious connotations. The new emblem would be a solution for them and would foster the universality to which the Movement aspired. Moreover, the new emblem would provide a guarantee against the proliferation of other symbols. Guatemala gave its unconditional support to the draft Protocol.

The President called on those wishing to speak to make their intentions known in the next 20 minutes.

Norway affirmed its commitment to the unity of the Movement. In 2003, the International Conference of the Red Cross and Red Crescent had stressed the importance of adopting the new emblem. Moreover, the consultations conducted by Switzerland made it possible to arrive at a consensus. Norway appealed to all the States Parties to come to an agreement in view of adopting the present draft.

India said that it was committed to humanitarian ideals and pointed out that it had supported the adoption of a neutral emblem since 1998. India welcomed the signing of the MoU between the PRCS and the MDA and hoped that the draft Protocol would be adopted.

Malaysia shared Pakistan's stated viewpoint and supported the OIC's amendments for the reasons previously mentioned by Pakistan. It wanted a solution to be reached by consensus, but insisted that the solution must be compatible with IHL. Malaysia thanked the President and Switzerland. It was happy that progress was being made, particularly in the form of the various agreements that had been concluded.

Panama had already stated, at the time of the consultations in September, that it was important to adopt a new emblem. Panama understood the concerns of the various parties but thought it was possible to arrive at a consensus. The new emblem would make it possible to avoid proliferation. It expressed satisfaction at the MoU between the MDA and the Palestine Red Crescent Society. Panama supported immediate adoption of the draft Protocol.

Bangladesh supported Pakistan but warned against losing sight of the Movement's principles. It had to be ensured that the Third Protocol was not in conflict with the Geneva Conventions. Bangladesh was determined to safeguard the principles of the Movement.

The President noted that there were only five minutes remaining for those still wishing to register to speak. The list would be closed at 4 p.m.

Switzerland expressed its point of view as a State Party to the Geneva Conventions, not as the Depositary State. It appreciated the fact that the States had been able to set their political differences aside. Similarly, Switzerland welcomed the work of the National Societies. Finally, it thanked the ICRC for having formulated (with the States Parties) the draft protocol. It supported the text in its entirety and appealed to the States to adopt the Protocol.

Palestine pointed out that although Israel was committed to implementing the MoU, an agreement which had come into being thanks to the efforts of Switzerland and the ICRC, the success of this agreement was subject to others.

It hoped that monitoring of the agreement by Switzerland and recognition of the two National Societies would feature in the Final Act. Palestine shared the stated positions of the OIC because it wanted the Protocol to be adopted by consensus.

New Zealand supported the goals enshrined in the draft Protocol and emphasized the role played by Switzerland and the ICRC. It insisted that the political circumstances which had dominated the situation must not prevent its adoption and that universality must be achieved. Adoption of the Protocol at this Diplomatic Conference would serve an important humanitarian purpose and would boost efforts to achieve peace, which was slow in coming in the Middle East.

China welcomed the agreements concluded between the Palestine Red Crescent Society and the MDA and hoped they would be faithfully implemented. Since the issue of the emblem had for years prevented universality, China was in favour of the draft Protocol. Unity was the strength of the Movement and therefore must not be put at risk. It was important to take the delegations' concerns into account. The problem of the emblem must be resolved by consensus. The Third Protocol must be in keeping with the Geneva Conventions and with IHL. As a supporter of the Movement, China was prepared to work with all parties for the adoption of the Third Protocol.

Canada reaffirmed that the Movement needed a new emblem without political or religious connotations and which would afford enhanced protection. It believed that the conditions for its adoption were now met. The draft was a good basis for achieving a global solution, and Canada was prepared to work with all concerned to this end. Adoption of this Protocol would be just a first step.

Turkey stressed that the important thing was to ensure the universality of the Red Cross and Red Crescent, and that the Conference was humanitarian in character. A concerted effort was necessary. The MoU was a great achievement. However, there were still some ambiguities to be resolved: all parties must remember that the principles of the Movement had to be respected. Turkey was confident that, thanks to a collective effort, the National Societies concerned could overcome the outstanding difficulties.

Ukraine supported adoption of the Third Protocol and affirmed its agreement with the statement made by the EU. The circumstances for approval of the Protocol were unique. Ukraine considered it was time for the Movement to achieve universality and that the Diplomatic Conference should adopt the Protocol.

Costa Rica supported the work of the Diplomatic Conference aimed at adopting the Third Protocol. It reiterated its commitment to IHL and thought that the Protocol made it possible to achieve the ultimate objective, the protection of victims. Costa Rica hoped that all the participants would be inspired by the same principles and that the outstanding problems could be resolved, on a basis of IHL.

Australia supported the work of the Diplomatic Conference and thanked the Swiss government. Australia hoped that the meeting would lead to the adoption of the Third Protocol and appealed to all the States to adopt it as it stood.

Jordan thought that the progress made between the MDA and the Palestine Red Crescent Society was a minimum. Jordan believed that the humanitarian objective was important, as was the adoption of the Protocol, but the most important thing was to ensure that it was implemented. Jordan was ready to contribute towards these objectives in cooperation with all parties.

The Dominican Republic thought that adoption of the Third Protocol was an opportunity to improve the situation of victims.

The Republic of Korea congratulated the MDA and the Palestine Red Crescent Society on their MoU. Korea supported the Protocol as prepared by the ICRC and believed its adoption would strengthen the Movement's universality. It hoped that the spirit demonstrated in recent months would also prevail during the Diplomatic Conference.

Colombia pointed out that it had supported the project since 2000. Colombia was prepared to cooperate with the other States and the President to provide the international community with a new emblem. Colombia had analyzed the text of the Protocol and supported it, as it supported the MoU between the MDA and the Palestine Red Crescent Society.

Kenya offered its support to the President. Kenya believed that the draft Protocol should be adopted by consensus and that all parties should be involved. The Diplomatic Conference was an opportunity to strengthen IHL. The draft protocol provided a good basis for agreement.

Chile hoped that the States Parties would be flexible. Chile fully supported the draft Protocol, which ensured the universal character of the Movement was upheld. It believed that this new Protocol would help human beings. Moreover, Chile had no doubt but that the Protocol would lead to better coordination between National Societies in the field.

Singapore supported the humanitarian objective of the Conference and was of the opinion that the new emblem would strengthen the protective role of the Movement. Singapore supported the draft Protocol.

The Philippines supported the draft Protocol and regarded it as a lasting global solution.

Sudan supported the statement made by Pakistan, and especially the OIC amendments, since in 2003 certain States Parties had emphasized that the protocol should be subject to further negotiation. Sudan thanked Norway for taking on this task. Although the issue was a humanitarian one, like it or not, it was also bound up with the conflict in the Middle East. Sudan warmly welcomed the implementation of the MoU and hoped that a ground of understanding could be found for Syria's concerns. The Syrians had shown flexibility and sought consensus, and had made only one request: that ambulances and hospitals be in the hands of the Syrian population (or the ICRC in the event of a humanitarian catastrophe). Sudan also mentioned the Israeli occupation of the Golan area. Sudan hoped the protocol would be adopted by consensus.

Peru believed the Protocol would make it possible to help people more effectively.

The Former Yugoslav Republic of Macedonia thanked Mr Kellenberger and Switzerland and supported the statement made by the EU.

Moldova supported the President and Switzerland, and was in favour of the draft Protocol. It reminded the meeting that the Conventions and Protocols are useful for helping victims of conflict. On behalf of victims, they should further commit themselves to strengthening the Movement. The Protocol would make it possible to bring the negotiations to date to a conclusion. A concerted effort was needed for the adoption of the Third Additional Protocol. Moldova subscribed to the statement made by the EU.

Uruguay supported the Protocol and believed that adoption of a Third Additional Protocol would lead to better implementation of and compliance with IHL.

Serbia and Montenegro welcomed the MoU between the Palestine Red Crescent Society and the MDA. It insisted that the emblem was humanitarian in character and therefore the discussion should not be postponed, nor should politics be allowed to get the upper hand. This would further the integrity and universality of the Movement. Serbia and Montenegro supported the draft Protocol as it stood.

Argentina was prepared to take part in the negotiations with a view to adoption of the Protocol as it believed that having a third emblem would result in better protection for victims.

Sri Lanka was pleased that the Palestine Red Crescent Society and the MDA had concluded an agreement. It believed that a third emblem was necessary and that the Diplomatic Conference was a historic opportunity to adopt it. Sri Lanka supported the Protocol.

Micronesia fully supported adoption of the Third Protocol and appealed to all the delegations to adopt it as it stood, without amendments.

Honduras supported the draft Protocol and wanted it to be adopted as it stood, without amendments and by consensus.

Haiti believed that adoption of the Third Protocol would fill a gap that had existed for decades. Haiti made a brotherly appeal for the Protocol to be adopted without reservation.

Guinea insisted that adoption of the Protocol was to be encouraged, paid tribute to the efforts of humanitarian workers, and expressed satisfaction at the work done by the Red Cross in the field.

The Democratic Republic of Congo accepted the principle of the new emblem on the basis of the Movement's principles but did not understand why the lozenge symbol and the name "diamond" had been chosen. As a producer of diamonds, the DRC could not agree to this product being represented tendentiously. A diamond had never been represented by a lozenge. The DRC found, moreover, that it had no connection with peace but, on the contrary, could be interpreted as an incitement to bloodshed. It could also suggest that countries producing diamonds (blood diamonds) were the source of conflicts. The DRC therefore suggested alternative emblems (and names), such as red hand, red heart or red star.

Iran reminded the meeting that the Protocol had but one aim: to help a Society to solve its problems. Three principles should guide the work of the conference: not to legitimize an illegal situation, not to reward the occupier, and not to facilitate the continuation of occupation. Iran decided to object to the adoption of the draft Protocol.

Cuba believed that universality could be achieved only with the participation of all parties. Cuba identified with the statement made by Pakistan on behalf of the OIC.

The President proposed to invite the Palestine Red Crescent Society to speak, after contributions from the final three delegations, then the representatives of the Movement who were present.

Bosnia-Herzegovina agreed with those who had expressed support for the draft Protocol, including the European Union and the United States of America, and aligned itself with those who wanted to see the Protocol adopted.

Nepal fully supported the work done by the Movement. It welcomed the conclusion of the MoU between the Palestine Red Crescent Society and the MDA and expressed the desire to see the issue finally resolved. Nepal hoped the Protocol could be adopted by consensus.

Israel observed that much stress was being put on humanitarian principles, but the real concern was with humanitarian activities in the field. This neutral emblem would ensure universality, a central component of neutrality, necessary for humanitarian workers in the field. Israel supported adoption of the draft Protocol, emphasized the independent nature of the MDA and reminded the meeting that a key aspect of globalization was universality.

