

OFFICIAL RECORDS
OF THE
DIPLOMATIC CONFERENCE
ON THE REAFFIRMATION AND DEVELOPMENT
OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE
IN ARMED CONFLICTS
GENEVA (1974 -1977)

VOLUME I

INTRODUCTORY NOTE

Volume I contains the Final Act, the resolutions adopted by the Conference, and the draft Additional Protocols prepared by the International Committee of the Red Cross. Volume II contains the rules of procedure, the list of participants, the *Désignation aux différents postes de la Conférence**, the *Liste des documents**, the report of the Drafting Committee and the reports of the Credentials Committee for the four sessions of the Conference. Volumes III and IV contain the table of amendments. Volumes V to VII contain the summary records of the plenary meetings of the Conference. Volumes VIII to X contain the summary records and reports of Committee I. Volumes XI to XIII contain the summary records and reports of Committee II. Volumes XIV and XV contain the summary records and reports of Committee III, and volume XVI contains the summary records and reports of the *Ad Hoc* Committee on Conventional Weapons. Volume XVII contains the table of contents of the sixteen volumes.

The Official Records of the Conference are published in all the official and working languages of the Conference. In the Russian edition, as Russian was an official and working language of the Conference only from the beginning of the second session, the documents of which no official translation was made in Russian are reproduced in English. The Arabic edition of the Official Records contains only the documents originally issued in Arabic and those translated officially into Arabic after Arabic became an official and working language at the end of the third session. The Final Act only has been translated into Chinese.

*Document circulated in French only.

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ON THE REAFFIRMATION AND DEVELOPMENT
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GENEVA (1974 - 1977)

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VOLUME I

OFFICIAL RECORDS

OF THE

DIPLOMATIC CONFERENCE
ON THE REAFFIRMATION AND DEVELOPMENT
OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE
IN ARMED CONFLICTS

CONVENED BY THE SWISS FEDERAL COUNCIL
FOR THE PREPARATION OF TWO PROTOCOLS ADDITIONAL
TO THE GENEVA CONVENTIONS OF AUGUST 12, 1949
PROTOCOL I RELATING TO THE PROTECTION OF VICTIMS
OF INTERNATIONAL ARMED CONFLICTS
PROTOCOL II RELATING TO THE PROTECTION OF VICTIMS
OF NON-INTERNATIONAL ARMED CONFLICTS

HELD AT GENEVA ON THE FOLLOWING DATES:

20 FEBRUARY – 29 MARCH 1974 (FIRST SESSION)
3 FEBRUARY – 18 APRIL 1975 (SECOND SESSION)
21 APRIL – 11 JUNE 1976 (THIRD SESSION)
17 MARCH – 10 JUNE 1977 (FOURTH SESSION)

PREPARATION

OF THE TWO PROTOCOLS ADDITIONAL
TO THE GENEVA CONVENTIONS OF 1949,
PROTOCOL I RELATING TO THE PROTECTION OF VICTIMS
OF INTERNATIONAL ARMED CONFLICTS
PROTOCOL II RELATING TO THE PROTECTION OF VICTIMS
OF NON-INTERNATIONAL ARMED CONFLICTS

REAFFIRMING AND DEVELOPING THE FOLLOWING FOUR GENEVA CONVENTIONS:

GENEVA CONVENTION FOR THE AMELIORATION OF THE CONDITONS OF THE WOUNDED
AND SICK IN ARMED FORCES IN THE FIELD OF AUGUST 12, 1949

GENEVA CONVENTION FOR THE AMELIORATION OF THE CONDITION OF WOUNDED,
SICK AND SHIPWRECKED MEMBERS OF ARMED FORCES AT SEA OF AUGUST 12, 1949

GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR OF
AUGUST 12, 1949

GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME
OF WAR OF AUGUST 12, 1949

VOLUME I

Part One

FINAL ACT

Part Two

RESOLUTIONS

Part Three

DRAFT ADDITIONAL PROTOCOLS TO THE
GENEVA CONVENTIONS OF 12 AUGUST, 1949 -
INTERNATIONAL COMMITTEE OF THE RED CROSS

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Part One

FINAL ACT

**DIPLOMATIC CONFERENCE
ON THE REAFFIRMATION AND DEVELOPMENT
OF INTERNATIONAL HUMANITARIAN LAW
APPLICABLE IN ARMED CONFLICTS**

FINAL ACT

GENEVA

1977

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FINAL ACT
OF THE DIPLOMATIC CONFERENCE ON THE REAFFIRMATION
AND DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW
APPLICABLE IN ARMED CONFLICTS

FINAL ACT

1. The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, convened by the Swiss Federal Council, held four sessions in Geneva (from 20 February to 29 March 1974, from 3 February to 18 April 1975, from 21 April to 11 June 1976 and from 17 March to 10 June 1977). The object of the Conference was to study two draft Additional Protocols prepared, after official and private consultations, by the International Committee of the Red Cross and intended to supplement the four Geneva Conventions of 12 August 1949:

Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (I);

Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (II);

Geneva Convention relative to the Treatment of Prisoners of War (III);

Geneva Convention relative to the Protection of Civilian Persons in Time of War (IV).

The United Nations General Assembly supported the efforts of the Diplomatic Conference by adopting successive resolutions relating to human rights in periods of armed conflict:

2444 (XXIII)	Respect for human rights in armed conflicts
2597 (XXIV)	Respect for human rights in armed conflicts
2673 (XXV)	Protection of journalists engaged in dangerous missions in areas of armed conflict
2674 (XXV)	Respect for human rights in armed conflicts
2675 (XXV)	Basic principles for the protection of civilian populations in armed conflicts
2676 (XXV)	Respect for human rights in armed conflicts
2677 (XXV)	Respect for human rights in armed conflicts
2852 (XXVI)	Respect for human rights in armed conflicts
2853 (XXVI)	Respect for human rights in armed conflicts
2854 (XXVI)	Protection of journalists engaged in dangerous missions in areas of armed conflict
3032 (XXVII)	Respect for human rights in armed conflicts

3058 (XXVIII)	Protection of journalists engaged in dangerous missions in areas of armed conflict
3076 (XXVIII)	Napalm and other incendiary weapons and all aspects of their possible use
3102 (XXVIII)	Respect for human rights in armed conflicts
3220 (XXIX)	Assistance and co-operation in accounting for persons who are missing or dead in armed conflicts
3245 (XXIX)	Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflict
3255 (XXIX)	Napalm and other incendiary weapons and all aspects of their possible use
3318 (XXIX)	Declaration on the protection of women and children in emergency and armed conflict
3319 (XXIX)	Respect for human rights in armed conflicts
3464 (XXX)	Napalm and other incendiary weapons and all aspects of their possible use
3500 (XXX)	Respect for human rights in armed conflicts
31/19	Respect for human rights in armed conflicts
31/64	Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons

2. One hundred and twenty-six States were represented at the first session of the Conference, 121 States at the second session, 106 States at the third session and 109 States at the fourth session. Representatives of the following States were present at the Conference:

AFGHANISTAN
ALBANIA (first session)
ALGERIA
ARGENTINA
AUSTRALIA
AUSTRIA
BANGLADESH
BELGIUM
BENIN* (first and second sessions)
BOLIVIA
BOTSWANA (first and second sessions)
BRAZIL
BULGARIA
BURMA (first session)
BURUNDI (first and second sessions)
BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

* Formerly Dahomey.

CANADA
CAPE VERDE (fourth session)
CENTRAL AFRICAN EMPIRE*
CHAD (first and second sessions)
CHILE
CHINA (first session)
COLOMBIA
CONGO (first and second sessions)
COSTA RICA
CUBA
CYPRUS
CZECHOSLOVAKIA
DEMOCRATIC KAMPUCHEA** (first and second sessions)
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
DEMOCRATIC REPUBLIC OF VIET-NAM (first, second and third sessions)
DEMOCRATIC YEMEN (first and fourth sessions)
DENMARK
DOMINICAN REPUBLIC (first, second and fourth sessions)
ECUADOR
EGYPT
EL SALVADOR (first and second sessions)
FINLAND
FRANCE
GABON (first, second and third sessions)
GAMBIA (first, second and fourth sessions)
GERMAN DEMOCRATIC REPUBLIC
GERMANY, FEDERAL REPUBLIC OF
GHANA
GREECE
GUATEMALA
GUINEA (second session)
GUINEA-BISSAU (first and second sessions)
HAITI (first and second sessions)
HOLY SEE
HONDURAS
HUNGARY
ICELAND
INDIA
INDONESIA
IRAN
IRAQ
IRELAND
ISRAEL
ITALY
IVORY COAST
JAMAICA (third and fourth sessions)
JAPAN
JORDAN
KENYA (first and fourth sessions)
KUWAIT
LEBANON

* Formerly Central African Republic.

** Formerly Khmer Republic.

LESOTHO (second session)
LIBERIA (first, second and third sessions)
LIECHTENSTEIN
LUXEMBOURG
MADAGASCAR
MALAYSIA (first, second and fourth sessions)
MALI (first, second and fourth sessions)
MALTA
MAURITANIA
MAURITIUS
MEXICO
MONACO
MONGOLIA
MOROCCO
MOZAMBIQUE (third and fourth sessions)
NETHERLANDS
NEW ZEALAND
NICARAGUA
NIGER (first and second sessions)
NIGERIA
NORWAY
OMAN
PAKISTAN
PANAMA
PARAGUAY (first and second sessions)
PERU
PHILIPPINES
POLAND
PORTUGAL
QATAR
REPUBLIC OF KOREA
REPUBLIC OF SOUTH VIET-NAM (third session)
REPUBLIC OF VIET-NAM (first and second sessions)
ROMANIA
SAN MARINO
SAUDI ARABIA
SENEGAL
SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA*
SOCIALIST REPUBLIC OF VIET NAM (fourth session)
SOMALIA (fourth session)
SOUTH AFRICA (first session)
SPAIN
SRI LANKA
SUDAN
SWAZILAND (second, third and fourth sessions)
SWEDEN
SWITZERLAND
SYRIAN ARAB REPUBLIC
THAILAND
TOGO (first session)
TRINIDAD AND TOBAGO (first, second and third sessions)
TUNISIA

* Formerly Libyan Arab Republic.

TURKEY
UGANDA
UKRAINIAN SOVIET SOCIALIST REPUBLIC
UNION OF SOVIET SOCIALIST REPUBLICS
UNITED ARAB EMIRATES
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
UNITED REPUBLIC OF CAMEROON*
UNITED REPUBLIC OF TANZANIA
UNITED STATES OF AMERICA
UPPER VOLTA (First, second and third sessions)
URUGUAY
VENEZUELA
YEMEN
YUGOSLAVIA
ZAIRE
ZAMBIA (first session)

3. In view of the paramount importance of ensuring broad participation in the work of the Conference, which was of a fundamentally humanitarian nature, and because the progressive development and codification of international humanitarian law applicable in armed conflicts is a universal task in which the national liberation movements can contribute positively, the Conference by its resolution 3 (I) decided to invite also the national liberation movements recognized by the regional intergovernmental organizations concerned to participate fully in the deliberations of the Conference and its Main Committees, it being understood that only delegations representing States were entitled to vote. The national liberation movements listed below accepted that invitation and were represented at the Conference:

African National Congress (South Africa) (ANC) (first, second and third sessions)
African National Council of Zimbabwe (Rhodesia) (ANCZ) (third and fourth sessions)
Angola National Liberation Front (FNLA) (first and second sessions)
Mozambique Liberation Front (FRELIMO) (first session)
Palestine Liberation Organization (PLO)
Panafrikanist Congress (South Africa) (PAC) (first, second and fourth sessions)
People's Movement for the Liberation of Angola (MPLA) (first and second sessions)
Seychelles People's United Party (SPUP) (first session)
South West Africa People's Organization (SWAPO)
Zimbabwe African National Union (ZANU) (first and second sessions)
Zimbabwe African People's Union (ZAPU) (first and second sessions)

4. The following organizations were represented at the Conference with observer status:

Council of Europe
Institut Henri-Dunant

* Formerly Cameroon.

Inter-Governmental Maritime Consultative Organization (IMCO)
International Civil Aviation Organization (ICAO)
International Civil Defence Organization (ICDO)
International Committee of Military Medicine and Pharmacy (ICMMP)
International Federation for Human Rights
International Frequency Registration Board
International Institute of Humanitarian Law
International Labour Organisation (ILO)
International Telecommunication Union (ITU)
League of Arab States
League of Red Cross Societies
Office of the United Nations High Commissioner for Refugees (UNHCR)
Organization of African Unity (OAU)
Organization of American States (OAS)
Sovereign Order of Malta
United Nations
United Nations Children's Fund (UNICEF)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
United Nations Environment Programme (UNEP)
World Food Programme (WFP)
World Health Organization (WHO)
World Medical Association

Working Group for the Development of Humanitarian Law, comprising:

Amnesty International
Arab Lawyers Union
Association for the Study of the World Refugee Problem
Carnegie Endowment for International Peace
Christian Peace Conference
Commission of the Churches on International Affairs (World Council of Churches)
Consultative Council of Jewish Organizations
Friends World Committee for Consultation
International Association of Democratic Lawyers
International Association of Lighthouse Authorities
International Commission of Jurists
International Commission on Illumination
International Confederation of Catholic Charities (Caritas Internationalis)
International Confederation of former Prisoners of War
International Electro-Technical Commission
International Secretariat of Catholic Jurists (Pax Romana)
International Union for Child Welfare
International Union of Socialist Youth
World Confederation of Religions for Peace
World Federation of Democratic Youth
World Federation of Scientific Workers
World Federation of United Nations Associations
World Jewish Congress
World Muslim Congress
World Peace Council
World Veterans Federation
World Young Women's Christian Association

5. The International Committee of the Red Cross, which had prepared the two draft Additional Protocols, participated in the work of the Conference in an expert capacity.

6. The Conference elected as its President, Mr. Pierre Graber, Federal Councillor, Head of the Federal Political Department of the Swiss Confederation.

7. The Conference elected as Vice-Presidents the representatives of the following States:

Austria; Belgium; Canada; China; Germany, Federal Republic of; Guinea-Bissau; Honduras (fourth session); Italy; Mauritania; Morocco; Panama; Philippines; Romania; Sri Lanka; Syrian Arab Republic; Trinidad and Tobago (first, second and third sessions); Uganda; Union of Soviet Socialist Republics; Uruguay; Zaire.

8. The Conference established the following organs:

General Committee of the Conference:

Chairman: The President of the Conference

Members: The President and Vice-Presidents of the Conference, the Chairmen of the Main Committees, the *Ad Hoc* Committee of the whole on Conventional Weapons, the Drafting Committee and the Credentials Committee, and the Secretary-General

Committee I:

Chairmen: Mr. Edvard Hambro (Norway)
(first and second sessions)
Mr. Einar-Frederik Ofstad (Norway)
(third and fourth sessions)

Vice-Chairmen: Mr. B. Akporode Clark (Nigeria)
Mr. Konstantin Obradović (Yugoslavia)

Rapporteurs: Mr. Miguel Marín Bosch (Mexico)
(first session)
Mr. Antonio Eusebio de Icaza (Mexico)
(second, third and fourth sessions)

Committee II:

Chairmen: Mr. Tadeusz Mallik (Poland)
(first session)
Mr. Stanislaw-Edward Nahlik (Poland)
(second, third and fourth sessions)

Vice-Chairmen: Mr. Osvaldo Salas (Chile)
(first, second and fourth sessions)
Mr. Carlos Mackenney (Chile)
(third session)
Mr. Nasim Shah (Pakistan)
(first session)
Mr. Javed Khan (Pakistan)
(first session)

*Committee II:
(continued)*

Vice-Chairmen:
(continued) Mr. Khalid Saleem (Pakistan)
(second and third sessions)
Mr. Chaudhri Khurshid Hasan (Pakistan)
(fourth session)

Rapporteurs: Mr. Djibrilla Maiga (Mali)
(first and second sessions)
Mr. El Hussein El Hassan (Sudan)
(third and fourth sessions)

Committee III:

Chairman: Mr. Hamed Sultan (Egypt)

Vice-Chairmen: Mr. Géza Herczegh (Hungary)
Mr. Mangalyn Dugersuren (Mongolia)
(first, second and third sessions)
Mr. Dugersurengiin Erdembileg (Mongolia)
(fourth session)

Rapporteurs: Mr. Richard Baxter (United States of America)
(first, second and third sessions)
Mr. George H. Aldrich (United States of America)
(second, third and fourth sessions)

Ad Hoc Committee of the whole on Conventional Weapons:

Chairmen: Mr. Diego Garcés (Colombia)
(first, second and third sessions)
Mr. Héctor Charry Samper (Colombia)
(fourth session)

Vice-Chairmen: Mr. Houchang Amir-Mokri (Iran)
Mr. Mustapha Chelbi (Tunisia)
Mr. Nkeke Ndong Mangbau (Zaire)
(second session)

Rapporteurs: Mr. Frits Kalshoven (Netherlands)
(first, second and third sessions)
Mr. Robert J. Akkerman (Netherlands)
(third session)
Mr. John G. Taylor (United Kingdom of Great Britain
and Northern Ireland)
(fourth session)
Mr. Martin R. Eaton (United Kingdom of Great Britain
and Northern Ireland)
(fourth session)

Drafting Committee:

- Chairmen:* Mr. Abu Sayed Chowdhury (Bangladesh)
(first and second sessions)
Mr. Iqbal Abdul Qarim Al-Fallouji (Iraq)
(third and fourth sessions)
- Vice-Chairmen:* Mr. Mario Carías (Honduras)
(first, second and third sessions)
Mr. Rodrigo Valdez Baquero (Ecuador)
(fourth session)
Mr. M. Sinkutu Kabuaye (United Republic of Tanzania)

Members representatives of the following States:

Algeria, Brazil, France, German Democratic Republic,
Indonesia, Lebanon, Sweden, Union of Soviet Socialist
Republics, United Kingdom of Great Britain and
Northern Ireland

Ex officio members under rule 47 of the rules of procedure:

The Rapporteurs of the Main Committees

Credentials Committee:

- Chairmen:* Mr. Danilo Sansón Román (Nicaragua)
(first, second and third sessions)
Mr. Gastón Cajina Mejicano (Nicaragua)
(fourth session)

Members representatives of the following States:

Australia, Czechoslovakia, Iraq, Madagascar, Peru,
Senegal, Thailand, United Republic of Cameroon,
United States of America

9. Mr. Jean Humbert, Ambassador (Switzerland), held the office of Secretary-General.

10. The Conference referred to the Main Committees for consideration the text of the two draft Additional Protocols to the Geneva Conventions of 12 August 1949. The Conference also established an *Ad Hoc* Committee of the whole on Conventional Weapons to consider the question of the prohibition or restriction of the use of conventional weapons likely to cause unnecessary suffering or to produce indiscriminate effects. The Drafting Committee was responsible for co-ordinating and reviewing the drafting of all the texts adopted by the Main Committees.

11. On the basis of the discussions reported in the summary records of the plenary meetings of the Conference (CDDH/SR.1-59) and in the summary records of the meetings of the Main Committees (CDDH/I/SR.1-79, CDDH/II/SR.1-101, CDDH/III/SR.1-60) and of the *Ad Hoc* Committee (CDDH/IV/SR.1-42), and in the reports of all the Committees:

First session

CDDH/47/Rev.1
CDDH/48/Rev.1
CDDH/49/Rev.1
CDDH/50/Rev.1
CDDH/51/Rev.1

Second session

CDDH/219/Rev.1
CDDH/221/Rev.1
CDDH/215/Rev.1
CDDH/220/Rev.1
CDDH/218/Rev.2

Third session

CDDH/234/Rev.1
CDDH/235/Rev.1
CDDH/236/Rev.1
CDDH/237/Rev.1
CDDH/233/Rev.2

Fourth session

CDDH/404/Rev.1
CDDH/405/Rev.1
CDDH/406/Rev.1
CDDH/407/Rev.1
CDDH/408/Rev.1
CDDH/409/Rev.1

the Conference drew up the following instruments:

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and Annexes I and II;

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).

12. These Additional Protocols were adopted by the Conference on 8 June 1977. They will be submitted to Governments for consideration and will be open for signature on 12 December 1977, at Berne, for a period of twelve months, in accordance with their provisions. These instruments will also be open for accession, in accordance with their provisions.

13. These Additional Protocols, the text of which has been established in Arabic, English, French, Russian and Spanish, are annexed to this Final Act. The Chinese text of the Additional Protocols will be established later.

14. The Conference further adopted the following resolutions, which are annexed to this Final Act:

- 17 (IV) Use of certain electronic and visual means of identification by medical aircraft protected under the Geneva Conventions of 1949 and under the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)
- 18 (IV) Use of visual signalling for identification of medical transports protected under the Geneva Conventions of 1949 and under the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)
- 19 (IV) Use of radiocommunications for announcing and identifying medical transports protected under the Geneva Conventions of 1949 and under the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)
- 20 (IV) Protection of cultural property
- 21 (IV) Dissemination of knowledge of international humanitarian law applicable in armed conflicts
- 22 (IV) Follow-up regarding prohibition or restriction of use of certain conventional weapons
- 23 (IV) Report of the Credentials Committee
- 24 (IV) Expression of gratitude to the host country.

DONE AT GENEVA, on 10 June 1977, in Arabic, English, French, Russian and Spanish, the original and the accompanying documents to be deposited in the Archives of the Swiss Confederation.

