



FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

Information note

On 18 July 1990, the Permanent Observer of Palestine to the Office of the United Nations at Geneva addressed to the Swiss Government, depositary of the Geneva Conventions of 12 August 1949 for the protection of war victims, a letter accompanied by a "Memorandum on the accession of the State of Palestine to the four Geneva Conventions of 12 August 1949". In that letter the Swiss Government is asked to re-examine the question of that accession on the basis of said Memorandum and, at the minimum, send copies of the letter and the Memorandum attached thereto to all States parties to the Geneva Conventions.

In this regard, the Federal Department of Foreign Affairs draws attention to its Information note of 13 September 1989, which was submitted to all States parties to the Geneva Conventions together with the copy of a communication received on 21 June 1989 from the Permanent Observer of Palestine to the Office of the United Nations at Geneva concerning the participation of Palestine in the four Geneva Conventions of 12 August 1949 and in their two Additional Protocols of 8 June 1977. In its Information note the Department specified that "Due to the uncertainty within the international community as to the existence or the non-existence of a State of Palestine and as long as the issue has not been settled in the appropriate framework, the Swiss Government, in its capacity as depositary of the Geneva Conventions and their additional Protocols, is not in a position to decide whether this communication can be considered as an instrument of accession in the sense of the relevant provisions of the Conventions and their additional Protocols".

On 11 December 1990 the Swiss Government presented to the Permanent Observer of Palestine its legal thorough analysis of the question resulting in the maintainance of its position as expressed in its note of 13 September 1989.

Following the international practice as codified by the Vienna Convention on the law of treaties of 23 May 1969 and at the request of the Permanent Observer of Palestine the Federal Department of Foreign Affairs in the enclosure transmits to the Governments of the States parties to the Geneva Conventions, for their information, a copy of the letter of 18 July 1990 and of the Memorandum which accompanied it.

Berne, 11 December 1990

Enclosures (photocopies) :

- letter of 18.7.1990, in english
- Memorandum, in french