The President announced that 42 delegations had made contributions and invited the Palestine Red Crescent Society to speak.

The PRCS expressed satisfaction with the MoU, which was an important event, especially since its legal framework was soundly based. Moreover, it meant that the Palestine Red Crescent Society was recognized as the emergency aid society in the occupied territories. Its implementation was important, including as it did East Jerusalem. The PRCS hoped one day to become a full member of the Movement. It hoped this would be a step towards freedom for the Palestinian people and towards Israel's exit from this situation of conflict.

Mr Bugnion (ICRC) reminded the meeting that the objective of the draft Protocol was to afford better protection. He reassured the meeting that the provisions of the draft Protocol were indeed compatible with those of the Geneva Conventions and its Additional Protocols I and II.

A new factor to stress was the flexibility of use of the new emblem. This was important (he referred to the rules of the International Federation) in enabling a National Society to work outside its own territory using an emblem acceptable to the country in which it was working. Concerning the symbol itself, the name "red diamond" had been objected to by some African countries and had therefore been dropped. The name of "red crystal" had therefore been chosen, partly because the term suggested purity, transparency, a spring of water, partly because it was a name common to several languages. The lozenge symbol had been chosen because it was neutral and simple, easy to reproduce. Moreover, it was highly visible. Other symbols had been envisaged, but it turned out they had connotations attached, sometimes negative.

Mr Bugnion also paid tribute to the political courage shown by the President of the MDA. Concerning the request that the ICRC be involved in monitoring the implementation of the agreement, he confirmed that President Kellenberger had agreed to this. He added that the ICRC had been present in the Golan region for 48 years on the basis of the Geneva Conventions and that he had been informed of the request of the Syrian Arab Red Crescent Society. On this topic, he reiterated that the ICRC was keen to maintain close contact with the parties concerned and to contribute to equipping them materially.

Mr Lamb (IFRC) emphasized that the benefits of the protocol would be felt worldwide. One advantage was that it would be possible to work in regions where other emblems were not recognized or unwelcome. He gave reassurance that the name of the Federation would not change. He also asked people not to forget the Eritrean Red Cross, which could also benefit from the advantages of the new emblem. He said he was ready to work for the implementation of the Protocol, if it were adopted.

The President clarified some administrative points:

- All the appointments and elections had taken place. He did not give a list of all the names but stated that the candidates for the Vice-Presidency from the Asia group were Timor Leste and Nepal. There being no objections, these two were elected.
- The list of participants was ready but was open to improvement. He invited the delegations to make sure that the list was appropriate, as corrections could still be made. It would be finalized the following morning.
- The Credentials Committee would convene that evening at 6 p.m., in Room 15.

- Next day at 8 a.m., in Room 2: meeting of the OIC.
- He did not intend to propose a late-night session. Rather, he proposed to hold informal talks and adjourned the session until 10 a.m. next morning (still on the subject of agenda item 9).

The session ended at 6 p.m.

c) Summary record of the 3rd plenary session

Held on the morning of Tuesday 6 December 2005 (10 – 10.40 a.m.)

9. Examination of the draft Third Protocol Additional to the Geneva Conventions (continued)

The President invited the President of the Credentials Committee to speak.

Chile, Chair of the Credentials Committee, announced that on the previous day the Committee had examined the delegations' credentials. Some had not yet handed in their credentials. The President of the Committee therefore appealed to these delegations to hand in their credentials to the Swiss mission or directly to the Committee. This must absolutely be done before midday and the President therefore appealed to the delegations concerned to send a communication (fax, note, verbal communication, etc.) in the following two hours.

The President summarized the situation as follows: since the previous day's adjournment, informal talks had been held. He had received a letter from Noam Yifrach of the MDA stating that the latter was prepared to enter into dialogue with the Syrian Arab Red Crescent. This letter opened up interesting prospects, which the President wished to explore. He did not want to deal with these issues in plenary session, because progress on this matter could only be made in a more restricted setting, and proposed to use the morning to hold talks, adjourning the session until 3 p.m. He asked if there were any objections.

Pakistan acknowledged the President's efforts. It insisted that a global solution was possible only if there was an agreement between Syria and Israel. The meeting of the OIC had confirmed that this was the way forward. Pakistan wanted to make some points that would have to be taken into account in the event of an agreement: the Israeli National Society must respect the whole territory of Syria (including the Golan) and undertake not to operate in the Golan area, in conformity with the 1921 Resolution. The same applied to ambulances and hospitals. These were the minimum requirements for reaching agreement. The aim of this was not to interfere in relations between the Israeli and Syrian National Societies.

The President indicated that he was not sure that this facilitated his task and invited the delegations to make sure that they could be easily contacted. They could contact the Presidency at any time. Norway would continue its consultations and bring together delegations on the subject of amendments. He invited delegations to respond to summonses from the Drafting Committee (South Africa), if appropriate.

Lebanon believed that, rather than wondering if the OIC's statement simplified its task, the Presidency should ask itself whether what the OIC said was equitable or true. Otherwise, the task would indeed be difficult.

The President explained that he would have spoken as he had to any delegation wanting to add points to be taken into account. He assured the meeting that his concern was to reach and as all-embracing an agreement as possible, and a result from which no one was excluded.

Pakistan stated that it had presented these points in order to facilitate everybody's task and arrive at a consensus. It confirmed that the Syrian issue must be tackled and asked for proceedings to be adjourned.

Switzerland, in its capacity as Depositary State, wanted to add to what Chile had said. In conformity with the Vienna Convention, credentials must be signed by the Head of Government, Head of State or Minister of Foreign Affairs. However, for greater flexibility, faxes were acceptable, if followed up by originals.

The President adjourned the session.

Pakistan offered a correction: credentials must be presented in accordance with art. 3 of the Rules of Procedure. Faxes could not be regarded as valid. Credentials must be issued by one of the three persons mentioned, and presented in the original version.

(no answer from the President: adjournment)

The session ended at 10.40 a.m.

d) Summary record of the 4th plenary session

Held on the afternoon of Tuesday 6 December 2005 (5.20 – 6 p.m.)

9. Examination of the draft Third Protocol Additional to the Geneva Conventions (continued)

The President thanked the countries' representatives for their patience. He apologized for having adjourned the session.

He announced that some progress had been made and asked permission to continue the talks. Work would resume at 9 p.m. and he would inform the meeting of the progress made in his consultations. The President felt that things were moving forward. He wanted to find a way of finally concluding this matter. If possible, he hoped to see the Protocol adopted, which would imply that the talks had been fruitful. There was no other choice but to work late into the night. The President presented his apologies to the interpreters and wished to continue the talks into the night.

The session was adjourned until 9 p.m.

The session ended at 6 p.m.

e) Summary record of the 5th plenary session

Held on the evening of Tuesday 6 December 2005 (9.30 – 10 p.m.)

9. Examination of the draft Third Protocol Additional to the Geneva Conventions (continued)

The President announced that the last few hours had been spent in trying to reconcile opinions and was pleased to note that substantial progress had been made. However, he wished

to continue the talks because, if opinions continued to converge, it was possible to envisage the Protocol being adopted by consensus. He stated that, on the following day, they would have to finalize the Final Act. He hoped to deliver a draft Final Act that very evening, which would be a summation of the work done. Signature of this Final Act would authenticate the text. By virtue of this Act, the delegations would be declaring that the final product was in conformity with the Conference proceedings.

The President hoped to be able to finalize the Final Act for signature at around 3 p.m. the following day. The Credentials Committee might have to meet the following morning.

He adjourned the session and asked the delegations to meet again at 11 p.m. to hear the results of the talks being held that evening. The matter was important and the President did not want to lose momentum.

The session ended at 10 p.m.

f) Summary record of the 6th plenary session

Held on the morning of Wednesday 7 December 2005 (00.55 – 01.30 a.m.)

9. Examination of the draft Third Protocol Additional to the Geneva Conventions (continued)

The President reported that progress had been made but there were still differences to be resolved. He invited delegates to retire for the night. He proposed that they meet again in plenary session at 10 a.m. the following morning. In addition, he asked the key delegations to be at his disposal following the session and hoped that by the following morning an agreement would be possible. The Presidency remained at the delegations' disposal with a view to finding ways of making progress.

The session ended at 1.30 a.m.

g) Summary record of the 7th plenary session

Held on the morning of Wednesday 7 December 2005 (10.30 – 11.30 a.m.)

9. Examination of the draft Third Protocol Additional to the Geneva Conventions (continued)

The President wished to present an interim report. After the delegations had left, talks had continued until late into the night (or rather the early hours of the morning), but it had not been possible to reconcile the differing points of view. The President invited the parties to continue to work to achieve this so that, if possible, the Protocol could be adopted by consensus. Further efforts would be made at midday. If they failed to break the deadlock, the Presidency would undertake consultations before taking a decision. In the absence of agreement, there would be no other option but to proceed to a vote. The President pointed out that all the international texts concerning the Red Cross and Red Crescent Movement

had been adopted by consensus, but he would not hesitate to put the Protocol to a vote if the consultations were unfruitful.

The President announced that the Drafting Committee would be under the orders of South Africa and would begin its work by reading through the Protocol article by article. Regarding amendments, the President had asked the Norwegian ambassador to form a working group open to all interested delegations, in order to resolve problems relating to these amendments. The President hoped to receive a report from this working group in the early afternoon.

He invited the Chilean ambassador to report on the work of the Credentials Committee.

Chile reported that, of the 151 delegations, 144 had obtained the necessary credentials to vote in due form. The seven other delegations could not take part in the vote or sign the Act. He added that, the first time the Committee had met, only forty or so delegations had presented their credentials, whereas at this conference 100 countries had come to present their credentials within 48 hours. This showed that the countries were willing to arrive at a solution. Chile interpreted this as a tribute to the volunteers of the National Societies, who were working for the development and implementation of IHL.

The President proposed that the report of the Credential Committee be adopted. The report was adopted unopposed.

The President then invited the Movement to speak. The representatives of the bodies concerned were: Mr Kellenberger for the ICRC, Mr Al-Hadid for the Standing Commission, and Mr Nyskala for the Federation.

Mr Kellenberger (ICRC) stressed that adoption of the emblem was a humanitarian matter. He pointed out that the conference could not solve political problems. The Protocol was fundamental to achieving one of the fundamental principles of the Movement and important for clarifying the role of the National Societies and the use of the emblem. Mr Kellenberger reminded the meeting that the ICRC was ready to bring emergency aid to the populations of the Golan area. He requested that the Protocol be adopted.