IN WITNESS WHEREOF, the representatives have signed this Final Act, on behalf of:

AFGHANISTAN

أفغانستان

AFGANISTAN

AFGHANISTAN

АФГАНИСТАНА



ALGERIA

الجزائر

ARGELIA

ALGERIE

АЛЖИРА



FEDERAL REPUBLIC OF GERMANY

جمهورية ألمانيا الاتحادية

REPUBLICA FEDERAL DE ALEMANIA

REPUBLIQUE FEDERALE D'ALLEMAGNE

ФЕДЕРАТИВНОЙ РЕСПУБЛИКИ ГЕРМАНИИ



ANGOLA

أنجولا

ANGOLA

ANGOLA

АНГОЛЫ

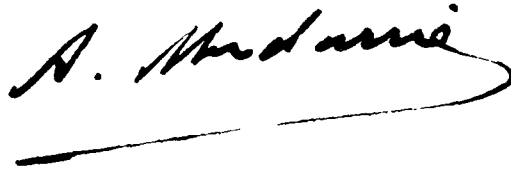
SAUDI ARABIA

المملكة العربية السعودية

ARABIA SAUDITA

ARABIE SAOUDITE

САУДОВСКОЙ АРАВИИ



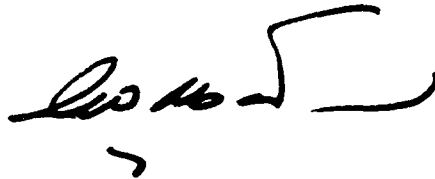
ARGENTINA

أرجنتين

ARGENTINA

ARGENTINE

АРГЕНТИНЫ



AUSTRALIA
أستراليا
AUSTRALIA
AUSTRALIE
АВСТРАЛИИ

F. J. Masany.

AUSTRIA
النمسا
AUSTRIA
AUTRICHE
АВСТРИИ

E. Vinkler

BAHRAIN
البحرين
BAHREIN
BAHREIN
БАХРЕЙНА

BANGLADESH

بنجلاديش

BANGLADESH

BANGLADESH

БАНГЛАДЕШ

ডায়েরী ক্রমিক

BELGIUM

بلجیکا

BELGICA

BELGIQUE

БЕЛЪГИИ

Belgium

BENIN

بنين

BENIN

BENIN

БЕНИНА

BHUTAN

بوتان

BHUTAN

BHOUTAN

БУТАНА

BOLIVIA

بوليفيا

BOLIVIA

BOLIVIE

БОЛИВИИ


Representante Permanente.

BRAZIL

البرازيل

BRASIL

BRESIL

БРАЗИЛИИ

Freio de carbo (aman)

BULGARIA

بلغاریا

BULGARIA

BULGARIE

БОЛГАРИИ

R. D. Wilson

BURUNDI

بوروندى

BURUNDI

BURUNDI

БУРУНДИ

CANADA

كندا

CANADA

CANADA

КАНАДА

J. and his father

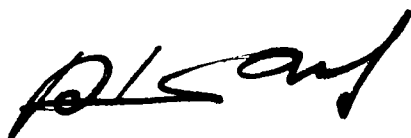
CAPE VERDE

الرأس الأخضر

CABO VERDE

CAP-VERT

ОСТРОВОВ ЗЕЛЕНОГО МЫСА




CHILE

شيلي

CHILE

CHILI

ЧИЛИ



CYPRUS

قبرص

CHIPRE

CHYPRE

КИПРА



COLOMBIA

كولومبيا

COLOMBIA

COLOMBIE

КОЛУМБИЯ

maior hanc vanc

COMOROS

القمر

COMORAS

COMORES

КОМОР

CONGO

الكونغو

CONGO

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КОНГО

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كوستا ريكا

COSTA RICA

COSTA RICA

КОСТА-РИКА

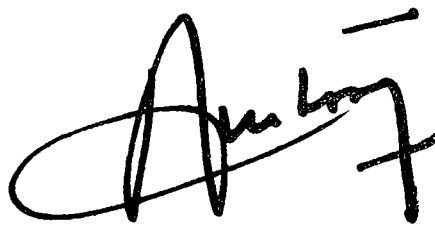
IVORY COAST

ساحل العاج

COSTA DE MARFIL

COTE D'IVOIRE

БЕРЕГА СЛОНОВОЙ КОСТИ

A large, stylized handwritten signature in black ink, possibly reading 'Amir' or similar, with a horizontal line above the final part of the signature.

CUBA

كوبا

CUBA

CUBA

КУБЫ

DENMARK

الدانمارك

DINAMARCA

DANEMARK

ДАНИИ

Wael Saeed

EGYPT

~~مصر~~

EGIPTO

EGYPTE

ЕГИПТА

Sultan
~~_____~~
Sultan
~~_____~~

UNITED ARAB EMIRATES

الامارات العربية المتحدة

EMIRATOS ARABES UNIDOS

EMIRATS ARABES UNIS

ОБЪЕДИНЕННЫХ АРАБСКИХ ЭМИРАТОВ

Shamir
~~_____~~
Shamir

CENTRAL AFRICAN EMPIRE

إمبراطورية أفريقيا الوسطى

IMPERIO CENTROAFRICANO

EMPIRE CENTRAFRICAINE

ЦЕНТРАЛЬНОАФРИКАНСКОЙ ИМПЕРИИ

ECUADOR

الإكوادور

ECUADOR

EQUATEUR

ЭКВАДОРА

SPAIN

إسبانيا

ESPAÑA

ESPAGNE

ИСПАНИИ

UNITED STATES OF AMERICA
الولايات المتحدة الأمريكية
ESTADOS UNIDOS DE AMERICA
ETATS-UNIS D'AMERIQUE
СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ

George H. Alchib

ETHIOPIA
أثيوبيا
ETIOPIA
ETHIOPIE
ЭФИОПИИ

FINLAND
فنلندا
FINLANDIA
FINLANDE
ФИНЛЯНДИИ

Uitta Scania

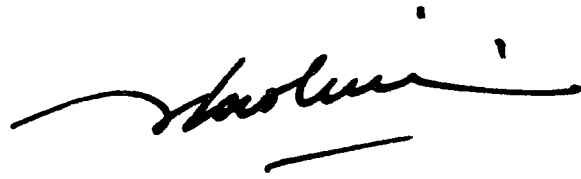
FRANCE

فرنسا

FRANCIA

FRANCE

ФРАНЦИИ

A handwritten signature in black ink, appearing to be 'H. Amin', with a horizontal line underneath.

GABON

جابون

GABON

GABON

ГАБОНА

GAMBIA

جامبيا

GAMBIA

GAMBIE

ГАМБИИ

GHANA

غانا

GHANA

GHANA

ГАНА

Antybeho co.

GREECE

اليونان

GRECIA

GRECE

ГРЕЦИИ

Antaxen

GRENADA

جرانادا

GRANADA

GRENADE

ГРЕНАДЫ

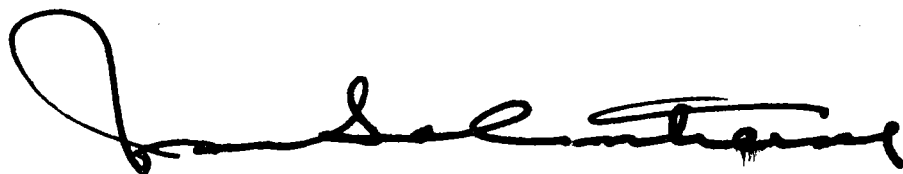
GUATEMALA

جواتيمالا

GUATEMALA

GUATEMALA

ГВАТЕМАЛЫ

A large, stylized handwritten signature in black ink, appearing to read 'J. Salazar'.

GUINEA-BISSAU

غينيا بيساو

GUINEA-BISSAU

GUINEE-BISSAU

ГВИНЕИ-БИСАУ

EQUATORIAL GUINEA

غينيا الاستوائية

GUINEA ECUATORIAL

GUINEE EQUATORIALE

ЭКВАТОРИАЛЬНОЙ ГВИНЕИ

GUYANA

جويانا

GUYANA

GUYANE

ГАЙАНЫ

HAITI

هاييتي

HAITI

HAÏTI

ГАИТИ

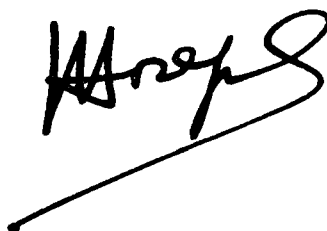
UPPER VOLTA

فولتا العليا

ALTO VOLTA

HAUTE-VOLTA

ВЕРХНЕЙ ВОЛЬТЫ

A handwritten signature in black ink, appearing to be 'Anep S', with a long horizontal line extending from the bottom of the signature.

HONDURAS

هندوراس

HONDURAS

HONDURAS

ГОНДУРАСА

[Handwritten signature]

HUNGARY

الجر

HUNGRIA

HONGRIE

ВЕНГРИИ

Kindly shown

INDIA

الهند

INDIA

INDE

ИНДИИ

[Handwritten signature]

INDONESIA

اندونيسيا
INDONESIA.

INDONESIE

ИНДОНЕЗИИ

Arwati Sudindjo

IRAQ
العراق

IRAQ

IRAK

ИРАКА

أحمد الوائلي

IRAN

ایران

IRAN

IRAN

ИРАНА

Houshang Amiroukani

IRELAND
ايرلندا
IRLANDA
IRLANDE
ИРЛАНДИИ

Seán Gaughan.

ICELAND
ايسلنده
ISLANDIA
ISLANDE
ИСЛАНДИИ

ISRAEL
اسرائيل
ISRAEL
ISRAËL
ИЗРАИЛЯ

ITALY

ايطاليا

ITALIA

ITALIE

ИТАЛИИ

Muhammad Afzal

SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA

الجمهورية العربية الليبية الشعبية الاشتراكية

JAMAHIRIYA ARABE LIBIA POPULAR Y SOCIALISTA

JAMAHIRIYA ARABE LIBYENNE POPULAIRE ET SOCIALISTE

ЛИВИЙСКОЙ АРАБСКОЙ НАРОДНОЙ СОЦИАЛИСТИЧЕСКОЙ РЕСПУБЛИКИ

Libya

JAMAICA

جامايكا

JAMAICA

JAMAÏQUE

ЯМАЙКИ

H. Walker

JAPAN

اليابان

JAPON

JAPON

ЯПОНИИ

A handwritten signature in black ink, appearing to read "S. Sawani". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

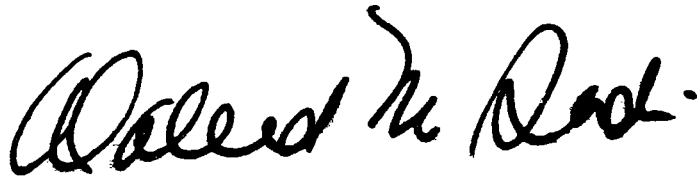
JORDAN

الاردن

JORDANIA

JORDANIE

ИОРДАНИИ

A handwritten signature in black ink, appearing to read "Qaleed M. Raad". The signature is highly stylized and cursive, with large, rounded letters and a prominent flourish at the end.

DEMOCRATIC KAMPUCHEA

كمبوتشيا الديمقراطية

KAMPUCHEA DEMOCRATICA

KAMPUCHEA DEMOCRATIQUE

ДЕМОКРАТИЧЕСКОЙ КАМПУЧИИ

KENYA

كينيا

KENYA

KENYA

КЕНИИ



KUWAIT

الكويت

KUWAIT

KOWEÏT

КУВЕЙТА



LESOTHO

ليسوتو

LESOTHO

LESOTHO

ЛЕСОТО

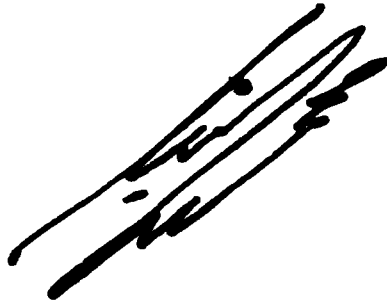
LEBANON

لبنان

LIBANO

LIBAN

ЛИБАНА



LIBERIA

ليبيريا

LIBERIA

LIBERIA

ЛИБЕРИИ

LIECHTENSTEIN

ليختنشتاين

LIECHTENSTEIN

LIECHTENSTEIN

ЛИХТЕНШТЕЙНА

Handwritten signature in black ink, appearing to be a stylized name or phrase.

LUXEMBOURG

لكسمبورج

LUXEMBURGO

LUXEMBOURG

ЛЮКСЕМБУРГА

Jean Rethel

MADAGASCAR

مدغشقر

MADAGASCAR

MADAGASCAR

МАДАГАСКАРА

Jean Rethel

MALAYSIA

ماليزيا

MALASIA

MALAISIE

МАЛАЙЗИИ

MALDIVES

مالديف

MALDIVAS

MALDIVES

МАЛДИВ

MALI

مالي

MALI

MALI

МАЛИ

مالی

MALTA

مالطا

MALTA

MALTE

МАЛТА

Joseph Marmara

MOROCCO
المغرب
MARRUECOS
MAROC
МАРОККО

files

MAURITIUS
موريشيوس
MAURICIO
MAURICE
МАВРИКИЯ

Maurice.

MAURITANIA
موريتانيا
MAURITANIA
MAURITANIE
МАВРИТАНИИ

54

MEXICO
المكسيك
MEXICO
MEXIQUE
МЕКСИКИ

Alvarez
Victor M. Ruiz

MONACO
موناكو
MONACO
MONACO
МОНАКО

Luis Ruiz

MONGOLIA
منغوليا
MONGOLIA
MONGOLIE
МОНГОЛИИ

[Handwritten signature]

MOZAMBIQUE

موزمبيق

MOZAMBIQUE

MOZAMBIQUE

МОЗАМБИКА

موزمبيق

NEPAL

نيپال

NEPAL

NEPAL

НЕПАЛ А

NICARAGUA

نيكاراجوا

NICARAGUA

NICARAGUA

НИКАРАГУА

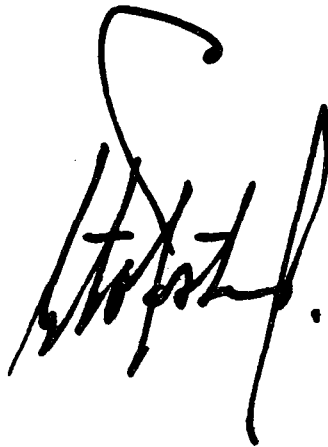
Rajina

NIGER
النيجر
NIGER
NIGER
НИГЕРА

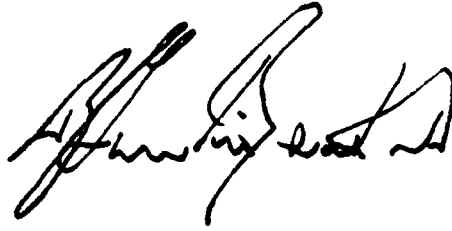
NIGERIA
نيجيريا
NIGERIA
NIGERIA
НИГЕРИИ




NORWAY
النرويج
NORUEGA
NORVEGE
НОРВЕГИИ



NEW ZEALAND
نيوزيلندا
NUEVA ZELANDIA
NOUVELLE-ZELANDE
НОВОЙ ЗЕЛАНДИИ



OMAN
عمان
OMAN
OMAN
ОМАН А



ناصر شريف محمد جواد

UGANDA
أوغندا
UGANDA
OUGANDA
УГАНДА



PAKISTAN
الباكستان
PAKISTAN
PAKISTAN
ПАКИСТАНА

Thalassidroma

PANAMA
بنما
PANAMA
PANAMA
ПАНАМА

Fasci m. papinensis

PAPUA NEW GUINEA
بابواغينيا الجديدة
PAPUA NUEVA GUINEA
PAPOUASIE-NOUVELLE-GUINEE
ПАПУА-НОВОЙ ГВИНЕИ

PARAGUAY

پاراگواي

PARAGUAY

PARAGUAY

ПАРАГВАЯ

NETHERLANDS

هولندا

PAISES BAJOS

PAYS-BAS

НИДЕРЛАНДСЕ

C. A. van der Klauw

PERU

پيرو

PERU

PEROU

ПЕРУ

[Signature]

PHILIPPINES

الفلبين

FILIPINAS

PHILIPPINES

ФИЛИППИИ



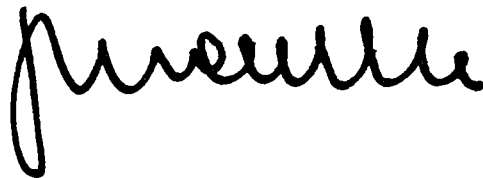
POLAND

بولندا

POLONIA

POLOGNE

ПОЛЬШИ



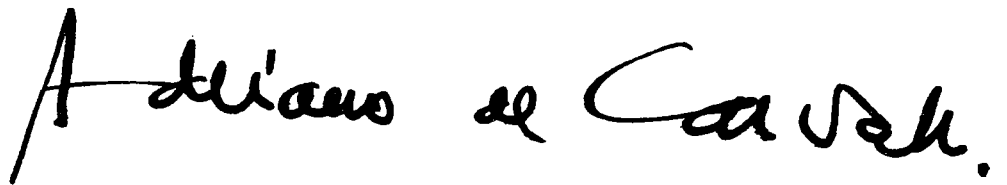
PORTUGAL

البرتغال

PORTUGAL

PORTUGAL

ПОРТУГАЛИИ



QATAR

قطر

QATAR

QATAR

КАТАРА



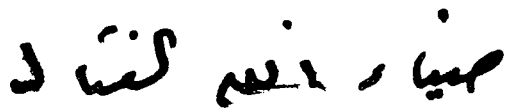
SYRIAN ARAB REPUBLIC

الجمهورية العربية السورية

REPUBLICA ARABE SIRIA

REPUBLIQUE ARABE SYRIENNE

СИРИЙСКОЙ АРАБСКОЙ РЕСПУБЛИКИ



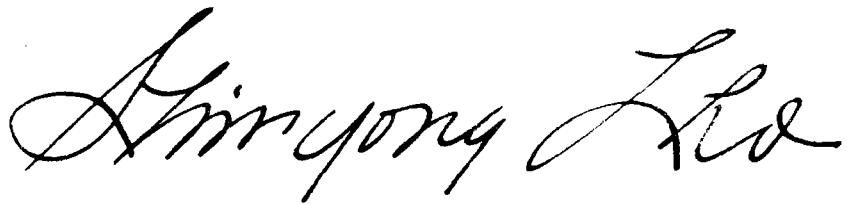
REPUBLIC OF KOREA

جمهورية كوريا

REPUBLICA DE COREA

REPUBLIQUE DE COREE

КОРЕЙСКОЙ РЕСПУБЛИКИ



GERMAN DEMOCRATIC REPUBLIC

جمهورية ألمانيا الديمقراطية

REPUBLICA DEMOCRATICA ALEMANA

REPUBLIQUE DEMOCRATIQUE ALLEMANDE

ГЕРМАНСКОЙ ДЕМОКРАТИЧЕСКОЙ РЕСПУБЛИКИ

Guenter Kasper

LAO PEOPLE'S DEMOCRATIC REPUBLIC

جمهورية لاو الديمقراطية الشعبية

REPUBLICA DEMOCRATICA POPULAR LAO

REPUBLIQUE DEMOCRATIQUE POPULAIRE LAO

ЛАОССКОЙ НАРОДНОЙ ДЕМОКРАТИЧЕСКОЙ РЕСПУБЛИКИ

DOMINICAN REPUBLIC

جمهورية الدومينيكان

REPUBLICA DOMINICANA

REPUBLIQUE DOMINICAINE

ДОМИНИКАНСКОЙ РЕСПУБЛИКИ

Fabio Alvarez Curiel

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
جمهورية كوريا الديمقراطية الشعبية
REPUBLICA POPULAR DEMOCRATICA DE COREA
REPUBLIQUE POPULAIRE DEMOCRATIQUE DE COREE
КОРЕЙСКОЙ НАРОДНО-ДЕМОКРАТИЧЕСКОЙ РЕСПУБЛИКИ

SOCIALIST REPUBLIC OF VIET NAM
جمهورية فيتنام الاشتراكية
REPUBLICA SOCIALISTA DE VIET NAM
REPUBLIQUE SOCIALISTE DU VIET NAM
СОЦИАЛИСТИЧЕСКОЙ РЕСПУБЛИКИ ВЬЕТНАМ

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC
جمهورية بيلوروسيا الاشتراكية السوفيتية
REPUBLICA SOCIALISTA SOVIETICA DE BIELORRUSIA
REPUBLIQUE SOCIALISTE SOVIETIQUE DE BIELORUSSIE
БЕЛОРУССКОЙ СОВЕТСКОЙ СОЦИАЛИСТИЧЕСКОЙ РЕСПУБЛИКИ

UKRAINIAN SOVIET SOCIALIST REPUBLIC
جمهورية أوكرانيا الاشتراكية السوفيتية
REPUBLICA SOCIALISTA SOVIETICA DE UCRANIA
REPUBLIQUE SOCIALISTE SOVIETIQUE D'UKRAINE
УКРАИНСКОЙ СОВЕТСКОЙ СОЦИАЛИСТИЧЕСКОЙ РЕСПУБЛИКИ

Вашу

UNITED REPUBLIC OF TANZANIA
جمهورية تانزانيا المتحدة
REPUBLICA UNIDA DE TANZANIA
REPUBLIQUE-UNIE DE TANZANIE
ОБЪЕДИНЕННОЙ РЕСПУБЛИКИ ТАНЗАНИИ

Seifou Mungu

UNITED REPUBLIC OF CAMEROON
جمهورية الكاميرون المتحدة
REPUBLICA UNIDA DEL CAMERUN
REPUBLIQUE-UNIE DU CAMEROUN
ОБЪЕДИНЕННОЙ РЕСПУБЛИКИ КАМЕРУН

Вашу. Jean Sebaya

ROMANIA

رومانيا

RUMANIA

ROUMANIE

РУМЫНИИ

M. Alexie

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

المملكة المتحدة لبريطانيا العظمى وايرلندا الشمالية

REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE

ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD

СОЕДИНЕННОГО КОРОЛЕВСТВА ВЕЛИКОБРИТАНИИ И СЕВЕРНОЙ ИРЛАНДИИ

John R. ...

