

Addendum to
HUMAN RIGHTS IN ARMED CONFLICT FROM THE PERSPECTIVE OF THE CONTEMPORARY STATE PRACTICE IN THE UNITED NATIONS:
FACTUAL ANSWERS TO CERTAIN HYPOTHETICAL CHALLENGES

Method used:

This Addendum contains a database of Resolutions adopted by the UN bodies affirming the applicability of human rights law in armed conflict situations.

- There are four different Excel sheets. The resolutions are grouped according to the respective bodies. Consequently, each sheet corresponds to one UN body (namely, the General Assembly, the Security Council, the Human Rights Council and the Commission on Human Rights respectively).
- Particularly, for the HRC an additional distinction is added between Regular and Special Sessions. The relevant resolutions are put in a chronological order, starting from the most recent ones and ending with the ones adopted in 2000. The different sessions are also clearly identified.
- For each resolution, the date of adoption, the number of the session and the particular number and title of the resolution is given. Whether it was a country specific or a thematic resolution is indicated. Afterwards, the particular situation addressed by the resolution is identified; whether it referred to an armed conflict, an occupation or to all circumstances. The latter concerns mainly the thematic resolutions adopted, meaning the resolutions that refer to a particular right or group of persons.
- With regard to the content, in a first column, the general statements found in the respective resolutions concerning the applicability of both IHL and HRL in armed conflict situations are provided. In the next two columns, references to specific rights or other obligations, not expressly found in treaty provisions are identified. The separation is quite delicate and the authors must stress that there is not always a clear distinction with regard to the content separated between these two columns.
- The addressees of the obligations mentioned in the resolutions are provided in the next column. The UN bodies do not always refer only to the governments. The latter might often have the primary responsibility to deal with the violations perpetrated but it is not the only one responsible. The responsibility of other armed groups, other States or Peacekeeping troops is often underlined.
- The results of the voting procedures are also mentioned. Particular attention is given to the votes of the States that object to the applicability of HRL in armed conflict situations. Summaries of the statements of some governments' representatives explaining their vote are also provided. The statements are particularly important in order to show that the governments did not vote against a resolution because it referred to HRL but for other reasons.
- In addition, at the beginning of each sheet the total number of relevant resolutions adopted is added in order to provide a more comprehensive picture of the conclusions made in the main text that this Addendum accompanies. Before closing, the authors must add that they used a quite restrictive method in choosing the resolutions presented in this Addendum. It is certain that other resolutions could also be used as proof of the affirmation of applicability of HRL by the UN bodies. However, the authors preferred to add only the resolutions that leave no doubt with regard to the issue and no second interpretation of their content can be made.
- Finally, even though the purpose was to include only issues that clearly refer to HRL, the authors included also some indicative examples of issues that could be considered to be covered only by IHL in armed conflict situations, even though they are protected by HRL also. However, because of the particular attention of the UN bodies to these particular issues, it was important to add some indicative examples. We refer particularly to the issues of recruitment of children, sexual exploitation of women and zero-tolerance policy against the peacekeeping troops with regard to sexual exploitation and abuse of local population.

Abbreviations:

UNGA	United Nations General Assembly
UNSC	United Nations Security Council
HRC	Human Rights Council
CHR	Commission on Human Rights
Prp.	Preambular Paragraphs
Opp.	Operational Paragraphs
OPT	Occupation of Palestinian Territory
IHL	International Humanitarian Law
HRL	Human Rights Law
RL	Refugee Law
UDHR	Universal Declaration of Human Rights
ICCPR	International Covenant of Civil and Political Rights
ICESCR	International Covenant of Economic, Social and Cultural Rights
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CRC	Convention on the Rights of the Child
ICJ	International Court of Justice

Other comments on the method used to gather facts:

*The resolutions counted in the **No. of resolutions concerning armed conflict situations** include all sorts of resolutions that have a connection with armed conflicts. This means that the number indicated might also include certain resolutions without substantial content that have an administrative character, such as the single page resolutions that simply extend the mandate of UN missions.

* Resolutions below designated as '**Country Specific**' are those which contain a reference in their respective titles to a specific country or a particular region, including the Middle East