Mr Al-Hadid (Standing Commission) reminded delegates that the Standing Commission had been elected to bring the work to completion. Ambassador Cuvillier had been chosen to represent the Standing Commission where the emblem was concerned. The Standing Commission had made great efforts with regard to this Protocol. The National Societies, as members of the Movement, were required to commit themselves in accordance with the Movement's Rules of Procedure. As Mr Al-Hadid had already announced in September, political issues could not be resolved in this framework. He insisted that not only universality was at the heart of the Protocol, but also the protection of victims and humanitarian workers. He requested that the protocol be adopted.

Mr Nyskalla (IFRC) insisted that delegates had the opportunity to ensure that the new emblem was adopted and so bring help to victims. Two days earlier, Volunteers' Day had been celebrated and Mr Nyskalla hoped that, as they were borne in mind, a solution would be found.

Pakistan enquired about the context in which these statements had been made and asked if the delegations could express themselves.

The President replied that they could do so under agenda item 9.

Pakistan, speaking on its own behalf, not that of the OIC, asked under which agenda item these statements had been presented.

The President explained that the statements had been made under agenda item 9, to give guidance to the delegations, which were also permitted to express themselves.

Pakistan requested that the delegations concerned be invited to speak.

Mr Geller (MDA) spoke on behalf of Dr Yifrach. As President of the MDA, he was proud to be present. He admitted that he did not really understand the political and diplomatic discussions that had arisen. His National Society and that of Palestine had come to an agreement. Compromises had been made, but now they had to face the test of its implementation. Mr Geller added that his Society had lobbied the Israeli government and the fruits of its efforts were already visible, as he had learned that PRCS ambulances had been able to enter East Jerusalem. He said that he was prepared to meet Mr Attar, his Syrian counterpart, anywhere and at any time, to try and move things forward.

Dr Attar (Syrian Arab Red Crescent) mentioned his very strong bonds with the Syrian Arab Red Crescent, the only aim of which, he stressed, was to provide support and assistance. Thanks to the ICRC, food had been delivered to victims. He asked the MDA to send him a formal message confirming what it had said in the statement it had made through the Depository. He stated that he himself was not authorized to negotiate, but he would do everything possible to move in this direction.

Syria drew attention to a report made by an ICRC/IFRC team sent to the Golan to investigate victims' needs. The report highlighted the poor living conditions of Syrians living in the Golan area under Israeli occupation. Syrian wanted the report to be read out to the meeting. For example, a Syrian victim had to have Israeli papers in order to be cared for. According to the Syrian delegate, this had nothing to do with what was happening in the field. He demanded to know what had become of the promises made by Switzerland. He refused to waste his time listening to fine words. He deplored the fact that none of their requests had been granted. He demanded that they stop hiding the truth behind a humanitarian façade and insisted that, in his opinion, Syrian was being faced with a *fait accompli*.

The President interrupted the Syrian delegate, who was getting off the subject and overstepping the time limit.

Syria retorted that there was no rule specifying a three-minute time limit and repeated that its requests had not been listened to. Syria wanted to reach an agreement but pointed out that the principles of the Movement were Western, as Syria did not exist when the Movement was created.

The President announced that the members of the Drafting Committee were awaited in Room 18. Moreover, Norway was waiting in rooms 3 and 4 for delegations which wished to take part in the work relating to amendments.

Mr Bugnion spoke regarding the conclusions of the report and the possibility of improving conditions in the Golan area. He explained the state of the infrastructure and what needed to be done to improve it. He stated that the ICRC was prepared to support the Israeli authorities in implementing the agreement between the MDA and the PRCS.

The ICRC was also available to facilitate an agreement between the MDA and the Syrian Arab Red Crescent, based on the principles of the Movement, and was prepared to report to the next International Conference, or on a prior occasion.

The President said that an announcement regarding the resumption of the proceedings would be made in due course.

The session ended at 11.30 a.m.

h) Summary record of the 8th plenary session

Held on the afternoon of Wednesday 7 December 2005 (5 – 6 p.m.)

9. Examination of the draft Third Protocol Additional to the Geneva Conventions (continued)

The President announced the address to be given by Mrs Calmy-Rey

Mrs Calmy-Rey:

Your excellencies,

Ladies and Gentlemen,

You know to what extent I have been personally committed to the holding and success of this Conference.

The purpose of this Conference is strictly humanitarian. The aim is to afford better protection for victims of war and achieve the universality of the international Red Cross and Red Crescent Movement by admitting two National Societies, those of Israel and of Palestine. In our, alas, divided world, this dual recognition can only be perceived as an act of peace.

Adoption of the Third Protocol is a step towards this goal.

It also represents a step towards greater respect for international humanitarian law, by creating an additional emblem so as to provide better protection for victims of war.

We understand the concerns that have been voiced concerning the situation of the populations of the occupied territories in the Middle East, in particular the occupied Golan area. These concerns are legitimate. We have taken note of them and the ICRC has indicated the measures envisaged in response.

But these concerns must not prevent us from completing the work of this Conference.

In line with my commitment at the opening of our Conference, Switzerland is prepared to oversee the implementation of the agreement concluded between the MDA and the PRCS. Similarly, Switzerland is prepared, if so required, to facilitate an exchange of communications between the MDA and the SARCS, with a view to reaching an agreement that would facilitate cooperation between these two Societies.

Your task, as delegates, has been difficult and I know that you have continued to work late into the night and sometimes beyond. I wish to congratulate you on what has been achieved.

I know that you have the determination to carry through and ensure the success of the unstinting efforts you have been making.

But time is short. I therefore appeal to each delegation to demonstrate a spirit of tolerance and a willingness to seek compromise. This is the price of success, but it will enable you to leave this Conference with the conviction that you have rendered a real service to the victims of war and to the international Red Cross and Red Crescent Movement. Thanks to the tireless efforts of each of you, success is within reach. Do not leave any stone unturned to crown your work with the creation of a new instrument of humanitarian law.

The victims are waiting for this instrument. Their hopes must not be disappointed.

Chile thanked Mrs Calmy-Rey. It said that the vast majority of delegations had been present for more than 60 hours and would stay longer if necessary to see the Protocol adopted by consensus. "All over the world, anyone can see a cross, a star and a crescent in the sky. Why can we not imagine this cross and this crescent being painted on an ambulance to bring relief to vulnerable people?" In recent days, over 100 delegates had spurred their ambassadors to obtain credentials in due form in order to be qualified to vote. This indicated that all were united in the hope of seeing the Protocol adopted. A restricted group of ambassadors had examined the issues so as to be able to make a proposal in keeping with this spirit. The aim of their proposal was that the Protocol be adopted by consensus. Their only aim was to be able to help those in need.

It added that, if the Protocol were adopted without a vote or amendments, the following text would feature in the Final Act:

"The Conference recalled that a commitment to fully respect the principles and rules of the International Red Cross and Red Crescent Movement, and international humanitarian law, was a prerequisite for belonging to the Movement.

It reaffirmed that Article 63 of the Fourth Geneva Convention safeguards the right of National Societies to pursue their activities in occupied territories.

It took note of the declaration made by the President of Magen David Adom of Israel, as communicated by the Depositary to all the missions in Geneva on 30 September 2005.

The Conference noted that, following informal talks held on 12 and 13 September 2005 by the High Contracting Parties, the Depositary had conducted intense consultations which had culminated in the signature, on 28 November in Geneva, of a memorandum of understanding between Magen David Adom and the Palestine Red Crescent, thus facilitating the adoption of Additional Protocol III. The Conference welcomed the fact that Switzerland, in close cooperation with the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, and in compliance with their mandates, was prepared to monitor the implementation of the Memorandum of Understanding and to report back to the next International Conference of the Red Cross and Red Crescent.

The Conference also welcomed the fact that the President of Magen David Adom and the President of the Syrian Arab Red Cross had, in its presence, stated that they were prepared to conclude a similar agreement between their National Societies. Where this was concerned, it paid tribute to the International Committee of the Red Cross for the commitment it had made to facilitating, in cooperation with the International Federation of Red Cross and Red Crescent Societies and under the auspices of the Depositary, the conclusion of such an agreement between Magen David Adom and the Syrian Arab Red Crescent, based on the statement made by Magen David Adom on 27 September 2005 and in conformity with international humanitarian law and the Statutes and Rules of the International Red Cross and Red Crescent Movement. It also paid tribute to the International Committee of the Red Cross for its commitment to report back to the next International Conference of the Red Cross and Red Crescent on these efforts.

In this context, the Conference urged the Standing Commission to convene the next International Conference for the second half of May 2006 at the earliest."

Pakistan thanked Mrs Calmy-Rey. It welcomed the commitment and desire to make further efforts to achieve adoption by consensus and insisted that the Conference must not end in a rift, and that the Protocol must be defended. Pakistan had two specific requests: to be given the written text by the Chilean ambassador, and for a suspension of the session to allow the OIC to meet and discuss it.

The President adjourned the session for 30 minutes.

The session ended at 6 p.m.

i) Summary record of the 9th plenary session

Held on the evening of Wednesday 7 December 2005 (8.20 p.m. – 00.50 a.m.)

9. Examination of the draft Third Protocol Additional to the Geneva Conventions (continued)

The President invited the Pakistani delegate to report on the substance of the discussions and consultations that had taken place within the OIC.

Pakistan pointed out that the text prepared by Chile had not been presented in advance. First of all, the OIC had some amendments to propose on which the President must make a decision and which had been transmitted to the Depositary and to the Chilean delegation.

Chile stated that the proposal had been made (by a restricted group of ambassadors: Switzerland, Norway and Chile) with the aim of facilitating a long negotiation. It thanked the Pakistani delegate but said there was no time to continue negotiating. It left it to the Presidency to comment on the amendments proposed by the OIC. The delegation remained at the disposal of the Presidency in the event of questions regarding the proposal.

New Zealand insisted that in the interests of the Red Cross, the Conference must achieve a positive result. New Zealand believed it essential to reach a consensus. It confirmed its delegation's support for the proposal made by Chile.

The United Kingdom, speaking for the EU, supported and subscribed to the Chilean proposal, which were in keeping with the EU's objectives.

Pakistan reminded the meeting that the OCI had also presented a proposal that morning at 9.30 a.m., which had been communicated to the Depositary. The latter had worked to examine the proposal with others, but the OIC had not received a reply. In contrast, Switzerland had submitted the proposal made by Chile. The OIC proposed a change to the text of the Final Act and demanded a letter signed by N. Yifrach (MDA).

Argentina supported the initiative of the ambassadors represented by Chile.

Lithuania supported the EU and believed that the text proposed by Chile made it possible to break the deadlock.

The President emphasized that though progress had been made over the three days, it had been slow and had not made it possible to find common ground. The various proposals put forward had not changed the basic situation and this was why a group of ambassadors had proposed a "global agreement" (package) as a way out of the impasse. This proposal consisted in an addition to the Final Act to enable the Protocol to be adopted in its entirety by consensus. Its authors believed that the humanitarian nature of the Protocol justified this effort. They had listened to those who had tried to do everything possible to reach a general agreement.