RWANDA

رواندا

RWANDA

RWANDA

РУАНДЫ

SAN MARINO

سان مارينو

SAN MARINO

SAINT-MARIN

САН-МАРИНО

francesco

HOLY SEE

الكرسي البابوي

SANTA SEDE

SAINT-SIEGE

СВЯТѢЙШЕГО ПРЕСТОЛА

Pius X

SAO TOME AND PRINCIPE

ساو تومي وبرانسيب

SANTO TOME Y PRINCIPE

SAO TOME-ET-PRINCIPE

САН-ТОМЕ И ПРИНЦИПИ

SENEGAL
السنغال
SENEGAL
SENEGAL
СЕНЕГАЛА

Alioune Diagne

SIERRA LEONE
سيرا ليون
SIERRA LEONA
SIERRA LEONE
СЬЕППА ЛЕОНЕ

SOMALIA
الصومال
SOMALIA
SOMALIE
СОМАЛИ

SWAZILAND

سوازیلانڈ

SWAZILANDIA

SOUAZILAND

СВАЗИЛЕНД А

SUDAN

السودان

SUDAN

SOUDAN

СУДАНА

SRI LANKA

سری لنکا

SRI LANKA

SRI LANKA

ШРИ ЛАНКА



SWEDEN

السويد

SUECIA

SUEDE

ШВЕЦИИ

f1 am B.L.x

SWITZERLAND

سويسرا

SUIZA

SUISSE

ШВЕЙЦАРИИ

Qui de l'ave

SURINAM

سورينام

SURINAM

SURINAM

СУРИНАМА

CHAD

تشار

CHAD

TCHAD

ЧАДА

CZECHOSLOVAKIA

تشیکوسلواکیا

CHECOSLOVAQUIA

TCHÉCOSLOVAQUIE

ЧЕХОСЛОВАКИИ

Handwritten signature

THAILAND

تايلاند

TAILANDIA

THAÏLANDE

ТАИЛАНДА

Handwritten signature

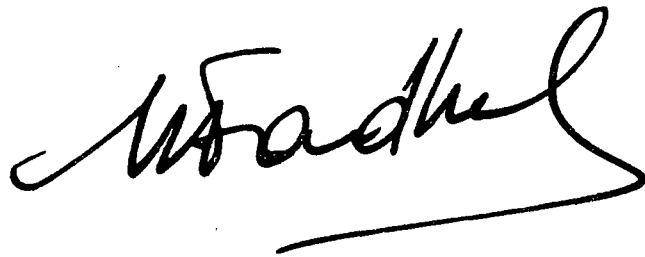
TUNISIA

تونس

TUNEZ

TUNISIE

ТУНИСА



TURKEY

تركيا

TURQUIA

TURQUIE

ТУРЦИИ



UNION OF SOVIET SOCIALIST REPUBLICS

اتحاد الجمهوريات السوفيتية الاشتراكية

UNION DE REPUBLICAS SOCIALISTAS SOVIETICAS

UNION DES REPUBLIQUES SOCIALISTES SOVIETIQUES

СОЮЗА СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК



URUGUAY
أوروغواي
URUGUAY
URUGUAY
УРУГВАЯ

VENEZUELA
فنزويلا
VENEZUELA
VENEZUELA
ВЕНЕСУЭЛЫ

YEMEN
اليمن
YEMEN
YEMEN
ЙЕМЕНА

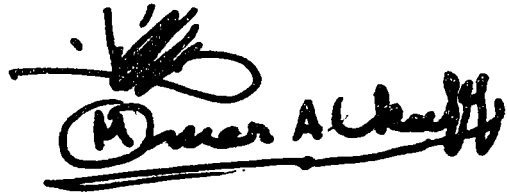
DEMOCRATIC YEMEN

اليمن الديمقراطية

YEMEN DEMOCRATICO

YEMEN DEMOCRATIQUE

ДЕМОКРАТИЧЕСКОГО ЙЕМЕНА


Omar Al-Khaffi

YUGOSLAVIA

يوغوسلافيا

YUGOSLAVIA

YOUGOSLAVIE

ЮГОСЛАВИИ


Nuko Gogze-Guind

ZAIRE

زاير

ZAIRE

ZAÏRE

ЗАИРА

 BINTU. a. Tchiale G.

ZAMBIA

زامبيا

ZAMBIA

ZAMBIE

ЗАМБИИ

NATIONAL LIBERATION MOVEMENTS RECOGNIZED
BY THE REGIONAL INTERGOVERNMENTAL ORGANIZATIONS CONCERNED AND
INVITED BY THE CONFERENCE TO PARTICIPATE IN ITS WORK*

حركات التحرر الوطني المعترف بها من قبل المنظمات الحكومية
الاقليمية المعنية التي دعاها المؤتمر للاشتراك في أعماله*

MOVIMIENTOS DE LIBERACION NACIONAL RECONOCIDOS POR LAS
ORGANIZACIONES INTERGUBERNAMENTALES REGIONALES INTERESADAS E
INVITADOS POR LA CONFERENCIA A PARTICIPAR EN SUS TRABAJOS*

MOUVEMENTS DE LIBERATION NATIONALE RECONNUS PAR LES
ORGANISATIONS INTERGOUVERNEMENTALES REGIONALES INTERESSEES
ET INVITES PAR LA CONFERENCE A PARTICIPER A SES TRAVAUX*

НАЦИОНАЛЬНО-ОСВОБОДИТЕЛЬНЫЕ ДВИЖЕНИЯ, ПРИЗНАННЫЕ
ОТВЕТСТВУЮЩИМИ РЕГИОНАЛЬНЫМИ МЕЖПРАВИТЕЛЬСТВЕННЫМИ ОРГАНИЗАЦИЯМИ
И ПРИГЛАШЕННЫЕ КОНФЕРЕНЦИЕЙ ПРИНЯТЬ УЧАСТИЕ В ЕЕ РАБОТЕ*

*It is understood that the signature by these movements is without prejudice to the positions of participating States on the question of a precedent.

مع العلم بأن توقيع هذه الحركات لا يخل بالمواقف التي اتخذتها الدول
المشاركة بخصوص ما اذا كانت تعتبر سابقة .*

*Queda entendido que la firma por estos movimientos no prejuzga las posiciones que adopten los Estados participantes sobre la cuestión del establecimiento de un precedente.

*Il est entendu que la signature par ces mouvements ne préjuge pas les positions que prendront les Etats participants sur le point de savoir s'il y a ou non précédent.

*При этом понимается, что подписи этих движений не наносят ущерба положениям государств-участников по вопросу о прецеденте.

African National Congress (South Africa) (ANC)

المؤتمر الوطني الأفريقي (أفريقيا الجنوبية) (م وأ)

African National Congress ((Sudáfrica)) (ANC)

African National Congress (South Africa) (ANC)

أفريقيانسيي نانيونالسيي كونغريسي (سوث أفريقيا) (انك)

African National Council of Zimbabwe (Rhodesia) (ANCZ)

الجلسة الوطني الإفريقي لزمبابوي (م وأ ز)

African National Council of Zimbabwe (Rhodesia) (ANCZ)

African National Council of Zimbabwe (Rhodésie) (ANCZ)

أفريقيانسيي نانيونالسيي سوفي زيملبابوي (روديسيا) (انكز)

Palestine Liberation Organization (PLO)

منظمة التحرير الفلسطينية (م ت ف)

Organización de Liberación de Palestina (OLP)

Organisation de libération de la Palestine (OLP)

Организация освобождения Палестины (ООП)

D. B. ...

Panafricanist Congress (South Africa) (PAC)

المؤتمر الافريقي (افريقيا الجنوبية) (م ا)

Panafricanist Congress (Sudáfrica) (PAC)

Panafricanist Congress (Afrique du Sud) (PAC)

Панафриканский конгресс (Южная Африка) (ПАК)

E. M. Mokoena.

South West Africa People's Organization (SWAPO)

منظمة شعب جنوب غرب افريقيا (سوابو)

South West Africa People's Organization (SWAPO)

South West Africa People's Organization (SWAPO)

Организация народов Юго-Западной Африки (СВАПО)

M. Letjani.

PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS
OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS
OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

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PREAMBLE

The High Contracting Parties,

Proclaiming their earnest wish to see peace prevail among peoples,

Recalling that every State has the duty, in conformity with the Charter of the United Nations, to refrain in its international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Believing it necessary nevertheless to reaffirm and develop the provisions protecting the victims of armed conflicts and to supplement measures intended to reinforce their application,

Expressing their conviction that nothing in this Protocol or in the Geneva Conventions of 12 August 1949 can be construed as legitimizing or authorizing any act of aggression or any other use of force inconsistent with the Charter of the United Nations,

Reaffirming further that the provisions of the Geneva Conventions of 12 August 1949 and of this Protocol must be fully applied in all circumstances to all persons who are protected by those instruments, without any adverse distinction based on the nature or origin of the armed conflict or on the causes espoused by or attributed to the Parties to the conflict,

Have agreed on the following:

OFFICIAL RECORDS OF THE DIPLOMATIC
CONFERENCE ON THE REAFFIRMATION
AND DEVELOPMENT OF INTERNATIONAL
HUMANITARIAN LAW APPLICABLE IN
ARMED CONFLICTS

VOLUME I

FINAL ACT

PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF AUGUST 12 1949,
AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL
ARMED CONFLICTS (PROTOCOL I)

Errata

Article 5, paragraph 3, sixth line

For "at lease" read "at least".

Article 8, sub-paragraph (c), fourth line

For "termporary" read "temporary".

Article 8, sub-paragraph (e), third line

Add a hyphen between the words "first" and "aid".

Article 30, paragraph 4, sub-paragraph (a)

For "Article 8, sub-paragraph (f)" read "Article 8, sub-paragraph (j)".

Article 33, paragraph 1, last line

For "facultate" read "facilitate".

Article 70, paragraph 3, first line

For "allows" read "allow".

Article 70, paragraph 3, sub-paragraph (c), first line

For "now" read "no".

Article 75, paragraph 2, sub-paragraph (a)(iv)

For "mutilitation" read "mutilation".

Article 84, paragraph 1, first line

For "communciare" read "communicate".

Article 96, paragraph 2, fourth line

For "provisons" read "provisions".

Article 101, paragraph 2, second line

For "accesions" read "accessions"

Annex I - Regulations concerning identification

Article 1, paragraph 2, third line

For "single languange" read "single language".

Article 15, paragraph 3, sixth line

For "redering" read "rendering".

Annex II - Identity card for journalists on dangerous professional missions

Insert on the front of the card the Russian for the following:

"Name of country issuing this card"

("Название страны, выдавшей настоящее удостоверение").

PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF AUGUST 12 1949,
AND RELATING TO THE PROTECTION OF VICTIMS OF NON-INTERNATIONAL
ARMED CONFLICTS (PROTOCOL II)

Article 6, paragraph 2, sub-paragraph (c), fourth line

For "commited" read "committed".

PART I
GENERAL PROVISIONS

Article 1 – General principles and scope of application

1. The High Contracting Parties undertake to respect and to ensure respect for this Protocol in all circumstances.
2. In cases not covered by this Protocol or by other international agreements, civilians and combatants remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience.
3. This Protocol, which supplements the Geneva Conventions of 12 August 1949 for the protection of war victims, shall apply in the situations referred to in Article 2 common to those Conventions.
4. The situations referred to in the preceding paragraph include armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist régimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

Article 2 – Definitions

For the purposes of this Protocol:

- (a) “First Convention”, “Second Convention”, “Third Convention” and “Fourth Convention” mean, respectively, the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949; the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of 12 August 1949; the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949; the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949; “the Conventions” means the four Geneva Conventions of 12 August 1949 for the protection of war victims;
- (b) “rules of international law applicable in armed conflict” means the rules applicable in armed conflict set forth in international agreements to which the Parties to the conflict are Parties and the generally recognized principles and rules of international law which are applicable to armed conflict;
- (c) “Protecting Power” means a neutral or other State not a Party to the conflict which has been designated by a Party to the conflict and accepted by the adverse Party and has agreed to carry out the functions assigned to a Protecting Power under the Conventions and this Protocol;
- (d) “substitute” means an organization acting in place of a Protecting Power in accordance with Article 5.

Article 3 – Beginning and end of application

Without prejudice to the provisions which are applicable at all times:

- (a) the Conventions and this Protocol shall apply from the beginning of any situation referred to in Article 1 of this Protocol;
- (b) the application of the Conventions and of this Protocol shall cease, in the territory of Parties to the conflict, on the general close of military operations and, in the case of occupied territories, on the termination of the occupation, except, in either circumstance, for those persons whose final release, repatriation or re-establishment takes place thereafter. These persons shall continue to benefit from the relevant provisions of the Conventions and of this Protocol until their final release, repatriation or re-establishment.

Article 4 – Legal status of the Parties to the conflict

The application of the Conventions and of this Protocol, as well as the conclusion of the agreements provided for therein, shall not affect the legal status of the Parties to the conflict. Neither the occupation of a territory nor the application of the Conventions and this Protocol shall affect the legal status of the territory in question.

Article 5 – Appointment of Protecting Powers and of their substitute

1. It is the duty of the Parties to a conflict from the beginning of that conflict to secure the supervision and implementation of the Conventions and of this Protocol by the application of the system of Protecting Powers, including *inter alia* the designation and acceptance of those Powers, in accordance with the following paragraphs. Protecting Powers shall have the duty of safeguarding the interests of the Parties to the conflict.
2. From the beginning of a situation referred to in Article 1, each Party to the conflict shall without delay designate a Protecting Power for the purpose of applying the Conventions and this Protocol and shall, likewise without delay and for the same purpose, permit the activities of a Protecting Power which has been accepted by it as such after designation by the adverse Party.
3. If a Protecting Power has not been designated or accepted from the beginning of a situation referred to in Article 1, the International Committee of the Red Cross, without prejudice to the right of any other impartial humanitarian organization to do likewise, shall offer its good offices to the Parties to the conflict with a view to the designation without delay of a Protecting Power to which the Parties to the conflict consent. For that purpose it may, *inter alia*, ask each Party to provide it with a list of at least five States which that Party considers acceptable to act as Protecting Power on its behalf in relation to an adverse Party, and ask each adverse Party to provide a list of at least five States which it would accept as the Protecting Power of the first Party; these lists shall be communicated to the Committee within two weeks after the receipt of the request; it shall compare them and seek the agreement of any proposed State named on both lists.
4. If, despite the foregoing, there is no Protecting Power, the Parties to the conflict shall accept without delay an offer which may be made by the International Committee of the Red Cross or by any other organization which offers all guarantees of impartiality and efficacy, after due consultations with the said Parties and taking into account the result of these consultations, to act as a substitute. The functioning of such a substitute is subject to the consent of the Parties to the conflict; every effort shall be made by the Parties to the conflict to facilitate the operations of the substitute in the performance of its tasks under the Conventions and this Protocol.

5. In accordance with Article 4, the designation and acceptance of Protecting Powers for the purpose of applying the Conventions and this Protocol shall not affect the legal status of the Parties to the conflict or of any territory, including occupied territory.

6. The maintenance of diplomatic relations between Parties to the conflict or the entrusting of the protection of a Party's interests and those of its nationals to a third State in accordance with the rules of international law relating to diplomatic relations is no obstacle to the designation of Protecting Powers for the purpose of applying the Conventions and this Protocol.

7. Any subsequent mention in this Protocol of a Protecting Power includes also a substitute.

Article 6 – Qualified persons

1. The High Contracting Parties shall, also in peacetime, endeavour, with the assistance of the national Red Cross (Red Crescent, Red Lion and Sun) Societies, to train qualified personnel to facilitate the application of the Conventions and of this Protocol, and in particular the activities of the Protecting Powers.

2. The recruitment and training of such personnel are within domestic jurisdiction.

3. The International Committee of the Red Cross shall hold at the disposal of the High Contracting Parties the lists of persons so trained which the High Contracting Parties may have established and may have transmitted to it for that purpose.

4. The conditions governing the employment of such personnel outside the national territory shall, in each case, be the subject of special agreements between the Parties concerned.

Article 7 – Meetings

The depositary of this Protocol shall convene a meeting of the High Contracting Parties, at the request of one or more of the said Parties and upon the approval of the majority of the said Parties, to consider general problems concerning the application of the Conventions and of the Protocol.

PART II
WOUNDED, SICK AND SHIPWRECKED

SECTION I
GENERAL PROTECTION

Article 8 – Terminology

For the purposes of this Protocol:

- (a) “wounded” and “sick” mean persons, whether military or civilian, who, because of trauma, disease or other physical or mental disorder or disability, are in need of medical assistance or care and who refrain from any act of hostility. These terms also cover maternity cases, new-born babies and other persons who may be in need of immediate medical assistance or care, such as the infirm or expectant mothers, and who refrain from any act of hostility;
- (b) “shipwrecked” means persons, whether military or civilian, who are in peril at sea or in other waters as a result of misfortune affecting them or the vessel or aircraft carrying them and who refrain from any act of hostility. These persons, provided that they continue to refrain from any act of hostility, shall continue to be considered shipwrecked during their rescue until they acquire another status under the Conventions or this Protocol;
- (c) “medical personnel” means those persons assigned, by a Party to the conflict, exclusively to the medical purposes enumerated under sub-paragraph (e) or to the administration of medical units or to the operation or administration of medical transports. Such assignments may be either permanent or temporary. The term includes:
 - (i) medical personnel of a Party to the conflict, whether military or civilian, including those described in the First and Second Conventions, and those assigned to civil defence organizations;
 - (ii) medical personnel of national Red Cross (Red Crescent, Red Lion and Sun) Societies and other national voluntary aid societies duly recognized and authorized by a Party to the conflict;
 - (iii) medical personnel of medical units or medical transports described in Article 9, paragraph 2;
- (d) “religious personnel” means military or civilian persons, such as chaplains, who are exclusively engaged in the work of their ministry and attached:
 - (i) to the armed forces of a Party to the conflict;
 - (ii) to medical units or medical transports of a Party to the conflict;
 - (iii) to medical units or medical transports described in Article 9, paragraph 2; or
 - (iv) to civil defence organizations of a Party to the conflict.

The attachment of religious personnel may be either permanent or temporary, and the relevant provisions mentioned under sub-paragraph *(k)* apply to them;

- (e)* “medical units” means establishments and other units, whether military or civilian, organized for medical purposes, namely the search for, collection, transportation, diagnosis or treatment – including first aid treatment – of the wounded, sick and shipwrecked, or for the prevention of disease. The term includes, for example, hospitals and other similar units, blood transfusion centres, preventive medicine centres and institutes, medical depots and the medical and pharmaceutical stores of such units. Medical units may be fixed or mobile, permanent or temporary;
- (f)* “medical transportation” means the conveyance by land, water or air of the wounded, sick, shipwrecked, medical personnel, religious personnel, medical equipment or medical supplies protected by the Conventions and by this Protocol;
- (g)* “medical transports” means any means of transportation, whether military or civilian, permanent or temporary, assigned exclusively to medical transportation and under the control of a competent authority of a Party to the conflict;
- (h)* “medical vehicles” means any medical transports by land;
- (i)* “medical ships and craft” means any medical transports by water;
- (j)* “medical aircraft” means any medical transports by air;
- (k)* “permanent medical personnel”, “permanent medical units” and “permanent medical transports” mean those assigned exclusively to medical purposes for an indeterminate period. “Temporary medical personnel”, “temporary medical units” and “temporary medical transports” mean those devoted exclusively to medical purposes for limited periods during the whole of such periods. Unless otherwise specified, the terms “medical personnel”, “medical units” and “medical transports” cover both permanent and temporary categories;
- (l)* “distinctive emblem” means the distinctive emblem of the red cross, red crescent or red lion and sun on a white ground when used for the protection of medical units and transports, or medical and religious personnel, equipment or supplies;
- (m)* “distinctive signal” means any signal or message specified for the identification exclusively of medical units or transports in Chapter III of Annex I to this Protocol.

Article 9 – Field of application

1. This Part, the provisions of which are intended to ameliorate the condition of the wounded, sick and shipwrecked, shall apply to all those affected by a situation referred to in Article 1, without any adverse distinction founded on race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria.

2. The relevant provisions of Articles 27 and 32 of the First Convention shall apply to permanent medical units and transports (other than hospital ships, to which Article 25 of the Second Convention applies) and their personnel made available to a Party to the conflict for humanitarian purposes:

- (a)* by a neutral or other State which is not a Party to that conflict;
- (b)* by a recognized and authorized aid society of such a State;

(c) by an impartial international humanitarian organization.

Article 10 – Protection and care

1. All the wounded, sick and shipwrecked, to whichever Party they belong, shall be respected and protected.
2. In all circumstances they shall be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition. There shall be no distinction among them founded on any grounds other than medical ones.

Article 11 – Protection of persons

1. The physical or mental health and integrity of persons who are in the power of the adverse Party or who are interned, detained or otherwise deprived of liberty as a result of a situation referred to in Article 1 shall not be endangered by any unjustified act or omission. Accordingly, it is prohibited to subject the persons described in this Article to any medical procedure which is not indicated by the state of health of the person concerned and which is not consistent with generally accepted medical standards which would be applied under similar medical circumstances to persons who are nationals of the Party conducting the procedure and who are in no way deprived of liberty.

2. It is, in particular, prohibited to carry out on such persons, even with their consent:
 - (a) physical mutilations;
 - (b) medical or scientific experiments;
 - (c) removal of tissue or organs for transplantation,

except where these acts are justified in conformity with the conditions provided for in paragraph 1.

3. Exceptions to the prohibition in paragraph 2 (c) may be made only in the case of donations of blood for transfusion or of skin for grafting, provided that they are given voluntarily and without any coercion or inducement, and then only for therapeutic purposes, under conditions consistent with generally accepted medical standards and controls designed for the benefit of both the donor and the recipient.

4. Any wilful act or omission which seriously endangers the physical or mental health or integrity of any person who is in the power of a Party other than the one on which he depends and which either violates any of the prohibitions in paragraphs 1 and 2 or fails to comply with the requirements of paragraph 3 shall be a grave breach of this Protocol.

5. The persons described in paragraph 1 have the right to refuse any surgical operation. In case of refusal, medical personnel shall endeavour to obtain a written statement to that effect, signed or acknowledged by the patient.

6. Each Party to the conflict shall keep a medical record for every donation of blood for transfusion or skin for grafting by persons referred to in paragraph 1, if that donation is made under the responsibility of that Party. In addition, each Party to the conflict shall endeavour to keep a record of all medical procedures undertaken with respect to any person who is interned, detained or otherwise deprived of liberty as a result of a situation referred to in Article 1. These records shall be available at all times for inspection by the Protecting Power.