Given the late hour and because a solution had to be found, the President was inclined to put into effect Chile's proposal of an addition to the Final Act and adoption of the Protocol by consensus. He asked whether the delegations were prepared, in accordance with this latest proposal, to amend the Final Act by making this addition and to adopt the Protocol by consensus, and whether there were any objections to this way of proceeding.

Yemen had not fully understood the question and asked for clarification.

Egypt asked to speak before the President replied and thanked both the President and Chile for their efforts. Egypt found that the proposal comprised several positive elements, as was quite clear to the OIC. Both initiatives were important and could form a basis for breaking the deadlock. They should not rush things but should see how a consensus could be reached.

Pakistan reserved the right to speak once clarifications had been given concerning the proposal made by Chile.

Lebanon argued that any agreement required that all points of view be taken into account, including the OIC's response. Lebanon supported Pakistan's proposal.

The President, replying to Yemen, pointed out that after nine months of work, travel, discussions, etc., all aspects of the matter had been borne on the shoulders of the Depositary, sup-

ported by some contracting parties, and that no stone had been left unturned to find a solution. Results had been achieved, such as the signature of the MoU between the PRCS and the MDA. This agreement was supposed to prepare the ground for adoption of the Third Protocol. However, these hopes had been disappointed and it was therefore difficult, in line with art. 35, to envisage a general agreement until this proposal had been made, incorporating as it did useful elements which took into account the concerns of the various parties.

The President reminded the meeting of his obligation to facilitate the proceedings and therefore recommended acceptance of the proposal presented by the group of ambassadors represented by Chile. He proposed that a decision be taken and for adoption in its entirety in accordance with art. 37 (2) of the Rules of Procedure.

Saudi Arabia expressed its desire to see consensus achieved. It wanted to adopt the Protocol, but also to take into account the different points of view. It thanked Chile for its initiative and supported the amendments proposed by Pakistan (OIC), which had paid close attention to the text proposed by Chile. Saudi Arabia believed the text proposed by Pakistan should be given a chance.

Pakistan asked what were the conditions of Chile's proposal, what was its status, if it existed in all the Conference languages, if Chile's proposal concerned the Third Protocol, what the relationship was between the MoU involving the PRCS and the MDA and a possible agreement involving the MDA and the Syrian National Society with the adoption of the draft Protocol, and, if Chile's document had the status of a session document, what the status of their proposal might be.

South Africa announced that it would speak when the President had replied to Pakistan.

Point of order raised by Pakistan

Pakistan demanded a reply to the questions asked in its previous intervention.

The President said he believed that the proposal made by Chile was an honest effort to break the deadlock in which the Conference found itself after three days of consultations. He announced that he had accorded this proposal the status of a proposal made in plenary session and asked how Pakistan wished the OIC's proposals to be treated.

Pakistan referred to art. 35 of the Rules of Procedure and believed that perhaps not all possible efforts had been made. Chile's proposal was a "non-paper", and therefore informal. Where the Rules of Procedure were concerned, it was not a reference document. If they wanted to achieve the purpose of the Conference, it was necessary to study the elements available, in other words the Protocol and the amendments proposed by the OIC. Pakistan referred to arts. 43 and 44 on how to proceed with discussion of the amendments.

The President said he was familiar with art. 44 but argued that Chile's proposal implied that the Third Protocol would be adopted, put to a vote, submitted by consensus. Therefore, if the Protocol was adopted as a whole and by consensus, there would be no need to examine the amendments.

Pakistan reminded the meeting that Chile had proposed a "non-paper" which had been circulated. Moreover, Chile was calling for the Third Protocol to be adopted by consensus, whereas its document was unofficial and devoid of status.

Chile stated that the proposal it had put forward was at the disposal of the Conference and its members. It had been drawn up with the support of the Presidency and of Norway. The proposal was available to all and had been delivered to the Pakistani Ambassador personally. It was up to the Presidency to accord it legal status. The proposal was a goodwill gesture, an appeal, a contribution and, as the Pakistani Ambassador himself had said, the aim was to ensure the success of the Conference.

Kenya stated that it was important for its delegation that there be agreement by consensus. Apparently, the long recesses and consultations had not opened the way to agreement.

Nevertheless, Kenya was making a final appeal, if it was not too late, for an attempt to reconcile the differing positions.

The United States of America pointed out that everyone was trying to reach agreement. Therefore, given the late hour, it proposed adjourning discussion of the current agenda item (point of procedure) in conformity with art. 25 and continuing the debates. The United States of America found that Chile's proposal was in conformity with art. 30 of the Rules of Procedure, because it was a proposal that had been presented (at least in English) and could be discussed in plenary session. It was not an amendment but a proposal to enable progress. Given the late hour, the Protocol should be adopted as a whole, with the proposed text added to the Final Act.

Pakistan qualified that the United States of America had given an interpretation of art. 30 but Pakistan did not think that the document presented by Chile was official, and invited the President to pronounce on the status of the proposal. Pakistan suggested suspending all proceedings until the Norwegian Ambassador had reported on the examination of the amendments.

The President requested a 5-minute adjournment.

Adjournment at 9.35 p.m., resumption at 10 p.m.

The President announced that the Conference was at a delicate stage. The break had shown that the proposals made were not such as to facilitate the following stage. But progress must be made.

An order motion had been submitted requesting that discussion of the matter in hand be adjourned. The President wanted to go ahead with the proposal made by Chile with a view to the Third Protocol being adopted by consensus. He asked if there were any objections to proceeding in this way.

Pakistan asked that the amendments that had been submitted be taken into account before a decision was taken on the Protocol. According to the Rules (art. 25 of the Rules of Procedure), it was not possible to pursue this motion, as two delegations should immediately have been invited to speak in favour, and two against. The discussion up to this point was null and void, since agenda item 10 had not yet been raised. Moreover, Pakistan pointed out that Chile's proposal was not acceptable, either, considering the final paragraph and the fact that the document was not signed.

The President was certain that they were getting bogged down in a procedural debate and forgetting the purpose of the work. A motion requesting adjournment of the debate had been submitted. The President wished to close the discussion and move on to a vote or adoption by consensus and asked Pakistan if it intended to appeal against his decision.

Pakistan replied that it would not appeal. However, it pointed out that no reply had been given to its questions regarding 1) the status of the document, 2) the Norwegian Ambassador's report on the proposal, 3) rule 44 on how to proceed on amendments. It was not a question of putting a stop to the debate but of admitting that no consensus existed.

The President pointed out that it was possible to request at any time that debate be closed, in accordance with art. 22. He wanted to move on to agenda item 10, if there were no objections.

Syria pointed out that Switzerland was the host nation but that the Syrian delegation and the other delegations present represented sovereign countries. They could not agree to a decision that was contrary to the Rules. Moreover, he noted that if in this situation the delegates were deprived of their elementary human rights (right of free speech), it was unrealistic to imagine that these rights would be respected in occupied territory. He stated that the President could not take a decision unilaterally and asked him to think hard before doing so.

The President asked for a vote to close the debate and asked if there were two parties to speak "for" and two "against". The motion was put to the vote.

The United States of America believed that the Conference was compliant with the required procedures and upheld its motion.

South Africa pointed out that there was a degree of procedural uncertainty, and that several motions had been submitted. It insisted that the President must abide by the rules.

Pakistan shared the opinion that it seemed the Rules of Procedure were being applied chaotically. Pakistan suggested that the Norwegian Ambassador's report should be heard. It was no longer sure where they were in the discussions and asked if they were still speaking under agenda item 9.

The President acceded to Pakistan's request and invited Norway to speak.

Norway reported on behalf of the working group. It announced that the private and bilateral consultations had resulted in fruitful discussions and that everyone had been able to express their views. It had indeed not been able to embark on a precise legal discussion for lack of time.

The President wished to clarify the situation. The participants were entitled to know under which agenda item they were speaking, which was item 9. It was proving difficult to arrive at a negotiated agreement. Impartially, in order to progress the work of the Conference, he wanted to order the closure of agenda item 9 and move on to the next item. He decided to close item 9, move on to point 10 and propose that the Protocol be adopted by consensus. It was possible to appeal against this decision, according to the Rules of Procedure.

Pakistan did not want to appeal but nevertheless pointed out that, as there was no possibility of a negotiated agreement, it was contradictory to expect consensus on the part of the States Parties. Pakistan suggested following up the amendments that had been submitted.

The President found that the contradiction felt by Pakistan signified a failure of the efforts that had been made. In conformity with art. 35, he requested that the session be suspended for 15 minutes to enable him to meet with the General Committee.

Adjournment at 10.30 p.m., resumption at 11.50 p.m.

The President reminded the meeting that two documents had been submitted: 1) the Third Protocol and 2) the amendments that had to be voted on together or separately. In view of the Rules of Procedure and the late hour, the President proposed that the amendments be voted on together.

Pakistan announced that the OIC would have liked to see the Third Protocol adopted by consensus, so that it was truly a universal instrument. The OIC was dismayed that this was not the result. Pakistan pointed out that the purpose of the emblems was to protect victims. The text had deficiencies, which the amendments were intended to remedy. The OIC had highlighted the 1921 Resolution, adopted to ensure that National Societies could function within their borders. It was not opposed to the Protocol as such, but considered that the text was partial. Given the weight of an instrument of this kind, it should not be imperfect. For these reasons, the OIC was submitting its amendments to be voted on.

South Africa reaffirmed the commitment of its government to IHL. South Africa had indicated that it was not opportune to convene a Diplomatic Conference at this time. It was clear that there had not been a meeting of minds and South Africa asked for more time. It was concerned about this vote, in which it did not intend to participate.

Cuba did not agree with the idea of voting on the matter as the text would be weakened by it, nipped in the bud.

The President explained the procedure for voting on the amendments: they would be adopted if they were backed by a majority of 2/3 of those voting, and delegations were entitled to explain why they had voted as they had after the vote had taken place. According to art. 39, delegates must stand up to vote. There would not be any interruptions, except in the event of an order motion.

Pakistan had no order motion to present but requested a roll-call vote by virtue of art. 39.

The President announced that voting would be in French alphabetical order.

Name of the country drawn by lot by the President to begin: Switzerland.

Vote on amendments taken together: Reject amendment: "no", Accept amendment: "yes", Abstention: "abst.".

Switzerland: no	Bangladesh: yes	United Arab Emirates: yes
Syria: yes	Belarus: abst.	Ecuador: no
Thailand: abst.	Belgium: no	Eritrea: abst.
Tanzania: abst.	Bhutan: abst.	Spain: no
Chad yes	Bolivia: no	Estonia: no
Czech Republic no	Bosnia-Herzegovina: no	United States of America: no
Timor-Leste: no	Brazil: abst.	Ethiopia: abst.
Togo: abst.	Bulgaria: no	Finland: no
Tunisia: yes	Burundi: abst.	France: no
Turkey: did not vote	Cambodia: abst.	Georgia: no
Ukraine: no	Canada: no	Ghana: abst.
Uruguay: no	Cape Verde: did not vote	Greece: no
Venezuela: abst.	Chile: abst.	Guatemala: no
Vietnam: abst.	China: yes	Guinea: yes
Yemen: yes	Cyprus: no	Haiti: abst.
Zambia: abst.	Colombia: no	Honduras: no
Afghanistan: did not vote	Comoros: did not vote	Hungary: no
South Africa: did not vote	Congo: abst.	India: abst.
Albania: no	D.R. Congo: abst.	Indonesia: yes
Algeria: yes	Korea: abst.	Iran: yes
Germany: no	D.P.R. of Korea: yes	Ireland: no
Andorra: no	Costa Rica: no	Iceland: no
Saudi Arabia: yes	Côte d'Ivoire: no	Israel: no
Argentina: no	Croatia : no	Italy: no
Armenia: no	Cuba: yes	Jamaica: abst.
Australia: no	Denmark: no	Japan: no
Austria: no	Dominican Rep.: no	Jordan: yes
Azerbaijan: yes	Egypt: yes	Kazakhstan: yes
Bahrain: yes	El Salvador: no	Kenya: abst.

Kyrgyzstan: yes	Moldova: no	Philippines: abst.
Kuwait: yes	Monaco: no	Poland: no
Laos: did not vote	Mongolia: no	Portugal: no
Latvia: no	Mozambique: abst.	Qatar: yes
Lebanon: yes	Myanmar: abst.	Romania: no
Libya: yes	Nepal: abst.	United Kingdom: no
Liechtenstein: no	Nicaragua: no	Russia: no
Lithuania: no	Niger: yes	Rwanda: abst.
Luxembourg: no	Nigeria: abst.	San Marino: no
Macedonia: no	Norway: no	Holy See: abst.
Madagascar: no	New Zealand: no	Senegal: yes
Malaysia: yes	Oman: yes	Serbia and Montenegro: no
Malawi: no	Uganda: yes	Seychelles: did not vote
Mali: yes	Uzbekistan: yes	Singapore: no
Malta: no	Pakistan: yes	Slovakia: no
Morocco: yes	Panama: no	Slovenia: no
Mauritania: yes	Paraguay: no	Sudan: yes
Mexico: no	Netherlands: no	Sri Lanka: did not vote
Micronesia: no	Peru: no	Sweden: no

India believed that the emblem should be discussed in purely humanitarian terms and regretted that political issues had become involved in the Conference discussions.

Chile had received very clear instructions to vote in favour of the Protocol but had no instructions as to how to vote on the amendments.

Colombia was sensitive to the concerns raised but believed that the text was ready for adoption as it stood.

Russia had not been able to support the amendments proposed by the OIC. The text of the Protocol had been carefully scrutinized and had received the support of the State, which had not studied the amendments. In addition, there had not been sufficient discussion during the Conference.

Brazil had instructions to vote in favour of the Protocol and was dismayed that it had not been possible to reach agreement by consensus. Even though the amendments were of interest, there had not been sufficient time to discuss them.

Venezuela insisted that the Protocol must be adopted by consensus, otherwise there was a danger that it would prove useless. It would be a mistake to adopt a protocol without consensus.

The President announced the result of the vote on the amendments, taken together:

States qualified to vote: 144

Countries voting: 107

In favour: 35

Against: 72

Majority required (⅔ of the countries voting): 72

Amendments rejected

The President proposed that the Protocol be adopted by consensus and asked if there were any objections.

10. Adoption of the Third Protocol Additional to the Geneva Conventions

Syria wanted to make some observations before a vote was taken on the draft Protocol: 1) for the world and for humanity, the Geneva Conventions and IHL were assets which must not be squandered. The workings of democracy had led to the voting stage. This was a very serious issue which could jeopardize the implementation of the concepts of IHL, which was the victim of this Conference. IHL was a line of defence of the weak against the strong, and Syria was convinced that those who had tried to prevent some parties from expressing themselves would have to stand before the bar of history. Given that the amendments proposed by Pakistan had not been adopted, Syria was obliged to request a roll-call vote, so that history would record the names of those who had stood for IHL and those who had buried it.

Belarus insisted that all those present had come to adopt the Protocol by consensus and its adoption by a vote was therefore not acceptable. Belarus believed that the international community was making a grave error and officially proposed a vote as to whether the Third Protocol should be adopted by voting.

The President proceeded to the vote on adoption of the Third Additional Protocol as agreed.

Name of the country drawn by lot to begin: Austria

Austria: yes	Colombia: yes	Estonia: yes
Azerbaijan: abst.	Comoros: did not vote	United States of America: yes
Bahrain: abst.	Congo: yes	Ethiopia: yes
Bangladesh: no	D.R. Congo: yes	Finland: yes
Belarus: abst.	Korea: yes	France: yes
Belgium: yes	D.P.R. of Korea: no	Georgia: yes
Bhutan: yes	Costa Rica: yes	Ghana: yes
Bolivia: yes	Côte d'Ivoire: yes	Greece: yes
Bosnia-Herzegovina: yes	Croatia : yes	Guatemala: yes
Brazil: yes	Cuba: no	Guinea: no
Bulgaria: yes	Denmark: yes	Haiti: yes
Burundi: yes	Dominican Rep.: yes	Honduras: yes
Cambodia: yes	Egypt: no	Hungary: yes
Canada: yes	El Salvador: yes	India: yes
Cape Verde: did not vote	United Arab Emirates: no	Indonesia: no
Chile: yes	Ecuador: yes	Iran: no
China: abst.	Eritrea: abst.	Ireland: yes
Cyprus: yes	Spain: yes	Iceland: yes

Israel: yes	Myanmar: yes	Slovenia: yes
Italy: yes	Nepal: yes	Sudan: no
Jamaica: yes	Nicaragua: yes	Sri Lanka: did not vote
Japan: yes	Niger: no	Sweden: yes
Jordan: abst.	Nigeria: abst.	Switzerland: yes
Kazakhstan: abst.	Norway: yes	Syria: no
Kenya: yes	New Zealand: yes	Thailand: yes
Kyrgyzstan: did not vote	Oman: no	Tanzania: yes
Kuwait: no	Uganda: yes	Chad: no
Laos: did not vote	Uzbekistan: did not vote	Czech Republic: yes
Latvia: yes	Pakistan: no	Timor-Leste: yes
Lebanon: no	Panama: yes	Togo: abst.
Libya: no	Paraguay: yes	Tunisia: no
Liechtenstein: yes	Netherlands: yes	Turkey: yes
Lithuania: yes	Peru: yes	Ukraine: yes
Luxembourg: yes	Philippines: yes	Uruguay: yes
Macedonia: yes	Poland: yes	Venezuela: abst.
Madagascar: yes	Portugal: yes	Vietnam: yes
Malaysia: no	Qatar: no	Yemen: no
Malawi: yes	Romania: yes	Zambia: yes
Mali: no	United Kingdom: yes	Afghanistan: did not vote
Malta: yes	Russia: yes	South Africa: did not vote
Morocco: no	Rwanda: yes	Albania: yes
Mauritania: no	San Marino yes	Algeria: no
Mexico: yes	Holy See: yes	Germany: yes
Micronesia: yes	Senegal: no	Andorra: yes
Moldova: yes	Serbia and Montenegro: yes	Saudi Arabia: no
Monaco: yes	Seychelles: did not vote	Argentina: yes
Mongolia: yes	Singapore: yes	Armenia: yes
Mozambique: yes	Slovakia: yes	Australia: yes

China had abstained, not because it had difficulty with the text, but because it wished for consensus and because this instrument should have united, not divided, the members of the Movement.

Jordan deplored the fact that the Conference had not ended in consensus and that the amendments which could have strengthened the Protocol had not been adopted. The text nevertheless contained provisions which strengthened the hand of parties in situations of armed conflict. Moreover, it sought to prevent a proliferation of emblems and was linked to the signature of the agreement between the MDA and the PRCS, which was very important for Jordan.

The Democratic Republic of Congo (DRC) had hoped the Protocol would be adopted by consensus. This vote was a “first” and set a precedent in IHR, which would weaken the text. The DRC returned to the issue of whether it had been opportune to hold the conference at this time. It had voted in favour of the Protocol for the good of victims in the field and out of concern for the universality of the Geneva Conventions and their Additional Protocols.

The President announced the results:

States qualified to vote: 144

Countries voting: 125

In favour: 98

Against: 27

Majority required ($\frac{2}{3}$ of the countries voting): 84

Protocol adopted

Lebanon reminded the meeting that bringing aid to victims was an honour, a service, and expressed appreciation of the efforts made to achieve consensus. The Protocol went into detail and touched on sometimes thorny subjects, which had caused Lebanon to hesitate and obliged it to vote against.

Singapore had voted for the Protocol for humanitarian reasons, even though its preference was for consensus. The Protocol had a clear humanitarian interest and Singapore hoped that it would provide enhanced protection.

Russia bitterly regretted the failure to achieve consensus, believing that an agreement of this kind should unite, not divide, the international community. It should be possible to overcome disagreements for the sake of humanitarian considerations.

Kenya had voted in favour but regretted the lack of consensus, despite significant attempts and vibrant appeals to achieve it. The Protocol was important as an instrument of IHL and Kenya appealed to all parties to apply it effectively no matter how the text had been adopted.

Turkey pointed out that the Conference had been convened to pave the way for universality, and the Protocol represented a move in this direction. The hope had been that it would be adopted by consensus, but this had not been the case. Turkey believed that the reasons for this lack of consensus should be examined and discussed. Efforts of this kind should be encouraged by the States Parties.

The Holy See would have preferred consensus and was deeply disappointed. It pointed out that the new emblem was additional, not a replacement. It hoped the parties would move closer together to work for humanitarian law.

Pakistan thanked the parties who had voted against, the aim having been to achieve a consensus. Pakistan reaffirmed its support for IHL, which was sacrosanct and above political divisions. It also hoped the parties would continue to engage in dialogue and that the new emblem would not acquire any ethnic, racial or religious connotations. It pointed out that this issue had a historical and political past which needed to be taken into account. An agreement between the OIC and the other parties would have been a real triumph.

The President reminded the meeting that the Final Act and Protocol had still to be signed, but the Final Act was not yet ready. The Final Act was a summary of the key points of the Conference. The idea was that Switzerland would prepare a draft Final Act and circulate it to the States Parties, the GC and the participants in the Convention. It would then be submitted in a consultation procedure. Where the Protocol was concerned, those wishing to sign it were invited to present themselves to the Presidency.