Article 12 – Protection of medical units

1. Medical units shall be respected and protected at all times and shall not be the object of attack.
2. Paragraph 1 shall apply to civilian medical units, provided that they:
 - (a) belong to one of the Parties to the conflict;
 - (b) are recognized and authorized by the competent authority of one of the Parties to the conflict; or
 - (c) are authorized in conformity with Article 9, paragraph 2, of this Protocol or Article 27 of the First Convention.
3. The Parties to the conflict are invited to notify each other of the location of their fixed medical units. The absence of such notification shall not exempt any of the Parties from the obligation to comply with the provisions of paragraph 1.
4. Under no circumstances shall medical units be used in an attempt to shield military objectives from attack. Whenever possible, the Parties to the conflict shall ensure that medical units are so sited that attacks against military objectives do not imperil their safety.

Article 13 – Discontinuance of protection of civilian medical units

1. The protection to which civilian medical units are entitled shall not cease unless they are used to commit, outside their humanitarian function, acts harmful to the enemy. Protection may, however, cease only after a warning has been given setting, whenever appropriate, a reasonable time-limit, and after such warning has remained unheeded.
2. The following shall not be considered as acts harmful to the enemy:
 - (a) that the personnel of the unit are equipped with light individual weapons for their own defence or for that of the wounded and sick in their charge;
 - (b) that the unit is guarded by a picket or by sentries or by an escort;
 - (c) that small-arms and ammunition taken from the wounded and sick, and not yet handed to the proper service, are found in the units;
 - (d) that members of the armed forces or other combatants are in the unit for medical reasons.

Article 14 – Limitations on requisition of civilian medical units

1. The Occupying Power has the duty to ensure that the medical needs of the civilian population in occupied territory continue to be satisfied.
2. The Occupying Power shall not, therefore, requisition civilian medical units, their equipment, their *matériel* or the services of their personnel, so long as these resources are necessary for the provision of adequate medical services for the civilian population and for the continuing medical care of any wounded and sick already under treatment.
3. Provided that the general rule in paragraph 2 continues to be observed, the Occupying Power may requisition the said resources, subject to the following particular conditions:

- (a) that the resources are necessary for the adequate and immediate medical treatment of the wounded and sick members of the armed forces of the Occupying Power or of prisoners of war;
- (b) that the requisition continues only while such necessity exists; and
- (c) that immediate arrangements are made to ensure that the medical needs of the civilian population, as well as those of any wounded and sick under treatment who are affected by the requisition, continue to be satisfied.

Article 15 – Protection of civilian medical and religious personnel

1. Civilian medical personnel shall be respected and protected.
2. If needed, all available help shall be afforded to civilian medical personnel in an area where civilian medical services are disrupted by reason of combat activity.
3. The Occupying Power shall afford civilian medical personnel in occupied territories every assistance to enable them to perform, to the best of their ability, their humanitarian functions. The Occupying Power may not require that, in the performance of those functions, such personnel shall give priority to the treatment of any person except on medical grounds. They shall not be compelled to carry out tasks which are not compatible with their humanitarian mission.
4. Civilian medical personnel shall have access to any place where their services are essential, subject to such supervisory and safety measures as the relevant Party to the conflict may deem necessary.
5. Civilian religious personnel shall be respected and protected. The provisions of the Conventions and of this Protocol concerning the protection and identification of medical personnel shall apply equally to such persons.

Article 16 – General protection of medical duties

1. Under no circumstances shall any person be punished for carrying out medical activities compatible with medical ethics, regardless of the person benefiting therefrom.
2. Persons engaged in medical activities shall not be compelled to perform acts or to carry out work contrary to the rules of medical ethics or to other medical rules designed for the benefit of the wounded and sick or to the provisions of the Conventions or of this Protocol, or to refrain from performing acts or from carrying out work required by those rules and provisions.
3. No person engaged in medical activities shall be compelled to give to anyone belonging either to an adverse Party, or to his own Party except as required by the law of the latter Party, any information concerning the wounded and sick who are, or who have been, under his care, if such information would, in his opinion, prove harmful to the patients concerned or to their families. Regulations for the compulsory notification of communicable diseases shall, however, be respected.

Article 17 – Role of the civilian population and of aid societies

1. The civilian population shall respect the wounded, sick and shipwrecked, even if they belong to the adverse Party, and shall commit no act of violence against them. The civilian population and aid societies, such as national Red Cross (Red Crescent, Red Lion and Sun) Societies, shall be permitted, even on their own initiative, to collect and care for the wounded, sick and shipwrecked, even in invaded or occupied areas. No one shall be harmed, prosecuted, convicted or punished for such humanitarian acts.

2. The Parties to the conflict may appeal to the civilian population and the aid societies referred to in paragraph 1 to collect and care for the wounded, sick and shipwrecked, and to search for the dead and report their location; they shall grant both protection and the necessary facilities to those who respond to this appeal. If the adverse Party gains or regains control of the area, that Party also shall afford the same protection and facilities for so long as they are needed.

Article 18 – Identification

1. Each Party to the conflict shall endeavour to ensure that medical and religious personnel and medical units and transports are identifiable.

2. Each Party to the conflict shall also endeavour to adopt and to implement methods and procedures which will make it possible to recognize medical units and transports which use the distinctive emblem and distinctive signals.

3. In occupied territory and in areas where fighting is taking place or is likely to take place, civilian medical personnel and civilian religious personnel should be recognizable by the distinctive emblem and an identity card certifying their status.

4. With the consent of the competent authority, medical units and transports shall be marked by the distinctive emblem. The ships and craft referred to in Article 22 of this Protocol shall be marked in accordance with the provisions of the Second Convention.

5. In addition to the distinctive emblem, a Party to the conflict may, as provided in Chapter III of Annex I to this Protocol, authorize the use of distinctive signals to identify medical units and transports. Exceptionally, in the special cases covered in that Chapter, medical transports may use distinctive signals without displaying the distinctive emblem.

6. The application of the provisions of paragraphs 1 to 5 of this Article is governed by Chapters I to III of Annex I to this Protocol. Signals designated in Chapter III of the Annex for the exclusive use of medical units and transports shall not, except as provided therein, be used for any purpose other than to identify the medical units and transports specified in that Chapter.

7. This Article does not authorize any wider use of the distinctive emblem in peacetime than is prescribed in Article 44 of the First Convention.

8. The provisions of the Conventions and of this Protocol relating to supervision of the use of the distinctive emblem and to the prevention and repression of any misuse thereof shall be applicable to distinctive signals.

Article 19 – Neutral and other States not Parties to the conflict

Neutral and other States not Parties to the conflict shall apply the relevant provisions of this Protocol to persons protected by this Part who may be received or interned within their territory, and to any dead of the Parties to that conflict whom they may find.

Article 20 – Prohibition of reprisals

Reprisals against the persons and objects protected by this Part are prohibited.

SECTION II
MEDICAL TRANSPORTATION

Article 21 – Medical vehicles

Medical vehicles shall be respected and protected in the same way as mobile medical units under the Conventions and this Protocol.

Article 22 – Hospital ships and coastal rescue craft

1. The provisions of the Conventions relating to:

- (a) vessels described in Articles 22, 24, 25 and 27 of the Second Convention,
- (b) their lifeboats and small craft,
- (c) their personnel and crews, and
- (d) the wounded, sick and shipwrecked on board,

shall also apply where these vessels carry civilian wounded, sick and shipwrecked who do not belong to any of the categories mentioned in Article 13 of the Second Convention. Such civilians shall not, however, be subject to surrender to any Party which is not their own, or to capture at sea. If they find themselves in the power of a Party to the conflict other than their own they shall be covered by the Fourth Convention and by this Protocol.

2. The protection provided by the Conventions to vessels described in Article 25 of the Second Convention shall extend to hospital ships made available for humanitarian purposes to a Party to the conflict:

- (a) by a neutral or other State which is not a Party to that conflict; or
- (b) by an impartial international humanitarian organization,

provided that, in either case, the requirements set out in that Article are complied with.

3. Small craft described in Article 27 of the Second Convention shall be protected even if the notification envisaged by that Article has not been made. The Parties to the conflict are, nevertheless, invited to inform each other of any details of such craft which will facilitate their identification and recognition.

Article 23 – Other medical ships and craft

1. Medical ships and craft other than those referred to in Article 22 of this Protocol and Article 38 of the Second Convention shall, whether at sea or in other waters, be respected and protected in the same way as mobile medical units under the Conventions and this Protocol. Since this protection can only be effective if they can be identified and recognized as medical ships or craft, such vessels should be marked with the distinctive emblem and as far as possible comply with the second paragraph of Article 43 of the Second Convention.

2. The ships and craft referred to in paragraph 1 shall remain subject to the laws of war. Any warship on the surface able immediately to enforce its command may order them to stop, order them off, or make them take a certain course, and they shall obey every such command. Such ships and craft may not in any other way be diverted from their medical mission so long as they are needed for the wounded, sick and shipwrecked on board.

3. The protection provided in paragraph 1 shall cease only under the conditions set out in Articles 34 and 35 of the Second Convention. A clear refusal to obey a command given in accordance with paragraph 2 shall be an act harmful to the enemy under Article 34 of the Second Convention.

4. A Party to the conflict may notify any adverse Party as far in advance of sailing as possible of the name, description, expected time of sailing, course and estimated speed of the medical ship or craft, particularly in the case of ships of over 2,000 gross tons, and may provide any other information which would facilitate identification and recognition. The adverse Party shall acknowledge receipt of such information.

5. The provisions of Article 37 of the Second Convention shall apply to medical and religious personnel in such ships and craft.

6. The provisions of the Second Convention shall apply to the wounded, sick and shipwrecked belonging to the categories referred to in Article 13 of the Second Convention and in Article 44 of this Protocol who may be on board such medical ships and craft. Wounded, sick and shipwrecked civilians who do not belong to any of the categories mentioned in Article 13 of the Second Convention shall not be subject, at sea, either to surrender to any Party which is not their own, or to removal from such ships or craft; if they find themselves in the power of a Party to the conflict other than their own, they shall be covered by the Fourth Convention and by this Protocol.

Article 24 – Protection of medical aircraft

Medical aircraft shall be respected and protected, subject to the provisions of this Part.

Article 25 – Medical aircraft in areas not controlled by an adverse Party

In and over land areas physically controlled by friendly forces, or in and over sea areas not physically controlled by an adverse Party, the respect and protection of medical aircraft of a Party to the conflict is not dependent on any agreement with an adverse Party. For greater safety, however, a Party to the conflict operating its medical aircraft in these areas may notify the adverse Party, as provided in Article 29, in particular when such aircraft are making flights bringing them within range of surface-to-air weapons systems of the adverse Party.

Article 26 – Medical aircraft in contact or similar zones

1. In and over those parts of the contact zone which are physically controlled by friendly forces and in and over those areas the physical control of which is not clearly established, protection for medical aircraft can be fully effective only by prior agreement between the competent military authorities of the Parties to the conflict, as provided for in Article 29. Although, in the absence of such an agreement, medical aircraft operate at their own risk, they shall nevertheless be respected after they have been recognized as such.

2. “Contact zone” means any area on land where the forward elements of opposing forces are in contact with each other, especially where they are exposed to direct fire from the ground.

Article 27 – Medical aircraft in areas controlled by an adverse Party

1. The medical aircraft of a Party to the conflict shall continue to be protected while flying over land or sea areas physically controlled by an adverse Party, provided that prior agreement to such flights has been obtained from the competent authority of that adverse Party.
2. A medical aircraft which flies over an area physically controlled by an adverse Party without, or in deviation from the terms of, an agreement provided for in paragraph 1, either through navigational error or because of an emergency affecting the safety of the flight, shall make every effort to identify itself and to inform the adverse Party of the circumstances. As soon as such medical aircraft has been recognized by the adverse Party, that Party shall make all reasonable efforts to give the order to land or to alight on water, referred to in Article 30, paragraph 1, or to take other measures to safeguard its own interests, and, in either case, to allow the aircraft time for compliance, before resorting to an attack against the aircraft.

Article 28 – Restrictions on operations of medical aircraft

1. The Parties to the conflict are prohibited from using their medical aircraft to attempt to acquire any military advantage over an adverse Party. The presence of medical aircraft shall not be used in an attempt to render military objectives immune from attack.
2. Medical aircraft shall not be used to collect or transmit intelligence data and shall not carry any equipment intended for such purposes. They are prohibited from carrying any persons or cargo not included within the definition in Article 8, sub-paragraph (f). The carrying on board of the personal effects of the occupants or of equipment intended solely to facilitate navigation, communication or identification shall not be considered as prohibited.
3. Medical aircraft shall not carry any armament except small-arms and ammunition taken from the wounded, sick and shipwrecked on board and not yet handed to the proper service, and such light individual weapons as may be necessary to enable the medical personnel on board to defend themselves and the wounded, sick and shipwrecked in their charge.
4. While carrying out the flights referred to in Articles 26 and 27, medical aircraft shall not, except by prior agreement with the adverse Party, be used to search for the wounded, sick and shipwrecked.

Article 29 – Notifications and agreements concerning medical aircraft

1. Notifications under Article 25, or requests for prior agreement under Articles 26, 27, 28 (paragraph 4), or 31 shall state the proposed number of medical aircraft, their flight plans and means of identification, and shall be understood to mean that every flight will be carried out in compliance with Article 28.
2. A Party which receives a notification given under Article 25 shall at once acknowledge receipt of such notification.
3. A Party which receives a request for prior agreement under Articles 26, 27, 28 (paragraph 4), or 31 shall, as rapidly as possible, notify the requesting Party:
 - (a) that the request is agreed to;
 - (b) that the request is denied; or

- (c) of reasonable alternative proposals to the request. It may also propose a prohibition or restriction of other flights in the area during the time involved. If the Party which submitted the request accepts the alternative proposals, it shall notify the other Party of such acceptance.

4. The Parties shall take the necessary measures to ensure that notifications and agreements can be made rapidly.

5. The Parties shall also take the necessary measures to disseminate rapidly the substance of any such notifications and agreements to the military units concerned and shall instruct those units regarding the means of identification that will be used by the medical aircraft in question.

Article 30 – Landing and inspection of medical aircraft

1. Medical aircraft flying over areas which are physically controlled by an adverse Party, or over areas the physical control of which is not clearly established, may be ordered to land or to alight on water, as appropriate, to permit inspection in accordance with the following paragraphs. Medical aircraft shall obey any such order.

2. If such an aircraft lands or alights on water, whether ordered to do so or for other reasons, it may be subjected to inspection solely to determine the matters referred to in paragraphs 3 and 4. Any such inspection shall be commenced without delay and shall be conducted expeditiously. The inspecting Party shall not require the wounded and sick to be removed from the aircraft unless their removal is essential for the inspection. That Party shall in any event ensure that the condition of the wounded and sick is not adversely affected by the inspection or by the removal.

3. If the inspection discloses that the aircraft:

- (a) is a medical aircraft within the meaning of Article 8, sub-paragraph (i),
- (b) is not in violation of the conditions prescribed in Article 28, and
- (c) has not flown without or in breach of a prior agreement where such agreement is required,

the aircraft and those of its occupants who belong to the adverse Party or to a neutral or other State not a Party to the conflict shall be authorized to continue the flight without delay.

4. If the inspection discloses that the aircraft:

- (a) is not a medical aircraft within the meaning of Article 8, sub-paragraph (i),
- (b) is in violation of the conditions prescribed in Article 28, or
- (c) has flown without or in breach of a prior agreement where such agreement is required,

the aircraft may be seized. Its occupants shall be treated in conformity with the relevant provisions of the Conventions and of this Protocol. Any aircraft seized which had been assigned as a permanent medical aircraft may be used thereafter only as a medical aircraft.

Article 31 – Neutral or other States not Parties to the conflict

1. Except by prior agreement, medical aircraft shall not fly over or land in the territory of a neutral or other State not a Party to the conflict. However, with such an agreement, they shall be respected throughout their flight and also for the duration of any calls in the territory.

Nevertheless they shall obey any summons to land or to alight on water, as appropriate.

2. Should a medical aircraft, in the absence of an agreement or in deviation from the terms of an agreement, fly over the territory of a neutral or other State not a Party to the conflict, either through navigational error or because of an emergency affecting the safety of the flight, it shall make every effort to give notice of the flight and to identify itself. As soon as such medical aircraft is recognized, that State shall make all reasonable efforts to give the order to land or to alight on water referred to in Article 30, paragraph 1, or to take other measures to safeguard its own interests, and, in either case, to allow the aircraft time for compliance, before resorting to an attack against the aircraft.

3. If a medical aircraft, either by agreement or in the circumstances mentioned in paragraph 2, lands or alights on water in the territory of a neutral or other State not Party to the conflict, whether ordered to do so or for other reasons, the aircraft shall be subject to inspection for the purposes of determining whether it is in fact a medical aircraft. The inspection shall be commenced without delay and shall be conducted expeditiously. The inspecting Party shall not require the wounded and sick of the Party operating the aircraft to be removed from it unless their removal is essential for the inspection. The inspecting Party shall in any event ensure that the condition of the wounded and sick is not adversely affected by the inspection or the removal. If the inspection discloses that the aircraft is in fact a medical aircraft, the aircraft with its occupants, other than those who must be detained in accordance with the rules of international law applicable in armed conflict, shall be allowed to resume its flight, and reasonable facilities shall be given for the continuation of the flight. If the inspection discloses that the aircraft is not a medical aircraft, it shall be seized and the occupants treated in accordance with paragraph 4.

4. The wounded, sick and shipwrecked disembarked, otherwise than temporarily, from a medical aircraft with the consent of the local authorities in the territory of a neutral or other State not a Party to the conflict shall, unless agreed otherwise between that State and the Parties to the conflict, be detained by that State where so required by the rules of international law applicable in armed conflict, in such a manner that they cannot again take part in the hostilities. The cost of hospital treatment and internment shall be borne by the State to which those persons belong.

5. Neutral or other States not Parties to the conflict shall apply any conditions and restrictions on the passage of medical aircraft over, or on the landing of medical aircraft in, their territory equally to all Parties to the conflict.

SECTION III

MISSING AND DEAD PERSONS

Article 32 – General principle

In the implementation of this Section, the activities of the High Contracting Parties, of the Parties to the conflict and of the international humanitarian organizations mentioned in the Conventions and in this Protocol shall be prompted mainly by the right of families to know the fate of their relatives.

Article 33 – Missing persons

1. As soon as circumstances permit, and at the latest from the end of active hostilities, each Party to the conflict shall search for the persons who have been reported missing by an adverse Party. Such adverse Party shall transmit all relevant information concerning such persons in order to facilitate such searches.

2. In order to facilitate the gathering of information pursuant to the preceding paragraph, each Party to the conflict shall, with respect to persons who would not receive more favourable consideration under the Conventions and this Protocol:

- (a) record the information specified in Article 138 of the Fourth Convention in respect of such persons who have been detained, imprisoned or otherwise held in captivity for more than two weeks as a result of hostilities or occupation, or who have died during any period of detention;
- (b) to the fullest extent possible, facilitate and, if need be, carry out the search for and the recording of information concerning such persons if they have died in other circumstances as a result of hostilities or occupation.

3. Information concerning persons reported missing pursuant to paragraph 1 and requests for such information shall be transmitted either directly or through the Protecting Power or the Central Tracing Agency of the International Committee of the Red Cross or national Red Cross (Red Crescent, Red Lion and Sun) Societies. Where the information is not transmitted through the International Committee of the Red Cross and its Central Tracing Agency, each Party to the conflict shall ensure that such information is also supplied to the Central Tracing Agency.

4. The Parties to the conflict shall endeavour to agree on arrangements for teams to search for, identify and recover the dead from battlefield areas, including arrangements, if appropriate, for such teams to be accompanied by personnel of the adverse Party while carrying out these missions in areas controlled by the adverse Party. Personnel of such teams shall be respected and protected while exclusively carrying out these duties.

Article 34 – Remains of deceased

1. The remains of persons who have died for reasons related to occupation or in detention resulting from occupation or hostilities and those of persons not nationals of the country in which they have died as a result of hostilities shall be respected, and the gravesites of all such persons shall be respected, maintained and marked as provided for in Article 130 of the Fourth Convention, where their remains or gravesites would not receive more favourable consideration under the Conventions and this Protocol.

2. As soon as circumstances and the relations between the adverse Parties permit, the High Contracting Parties in whose territories graves and, as the case may be, other locations of the remains of persons who have died as a result of hostilities or during occupation or in detention are situated, shall conclude agreements in order:

- (a) to facilitate access to the gravesites by relatives of the deceased and by representatives of official graves registration services and to regulate the practical arrangements for such access;
- (b) to protect and maintain such gravesites permanently;
- (c) to facilitate the return of the remains of the deceased and of personal effects to the home country upon its request or, unless that country objects, upon the request of the next of kin.

3. In the absence of the agreements provided for in paragraph 2 (b) or (c) and if the home country of such deceased is not willing to arrange at its expense for the maintenance of such gravesites, the High Contracting Party in whose territory the gravesites are situated may offer to facilitate the return of the remains of the deceased to the home country. Where such an offer has not been accepted the

High Contracting Party may, after the expiry of five years from the date of the offer and upon due notice to the home country, adopt the arrangements laid down in its own laws relating to cemeteries and graves.

4. A High Contracting Party in whose territory the gravesites referred to in this Article are situated shall be permitted to exhume the remains only:

- (a) in accordance with paragraphs 2 (c) and 3, or
- (b) where exhumation is a matter of overriding public necessity, including cases of medical and investigative necessity, in which case the High Contracting Party shall at all times respect the remains, and shall give notice to the home country of its intention to exhume the remains together with details of the intended place of reinterment.

PART III

METHODS AND MEANS OF WARFARE

COMBATANT AND PRISONER-OF-WAR STATUS

SECTION I

METHODS AND MEANS OF WARFARE

Article 35 – Basic rules

1. In any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited.
2. It is prohibited to employ weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering.
3. It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment.

Article 36 – New weapons

In the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an obligation to determine whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party.

Article 37 – Prohibition of perfidy

1. It is prohibited to kill, injure or capture an adversary by resort to perfidy. Acts inviting the confidence of an adversary to lead him to believe that he is entitled to, or is obliged to accord, protection under the rules of international law applicable in armed conflict, with intent to betray that confidence, shall constitute perfidy. The following acts are examples of perfidy:

- (a) the feigning of an intent to negotiate under a flag of truce or of a surrender;
- (b) the feigning of an incapacitation by wounds or sickness;
- (c) the feigning of civilian, non-combatant status; and
- (d) the feigning of protected status by the use of signs, emblems or uniforms of the United Nations or of neutral or other States not Parties to the conflict.

2. Ruses of war are not prohibited. Such ruses are acts which are intended to mislead an adversary or to induce him to act recklessly but which infringe no rule of international law applicable in armed conflict and which are not perfidious because they do not invite the confidence of an adversary with respect to protection under that law. The following are examples of such ruses: the use of camouflage, decoys, mock operations and misinformation.

Article 38 – Recognized emblems

1. It is prohibited to make improper use of the distinctive emblem of the red cross, red crescent or red lion and sun or of other emblems, signs or signals provided for by the Conventions or by this Protocol. It is also prohibited to misuse deliberately in an armed conflict other internationally recognized protective emblems, signs or signals, including the flag of truce, and the protective emblem of cultural property.
2. It is prohibited to make use of the distinctive emblem of the United Nations, except as authorized by that Organization.

Article 39 – Emblems of nationality

1. It is prohibited to make use in an armed conflict of the flags or military emblems, insignia or uniforms of neutral or other States not Parties to the conflict.
2. It is prohibited to make use of the flags or military emblems, insignia or uniforms of adverse Parties while engaging in attacks or in order to shield, favour, protect or impede military operations.
3. Nothing in this Article or in Article 37, paragraph 1 (d), shall affect the existing generally recognized rules of international law applicable to espionage or to the use of flags in the conduct of armed conflict at sea.

Article 40 – Quarter

It is prohibited to order that there shall be no survivors, to threaten an adversary therewith or to conduct hostilities on this basis.

Article 41 – Safeguard of an enemy hors de combat

1. A person who is recognized or who, in the circumstances, should be recognized to be *hors de combat* shall not be made the object of attack.
2. A person is *hors de combat* if:
 - (a) he is in the power of an adverse Party;
 - (b) he clearly expresses an intention to surrender; or

- (c) he has been rendered unconscious or is otherwise incapacitated by wounds or sickness, and therefore is incapable of defending himself;

provided that in any of these cases he abstains from any hostile act and does not attempt to escape.

3. When persons entitled to protection as prisoners of war have fallen into the power of an adverse Party under unusual conditions of combat which prevent their evacuation as provided for in Part III, Section I, of the Third Convention, they shall be released and all feasible precautions shall be taken to ensure their safety.

Article 42 – Occupants of aircraft

1. No person parachuting from an aircraft in distress shall be made the object of attack during his descent.
2. Upon reaching the ground in territory controlled by an adverse Party, a person who has parachuted from an aircraft in distress shall be given an opportunity to surrender before being made the object of attack, unless it is apparent that he is engaging in a hostile act.
3. Airborne troops are not protected by this Article.

SECTION II

COMBATANT AND PRISONER-OF-WAR STATUS

Article 43 – Armed forces

1. The armed forces of a Party to a conflict consist of all organized armed forces, groups and units which are under a command responsible to that Party for the conduct of its subordinates, even if that Party is represented by a government or an authority not recognized by an adverse Party. Such armed forces shall be subject to an internal disciplinary system which, *inter alia*, shall enforce compliance with the rules of international law applicable in armed conflict.
2. Members of the armed forces of a Party to a conflict (other than medical personnel and chaplains covered by Article 33 of the Third Convention) are combatants, that is to say, they have the right to participate directly in hostilities.
3. Whenever a Party to a conflict incorporates a paramilitary or armed law enforcement agency into its armed forces it shall so notify the other Parties to the conflict.

Article 44 – Combatants and prisoners of war

1. Any combatant, as defined in Article 43, who falls into the power of an adverse Party shall be a prisoner of war.
2. While all combatants are obliged to comply with the rules of international law applicable in armed conflict, violations of these rules shall not deprive a combatant of his right to be a combatant or, if he falls into the power of an adverse Party, of his right to be a prisoner of war, except as provided in paragraphs 3 and 4.

3. In order to promote the protection of the civilian population from the effects of hostilities, combatants are obliged to distinguish themselves from the civilian population while they are engaged in an attack or in a military operation preparatory to an attack. Recognizing, however, that there are situations in armed conflicts where, owing to the nature of the hostilities an armed combatant cannot so distinguish himself, he shall retain his status as a combatant, provided that, in such situations, he carries his arms openly:

- (a) during each military engagement, and
- (b) during such time as he is visible to the adversary while he is engaged in a military deployment preceding the launching of an attack in which he is to participate.

Acts which comply with the requirements of this paragraph shall not be considered as perfidious within the meaning of Article 37, paragraph 1 (c).

4. A combatant who falls into the power of an adverse Party while failing to meet the requirements set forth in the second sentence of paragraph 3 shall forfeit his right to be a prisoner of war, but he shall, nevertheless, be given protections equivalent in all respects to those accorded to prisoners of war by the Third Convention and by this Protocol. This protection includes protections equivalent to those accorded to prisoners of war by the Third Convention in the case where such a person is tried and punished for any offences he has committed.

5. Any combatant who falls into the power of an adverse Party while not engaged in an attack or in a military operation preparatory to an attack shall not forfeit his rights to be a combatant and a prisoner of war by virtue of his prior activities.

6. This Article is without prejudice to the right of any person to be a prisoner of war pursuant to Article 4 of the Third Convention.

7. This Article is not intended to change the generally accepted practice of States with respect to the wearing of the uniform by combatants assigned to the regular, uniformed armed units of a Party to the conflict.

8. In addition to the categories of persons mentioned in Article 13 of the First and Second Conventions, all members of the armed forces of a Party to the conflict, as defined in Article 43 of this Protocol, shall be entitled to protection under those Conventions if they are wounded or sick or, in the case of the Second Convention, shipwrecked at sea or in other waters.

Article 45 – Protection of persons who have taken part in hostilities

1. A person who takes part in hostilities and falls into the power of an adverse Party shall be presumed to be a prisoner of war, and therefore shall be protected by the Third Convention, if he claims the status of prisoner of war, or if he appears to be entitled to such status, or if the Party on which he depends claims such status on his behalf by notification to the detaining Power or to the Protecting Power. Should any doubt arise as to whether any such person is entitled to the status of prisoner of war, he shall continue to have such status and, therefore, to be protected by the Third Convention and this Protocol until such time as his status has been determined by a competent tribunal.

2. If a person who has fallen into the power of an adverse Party is not held as a prisoner of war and is to be tried by that Party for an offence arising out of the hostilities, he shall have the right to assert his entitlement to prisoner-of-war status before a judicial tribunal and to have that question adjudicated. Whenever possible under the applicable procedure, this adjudication shall occur before the trial for the offence. The representatives of the Protecting Power shall be entitled to attend the proceedings in which that question is adjudicated, unless, exceptionally, the proceedings are held *in camera* in the interest of State security. In such a case the detaining Power shall advise the Protecting Power accordingly.

3. Any person who has taken part in hostilities, who is not entitled to prisoner-of-war status and who does not benefit from more favourable treatment in accordance with the Fourth Convention shall have the right at all times to the protection of Article 75 of this Protocol. In occupied territory, any such person, unless he is held as a spy, shall also be entitled, notwithstanding Article 5 of the Fourth Convention, to his rights of communication under that Convention.

Article 46 – Spies

1. Notwithstanding any other provision of the Conventions or of this Protocol, any member of the armed forces of a Party to the conflict who falls into the power of an adverse Party while engaging in espionage shall not have the right to the status of prisoner of war and may be treated as a spy.

2. A member of the armed forces of a Party to the conflict who, on behalf of that Party and in territory controlled by an adverse Party, gathers or attempts to gather information shall not be considered as engaging in espionage if, while so acting, he is in the uniform of his armed forces.

3. A member of the armed forces of a Party to the conflict who is a resident of territory occupied by an adverse Party and who, on behalf of the Party on which he depends, gathers or attempts to gather information of military value within that territory shall not be considered as engaging in espionage unless he does so through an act of false pretences or deliberately in a clandestine manner. Moreover, such a resident shall not lose his right to the status of prisoner of war and may not be treated as a spy unless he is captured while engaging in espionage.

4. A member of the armed forces of a Party to the conflict who is not a resident of territory occupied by an adverse Party and who has engaged in espionage in that territory shall not lose his right to the status of prisoner of war and may not be treated as a spy unless he is captured before he has rejoined the armed forces to which he belongs.

Article 47 – Mercenaries

1. A mercenary shall not have the right to be a combatant or a prisoner of war.

2. A mercenary is any person who:

(a) is specially recruited locally or abroad in order to fight in an armed conflict;

(b) does, in fact, take a direct part in the hostilities;

(c) is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that Party;

(d) is neither a national of a Party to the conflict nor a resident of territory controlled by a Party to the conflict;

(e) is not a member of the armed forces of a Party to the conflict; and

(f) has not been sent by a State which is not a Party to the conflict on official duty as a member of its armed forces.

PART IV
CIVILIAN POPULATION

SECTION I
GENERAL PROTECTION AGAINST EFFECTS OF HOSTILITIES

Chapter I
BASIC RULE AND FIELD OF APPLICATION

Article 48 – Basic rule

In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.

Article 49 – Definition of attacks and scope of application

1. “Attacks” means acts of violence against the adversary, whether in offence or in defence.
2. The provisions of this Protocol with respect to attacks apply to all attacks in whatever territory conducted, including the national territory belonging to a Party to the conflict but under the control of an adverse Party.
3. The provisions of this Section apply to any land, air or sea warfare which may affect the civilian population, individual civilians or civilian objects on land. They further apply to all attacks from the sea or from the air against objectives on land but do not otherwise affect the rules of international law applicable in armed conflict at sea or in the air.
4. The provisions of this Section are additional to the rules concerning humanitarian protection contained in the Fourth Convention, particularly in Part II thereof, and in other international agreements binding upon the High Contracting Parties, as well as to other rules of international law relating to the protection of civilians and civilian objects on land, at sea or in the air against the effects of hostilities.

Chapter II
CIVILIANS AND CIVILIAN POPULATION

Article 50 – Definition of civilians and civilian population

1. A civilian is any person who does not belong to one of the categories of persons referred to in Article 4 A (1), (2), (3) and (6) of the Third Convention and in Article 43 of this Protocol. In case of doubt whether a person is a civilian, that person shall be considered to be a civilian.
2. The civilian population comprises all persons who are civilians.

3. The presence within the civilian population of individuals who do not come within the definition of civilians does not deprive the population of its civilian character.

Article 51 – Protection of the civilian population

1. The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations. To give effect to this protection, the following rules, which are additional to other applicable rules of international law, shall be observed in all circumstances.

2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

3. Civilians shall enjoy the protection afforded by this Section, unless and for such time as they take a direct part in hostilities.

4. Indiscriminate attacks are prohibited. Indiscriminate attacks are:

- (a) those which are not directed at a specific military objective;
- (b) those which employ a method or means of combat which cannot be directed at a specific military objective; or
- (c) those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol;

and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction.

5. Among others, the following types of attacks are to be considered as indiscriminate:

- (a) an attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects; and
- (b) an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

6. Attacks against the civilian population or civilians by way of reprisals are prohibited.

7. The presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.

8. Any violation of these prohibitions shall not release the Parties to the conflict from their legal obligations with respect to the civilian population and civilians, including the obligation to take the precautionary measures provided for in Article 57.

Chapter III

CIVILIAN OBJECTS

Article 52 – General protection of civilian objects

1. Civilian objects shall not be the object of attack or of reprisals. Civilian objects are all objects which are not military objectives as defined in paragraph 2.
2. Attacks shall be limited strictly to military objectives. In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.
3. In case of doubt whether an object which is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling or a school, is being used to make an effective contribution to military action, it shall be presumed not to be so used.

Article 53 – Protection of cultural objects and of places of worship

Without prejudice to the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, and of other relevant international instruments, it is prohibited:

- (a) to commit any acts of hostility directed against the historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples;
- (b) to use such objects in support of the military effort;
- (c) to make such objects the object of reprisals.

Article 54 – Protection of objects indispensable to the survival of the civilian population

1. Starvation of civilians as a method of warfare is prohibited.
2. It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.
3. The prohibitions in paragraph 2 shall not apply to such of the objects covered by it as are used by an adverse Party:
 - (a) as sustenance solely for the members of its armed forces; or
 - (b) if not as sustenance, then in direct support of military action, provided, however, that in no event shall actions against these objects be taken which may be expected to leave the civilian population with such inadequate food or water as to cause its starvation or force its movement.
4. These objects shall not be made the object of reprisals.

5. In recognition of the vital requirements of any Party to the conflict in the defence of its national territory against invasion, derogation from the prohibitions contained in paragraph 2 may be made by a Party to the conflict within such territory under its own control where required by imperative military necessity.

Article 55 – Protection of the natural environment

1. Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population.

2. Attacks against the natural environment by way of reprisals are prohibited.

Article 56 – Protection of works and installations containing dangerous forces

1. Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, shall not be made the object of attack, even where these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population. Other military objectives located at or in the vicinity of these works or installations shall not be made the object of attack if such attack may cause the release of dangerous forces from the works or installations and consequent severe losses among the civilian population.

2. The special protection against attack provided by paragraph 1 shall cease:

(a) for a dam or a dyke only if it is used for other than its normal function and in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support;

(b) for a nuclear electrical generating station only if it provides electric power in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support;

(c) for other military objectives located at or in the vicinity of these works or installations only if they are used in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support.

3. In all cases, the civilian population and individual civilians shall remain entitled to all the protection accorded them by international law, including the protection of the precautionary measures provided for in Article 57. If the protection ceases and any of the works, installations or military objectives mentioned in paragraph 1 is attacked, all practical precautions shall be taken to avoid the release of the dangerous forces.

4. It is prohibited to make any of the works, installations or military objectives mentioned in paragraph 1 the object of reprisals.

5. The Parties to the conflict shall endeavour to avoid locating any military objectives in the vicinity of the works or installations mentioned in paragraph 1. Nevertheless, installations erected for the sole purpose of defending the protected works or installations from attack are permissible and shall not themselves be made the object of attack, provided that they are not used in hostilities except for defensive actions necessary to respond to attacks against the protected works or installations and that their armament is limited to weapons capable only of repelling hostile action against the protected works or installations.

6. The High Contracting Parties and the Parties to the conflict are urged to conclude further agreements among themselves to provide additional protection for objects containing dangerous forces.

7. In order to facilitate the identification of the objects protected by this Article, the Parties to the conflict may mark them with a special sign consisting of a group of three bright orange circles placed on the same axis, as specified in Article 16 of Annex I to this Protocol. The absence of such marking in no way relieves any Party to the conflict of its obligations under this Article.

Chapter IV

PRECAUTIONARY MEASURES

Article 57 – Precautions in attack

1. In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects.

2. With respect to attacks, the following precautions shall be taken:

(a) those who plan or decide upon an attack shall:

(i) do everything feasible to verify that the objectives to be attacked are neither civilians nor civilian objects and are not subject to special protection but are military objectives within the meaning of paragraph 2 of Article 52 and that it is not prohibited by the provisions of this Protocol to attack them;

(ii) take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects;

(iii) refrain from deciding to launch any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;

(b) an attack shall be cancelled or suspended if it becomes apparent that the objective is not a military one or is subject to special protection or that the attack may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;

(c) effective advance warning shall be given of attacks which may affect the civilian population, unless circumstances do not permit.

3. When a choice is possible between several military objectives for obtaining a similar military advantage, the objective to be selected shall be that the attack on which may be expected to cause the least danger to civilian lives and to civilian objects.

4. In the conduct of military operations at sea or in the air, each Party to the conflict shall, in conformity with its rights and duties under the rules of international law applicable in armed conflict, take all reasonable precautions to avoid losses of civilian lives and damage to civilian objects.

5. No provision of this Article may be construed as authorizing any attacks against the civilian population, civilians or civilian objects.

Article 58 – Precautions against the effects of attacks

The Parties to the conflict shall, to the maximum extent feasible:

- (a) without prejudice to Article 49 of the Fourth Convention, endeavour to remove the civilian population, individual civilians and civilian objects under their control from the vicinity of military objectives;
- (b) avoid locating military objectives within or near densely populated areas;
- (c) take the other necessary precautions to protect the civilian population, individual civilians and civilian objects under their control against the dangers resulting from military operations.

Chapter V

LOCALITIES AND ZONES UNDER SPECIAL PROTECTION

Article 59 – Non-defended localities

1. It is prohibited for the Parties to the conflict to attack, by any means whatsoever, non-defended localities.

2. The appropriate authorities of a Party to the conflict may declare as a non-defended locality any inhabited place near or in a zone where armed forces are in contact which is open for occupation by an adverse Party. Such a locality shall fulfil the following conditions:

- (a) all combatants, as well as mobile weapons and mobile military equipment must have been evacuated;
- (b) no hostile use shall be made of fixed military installations or establishments;
- (c) no acts of hostility shall be committed by the authorities or by the population; and
- (d) no activities in support of military operations shall be undertaken.

3. The presence, in this locality, of persons specially protected under the Conventions and this Protocol, and of police forces retained for the sole purpose of maintaining law and order, is not contrary to the conditions laid down in paragraph 2.

4. The declaration made under paragraph 2 shall be addressed to the adverse Party and shall define and describe, as precisely as possible, the limits of the non-defended locality. The Party to the conflict to which the declaration is addressed shall acknowledge its receipt and shall treat the locality as a non-defended locality unless the conditions laid down in paragraph 2 are not in fact fulfilled, in which event it shall immediately so inform the Party making the declaration. Even if the conditions laid down in paragraph 2 are not fulfilled, the locality shall continue to enjoy the protection provided by the other provisions of this Protocol and the other rules of international law applicable in armed conflict.

5. The Parties to the conflict may agree on the establishment of non-defended localities even if such localities do not fulfil the conditions laid down in paragraph 2. The agreement should define and describe, as precisely as possible, the limits of the non-defended locality; if necessary, it may lay down the methods of supervision.

6. The Party which is in control of a locality governed by such an agreement shall mark it, so far as possible, by such signs as may be agreed upon with the other Party, which shall be displayed where they are clearly visible, especially on its perimeter and limits and on highways.

7. A locality loses its status as a non-defended locality when it ceases to fulfil the conditions laid down in paragraph 2 or in the agreement referred to in paragraph 5. In such an eventuality, the locality shall continue to enjoy the protection provided by the other provisions of this Protocol and the other rules of international law applicable in armed conflict.

Article 60 – Demilitarized zones

1. It is prohibited for the Parties to the conflict to extend their military operations to zones on which they have conferred by agreement the status of demilitarized zone, if such extension is contrary to the terms of this agreement.

2. The agreement shall be an express agreement, may be concluded verbally or in writing, either directly or through a Protecting Power or any impartial humanitarian organization, and may consist of reciprocal and concordant declarations. The agreement may be concluded in peacetime, as well as after the outbreak of hostilities, and should define and describe, as precisely as possible, the limits of the demilitarized zone and, if necessary, lay down the methods of supervision.

3. The subject of such an agreement shall normally be any zone which fulfils the following conditions:

- (a) all combatants, as well as mobile weapons and mobile military equipment, must have been evacuated;
- (b) no hostile use shall be made of fixed military installations or establishments;
- (c) no acts of hostility shall be committed by the authorities or by the population; and
- (d) any activity linked to the military effort must have ceased.

The Parties to the conflict shall agree upon the interpretation to be given to the condition laid down in sub-paragraph (d) and upon persons to be admitted to the demilitarized zone other than those mentioned in paragraph 4.

4. The presence, in this zone, of persons specially protected under the Conventions and this Protocol, and of police forces retained for the sole purpose of maintaining law and order, is not contrary to the conditions laid down in paragraph 3.

5. The Party which is in control of such a zone shall mark it, so far as possible, by such signs as may be agreed upon with the other Party, which shall be displayed where they are clearly visible, especially on its perimeter and limits and on highways.

6. If the fighting draws near to a demilitarized zone, and if the Parties to the conflict have so agreed, none of them may use the zone for purposes related to the conduct of military operations or unilaterally revoke its status.

7. If one of the Parties to the conflict commits a material breach of the provisions of paragraphs 3 or 6, the other Party shall be released from its obligations under the agreement conferring upon the zone the status of demilitarized zone. In such an eventuality, the zone loses its status but shall continue to enjoy the protection provided by the other provisions of this Protocol and the other rules of international law applicable in armed conflict.

Chapter VI
CIVIL DEFENCE

Article 61 – Definitions and scope

For the purposes of this Protocol:

- (a) “civil defence” means the performance of some or all of the undermentioned humanitarian tasks intended to protect the civilian population against the dangers, and to help it to recover from the immediate effects, of hostilities or disasters and also to provide the conditions necessary for its survival. These tasks are:
- (i) warning;
 - (ii) evacuation;
 - (iii) management of shelters;
 - (iv) management of blackout measures;
 - (v) rescue;
 - (vi) medical services, including first aid, and religious assistance;
 - (vii) fire-fighting;
 - (viii) detection and marking of danger areas;
 - (ix) decontamination and similar protective measures;
 - (x) provision of emergency accommodation and supplies;
 - (xi) emergency assistance in the restoration and maintenance of order in distressed areas;
 - (xii) emergency repair of indispensable public utilities;
 - (xiii) emergency disposal of the dead;
 - (xiv) assistance in the preservation of objects essential for survival;
 - (xv) complementary activities necessary to carry out any of the tasks mentioned above, including, but not limited to, planning and organization;
- (b) “civil defence organizations” means those establishments and other units which are organized or authorized by the competent authorities of a Party to the conflict to perform any of the tasks mentioned under sub-paragraph (a), and which are assigned and devoted exclusively to such tasks;
- (c) “personnel” of civil defence organizations means those persons assigned by a Party to the conflict exclusively to the performance of the tasks mentioned under sub-paragraph (a), including personnel assigned by the competent authority of that Party exclusively to the administration of these organizations;

- (d) “*matériel*” of civil defence organizations means equipment, supplies and transports used by these organizations for the performance of the tasks mentioned under subparagraph (a).