Egypt had hoped for consensus and believed that all had been done to consider the interests of all the stakeholders. Egypt would continue to work to affirm the universal character of IHL and for the implementation of the Protocol.

Israel stated that this was a historic moment which provided the opportunity to remedy an injustice. The delegate's thoughts went to Henri Dunant, who would be proud of what had taken place that day. Consensus should not be an end in itself, and the delegate insisted on the importance of the principles of universality and unity.

Dr El-Hadid stated that the Standing Committee welcomed the adoption of the Third Additional Protocol but regretted that it had not come about by consensus. He assured the President that the Standing Committee would always work for the unity of the Movement, and would ensure that the emblem was used appropriately. The States Parties would be informed at the appropriate time of the details of the 29th Red Cross and Red Crescent Conference.

Switzerland, speaking in its capacity as Depositary, indicated that the Third Additional Protocol was already ready for signature. In conformity with art. 8 of the Third Protocol, it was open to signature for a further 12 months, in Bern, Switzerland. In March 2006, the Human Rights Commission would be meeting in Geneva. Switzerland was prepared to bring the original for signature during this meeting for States which wished to sign it but had not yet done so.

By virtue of art. 77 of the 1969 Vienna Convention, a factual Final Act would be drawn up and sent for information and rectification to the States Parties to the Geneva Conventions which had taken part in the Conference.

The President closed the Conference.

The Diplomatic Conference ended at 00.50 a.m.

11. Signature of the Final Act and Third Protocol Additional to the Geneva Conventions

The Third Additional Protocol to the Geneva Conventions was signed by some countries at 1.30 a.m. during the night of 7 to 8 December 2005.

8. Report of the Credentials Committee

a) Report

The Credentials Committee held its first session at 6 p.m. on Monday 5 December 2005 and its second session at 1 p.m. on Tuesday 6 December 2005. The delegations of all the Member States of the Committee were represented, viz. Chile, Australia, Canada, Republic of Congo, Republic of Korea, Guatemala, Madagascar, Ukraine and Syria.

The Committee examined the documents presented by 151 delegations.

Where credentials to take part in the work of the Conference were concerned, including credentials to vote on and sign the Final Act, those presented by 144 delegations have been found to be in due form.

The Commission proposes to the plenary session of the Conference that these credentials be recognized as fully valid.

The Committee notes that seven other delegations have not submitted documents qualifying as credentials. In the event of a vote, and for signature of the Final Act, these states will not be called. They have been contacted directly by the Committee, which has informed them of this situation.

Geneva, 7 December 2005

[signatures]

Annexes (*set out below*):

1. List of States present and qualified to vote and sign the Final Act, as decided by the Committee
2. List of States present but not qualified to vote or sign the Final Act, as decided by the Committee

b) Annex 1: States present and qualified to vote and sign the Final Act

7 December 2005, 10.30 a.m., list in French alphabetical order

1. Afghanistan	12. Azerbaijan	23. Cambodia
2. South Africa	13. Bahrain	24. Canada
3. Albania	14. Bangladesh	25. Cape Verde
4. Algeria	15. Belarus	26. Chile
5. Germany	16. Belgium	27. China
6. Andorra	17. Bhutan	28. Cyprus
7. Saudi Arabia	18. Bolivia	29. Colombia
8. Argentina	19. Bosnia-Herzegovina	30. Comoros
9. Armenia	20. Brazil	31. Congo
10. Australia	21. Bulgaria	32. D.R. Congo
11. Austria	22. Burundi	33. Korea

34.	D.P.R. Korea	69.	Jordan	106.	Panama
35.	Costa Rica	70.	Kazakhstan	107.	Paraguay
36.	Côte d'Ivoire	71.	Kenya	108.	Netherlands
37.	Croatia	72.	Kyrgyzstan	109.	Peru
38.	Cuba	73.	Kuwait	110.	Philippines
39.	Denmark	74.	Laos	111.	Poland
40.	Dominican Rep.	75.	Latvia	112.	Portugal
41.	Egypt	76.	Lebanon	113.	Qatar
42.	El Salvador	77.	Libya	114.	Romania
43.	United Arab Emir- ates	78.	Liechtenstein	115.	United Kingdom
44.	Ecuador	79.	Lithuania	116.	Russia
45.	Eritrea	80.	Luxembourg	117.	Rwanda
46.	Spain	81.	Macedonia	118.	San Marino
47.	Estonia	82.	Madagascar	119.	Holy See
48.	United States of America	83.	Malaysia	120.	Senegal
		84.	Malawi	121.	Serbia and Monte- negro
49.	Ethiopia	85.	Mali	122.	Seychelles
50.	Finland	86.	Malta	123.	Singapore
51.	France	87.	Morocco	124.	Slovakia
52.	Georgia	88.	Mauritania	125.	Slovenia
53.	Ghana	89.	Mexico	126.	Sudan
54.	Greece	90.	Micronesia	127.	Sri Lanka
55.	Guatemala	91.	Moldova	128.	Sweden
56.	Guinea	92.	Monaco	129.	Switzerland
57.	Haiti	93.	Mongolia	130.	Syria
58.	Honduras	94.	Mozambique	131.	Thailand
59.	Hungary	95.	Myanmar	132.	Tanzania
60.	India	96.	Nepal	133.	Chad
61.	Indonesia	97.	Nicaragua	134.	Czech Republic
62.	Iran	98.	Niger	135.	Timor-Leste
63.	Ireland	99.	Nigeria	136.	Togo
64.	Iceland	100.	Norway	137.	Tunisia
65.	Israel	101.	New Zealand	138.	Turkey
66.	Italy	102.	Oman	139.	Ukraine
67.	Jamaica	103.	Uganda	140.	Uruguay
68.	Japan	104.	Uzbekistan	141.	Venezuela
		105.	Pakistan		

c) Annex 2: List of States present but not qualified to vote or sign the Final Act

1. Angola
2. Benin
3. Brunei
4. Cameroon
5. Iraq
6. Mauritius
7. Trinidad and Tobago

9. Amendments submitted by Pakistan and Yemen which were proposed by the States of the Organisation of the Islamic Conference

a) Text of the amendments

Amendment 1/13

(PP1) Delete in the third line : "where applicable"

Amendment 2/13

Modify current PP8 as follows :

(PP8) Noting that National Societies undertaking activities on the territory of another State must ensure that the emblems they intend to use within the framework of such activities may be used in the country where the activity takes place and in the country or countries in transit, and that any activity may not be undertaken by a national society in territories that are, in accordance with the provisions of resolution XI adopted by the Xth International Conference of the Red Cross in 1921, under the jurisdiction of other national societies without the prior consent of the latter,

Amendment 3/13

(PP10) replace "determination" with "commitment" in the first line.

Amendment 4/13

Delete Article (2) para (4)

Amendment 5/13

Article (3), para (1), insert "exclusively" before the phrase "for indicative purposes" at the end of the paragraph.

Amendment 6/13

Article (3) (1b), modify as follows :

b) another emblem used by a High Contracting Party, provided that such an emblem shall not be used in any occupied territory.

Amendment 7/13

Add new Para to become Article (3)(1)(c), which should read as follows:

C) National Societies in using the third protocol emblem should do so in accordance with the rules and principles of International Humanitarian Law.

Amendment 8/13

Article (3) para (2), modify as follows :

A National Society which chooses to incorporate within the third Protocol emblem another emblem in accordance with paragraph 1 above, may, in conformity with national legislation, use that emblem and its designation exclusively within its internationally recognized borders.

Amendment 9/13

Delete Article (3) para (3)

Amendment 10/13

Article (6) para (2)

Insert the phrase "for a period not exceeding 3 years from the date of entry into force of the Protocol" between the phrases "continue such use" and "provided that" in the third line (in accordance with article 53 of the First Geneva Convention and as stipulated in a previous version of the draft Third Additional Protocol) reads as follows:

2. Notwithstanding paragraph 1 above, High Contracting Parties may permit prior users of the third Protocol emblem, or of any sign constituting an imitation thereof, to continue such use for a period not exceeding 3 years from the date of entry into force of the Protocol provided that the said use shall not be such as would appear, in time of armed conflict, to confer the protection of the Geneva Conventions and, where applicable, the 1977 Additional Protocols, and provided that the rights to such use were acquired before the adoption of this Protocol.

Amendment 11/13

Article (7) : delete from "and, in particular" in third line till the end of the paragraph, reads as follows:

Article 7

The High contracting Parties undertake, in time of armed conflict, to disseminate this Protocol as widely as possible in their respective countries.

Amendment 12/13

Article (8): modify as follows:

The protocol shall be opened for signature by the Parties to the Geneva Conventions six months after its adoption (as was the case vis a vis the additional Protocols I and II).

Amendment 13/13

Also: Bracket "states" in PP9 and seek clarification on its legal implications.

b) Result of the vote on the amendments taken on 8 December at 00.45 a.m.

High Contracting Parties qualified to vote	144
High Contracting Parties which voted yes or no	107
¾ majority required	72
High Contracting Parties which voted <i>in favour</i> of the amendments	35
High Contracting Parties which voted <i>against</i> the amendments	72

The amendments are therefore rejected by 72 votes to 35

c) List of the High Contracting Parties which voted in favour of the amendments

In French alphabetical order

1. Algeria	13. Iran	25. Oman
2. Saudi Arabia	14. Jordan	26. Uganda
3. Azerbaijan	15. Kazakhstan	27. Uzbekistan
4. Bahrain	16. Kyrgyzstan	28. Pakistan
5. Bangladesh	17. Kuwait	29. Qatar
6. China	18. Lebanon	30. Senegal
7. D.P.R. Korea	19. Libya	31. Sudan
8. Cuba	20. Malaysia	32. Syria
9. Egypt	21. Mali	33. Chad
10. United Arab Emirates	22. Morocco	34. Tunisia
11. Guinea	23. Mauritania	35. Yemen
12. Indonesia	24. Niger	

d) List of the High Contracting Parties which voted against the amendments

1. Albania	2. Germany	3. Andorra
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4. Argentina	27. Georgia	50. Nicaragua
5. Armenia	28. Greece	51. Norway
6. Australia	29. Guatemala	52. New Zealand
7. Austria	30. Honduras	53. Panama
8. Belgium	31. Hungary	54. Paraguay
9. Bolivia	32. Ireland	55. Netherlands
10. Bosnia-Herzegovina	33. Iceland	56. Peru
11. Bulgaria	34. Israel	57. Poland
12. Canada	35. Italy	58. Portugal
13. Cyprus	36. Japan	59. Romania
14. Colombia	37. Latvia	60. United Kingdom
15. Costa Rica	38. Liechtenstein	61. Russia
16. Côte d'Ivoire	39. Lithuania	62. San Marino
17. Croatia	40. Luxembourg	63. Serbia and Montene- gro
18. Denmark	41. Macedonia	64. Singapore
19. Dominican Rep.	42. Madagascar	65. Slovakia
20. El Salvador	43. Malawi	66. Slovenia
21. Ecuador	44. Malta	67. Sweden
22. Spain	45. Mexico	68. Switzerland
23. Estonia	46. Micronesia	69. Czech Republic
24. United States of America	47. Moldova	70. Timor-Leste
25. Finland	48. Monaco	71. Ukraine
26. France	49. Mongolia	72. Uruguay

e) List of the High Contracting Parties which abstained from voting

1. Belarus	11. Ethiopia	21. Philippines
2. Bhutan	12. Ghana	22. Rwanda
3. Brazil	13. Haiti	23. Holy See
4. Burundi	14. India	24. Thailand
5. Cambodia	15. Jamaica	25. Tanzania
6. Chile	16. Kenya	26. Togo
7. Congo	17. Mozambique	27. Venezuela
8. D.R. Congo	18. Myanmar	28. Vietnam
9. Republic of Korea	19. Nepal	29. Zambia
10. Eritrea	20. Nigeria	

10. Result of the vote for the adoption of the Third Additional Protocol

a) Result of the vote taken on 8 December at 01.20 a.m.