Article 62 – General protection

1. Civilian civil defence organizations and their personnel shall be respected and protected, subject to the provisions of this Protocol, particularly the provisions of this Section. They shall be entitled to perform their civil defence tasks except in case of imperative military necessity.
2. The provisions of paragraph 1 shall also apply to civilians who, although not members of civilian civil defence organizations, respond to an appeal from the competent authorities and perform civil defence tasks under their control.
3. Buildings and *matériel* used for civil defence purposes and shelters provided for the civilian population are covered by Article 52. Objects used for civil defence purposes may not be destroyed or diverted from their proper use except by the Party to which they belong.

Article 63 – Civil defence in occupied territories

1. In occupied territories, civilian civil defence organizations shall receive from the authorities the facilities necessary for the performance of their tasks. In no circumstances shall their personnel be compelled to perform activities which would interfere with the proper performance of these tasks. The Occupying Power shall not change the structure or personnel of such organizations in any way which might jeopardize the efficient performance of their mission. These organizations shall not be required to give priority to the nationals or interests of that Power.
2. The Occupying Power shall not compel, coerce or induce civilian civil defence organizations to perform their tasks in any manner prejudicial to the interests of the civilian population.
3. The Occupying Power may disarm civil defence personnel for reasons of security.
4. The Occupying Power shall neither divert from their proper use nor requisition buildings or *matériel* belonging to or used by civil defence organizations if such diversion or requisition would be harmful to the civilian population.
5. Provided that the general rule in paragraph 4 continues to be observed, the Occupying Power may requisition or divert these resources, subject to the following particular conditions:
 - (a) that the buildings or *matériel* are necessary for other needs of the civilian population; and
 - (b) that the requisition or diversion continues only while such necessity exists.
6. The Occupying Power shall neither divert nor requisition shelters provided for the use of the civilian population or needed by such population.

Article 64 – Civilian civil defence organizations of neutral or other States not Parties to the conflict and international co-ordinating organizations

1. Articles 62, 63, 65 and 66 shall also apply to the personnel and *matériel* of civilian civil defence organizations of neutral or other States not Parties to the conflict which perform civil defence tasks mentioned in Article 61 in the territory of a Party to the conflict, with the consent and under the control of that Party. Notification of such assistance shall be given as soon as possible to any adverse Party concerned. In no circumstances shall this activity be deemed to be an interference in the

conflict. This activity should, however, be performed with due regard to the security interests of the Parties to the conflict concerned.

2. The Parties to the conflict receiving the assistance referred to in paragraph 1 and the High Contracting Parties granting it should facilitate international co-ordination of such civil defence actions when appropriate. In such cases the relevant international organizations are covered by the provisions of this Chapter.

3. In occupied territories, the Occupying Power may only exclude or restrict the activities of civilian civil defence organizations of neutral or other States not Parties to the conflict and of international co-ordinating organizations if it can ensure the adequate performance of civil defence tasks from its own resources or those of the occupied territory.

Article 65 – Cessation of protection

1. The protection to which civilian civil defence organizations, their personnel, buildings, shelters and *matériel* are entitled shall not cease unless they commit or are used to commit, outside their proper tasks, acts harmful to the enemy. Protection may, however, cease only after a warning has been given setting, whenever appropriate, a reasonable time-limit, and after such warning has remained unheeded.

2. The following shall not be considered as acts harmful to the enemy:

- (a) that civil defence tasks are carried out under the direction or control of military authorities;
- (b) that civilian civil defence personnel co-operate with military personnel in the performance of civil defence tasks, or that some military personnel are attached to civilian civil defence organizations;
- (c) that the performance of civil defence tasks may incidentally benefit military victims, particularly those who are *hors de combat*.

3. It shall also not be considered as an act harmful to the enemy that civilian civil defence personnel bear light individual weapons for the purpose of maintaining order or for self-defence. However, in areas where land fighting is taking place or is likely to take place, the Parties to the conflict shall undertake the appropriate measures to limit these weapons to handguns, such as pistols or revolvers, in order to assist in distinguishing between civil defence personnel and combatants. Although civil defence personnel bear other light individual weapons in such areas, they shall nevertheless be respected and protected as soon as they have been recognized as such.

4. The formation of civilian civil defence organizations along military lines, and compulsory service in them, shall also not deprive them of the protection conferred by this Chapter.

Article 66 – Identification

1. Each Party to the conflict shall endeavour to ensure that its civil defence organizations, their personnel, buildings and *matériel*, are identifiable while they are exclusively devoted to the performance of civil defence tasks. Shelters provided for the civilian population should be similarly identifiable.

2. Each Party to the conflict shall also endeavour to adopt and implement methods and procedures which will make it possible to recognize civilian shelters as well as civil defence personnel, buildings and *matériel* on which the international distinctive sign of civil defence is displayed.

3. In occupied territories and in areas where fighting is taking place or is likely to take place, civilian civil defence personnel should be recognizable by the international distinctive sign of civil defence and by an identity card certifying their status.
4. The international distinctive sign of civil defence is an equilateral blue triangle on an orange ground when used for the protection of civil defence organizations, their personnel, buildings and *matériel* and for civilian shelters.
5. In addition to the distinctive sign, Parties to the conflict may agree upon the use of distinctive signals for civil defence identification purposes.
6. The application of the provisions of paragraphs 1 to 4 is governed by Chapter V of Annex I to this Protocol.
7. In time of peace, the sign described in paragraph 4 may, with the consent of the competent national authorities, be used for civil defence identification purposes.
8. The High Contracting Parties and the Parties to the conflict shall take the measures necessary to supervise the display of the international distinctive sign of civil defence and to prevent and repress any misuse thereof.
9. The identification of civil defence medical and religious personnel, medical units and medical transports is also governed by Article 18.

Article 67 – Members of the armed forces and military units assigned to civil defence organizations

1. Members of the armed forces and military units assigned to civil defence organizations shall be respected and protected, provided that:
 - (a) such personnel and such units are permanently assigned and exclusively devoted to the performance of any of the tasks mentioned in Article 61;
 - (b) if so assigned, such personnel do not perform any other military duties during the conflict;
 - (c) such personnel are clearly distinguishable from the other members of the armed forces by prominently displaying the international distinctive sign of civil defence, which shall be as large as appropriate, and such personnel are provided with the identity card referred to in Chapter V of Annex I to this Protocol certifying their status;
 - (d) such personnel and such units are equipped only with light individual weapons for the purpose of maintaining order or for self-defence. The provisions of Article 65, paragraph 3 shall also apply in this case;
 - (e) such personnel do not participate directly in hostilities, and do not commit, or are not used to commit, outside their civil defence tasks, acts harmful to the adverse Party;
 - (f) such personnel and such units perform their civil defence tasks only within the national territory of their party.

The non-observance of the conditions stated in (e) above by any member of the armed forces who is bound by the conditions prescribed in (a) and (b) above is prohibited.

2. Military personnel serving within civil defence organizations shall, if they fall into the power of an adverse Party, be prisoners of war. In occupied territory they may, but only in the interest of the civilian population of that territory, be employed on civil defence tasks in so far as the need arises, provided however that, if such work is dangerous, they volunteer for such tasks.

3. The buildings and major items of equipment and transports of military units assigned to civil defence organizations shall be clearly marked with the international distinctive sign of civil defence. This distinctive sign shall be as large as appropriate.

4. The *matériel* and buildings of military units permanently assigned to civil defence organizations and exclusively devoted to the performance of civil defence tasks shall, if they fall into the hands of an adverse Party, remain subject to the laws of war. They may not be diverted from their civil defence purpose so long as they are required for the performance of civil defence tasks, except in case of imperative military necessity, unless previous arrangements have been made for adequate provision for the needs of the civilian population.

SECTION II

RELIEF IN FAVOUR OF THE CIVILIAN POPULATION

Article 68 – Field of application

The provisions of this Section apply to the civilian population as defined in this Protocol and are supplementary to Articles 23, 55, 59, 60, 61 and 62 and other relevant provisions of the Fourth Convention.

Article 69 – Basic needs in occupied territories

1. In addition to the duties specified in Article 55 of the Fourth Convention concerning food and medical supplies, the Occupying Power shall, to the fullest extent of the means available to it and without any adverse distinction, also ensure the provision of clothing, bedding, means of shelter, other supplies essential to the survival of the civilian population of the occupied territory and objects necessary for religious worship.

2. Relief actions for the benefit of the civilian population of occupied territories are governed by Articles 59, 60, 61, 62, 108, 109, 110 and 111 of the Fourth Convention, and by Article 71 of this Protocol, and shall be implemented without delay.

Article 70 – Relief actions

1. If the civilian population of any territory under the control of a Party to the conflict, other than occupied territory, is not adequately provided with the supplies mentioned in Article 69, relief actions which are humanitarian and impartial in character and conducted without any adverse distinction shall be undertaken, subject to the agreement of the Parties concerned in such relief actions. Offers of such relief shall not be regarded as interference in the armed conflict or as unfriendly acts. In the distribution of relief consignments, priority shall be given to those persons, such as children, expectant mothers, maternity cases and nursing mothers, who, under the Fourth Convention or under this Protocol, are to be accorded privileged treatment or special protection.

2. The Parties to the conflict and each High Contracting Party shall allow and facilitate rapid and unimpeded passage of all relief consignments, equipment and personnel provided in accordance with this Section, even if such assistance is destined for the civilian population of the adverse Party.

3. The Parties to the conflict and each High Contracting Party which allows the passage of relief consignments, equipment and personnel in accordance with paragraph 2:

- (a) shall have the right to prescribe the technical arrangements, including search, under which such passage is permitted;
 - (b) may make such permission conditional on the distribution of this assistance being made under the local supervision of a Protecting Power;
 - (c) shall, in no way whatsoever, divert relief consignments from the purpose for which they are intended nor delay their forwarding, except in cases of urgent necessity in the interest of the civilian population concerned.
4. The Parties to the conflict shall protect relief consignments and facilitate their rapid distribution.
5. The Parties to the conflict and each High Contracting Party concerned shall encourage and facilitate effective international co-ordination of the relief actions referred to in paragraph 1.

Article 71 – Personnel participating in relief actions

1. Where necessary, relief personnel may form part of the assistance provided in any relief action, in particular for the transportation and distribution of relief consignments; the participation of such personnel shall be subject to the approval of the Party in whose territory they will carry out their duties.
2. Such personnel shall be respected and protected.
3. Each Party in receipt of relief consignments shall, to the fullest extent practicable, assist the relief personnel referred to in paragraph 1 in carrying out their relief mission. Only in case of imperative military necessity may the activities of the relief personnel be limited or their movements temporarily restricted.
4. Under no circumstances may relief personnel exceed the terms of their mission under this Protocol. In particular they shall take account of the security requirements of the Party in whose territory they are carrying out their duties. The mission of any of the personnel who do not respect these conditions may be terminated.

SECTION III

TREATMENT OF PERSONS IN THE POWER OF A PARTY TO THE CONFLICT

Chapter I

FIELD OF APPLICATION AND PROTECTION OF PERSONS AND OBJECTS

Article 72 – Field of application

The provisions of this Section are additional to the rules concerning humanitarian protection of civilians and civilian objects in the power of a Party to the conflict contained in the Fourth Convention, particularly Parts I and III thereof, as well as to other applicable rules of international law relating to the protection of fundamental human rights during international armed conflict.

Article 73 – Refugees and stateless persons

Persons who, before the beginning of hostilities, were considered as stateless persons or refugees under the relevant international instruments accepted by the Parties concerned or under the national legislation of the State of refuge or State of residence shall be protected persons within the meaning of Parts I and III of the Fourth Convention, in all circumstances and without any adverse distinction.

Article 74 – Reunion of dispersed families

The High Contracting Parties and the Parties to the conflict shall facilitate in every possible way the reunion of families dispersed as a result of armed conflicts and shall encourage in particular the work of the humanitarian organizations engaged in this task in accordance with the provisions of the Conventions and of this Protocol and in conformity with their respective security regulations.

Article 75 – Fundamental guarantees

1. In so far as they are affected by a situation referred to in Article 1 of this Protocol, persons who are in the power of a Party to the conflict and who do not benefit from more favourable treatment under the Conventions or under this Protocol shall be treated humanely in all circumstances and shall enjoy, as a minimum, the protection provided by this Article without any adverse distinction based upon race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria. Each Party shall respect the person, honour, convictions and religious practices of all such persons.

2. The following acts are and shall remain prohibited at any time and in any place whatsoever, whether committed by civilian or by military agents:

- (a) violence to the life, health, or physical or mental well-being of persons, in particular:
 - (i) murder;
 - (ii) torture of all kinds, whether physical or mental;
 - (iii) corporal punishment; and
 - (iv) mutilation;
- (b) outrages upon personal dignity, in particular humiliating and degrading treatment, enforced prostitution and any form of indecent assault;
- (c) the taking of hostages;
- (d) collective punishments; and
- (e) threats to commit any of the foregoing acts.

3. Any person arrested, detained or interned for actions related to the armed conflict shall be informed promptly, in a language he understands, of the reasons why these measures have been taken. Except in cases of arrest or detention for penal offences, such persons shall be released with the minimum delay possible and in any event as soon as the circumstances justifying the arrest, detention or internment have ceased to exist.

4. No sentence may be passed and no penalty may be executed on a person found guilty of a penal offence related to the armed conflict except pursuant to a conviction pronounced by an impartial and regularly constituted court respecting the generally recognized principles of regular judicial procedure, which include the following:

- (a) the procedure shall provide for an accused to be informed without delay of the particulars of the offence alleged against him and shall afford the accused before and during his trial all necessary rights and means of defence;
- (b) no one shall be convicted of an offence except on the basis of individual penal responsibility;
- (c) no one shall be accused or convicted of a criminal offence on account of any act or omission which did not constitute a criminal offence under the national or international law to which he was subject at the time when it was committed; nor shall a heavier penalty be imposed than that which was applicable at the time when the criminal offence was committed; if, after the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby;
- (d) anyone charged with an offence is presumed innocent until proved guilty according to law;
- (e) anyone charged with an offence shall have the right to be tried in his presence;
- (f) no one shall be compelled to testify against himself or to confess guilt;
- (g) anyone charged with an offence shall have the right to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- (h) no one shall be prosecuted or punished by the same Party for an offence in respect of which a final judgement acquitting or convicting that person has been previously pronounced under the same law and judicial procedure;
- (i) anyone prosecuted for an offence shall have the right to have the judgement pronounced publicly; and
- (j) a convicted person shall be advised on conviction of his judicial and other remedies and of the time-limits within which they may be exercised.

5. Women whose liberty has been restricted for reasons related to the armed conflict shall be held in quarters separated from men's quarters. They shall be under the immediate supervision of women. Nevertheless, in cases where families are detained or interned, they shall, whenever possible, be held in the same place and accommodated as family units.

6. Persons who are arrested, detained or interned for reasons related to the armed conflict shall enjoy the protection provided by this Article until their final release, repatriation or re-establishment, even after the end of the armed conflict.

7. In order to avoid any doubt concerning the prosecution and trial of persons accused of war crimes or crimes against humanity, the following principles shall apply:

- (a) persons who are accused of such crimes should be submitted for the purpose of prosecution and trial in accordance with the applicable rules of international law; and
- (b) any such persons who do not benefit from more favourable treatment under the Conventions or this Protocol shall be accorded the treatment provided by this Article, whether or not the crimes of which they are accused constitute grave breaches of the Conventions or of this Protocol.

8. No provision of this Article may be construed as limiting or infringing any other more favourable provision granting greater protection, under any applicable rules of international law, to persons covered by paragraph 1.

Chapter II

MEASURES IN FAVOUR OF WOMEN AND CHILDREN

Article 76 – Protection of women

1. Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault.
2. Pregnant women and mothers having dependent infants who are arrested, detained or interned for reasons related to the armed conflict, shall have their cases considered with the utmost priority.
3. To the maximum extent feasible, the Parties to the conflict shall endeavour to avoid the pronouncement of the death penalty on pregnant women or mothers having dependent infants, for an offence related to the armed conflict. The death penalty for such offences shall not be executed on such women.

Article 77 – Protection of children

1. Children shall be the object of special respect and shall be protected against any form of indecent assault. The Parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason.
2. The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, the Parties to the conflict shall endeavour to give priority to those who are oldest.
3. If, in exceptional cases, despite the provisions of paragraph 2, children who have not attained the age of fifteen years take a direct part in hostilities and fall into the power of an adverse Party, they shall continue to benefit from the special protection accorded by this Article, whether or not they are prisoners of war.
4. If arrested, detained or interned for reasons related to the armed conflict, children shall be held in quarters separate from the quarters of adults, except where families are accommodated as family units as provided in Article 75, paragraph 5.
5. The death penalty for an offence related to the armed conflict shall not be executed on persons who had not attained the age of eighteen years at the time the offence was committed.

Article 78 – Evacuation of children

1. No Party to the conflict shall arrange for the evacuation of children, other than its own nationals, to a foreign country except for a temporary evacuation where compelling reasons of the health or medical treatment of the children or, except in occupied territory, their safety, so require. Where the parents or legal guardians can be found, their written consent to such evacuation is required. If these persons cannot be found, the written consent to such evacuation of the persons who by law or custom are primarily responsible for the care of the children is required.

Chapter III
JOURNALISTS

Article 79 – Measures of protection for journalists

1. Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of Article 50, paragraph 1.
2. They shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians, and without prejudice to the right of war correspondents accredited to the armed forces to the status provided for in Article 4 A (4) of the Third Convention.
3. They may obtain an identity card similar to the model in Annex II of this Protocol. This card, which shall be issued by the government of the State of which the journalist is a national or in whose territory he resides or in which the news medium employing him is located, shall attest to his status as a journalist.

PART V

EXECUTION OF THE CONVENTIONS AND OF THIS PROTOCOL

SECTION I

GENERAL PROVISIONS

Article 80 – Measures for execution

1. The High Contracting Parties and the Parties to the conflict shall without delay take all necessary measures for the execution of their obligations under the Conventions and this Protocol.
2. The High Contracting Parties and the Parties to the conflict shall give orders and instructions to ensure observance of the Conventions and this Protocol, and shall supervise their execution.

Article 81 – Activities of the Red Cross and other humanitarian organizations

1. The Parties to the conflict shall grant to the International Committee of the Red Cross all facilities within their power so as to enable it to carry out the humanitarian functions assigned to it by the Conventions and this Protocol in order to ensure protection and assistance to the victims of conflicts; the International Committee of the Red Cross may also carry out any other humanitarian activities in favour of these victims, subject to the consent of the Parties to the conflict concerned.
2. The Parties to the conflict shall grant to their respective Red Cross (Red Crescent, Red Lion and Sun) organizations the facilities necessary for carrying out their humanitarian activities in favour of the victims of the conflict, in accordance with the provisions of the Conventions and this Protocol and the fundamental principles of the Red Cross as formulated by the International Conferences of the Red Cross.

3. The High Contracting Parties and the Parties to the conflict shall facilitate in every possible way the assistance which Red Cross (Red Crescent, Red Lion and Sun) organizations and the League of Red Cross Societies extend to the victims of conflicts in accordance with the provisions of the Conventions and this Protocol and with the fundamental principles of the Red Cross as formulated by the International Conferences of the Red Cross.

4. The High Contracting Parties and the Parties to the conflict shall, as far as possible, make facilities similar to those mentioned in paragraphs 2 and 3 available to the other humanitarian organizations referred to in the Conventions and this Protocol which are duly authorized by the respective Parties to the conflict and which perform their humanitarian activities in accordance with the provisions of the Conventions and this Protocol.

Article 82 – Legal advisers in armed forces

The High Contracting Parties at all times, and the Parties to the conflict in time of armed conflict, shall ensure that legal advisers are available, when necessary, to advise military commanders at the appropriate level on the application of the Conventions and this Protocol and on the appropriate instruction to be given to the armed forces on this subject.

Article 83 – Dissemination

1. The High Contracting Parties undertake, in time of peace as in time of armed conflict, to disseminate the Conventions and 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 those instruments may become known to the armed forces and to the civilian population.

2. Any military or civilian authorities who, in time of armed conflict, assume responsibilities in respect of the application of the Conventions and this Protocol shall be fully acquainted with the text thereof.

Article 84 – Rules of application

The High Contracting Parties shall communicate to one another, as soon as possible, through the depositary and, as appropriate, through the Protecting Powers, their official translations of this Protocol, as well as the laws and regulations which they may adopt to ensure its application.

SECTION II

REPRESSION OF BREACHES OF THE CONVENTIONS AND OF THIS PROTOCOL

Article 85 – Repression of breaches of this Protocol

1. The provisions of the Conventions relating to the repression of breaches and grave breaches, supplemented by this Section, shall apply to the repression of breaches and grave breaches of this Protocol.

2. Acts described as grave breaches in the Conventions are grave breaches of this Protocol if committed against persons in the power of an adverse Party protected by Articles 44, 45 and 73 of this Protocol, or against the wounded, sick and shipwrecked of the adverse Party who are protected by this Protocol, or against those medical or religious personnel, medical units or medical transports which are under the control of the adverse Party and are protected by this Protocol.

3. In addition to the grave breaches defined in Article 11, the following acts shall be regarded as grave breaches of this Protocol, when committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health:

- (a) making the civilian population or individual civilians the object of attack;
- (b) launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 (a) (iii);
- (c) launching an attack against works or installations containing dangerous forces in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 (a) (iii);
- (d) making non-defended localities and demilitarized zones the object of attack;
- (e) making a person the object of attack in the knowledge that he is *hors de combat*;
- (f) the perfidious use, in violation of Article 37, of the distinctive emblem of the red cross, red crescent or red lion and sun or of other protective signs recognized by the Conventions or this Protocol.