High Contracting Parties qualified to vote	144
High Contracting Parties which voted yes or no	125
$\frac{2}{3}$ majority required	84
High Contracting Parties which voted <i>in favour</i> of the Protocol	98
High Contracting Parties which voted <i>against</i> the Protocol	27

The Third Additional Protocol is therefore adopted by 98 votes to 27

b) List of the High Contracting Parties which voted in favour of the Protocol

In French alphabetical order

1. Albania	21. D. R. Congo	40. Haiti
2. Germany	22. Republic of Korea	41. Honduras
3. Andorra	23. Costa Rica	42. Hungary
4. Argentina	24. Côte d'Ivoire	43. India
5. Armenia	25. Croatia	44. Ireland
6. Australia	26. Denmark	45. Iceland
7. Austria	27. Dominican Rep.	46. Israel
8. Belgium	28. El Salvador	47. Italy
9. Bhutan	29. Ecuador	48. Jamaica
10. Bolivia	30. Spain	49. Japan
11. Bosnia-Herzegovina	31. Estonia	50. Kenya
12. Brazil	32. United States of America	51. Latvia
13. Bulgaria	33. Ethiopia	52. Liechtenstein
14. Burundi	34. Finland	53. Lithuania
15. Cambodia	35. France	54. Luxembourg
16. Canada	36. Georgia	55. Macedonia
17. Chile	37. Ghana	56. Madagascar
18. Cyprus	38. Greece	57. Malawi
19. Colombia	39. Guatemala	58. Malta
20. Congo		59. Mexico

60. Micronesia	74. Peru	87. Slovenia
61. Moldova	75. Philippines	88. Sweden
62. Monaco	76. Poland	89. Switzerland
63. Mongolia	77. Portugal	90. Thailand
64. Mozambique	78. Romania	91. Tanzania
65. Myanmar	79. United Kingdom	92. Czech Republic
66. Nepal	80. Russia	93. Timor-Leste
67. Nicaragua	81. Rwanda	94. Turkey
68. Norway	82. San Marino	95. Ukraine
69. New Zealand	83. Holy See	96. Uruguay
70. Uganda	84. Serbia and Montene- gro	97. Vietnam
71. Panama	85. Singapore	98. Zambia
72. Paraguay	86. Slovakia	
73. Netherlands		

c) List of the High Contracting Parties which voted against the Protocol

1. Algeria	10. Iran	19. Oman
2. Saudi Arabia	11. Kuwait	20. Pakistan
3. Bangladesh	12. Lebanon	21. Qatar
4. D.P.R. Korea	13. Libya	22. Senegal
5. Cuba	14. Malaysia	23. Sudan
6. Egypt	15. Mali	24. Syria
7. United Arab Emirates	16. Morocco	25. Chad
8. Guinea	17. Mauritania	26. Tunisia
9. Indonesia	18. Niger	27. Yemen

d) List of the High Contracting Parties which abstained from voting

1. Azerbaijan	6. Jordan
2. Bahrain	7. Kazakhstan
3. Belarus	8. Nigeria
4. People's Republic of China	9. Togo
5. Eritrea	10. Venezuela

11. Detailed list of delegates and participants in the Conference

List in French alphabetical order

a) States' delegates

RÉPUBLIQUE ISLAMIQUE D'AFGHANISTAN - ISLAMIC REPUBLIC OF AFGHANISTAN

Representative

H.E. Dr Assad Omer, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office in Geneva

Alternate Representative

Mr Ghulam Sediq Rasuli, Second Secretary, Permanent Mission to the United Nations Office in Geneva

Adviser

Ms Rahela Abdullah, Permanent Mission to the United Nations Office in Geneva

RÉPUBLIQUE D'AFRIQUE DU SUD - REPUBLIC OF SOUTH AFRICA

Representative

H.E. Ms Claudine J. Mtshali, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations, Office in Geneva

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SUISSE - SWITZERLAND

Représentant

S.E. M. Paul Seger, Ambassadeur, Chef de la Direction du Droit International Public, Département fédéral des affaires étrangères

Représentants suppléants

Mme. Livia Leu Agosti, Ministre, Cheffe suppléante de la Division Politique II Afrique - Proche Orient, Département fédéral des affaires étrangères

M. Daniel Klingele, Chef Section des Droits de l'homme et du droit humanitaire, Direction du Droit International Public, Département fédéral des affaires étrangères

M. Claude Schenker, Chef suppléant Section des Traités internationaux, Direction du Droit International Public, Département fédéral des affaires étrangères

Mme. Anyssa Bellal, Section des Droits de l'homme et du droit humanitaire, Direction du Droit International Public, Département fédéral des affaires étrangères

M. Roberto Balzaretti, Conseiller de Mme. Micheline Calmy-Rey, Département fédéral des affaires étrangères

M. Reynald Phillippe Veillard, Collaborateur scientifique, Département fédéral des affaires étrangères

RÉPUBLIQUE ARABE SYRIENNE - SYRIAN ARAB REPUBLIC

Représentant

S.E. Dr. Bashar Al Sha'ar, Ministre d'Etat chargé du Croissant Rouge

Représentants suppléants

S.E. Dr. Bashar Ja'afari, Ambassadeur extraordinaire et Plénipotentiaire, Représentant permanent auprès de l'Office des Nations Unies à Genève

Dr. Abdul Rahman Attar, Conseiller juridique, Ministère des Affaires Etrangères

Dr. Ghassan Obeid, Premier Secrétaire, Mission permanente auprès de l'Office des Nations Unies à Genève

M. Taher Al Hussami, Conseiller, Ministère des Affaires Etrangères

M. Hussam-Edin A'Ala, Deuxième Secrétaire, Mission permanente auprès de l'Office des Nations Unies à Genève

M. Assem Ali, Département des Organisations Internationales, Ministère des Affaires Etrangères

M. Ghiath Ibrahim, Attaché

RÉPUBLIQUE-UNIE DE TANZANIE - UNITED REPUBLIC OF TANZANIA

Representative

H.E. Mr Charles Kashasha Mutalemwa, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office in Geneva

Alternate Representatives

Mr Abdulhaman Kinana, National Chairman, Tanzanian Red Cross

Mr Lt. Col. P.A. Rwegasira, Ministry of Defense & National Service

Mr Alhaj Adam O. Kimbisa, Secretary General, Red Cross

Mr Laurian Rugambwa, Director of Organisational Department, Tanzanian Red Cross

Mr Baraka H. Luvanda, Second Secretary, Permanent Mission to the United Nations Office in Geneva

Ms Rose Kitandula, Legal Officer, Ministry of Foreign Affairs

RÉPUBLIQUE DU TCHAD - REPUBLIC OF CHAD

Représentant

S.E. M. Malloum Bamanga Abbas, Ambassadeur extraordinaire et Plénipotentiaire, Représentant permanent auprès de l'Office des Nations Unies à Genève

Représentants suppléants

M. Haoula Brahim Koulamallah, Chef Division Droits de l'homme, Ministère des Affaires Etrangères

M. Baba Togmian, Premier Conseiller, Mission permanente auprès de l'Office des Nations Unies à Genève

RÉPUBLIQUE TCHÈQUE - CZECH REPUBLIC

Representative

H.E. Mr Alexander Slabý, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office in Geneva

Alternate Representatives

Mr Martin Bouček, Deputy Permanent Representative to the United Nations Office in Geneva

Ms Marie Šulcová, Legal Adviser, Ministry of Foreign Affairs

Mr Marek Jukl, Adviser, President of the Czech Red Cross

ROYAUME DE THAÏLANDE - KINGDOM OF THAILAND

Representative

H.E. Mr Chaiyong Satjipanon, Ambassador, Permanent Representative to the United Nations Office in Geneva

Alternate Representative

Mr Witchu Vejjajiva, First Secretary, Permanent Mission to the United Nations Office in Geneva

RÉPUBLIQUE DÉMOCRATIQUE DU TIMOR-LESTE - DEMOCRATIC REPUBLIC OF TIMOR-LESTE

Representative

H.E. Mr José Amorim Dias, Ambassador at the Mission of the Democratic Republic of Timor Leste to the United Nations Office in Geneva

Alternate Representative

Mr Alain Dick, First Counsellor, Chargé d'affaires a.i., Permanent Mission to the United Nations Office in Geneva

Ms Emina Skroeder, Assistant

RÉPUBLIQUE TOGOLAISE - TOGOLESE REPUBLIC

Représentant

M. Koffi A. Maxime Assah, Ministre Plénipotentiaire, Chef de la Division des Affaires Consulaires à la Direction des Affaires Juridiques et Consulaires, Ministère des Affaires Etrangères et de l'Intégration Africaine

RÉPUBLIQUE DE TRINITÉ-ET-TOBAGO - REPUBLIC OF TRINIDAD AND TOBAGO

Representative

Ms Shelley-Ann Clarke-Hinds, Chargé d'affaires a.i., Permanent Mission to the United Nations Office in Geneva

TUNISIE - TUNISIA

Representative

H.E. Mr Samir Labidi, Ambassador, Permanent Representative to the United Nations Office in Geneva

Alternate Representatives

Mr Holla Bachtobji, Minister Plenipotentiary, Permanent Mission to the United Nations Office in Geneva

Mr Khaled Khiari, Minister, Permanent Mission to the United Nations Office in Geneva

Mr Hatem Landoulsi, Counsellor, Permanent Mission to the United Nations Office in Geneva

TURQUIE - TURKEY

Representatives

H.E. Mr Türkekul Kurtekkin, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office in Geneva