4. In addition to the grave breaches defined in the preceding paragraphs and in the Conventions, the following shall be regarded as grave breaches of this Protocol, when committed wilfully and in violation of the Conventions or the Protocol:

- (a) the transfer by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory, in violation of Article 49 of the Fourth Convention;
- (b) unjustifiable delay in the repatriation of prisoners of war or civilians;
- (c) practices of *apartheid* and other inhuman and degrading practices involving outrages upon personal dignity, based on racial discrimination;
- (d) making the clearly recognized historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples and to which special protection has been given by special arrangement, for example, within the framework of a competent international organization, the object of attack, causing as a result extensive destruction thereof, where there is no evidence of the violation by the adverse Party of Article 53, sub-paragraph (b), and when such historic monuments, works of art and places of worship are not located in the immediate proximity of military objectives;
- (e) depriving a person protected by the Conventions or referred to in paragraph 2 of this Article of the rights of fair and regular trial.

5. Without prejudice to the application of the Conventions and of this Protocol, grave breaches of these instruments shall be regarded as war crimes.

Article 86 – Failure to act

1. The High Contracting Parties and the Parties to the conflict shall repress grave breaches, and take measures necessary to suppress all other breaches, of the Conventions or of this Protocol which result from a failure to act when under a duty to do so.

2. The fact that a breach of the Conventions or of this Protocol was committed by a subordinate does not absolve his superiors from penal or disciplinary responsibility, as the case may be, if they knew, or had information which should have enabled them to conclude in the circumstances at the time, that he was committing or was going to commit such a breach and if they did not take all feasible measures within their power to prevent or repress the breach.

Article 87 – Duty of commanders

1. The High Contracting Parties and the Parties to the conflict shall require military commanders, with respect to members of the armed forces under their command and other persons under their control, to prevent and, where necessary, to suppress and to report to competent authorities breaches of the Conventions and of this Protocol.

2. In order to prevent and suppress breaches, High Contracting Parties and Parties to the conflict shall require that, commensurate with their level of responsibility, commanders ensure that members of the armed forces under their command are aware of their obligations under the Conventions and this Protocol.

3. The High Contracting Parties and Parties to the conflict shall require any commander who is aware that subordinates or other persons under his control are going to commit or have committed a breach of the Conventions or of this Protocol, to initiate such steps as are necessary to prevent such violations of the Conventions or this Protocol, and, where appropriate, to initiate disciplinary or penal action against violators thereof.

Article 88 – Mutual assistance in criminal matters

1. The High Contracting Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of grave breaches of the Conventions or of this Protocol.

2. Subject to the rights and obligations established in the Conventions and in Article 85, paragraph 1, of this Protocol, and when circumstances permit, the High Contracting Parties shall co-operate in the matter of extradition. They shall give due consideration to the request of the State in whose territory the alleged offence has occurred.

3. The law of the High Contracting Party requested shall apply in all cases. The provisions of the preceding paragraphs shall not, however, affect the obligations arising from the provisions of any other treaty of a bilateral or multilateral nature which governs or will govern the whole or part of the subject of mutual assistance in criminal matters.

Article 89 – Co-operation

In situations of serious violations of the Conventions or of this Protocol, the High Contracting Parties undertake to act, jointly or individually, in co-operation with the United Nations and in conformity with the United Nations Charter.

Article 90 – International Fact-Finding Commission

1. (a) An International Fact-Finding Commission (hereinafter referred to as “the Commission”) consisting of fifteen members of high moral standing and acknowledged impartiality shall be established.

- (b) When not less than twenty High Contracting Parties have agreed to accept the competence of the Commission pursuant to paragraph 2, the depositary shall then, and at intervals of five years thereafter, convene a meeting of representatives of those High Contracting Parties for the purpose of electing the members of the Commission. At the meeting, the representatives shall elect the members of the Commission by secret ballot from a list of persons to which each of those High Contracting Parties may nominate one person.
 - (c) The members of the Commission shall serve in their personal capacity and shall hold office until the election of new members at the ensuing meeting.
 - (d) At the election, the High Contracting Parties shall ensure that the persons to be elected to the Commission individually possess the qualifications required and that, in the Commission as a whole, equitable geographical representation is assured.
 - (e) In the case of a casual vacancy, the Commission itself shall fill the vacancy, having due regard to the provisions of the preceding sub-paragraphs.
 - (f) The depositary shall make available to the Commission the necessary administrative facilities for the performance of its functions.
2. (a) The High Contracting Parties may at the time of signing, ratifying or acceding to the Protocol, or at any other subsequent time, declare that they recognize *ipso facto* and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the Commission to enquire into allegations by such other Party, as authorized by this Article.
- (b) The declarations referred to above shall be deposited with the depositary, which shall transmit copies thereof to the High Contracting Parties.
- (c) The Commission shall be competent to:
- (i) enquire into any facts alleged to be a grave breach as defined in the Conventions and this Protocol or other serious violation of the Conventions or of this Protocol;
 - (ii) facilitate, through its good offices, the restoration of an attitude of respect for the Conventions and this Protocol.
- (d) In other situations, the Commission shall institute an enquiry at the request of a Party to the conflict only with the consent of the other Party or Parties concerned.
- (e) Subject to the foregoing provisions of this paragraph, the provisions of Article 52 of the First Convention, Article 53 of the Second Convention, Article 132 of the Third Convention and Article 149 of the Fourth Convention shall continue to apply to any alleged violation of the Conventions and shall extend to any alleged violation of this Protocol.
3. (a) Unless otherwise agreed by the Parties concerned, all enquiries shall be undertaken by a Chamber consisting of seven members appointed as follows:
- (i) five members of the Commission, not nationals of any Party to the conflict, appointed by the President of the Commission on the basis of equitable representation of the geographical areas, after consultation with the Parties to the conflict;
 - (ii) two *ad hoc* members, not nationals of any Party to the conflict, one to be appointed by each side.

- (b) Upon receipt of the request for an enquiry, the President of the Commission shall specify an appropriate time-limit for setting up a Chamber. If any *ad hoc* member has not been appointed within the time-limit, the President shall immediately appoint such additional member or members of the Commission as may be necessary to complete the membership of the Chamber.
- 4.
 - (a) The Chamber set up under paragraph 3 to undertake an enquiry shall invite the Parties to the conflict to assist it and to present evidence. The Chamber may also seek such other evidence as it deems appropriate and may carry out an investigation of the situation *in loco*.
 - (b) All evidence shall be fully disclosed to the Parties, which shall have the right to comment on it to the Commission.
 - (c) Each Party shall have the right to challenge such evidence.
- 5.
 - (a) The Commission shall submit to the Parties a report on the findings of fact of the Chamber, with such recommendations as it may deem appropriate.
 - (b) If the Chamber is unable to secure sufficient evidence for factual and impartial findings, the Commission shall state the reasons for that inability.
 - (c) The Commission shall not report its findings publicly, unless all the Parties to the conflict have requested the Commission to do so.
- 6. The Commission shall establish its own rules, including rules for the presidency of the Commission and the presidency of the Chamber. Those rules shall ensure that the functions of the President of the Commission are exercised at all times and that, in the case of an enquiry, they are exercised by a person who is not a national of a Party to the conflict.
- 7. The administrative expenses of the Commission shall be met by contributions from the High Contracting Parties which made declarations under paragraph 2, and by voluntary contributions. The Party or Parties to the conflict requesting an enquiry shall advance the necessary funds for expenses incurred by a Chamber and shall be reimbursed by the Party or Parties against which the allegations are made to the extent of fifty per cent of the costs of the Chamber. Where there are counter-allegations before the Chamber each side shall advance fifty per cent of the necessary funds.

Article 91 – Responsibility

A Party to the conflict which violates the provisions of the Conventions or of this Protocol shall, if the case demands, be liable to pay compensation. It shall be responsible for all acts committed by persons forming part of its armed forces.

PART VI
FINAL PROVISIONS

Article 92 – Signature

This Protocol shall be open for signature by the Parties to the Conventions six months after the signing of the Final Act and will remain open for a period of twelve months.

Article 93 – 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 Conventions.

Article 94 – Accession

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

Article 95 – 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 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 96 – Treaty relations upon entry into force of this Protocol

1. When the Parties to the 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.
3. The authority representing a people engaged against a High Contracting Party in an armed conflict of the type referred to in Article 1, paragraph 4, may undertake to apply the Conventions and this Protocol in relation to that conflict by means of a unilateral declaration addressed to the depositary. Such declaration shall, upon its receipt by the depositary, have in relation to that conflict the following effects:
 - (a) the Conventions and this Protocol are brought into force for the said authority as a Party to the conflict with immediate effect;
 - (b) the said authority assumes the same rights and obligations as those which have been assumed by a High Contracting Party to the Conventions and this Protocol; and
 - (c) the Conventions and this Protocol are equally binding upon all Parties to the conflict.

Article 97 – 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 and the International Committee of the Red Cross, 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 Conventions, whether or not they are signatories of this Protocol.

Article 98 – Revision of Annex I

1. Not later than four years after the entry into force of this Protocol and thereafter at intervals of not less than four years, the International Committee of the Red Cross shall consult the High Contracting Parties concerning Annex I to this Protocol and, if it considers it necessary, may propose a meeting of technical experts to review Annex I and to propose such amendments to it as may appear to be desirable. Unless, within six months of the communication of a proposal for such a meeting to the High Contracting Parties, one third of them object, the International Committee of the Red Cross shall convene the meeting, inviting also observers of appropriate international organizations. Such a meeting shall also be convened by the International Committee of the Red Cross at any time at the request of one third of the High Contracting Parties.
2. The depositary shall convene a conference of the High Contracting Parties and the Parties to the Conventions to consider amendments proposed by the meeting of technical experts if, after that meeting, the International Committee of the Red Cross or one third of the High Contracting Parties so request.
3. Amendments to Annex I may be adopted at such a conference by a two-thirds majority of the High Contracting Parties present and voting.
4. The depositary shall communicate any amendment so adopted to the High Contracting Parties and to the Parties to the Conventions. The amendment shall be considered to have been accepted at the end of a period of one year after it has been so communicated, unless within that period a declaration of non-acceptance of the amendment has been communicated to the depositary by not less than one third of the High Contracting Parties.
5. An amendment considered to have been accepted in accordance with paragraph 4 shall enter into force three months after its acceptance for all High Contracting Parties other than those which have made a declaration of non-acceptance in accordance with that paragraph. Any Party making such a declaration may at any time withdraw it and the amendment shall then enter into force for that Party three months thereafter.
6. The depositary shall notify the High Contracting Parties and the Parties to the Conventions of the entry into force of any amendment, of the Parties bound thereby, of the date of its entry into force in relation to each Party, of declarations of non-acceptance made in accordance with paragraph 4, and of withdrawals of such declarations.

Article 99 - 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 one of the situations referred to in Article 1, the denunciation shall not take effect before the end of the armed conflict or occupation and not, in any case, before operations connected with the final release, repatriation or re-establishment of the persons protected by the Conventions or this Protocol have been terminated.

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, under this Protocol by such denouncing Party in respect of any act committed before this denunciation becomes effective.

Article 100 – Notifications

The depositary shall inform the High Contracting Parties as well as the Parties to the 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 93 and 94;
- (b) the date of entry into force of this Protocol under Article 95;
- (c) communications and declarations received under Articles 84, 90 and 97;
- (d) declarations received under Article 96, paragraph 3, which shall be communicated by the quickest methods; and
- (e) denunciations under Article 99.

Article 101 – 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 102 – 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 Conventions.

ANNEX I

REGULATIONS CONCERNING IDENTIFICATION

Chapter I

IDENTITY CARDS

Article 1 – Identity card for permanent civilian medical and religious personnel

1. The identity card for permanent civilian medical and religious personnel referred to in Article 18, paragraph 3, of the Protocol should:

- (a) bear the distinctive emblem and be of such size that it can be carried in the pocket;
- (b) be as durable as practicable;
- (c) be worded in the national or official language (and may in addition be worded in other languages);
- (d) mention the name, the date of birth (or, if that date is not available, the age at the time of issue) and the identity number, if any, of the holder;
- (e) state in what capacity the holder is entitled to the protection of the Conventions and of the Protocol;
- (f) bear the photograph of the holder as well as his signature or his thumbprint, or both;
- (g) bear the stamp and signature of the competent authority;
- (h) state the date of issue and date of expiry of the card.

2. The identity card shall be uniform throughout the territory of each High Contracting Party and, as far as possible, of the same type for all Parties to the conflict. The Parties to the conflict may be guided by the single-language model shown in Figure 1. At the outbreak of hostilities, they shall transmit to each other a specimen of the model they are using, if such model differs from that shown in Figure 1. The identity card shall be made out, if possible, in duplicate, one copy being kept by the issuing authority, which should maintain control of the cards which it has issued.

3. In no circumstances may permanent civilian medical and religious personnel be deprived of their identity cards. In the event of the loss of a card, they shall be entitled to obtain a duplicate copy.

Article 2 – Identity card for temporary civilian medical and religious personnel

1. The identity card for temporary civilian medical and religious personnel should, whenever possible, be similar to that provided for in Article 1 of these Regulations. The Parties to the conflict may be guided by the model shown in Figure 1.

2. When circumstances preclude the provision to temporary civilian medical and religious personnel of identity cards similar to those described in Article 1 of these Regulations, the said personnel may be provided with a certificate signed by the competent authority certifying that the person to whom it is issued is assigned to duty as temporary personnel and stating, if possible, the duration of such assignment and his right to wear the distinctive emblem. The certificate should mention the holder's name and date of birth (or if that date is not available, his age at the time when the certificate was issued), his function and identity number, if any. It shall bear his signature or his thumbprint, or both.

REVERSE SIDE

Height	Eyes	Hair
Other distinguishing marks or information: .		
PHOTO OF HOLDER		
Stamp	Signature of holder or thumbprint or both	

FRONT



	
(space reserved for the name of the country and authority issuing this card)	
IDENTITY CARD	
for PERMANENT medical personnel TEMPORARY civilian religious	
Name
Date of birth (or age)
Identity No. (if any)
The holder of this card is protected by the Geneva Conventions of 12 August 1949 and by the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) in his capacity as	
Date of issue	No. of card
Date of expiry	Signature of issuing authority

Fig. 1: Model of identity card
(format: 74 mm x 105 mm)

THE DISTINCTIVE EMBLEM**Article 3 – Shape and nature**

1. The distinctive emblem (red on a white ground) shall be as large as appropriate under the circumstances. For the shapes of the cross, the crescent or the lion and sun, the High Contracting Parties may be guided by the models shown in Figure 2.
2. At night or when visibility is reduced, the distinctive emblem may be lighted or illuminated; it may also be made of materials rendering it recognizable by technical means of detection.



Fig. 2: Distinctive emblems in red on a white ground

Article 4 – Use

1. The distinctive emblem shall, whenever possible, be displayed on a flat surface or on flags visible from as many directions and from as far away as possible.
2. Subject to the instructions of the competent authority, medical and religious personnel carrying out their duties in the battle area shall, as far as possible, wear headgear and clothing bearing the distinctive emblem.

Chapter III**DISTINCTIVE SIGNALS****Article 5 – Optional Use**

1. Subject to the provisions of Article 6 of these Regulations, the signals specified in this Chapter for exclusive use by medical units and transports shall not be used for any other purpose. The use of all signals referred to in this Chapter is optional.
2. Temporary medical aircraft which cannot, either for lack of time or because of their characteristics, be marked with the distinctive emblem, may use the distinctive signals authorized in this Chapter. The best method of effective identification and recognition of medical aircraft is, however, the use of a visual signal, either the distinctive emblem or the light signal specified in Article 6, or both, supplemented by the other signals referred to in Articles 7 and 8 of these Regulations.

Article 6 – Light signal

1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates:

green boundary	$y = 0.065 + 0.805x$
white boundary	$y = 0.400 - x$
purple boundary	$x = 0.133 + 0.600y$

The recommended flashing rate of the blue light is between sixty and one hundred flashes per minute.

2. Medical aircraft should be equipped with such lights as may be necessary to make the light signal visible in as many directions as possible.

3. In the absence of a special agreement between the Parties to the conflict reserving the use of flashing blue lights for the identification of medical vehicles and ships and craft, the use of such signals for other vehicles or ships is not prohibited.

Article 7 – Radio signal

1. The radio signal shall consist of a radiotelephonic or radiotelegraphic message preceded by a distinctive priority signal to be designated and approved by a World Administrative Radio Conference of the International Telecommunication Union. It shall be transmitted three times before the call sign of the medical transport involved. This message shall be transmitted in English at appropriate intervals on a frequency or frequencies specified pursuant to paragraph 3. The use of the priority signal shall be restricted exclusively to medical units and transports.

2. The radio message preceded by the distinctive priority signal mentioned in paragraph 1 shall convey the following data:

- (a) call sign of the medical transport;
- (b) position of the medical transport;
- (c) number and type of medical transports;
- (d) intended route;
- (e) estimated time *en route* and of departure and arrival, as appropriate;
- (f) any other information such as flight altitude, radio frequencies guarded, languages and secondary surveillance radar modes and codes.

3. In order to facilitate the communications referred to in paragraphs 1 and 2, as well as the communications referred to in Articles 22, 23, 25, 26, 27, 28, 29, 30 and 31 of the Protocol, the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, may designate, in accordance with the Table of Frequency Allocations in the Radio Regulations annexed to the International Telecommunication Convention, and publish selected national frequencies to be used by them for such communications. These frequencies shall be notified to the International Telecommunication Union in accordance with procedures to be approved by a World Administrative Radio Conference.

Article 8 – Electronic identification

1. The Secondary Surveillance Radar (SSR) system, as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.
2. Parties to a conflict may, by special agreement between them, establish for their use a similar electronic system for the identification of medical vehicles, and medical ships and craft.

Chapter IV

COMMUNICATIONS

Article 9 – Radiocommunications

The priority signal provided for in Article 7 of these Regulations may precede appropriate radiocommunications by medical units and transports in the application of the procedures carried out under Articles 22, 23, 25, 26, 27, 28, 29, 30 and 31 of the Protocol.

Article 10 - Use of international codes

Medical units and transports may also use the codes and signals laid down by the International Telecommunication Union, the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization. These codes and signals shall be used in accordance with the standards, practices and procedures established by these Organizations.

Article 11 – Other means of communication

When two-way radiocommunication is not possible, the signals provided for in the International Code of Signals adopted by the Inter-Governmental Maritime Consultative Organization or in the appropriate Annex to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used.

Article 12 – Flight plans

The agreements and notifications relating to flight plans provided for in Article 29 of the Protocol shall as far as possible be formulated in accordance with procedures laid down by the International Civil Aviation Organization.

Article 13 – Signals and procedures for the interception of medical aircraft

If an intercepting aircraft is used to verify the identity of a medical aircraft in flight or to require it to land in accordance with Articles 30 and 31 of the Protocol, the standard visual and radio interception procedures prescribed by Annex 2 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, should be used by the intercepting and the medical aircraft.


Chapter V

CIVIL DEFENCE

Article 14 – Identity card


1. The identity card of the civil defence personnel provided for in Article 66, paragraph 3, of the Protocol is governed by the relevant provisions of Article 1 of these Regulations.
2. The identity card for civil defence personnel may follow the model shown in Figure 3.
3. If civil defence personnel are permitted to carry light individual weapons, an entry to that effect should be made on the card mentioned.

FRONT



(space reserved for the name
of the country and authority
issuing this card)

IDENTITY CARD
for civil defence personnel



Name

Date of birth (or age)

Identity No. (if any)

The holder of this card is protected by the Geneva Conventions of 12 August 1949 and by the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) in his capacity as

Date of issue No. of card

Signature of issuing authority

Date of expiry

REVERSE SIDE

Height	Eyes	Hair
Other distinguishing marks or information:		
Weapons		
PHOTO OF HOLDER		
Stamp	Signature of holder or thumbprint or both	

Fig. 3: Model of identity card for civil defence personnel
(format: 74 mm x 105 mm)

Article 15 – International distinctive sign

1. The international distinctive sign of civil defence provided for in Article 66, paragraph 4, of the Protocol is an equilateral blue triangle on an orange ground. A model is shown in Figure 4:

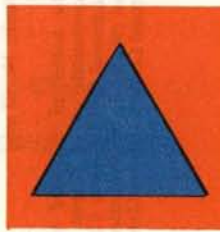


Fig. 4: Blue triangle on an orange ground

2. It is recommended that:

- (a) if the blue triangle is on a flag or armlet or tabard, the ground to the triangle be the orange flag, armlet or tabard;
- (b) one of the angles of the triangle be pointed vertically upwards;
- (c) no angle of the triangle touch the edge of the orange ground.

3. The international distinctive sign shall be as large as appropriate under the circumstances. The distinctive sign shall, whenever possible, be displayed on flat surfaces or on flags visible from as many directions and from as far away as possible. Subject to the instructions of the competent authority, civil defence personnel shall, as far as possible, wear headgear and clothing bearing the international distinctive sign. At night or when visibility is reduced, the sign may be lighted or illuminated; it may also be made of materials rendering it recognizable by technical means of detection.

Chapter VI

WORKS AND INSTALLATIONS CONTAINING DANGEROUS FORCES

Article 16 – International special sign

1. The international special sign for works and installations containing dangerous forces, as provided for in Article 56, paragraph 7, of the Protocol, shall be a group of three bright orange circles of equal size, placed on the same axis, the distance between each circle being one radius, in accordance with Figure 5 illustrated below.

2. The sign shall be as large as appropriate under the circumstances. When displayed over an extended surface it may be repeated as often as appropriate under the circumstances. It shall, whenever possible, be displayed on flat surfaces or on flags so as to be visible from as many directions and from as far away as possible.

3. On a flag, the distance between the outer limits of the sign and the adjacent sides of the flag shall be one radius of a circle. The flag shall be rectangular and shall have a white ground.

4. At night or when visibility is reduced, the sign may be lighted or illuminated. It may also be made of materials rendering it recognizable by technical means of detection.