Mr Tunc Üğdül, Deputy Director General at the Ministry of Foreign Affairs, Ministry of Foreign Affairs

Alternate Representatives

Mr Aslı Üğdül, Deputy Permanent Representative to the United Nations Office in Geneva

Mr Selçuk Ünal, First Secretary, Permanent Mission to the United Nations Office in Geneva

Ms Halime Ebru Demircan, Legal Counsellor, Permanent Mission to the United Nations Office in Geneva

UKRAINE - UKRAINE

Representative

Mr Oleh Shamshur, Deputy Foreign Minister of Ukraine

Alternate Representatives

H.E. Mr Yevhen Bershed, Ambassador, Permanent Representative to the United Nations Office in Geneva

Mr Borys Zakharchuk, Deputy Permanent Representative to the United Nations Office in Geneva

Ms Kateryna Sotulenka, First Secretary, Permanent Mission to the United Nations Office in Geneva

Ms Olena Petrenko, Third Secretary, Department of UN & other International Organisations, Ministry of Foreign Affairs

Ms Olena Yakovenko, Adviser, Permanent Mission to the United Nations Office in Geneva

Mr Ivan Usichenko, President, Ukrainian Red Cross

RÉPUBLIQUE ORIENTALE DE L'URUGUAY - ORIENTAL REPUBLIC OF URUGUAY

Representative

H.E. Mr Guillermo Valles Galmés, Ambassador, Permanent Representative to the United Nations Office in Geneva

Alternate Representatives

Mr Ricardo González Arenas, Deputy Permanent Representative to the United Nations Office in Geneva

Ms Alejandra de Bellis, First Secretary, Permanent Mission to the United Nations Office in Geneva

RÉPUBLIQUE BOLIVARIENNE DU VENEZUELA - BOLIVARIAN REPUBLIC OF VENEZUELA

Representative

H.E. Ms Raquel Alexandra Poitevien Cabral, Ambassador, Deputy Permanent Representative to the United Nations Office in Geneva

Alternate Representative

Mr Enzo Bitteto Gavilanes, First Secretary, Permanent Mission to the United Nations Office in Geneva

Mr Diego Ibarra Martínez, Third Secretary, Permanent Mission to the United Nations Office in Geneva

RÉPUBLIQUE SOCIALISTE DU VIET NAM - SOCIALIST REPUBLIC OF VIET NAM

Representative

H.E. Mr Quang Xuan Anh Ngo, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office in Geneva

Alternate Representatives

Mr Quoc Tru Pham, Minister Counsellor, Deputy Permanent Representative to the United Nations Office in Geneva

Mr Tran Nam Trung Dang, Attaché, Permanent Mission to the United Nations Office in Geneva

RÉPUBLIQUE DU YÉMEN - REPUBLIC OF YEMEN

Representative

H.E. Mr Farag Saeed Bin Ghanem, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office in Geneva

Alternate Representatives

Mr Adel Al-Bakili, Minister Plenipotentiary, Permanent Mission to the United Nations Office in Geneva

RÉPUBLIQUE DE ZAMBIE - REPUBLIC OF ZAMBIA

Representative

H.E. Mr Love Mtesa, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations Office in Geneva

Alternate Representatives

Ms Encyla Sinjela, Counsellor, Permanent Mission to the United Nations Office in Geneva

Mr Alfonso Zulu, First Secretary, Permanent Mission to the United Nations Office in Geneva

b) Bodies represented by observers

PALESTINE - PALESTINE

Representative

H.E. Dr Mohammad Abu-Koash, Ambassador, Permanent Observer to the United Nations Office in Geneva

Alternate Representatives

Mr Taissir Al-Adjouri, Counsellor, Permanent Observer Mission to the United Nations Office in Geneva

Mr Ibrahim Musa, First Secretary, Permanent Observer Mission to the United Nations Office in Geneva

Mr Osama Mohammad, Permanent Observer Mission to the United Nations Office in Geneva

Ms Nadine Hassessian, Permanent Observer Mission to the United Nations Office in Geneva

c) Intergovernmental organizations

COMMUNAUTÉ EUROPÉENNE - EUROPEAN COMMUNITY

Commission européenne / European Commission

H.E. Mr Carlo Trojan, Ambassador, Head of the Permanent Delegation to the United Nations Office in Geneva

Mr Thierry Bechet, Minister Counsellor, Head of UN Section, Permanent Delegation to the United Nations Office in Geneva

Mr André Mollard, Administrator, UN Section, Permanent Delegation to the United Nations Office in Geneva

Conseil de l'Union européenne / Council of the European Union

S.E. M. Jacques Brodin, Ambassadeur, Chef du Bureau de Liaison du Secrétariat général

M. Guus Houttuin, Chef adjoint, Bureau de Liaison du Secrétariat général

Mlle. Anna Athanasopoulou, Deuxième Secrétaire, Bureau de Liaison du Secrétariat général

LIGUE DES ETATS ARABES - LEAGUE OF ARAB STATES

H.E. Mr Saad Alfarargi, Ambassador, Permanent Observer to the United Nations Office in Geneva

Dr Osman El-Hajje, Member, Permanent Delegation to the United Nations Office in Geneva

Mr Youcef Tiliouant, Premier Attaché, Permanent Delegation to the United Nations Office in Geneva

Mr Salah Aeid, Member, Permanent Delegation to the United Nations Office in Geneva

ORGANISATION DE LA CONFERENCE ISLAMIQUE - ORGANISATION OF THE ISLAMIC CONFERENCE

S.E. M. Babacar Ba, Ambassadeur, Observateur permanent auprès de l'Office des Nations Unies à Genève

M. Mojtaba Amiri Vahid, Observateur Permanent adjoint auprès de l'Office des Nations Unies à Genève

Mme. Aïssata Kane, Premier Secrétaire, Mission permanente auprès de l'Office des Nations Unies à Genève

d) Red Cross and Red Crescent bodies

COMMISSION PERMANENTE DE LA CROIX-ROUGE ET DU CROISSANT-ROUGE - STANDING COMMISSION OF THE RED CROSS AND RED CRESCENT

H.E. Dr Mohammed Al-Hadid, Chairman

H.E. Mr Philippe Cuvillier, Ambassador, Special Representative of the Emblem

Ms Helena Korhonen, Head of Secretariat

HRH Princess Margriet of Netherlands, Former Chairman

Ms Christina Magnuson, Former Special Representative on the Emblem

Ms Erica Tong Junod, Assistant

FEDERATION INTERNATIONALE DES SOCIETES DE LA CROIX-ROUGE ET DU CROIS-SANT-ROUGE - INTERNATIONAL FEDERATION OF RED CROSS AND RED CRESCENT SOCIETIES

Mr Juan Manuel Suárez del Toro Rivero, President of the IFRC

Mr Shimelis Adugna, Vice-President of the IFRC

Mr Markku Niskala, Secretary General of the IFRC

Mr Ibrahim Osman, Director, Policy and Relations Division, IFRC

Mr Christopher Lamb, Adviser, International Representation, IFRC

Mr Frank Mohrhauser, Manager, Governance Support Unit, IFRC

Mr Gerrit Pulles, Legal Adviser, International Representation, IFRC

Mr Ali Said Ali, Head, Middle East and North Africa Department, IFRC

Ms Suzanne Johnson, Director, National Society and Field Support Division, IFRC

Mr Luc De Wever, Head of Cabinet, Office of the Secretary General, IFRC

Mr Tore Svenning, Expert, IFRC

Ms Joy Muller, International Representation Officer, IFRC

Ms Marie-Françoise Borel, Officer, Media and Public Relations, IFRC

Mr André Doren, Head, External Relations and Communications, IFRC

Ms Siân Bowen, Manager, Media and Public Relations Unit, IFRC

Ms Devorah Goldburg, Expert, IFRC

Ms Carine Layoun, Expert, IFRC

Ms Anna Segall, Expert, IFRC

Mr Knut Kaspersen, Expert, IFRC

COMITÉ INTERNATIONAL DE LA CROIX-ROUGE (CICR) - INTERNATIONAL COMMITTEE OF THE RED CROSS

M. Jakob Kellenberger, Président, CICR

M. François Bugnion, Directeur du droit international et de la coopération au sein du CICR

M. Jean-Philippe Lavoyer, Chef de la division juridique, CICR

M. Jean-Luc Blondel, Conseiller du Président du CICR

M. Knut Dörmann, Chef adjoint de la Division Juridique, CICR

M. Jean-Christophe Sandoz, Conseiller juriste attaché à la direction du Département du droit international et de la coopération au sein du CICR

M. Baptiste Rolle, Conseiller, Division de la doctrine et de la coopération au sein du CICR

Mme. Eva Svoboda, Cheffe adjointe de l'unité de Diplomatie humanitaire

M. Zidane Meriboute, Conseiller, Direction des Opérations, CICR

Mme. Suzanne Swann, Cheffe des Operations pour le Proche-Orient

M. Jean-Luc Metzker, Conseiller attaché à la direction du Département du droit international et de la coopération au sein du CICR

Mme. Anne Ryniker, Conseillère juriste, Division juridique, CICR

M. Jean-François Quéguiner, Conseiller juriste, Division juridique, CICR

M. Frédéric Fournier, Conseiller diplomatique
M. Olivier Dürr, Conseiller
Mme. Antonella Notari, Porte-parole du CICR, Cheffe de la Division de presse
M. Ian Piper, Attaché de presse, Division de la presse, CICR

SYRIAN ARAB RED CRESCENT SOCIETY
Mr Abdulrahman Attar, President, Syrian Arab Red Crescent Society

PALESTINE RED CRESCENT SOCIETY
Mr Younis Al-Khatib, President, Palestine Red Crescent Society

RED CROSS SOCIETY OF ERITREA
Sister Kidane Alganesh, Secretary General, Red Cross Society of Eritrea

MAGEN DAVID ADOM
Mr Noam Yifrach, Chairman, MDA
Mr Uri Geller, President, Friends of MDA
Mr Moshe Elbaz, Member, MDA Executive Council
Mr Simon Alfasi, Member, MDA Executive Council
Mr Avi Shmida, Member, MDA Executive Council
Mr Ychiel Goldshtein, MDA Policy Division
Ms Pirhya Heinan, Member, MDA Executive Council
Mr Stuart Alan Jackson, Member MDA Executive Council
Mr Nicolas Poznansky, Member MDA Executive Council
Mr Doron Nachun, Member MDA Executive Council
Mr Avraham Shmidt, Member MDA Executive Council
Mr Shimshon Shtrang, Assistant to Mr Uri Geller

e) The United Nations system

NATIONS-UNIES - UNITED NATIONS
Ms Daphna Shrava, Principal Legal Advisor, United Nations
Mr Ricardo Espinosa, Liaison Officer NGO, United Nations