Fig. 5: International special sign for works and installations containing dangerous forces

ANNEX II

IDENTITY CARD FOR JOURNALISTS ON DANGEROUS PROFESSIONAL MISSIONS

FRONT

<p>NOTICE</p> <p>This identity card is issued to journalists on dangerous professional missions in areas of armed conflicts. The holder is entitled to be treated as a civilian under the Geneva Conventions of 12 August 1949, and their Additional Protocol I. The card must be carried at all times by the bearer. If he is detained, he shall at once hand it to the Detaining Authorities, to assist in his identification.</p> <p>ملحوظة</p> <p>تمنح هذه البطاقة للصحفيين الكثرين بمهمات مهنية خطيرة في مناطق المنازعات المسلحة ويحق لمالكيها أن يعامل معاملة المقاتلين المدنيين وفقاً لاتفاقيات جنيف المؤرخة ١٢ آب / أغسطس ١٩٤٩ ولحقوقها (بروتوكولها) الإضافي الأول. ويجب أن يحتفظ صاحب البطاقة بها دوماً وإذا اعتقل فيجب أن يسلمها فوراً إلى سلطة الاعتقال لتساعد على تحديده هويته.</p> <p>NOTA</p> <p>La presente tarjeta de identidad se expide a los periodistas en misión profesional peligrosa en zonas de conflictos armados. Su titular tiene derecho a ser tratado como persona civil conforme a los Convenios de Ginebra del 12 de agosto de 1949 y su Protocolo adicional I. El titular debe llevar la tarjeta consigo, en todo momento. En caso de ser detenido, la entregará inmediatamente a las autoridades que lo detengan a fin de facilitar su identificación.</p> <p>AVIS</p> <p>La présente carte d'identité est délivrée aux journalistes en mission professionnelle périlleuse dans des zones de conflit armé. Le porteur a le droit d'être traité comme une personne civile aux termes des Conventions de Genève du 12 août 1949 et de leur Protocole additionnel I. La carte doit être portée en tout temps par son titulaire. Si celui-ci est arrêté, il la remettra immédiatement aux autorités qui le détienne afin qu'elles puissent l'identifier.</p> <p>ПРИМЕЧАНИЕ</p> <p>Настоящее удостоверение выдается журналистам, находящимся в опасных профессиональных командировках в районах вооруженного конфликта. Его обладатель имеет право на обращение с ним как с гражданским лицом в соответствии с Женевскими Конвенциями от 12 августа 1949 г. и Дополнительным Протоколом I к ним. Владелец настоящего удостоверения должен постоянно иметь его при себе. В случае задержания он немедленно вручает его задерживающим властям для содействия установлению его личности.</p>	<p>(Name of country issuing this card) (اسم القطر الصادر لهذه البطاقة) (Nombre del país que expide esta tarjeta) (Nom du pays qui a délivré cette carte)</p> <p>IDENTITY CARD FOR JOURNALISTS ON DANGEROUS PROFESSIONAL MISSIONS</p> <p>بطاقة الهوية الخاصة بالصحفيين المكثرين بمهمات مهنية خطيرة</p> <p>TARJETA DE IDENTIDAD DE PERIODISTA EN MISION PELIGROSA</p> <p>CARTE D'IDENTITE DE JOURNALISTE EN MISSION PERILLEUSE</p> <p>УДОСТОВЕРЕНИЕ ЖУРНАЛИСТА, НАХОДЯЩЕГОСЯ В ОПАСНОЙ КОМАНДИРОВКЕ</p>
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REVERSE SIDE

<p>Issued by (competent authority) (صدرت من السلطة المختصة) Expedita por (autoridad competente) Délivrée par (autorité compétente) Выдано (компетентными властями)</p> <p>Photograph of bearer (صورة صاحب البطاقة) Fotografía del titular Photographie du porteur Фотография предъявителя (Official seal imprint) (الختم الرسمي)</p> <p>(Sello oficial) (Timbre de l'autorité délivrant la carte) (Official seal imprint) (Signature of bearer) (توقيع صاحب البطاقة) (Firma del titular) (Signature du porteur) (Подпись владельца)</p> <p>Name (الاسم) Apellidos (فاميليا) Nom (الاسم) Nombre (اسم) Prénoms (اسم، اوتчество) Place & date of birth (مكان وتاريخ الميلاد) Lugar y fecha de nacimiento Lieu & date de naissance (المكان و تاريخ الميلاد) Correspondent of (مُرسل) Correspondant de (مُرسل) Correspondent de (مُرسل) Specific occupation (المهنة) Categoría profesional (المهنة) Categoría professionnelle (المهنة) Valid for (يشتمل العمل به) Válido por (مدة الصلابة) Durée de validité (دائمياً)</p>	<p>Height (الطول) Estatura Taille Рост Weight (الوزن) Peso Poids Вес Blood type (نمط الدم) Grupo sanguíneo Groupe sanguine Группа крови Religion (optional) (اختياري) Religion (optativo) Religion (facultatif) Религия (факультативно) Fingerprints (optional) (اختياري) Huellas dactilares (optativo) Empreintes digitales (facultatif) Отпечатки пальцев (факультативно) (Left forefinger) (اليد اليسرى) (Dedo índice izquierdo) (Index gauche) (Left index finger) (اليد اليسرى) Eyes (العينان) Ojos Yeux Глаза Hair (الشعر) Cabello Cheveux Волосы Rh factor (عامل التجلط) Factor Rh Facteur Rh Rh- фактор (Religion (optional) (اختياري) Religion (optativo) Religion (facultatif) Религия (факультативно) Fingerprints (optional) (اختياري) Huellas dactilares (optativo) Empreintes digitales (facultatif) Отпечатки пальцев (факультативно) (Left forefinger) (اليد اليسرى) (Dedo índice izquierdo) (Index gauche) (Left index finger) (اليد اليسرى) (Right forefinger) (اليد اليمنى) (Dedo índice derecho) (Index droit) (Right index finger) (اليد اليمنى)</p> <p>Special marks of identification (العلامات المميزة لتحديد الهوية) Señas particulares Signes particuliers Собственные признаки</p>
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PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS
OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS
OF NON-INTERNATIONAL ARMED CONFLICTS (PROTOCOL II)

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PREAMBLE

The High Contracting Parties,

Recalling that the humanitarian principles enshrined in Article 3 common to the Geneva Conventions of 12 August 1949, constitute the foundation of respect for the human person in cases of armed conflict not of an international character,

Recalling furthermore that international instruments relating to human rights offer a basic protection to the human person,

Emphasizing the need to ensure a better protection for the victims of those armed conflicts,

Recalling that, in cases not covered by the law in force, the human person remains under the protection of the principles of humanity and the dictates of the public conscience,

Have agreed on the following:

PART I

SCOPE OF THIS PROTOCOL

Article 1 – Material field of application

1. This Protocol, which develops and supplements Article 3 common to the Geneva Conventions of 12 August 1949 without modifying its existing conditions of application, shall apply to all armed conflicts which are not covered by Article 1 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.
2. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.

Article 2 – Personal field of application

1. This Protocol shall be applied without any adverse distinction founded on race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria (hereinafter referred to as “adverse distinction”) to all persons affected by an armed conflict as defined in Article 1.
2. At the end of the armed conflict, all the persons who have been deprived of their liberty or whose liberty has been restricted for reasons related to such conflict, as well as those deprived of their liberty or whose liberty is restricted after the conflict for the same reasons, shall enjoy the protection of Articles 5 and 6 until the end of such deprivation or restriction of liberty.

Article 3 – Non-intervention

1. Nothing in this Protocol shall be invoked for the purpose of affecting the sovereignty of a State or the responsibility of the government, by all legitimate means, to maintain or re-establish law and order in the State or to defend the national unity and territorial integrity of the State.
2. Nothing in this Protocol shall be invoked as a justification for intervening, directly or indirectly, for any reason whatever, in the armed conflict or in the internal or external affairs of the High Contracting Party in the territory of which that conflict occurs.

PART II
HUMANE TREATMENT

Article 4 – Fundamental guarantees

1. All persons who do not take a direct part or who have ceased to take part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, honour and convictions and religious practices. They shall in all circumstances be treated humanely, without any adverse distinction. It is prohibited to order that there shall be no survivors.

2. Without prejudice to the generality of the foregoing, the following acts against the persons referred to in paragraph 1 are and shall remain prohibited at any time and in any place whatsoever:

- (a) violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;
- (b) collective punishments;
- (c) taking of hostages;
- (d) acts of terrorism;
- (e) outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault;
- (f) slavery and the slave trade in all their forms;
- (g) pillage;
- (h) threats to commit any of the foregoing acts.

3. Children shall be provided with the care and aid they require, and in particular:

- (a) they shall receive an education, including religious and moral education, in keeping with the wishes of their parents or, in the absence of parents, of those responsible for their care;
- (b) all appropriate steps shall be taken to facilitate the reunion of families temporarily separated;
- (c) children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities;
- (d) the special protection provided by this Article to children who have not attained the age of fifteen years shall remain applicable to them if they take a direct part in hostilities despite the provisions of sub-paragraph (c) and are captured;
- (e) measures shall be taken, if necessary, and whenever possible with the consent of their parents or persons who by law or custom are primarily responsible for their care, to remove children temporarily from the area in which hostilities are taking place to a safer area within the country and ensure that they are accompanied by persons responsible for their safety and well-being.

Article 5 – Persons whose liberty has been restricted

1. In addition to the provisions of Article 4, the following provisions shall be respected as a minimum with regard to persons deprived of their liberty for reasons related to the armed conflict, whether they are interned or detained:

- (a) the wounded and the sick shall be treated in accordance with Article 7;
- (b) the persons referred to in this paragraph shall, to the same extent as the local civilian population, be provided with food and drinking water and be afforded safeguards as regards health and hygiene and protection against the rigours of the climate and the dangers of the armed conflict;
- (c) they shall be allowed to receive individual or collective relief;
- (d) they shall be allowed to practise their religion and, if requested and appropriate, to receive spiritual assistance from persons, such as chaplains, performing religious functions;
- (e) they shall, if made to work, have the benefit of working conditions and safeguards similar to those enjoyed by the local civilian population.

2. Those who are responsible for the internment or detention of the persons referred to in paragraph 1 shall also, within the limits of their capabilities, respect the following provisions relating to such persons:

- (a) except when men and women of a family are accommodated together, women shall be held in quarters separated from those of men and shall be under the immediate supervision of women;
- (b) they shall be allowed to send and receive letters and cards, the number of which may be limited by competent authority if it deems necessary;
- (c) places of internment and detention shall not be located close to the combat zone. The persons referred to in paragraph 1 shall be evacuated when the places where they are interned or detained become particularly exposed to danger arising out of the armed conflict, if their evacuation can be carried out under adequate conditions of safety;
- (d) they shall have the benefit of medical examinations;
- (e) their physical or mental health and integrity shall not be endangered by any unjustified act or omission. Accordingly, it is prohibited to subject the persons described in this Article to any medical procedure which is not indicated by the state of health of the person concerned, and which is not consistent with the generally accepted medical standards applied to free persons under similar medical circumstances.

3. Persons who are not covered by paragraph 1 but whose liberty has been restricted in any way whatsoever for reasons related to the armed conflict shall be treated humanely in accordance with Article 4 and with paragraphs 1 (a), (c) and (d), and 2 (b) of this Article.

4. If it is decided to release persons deprived of their liberty, necessary measures to ensure their safety shall be taken by those so deciding.

Article 6 – Penal prosecutions

1. This Article applies to the prosecution and punishment of criminal offences related to the armed conflict.
2. No sentence shall be passed and no penalty shall be executed on a person found guilty of an offence except pursuant to a conviction pronounced by a court offering the essential guarantees of independence and impartiality. In particular:
 - (a) the procedure shall provide for an accused to be informed without delay of the particulars of the offence alleged against him and shall afford the accused before and during his trial all necessary rights and means of defence;
 - (b) no one shall be convicted of an offence except on the basis of individual penal responsibility;
 - (c) no one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under the law, at the time when it was committed; nor shall a heavier penalty be imposed than that which was applicable at the time when the criminal offence was committed; if, after the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby;
 - (d) anyone charged with an offence is presumed innocent until proved guilty according to law;
 - (e) anyone charged with an offence shall have the right to be tried in his presence;
 - (f) no one shall be compelled to testify against himself or to confess guilt.
3. A convicted person shall be advised on conviction of his judicial and other remedies and of the time-limits within which they may be exercised.
4. The death penalty shall not be pronounced on persons who were under the age of eighteen years at the time of the offence and shall not be carried out on pregnant women or mothers of young children.
5. At the end of hostilities, the authorities in power shall endeavour to grant the broadest possible amnesty to persons who have participated in the armed conflict, or those deprived of their liberty for reasons related to the armed conflict, whether they are interned or detained.

PART III

WOUNDED, SICK AND SHIPWRECKED

Article 7 – Protection and care

1. All the wounded, sick and shipwrecked, whether or not they have taken part in the armed conflict, shall be respected and protected.
2. In all circumstances they shall be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition. There shall be no distinction among them founded on any grounds other than medical ones.

Article 8 – Search

Whenever circumstances permit, and particularly after an engagement, all possible measures shall be taken, without delay, to search for and collect the wounded, sick and shipwrecked, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead, prevent their being despoiled, and decently dispose of them.

Article 9 – Protection of medical and religious personnel

1. Medical and religious personnel shall be respected and protected and shall be granted all available help for the performance of their duties. They shall not be compelled to carry out tasks which are not compatible with their humanitarian mission.
2. In the performance of their duties medical personnel may not be required to give priority to any person except on medical grounds.

Article 10 – General protection of medical duties

1. Under no circumstances shall any person be punished for having carried out medical activities compatible with medical ethics, regardless of the person benefiting therefrom.
2. Persons engaged in medical activities shall neither be compelled to perform acts or to carry out work contrary to, nor be compelled to refrain from acts required by, the rules of medical ethics or other rules designed for the benefit of the wounded and sick, or this Protocol.
3. The professional obligations of persons engaged in medical activities regarding information which they may acquire concerning the wounded and sick under their care shall, subject to national law, be respected.
4. Subject to national law, no person engaged in medical activities may be penalized in any way for refusing or failing to give information concerning the wounded and sick who are, or who have been, under his care.

Article 11 – Protection of medical units and transports

1. Medical units and transports shall be respected and protected at all times and shall not be the object of attack.

2. The protection to which medical units and transports are entitled shall not cease unless they are used to commit hostile acts, outside their humanitarian function. Protection may, however, cease only after a warning has been given setting, whenever appropriate, a reasonable time-limit, and after such warning has remained unheeded.

Article 12 – The distinctive emblem

Under the direction of the competent authority concerned, the distinctive emblem of the red cross, red crescent or red lion and sun on a white ground shall be displayed by medical and religious personnel and medical units, and on medical transports. It shall be respected in all circumstances. It shall not be used improperly.

PART IV

CIVILIAN POPULATION

Article 13 – Protection of the civilian population

1. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. To give effect to this protection, the following rules shall be observed in all circumstances.

2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

3. Civilians shall enjoy the protection afforded by this Part, unless and for such time as they take a direct part in hostilities.

Article 14 – Protection of objects indispensable to the survival of the civilian population

Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.

Article 15 – Protection of works and installations containing dangerous forces

Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, shall not be made the object of attack, even where these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population.

Article 16 – Protection of cultural objects and of places of worship

Without prejudice to the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, it is prohibited to commit any acts of hostility directed against historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples, and to use them in support of the military effort.

Article 17 – Prohibition of forced movement of civilians

1. The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.

2. Civilians shall not be compelled to leave their own territory for reasons connected with the conflict.

Article 18 – Relief societies and relief actions

1. Relief societies located in the territory of the High Contracting Party, such as Red Cross (Red Crescent, Red Lion and Sun) organizations, may offer their services for the performance of their traditional functions in relation to the victims of the armed conflict. The civilian population may, even on its own initiative, offer to collect and care for the wounded, sick and shipwrecked.

2. If the civilian population is suffering undue hardship owing to a lack of the supplies essential for its survival, such as foodstuffs and medical supplies, relief actions for the civilian population which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party concerned.

PART V

FINAL PROVISIONS

Article 19 – Dissemination

This Protocol shall be disseminated as widely as possible.

Article 20 – Signature

This Protocol shall be open for signature by the Parties to the Conventions six months after the signing of the Final Act and will remain open for a period of twelve months.

Article 21 – 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 Conventions.

Article 22 – Accession

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

Article 23 – 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 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 24 – 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 and the International Committee of the Red Cross, 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 Conventions, whether or not they are signatories of this Protocol.

Article 25 – Denunciation

1. In case a High Contracting Party should denounce this Protocol, the denunciation shall only take effect six months after receipt of the instrument of denunciation. If, however, on the expiry of six months, the denouncing Party is engaged in the situation referred to in Article 1, the denunciation shall not take effect before the end of the armed conflict. Persons who have been deprived of liberty, or whose liberty has been restricted, for reasons related to the conflict shall nevertheless continue to benefit from the provisions of this Protocol until their final release.
2. The denunciation shall be notified in writing to the depositary, which shall transmit it to all the High Contracting Parties.

Article 26 – Notifications

The depositary shall inform the High Contracting Parties as well as the Parties to the 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 21 and 22;
- (b) the date of entry into force of this Protocol under Article 23; and
- (c) communications and declarations received under Article 24.

Article 27 – 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 and accessions received by it with respect to this Protocol.

Article 28 – 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 Conventions.

RESOLUTIONS
ADOPTED AT THE FOURTH SESSION

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17 (IV). USE OF CERTAIN ELECTRONIC AND VISUAL MEANS OF IDENTIFICATION BY MEDICAL AIRCRAFT PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974–1977,

Considering that:

(a) in order to avoid their engagement by combatant forces there is an urgent need for both electronic and visual identification of medical aircraft in flight,

(b) the Secondary Surveillance Radar (SSR) system has the capability of providing unique identification of aircraft and of *en route* flight details,

(c) the International Civil Aviation Organization is the most appropriate international body to designate SSR modes and codes in the range of circumstances envisaged,

(d) this Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by aircraft exclusively engaged in medical transport,¹

Recognizing that the designation in advance of an exclusive, world-wide SSR mode and code for the identification of medical aircraft may not be possible owing to the extensive deployment of the SSR system,

1. *Requests* the President of the Conference to transmit to the International Civil Aviation Organization this document, together with the attached documents of this Conference, inviting that Organization to:

(a) establish appropriate procedures for the designation, in case of an international armed conflict, of an exclusive SSR mode and code to be employed by medical aircraft concerned; and,

(b) note the agreement of this Conference to recognize the flashing blue light as a means of identification of medical aircraft, and provide for that use in the appropriate International Civil Aviation Organization documents;

2. *Urges* the Governments invited to the present Conference to lend their full co-operation to this endeavour in the consultative processes of the International Civil Aviation Organization.

*Fifty-fourth plenary meeting
7 June 1977*

¹ See Annex to this resolution.

ANNEX

Articles 6 and 8 of the Regulations contained in Annex I to Protocol I

Article 6 – Light signal

1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates:

green boundary	$y = 0.065 + 0.805x$
white boundary	$y = 0.400 - x$
purple boundary	$x = 0.133 + 0.600y$

The recommended flashing rate of the blue light is between sixty and one hundred flashes per minute.

2. Medical aircraft should be equipped with such lights as may be necessary to make the light signal visible in as many directions as possible.

3. In the absence of a special agreement between the Parties to the conflict reserving the use of flashing blue lights for the identification of medical vehicles and medical ships and craft, the use of such signals for other vehicles or ships is not prohibited.

Article 8 – Electronic identification

1. The Secondary Surveillance Radar (SSR) system as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.

2. Parties to a conflict may, by special agreement between them, establish for their use a similar electronic system for the identification of medical vehicles and medical ships and craft.

18 (IV). USE OF VISUAL SIGNALLING FOR IDENTIFICATION OF MEDICAL TRANSPORTS PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974–1977,

Considering that:

(a) in order to avoid attacks upon them there is a need for the improved visual identification of medical transports,

(b) this Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by aircraft exclusively engaged in medical transport,¹

(c) by special agreement, Parties to a conflict may reserve the use of a flashing blue light for the identification of medical vehicles and medical ships and craft, but, in the absence of such agreement, the use of such signals for other vehicles or ships is not prohibited,

(d) in addition to the distinctive emblem and the flashing blue light, other means of visual identification, such as signal flags and combinations of flares, may be used eventually to identify medical transports,

(e) the Inter-Governmental Maritime Consultative Organization is the most appropriate international body to designate and promulgate visual signals to be employed within the maritime environment,

Having noted that, though the Geneva Conventions of 12 August 1949 recognize the use of the distinctive emblem to be flown by hospital ships and medical craft, this use is not reflected in relevant documents of the Inter-Governmental Maritime Consultative Organization,

1. *Requests* the President of the Conference to transmit to the Inter-Governmental Maritime Consultative Organization this resolution, together with the documents of this Conference, inviting that Organization to:

(a) consider introduction into the appropriate documents, such as the International Code of Signals, the flashing blue light as described in Article 6 of Chapter III of the Regulations contained in Annex I to Protocol I;

(b) provide for recognition of the distinctive emblem in the appropriate documents (see Article 3 of Chapter II of the said Regulations);

(c) consider the establishment both of unique flag signals and of a flare combination, such as white-red-white, which might be used for additional or alternative visual identification of medical transports;

¹ See Annex to this resolution.

2. *Urges* the Governments invited to this Conference to lend their full co-operation to this endeavour in the consultative processes of the Inter-Governmental Maritime Consultative Organization.

*Fifty-fourth plenary meeting
7 June 1977*

ANNEX

Articles 3, 6, 10 and 11 of the Regulations contained in Annex I to Protocol I

Article 3 – Shape and nature

1. The distinctive emblem (red on a white ground) shall be as large as appropriate under the circumstances. For the shapes of the cross, the crescent or the lion and sun, the High Contracting Parties may be guided by the models shown in Figure 2.
2. At night or when visibility is reduced, the distinctive emblem may be lighted or illuminated; it may also be made of materials rendering it recognizable by technical means of detection.



Fig. 2: Distinctive emblems in red on a white ground

Article 6 – Light signal

1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates:

green boundary	$y = 0.065 + 0.805x$
white boundary	$y = 0.400 - x$
purple boundary	$x = 0.133 + 0.600y$

The recommended flashing rate of the blue light is between sixty and one hundred flashes per minute.

2. Medical aircraft should be equipped with such lights as may be necessary to make the light signal visible in as many directions as possible.
3. In the absence of a special agreement between the Parties to the conflict reserving the use of flashing blue lights for the identification of medical vehicles and ships and craft, the use of such signals for other vehicles or ships is not prohibited.

Article 10 – Use of international codes

Medical units and transports may also use the codes and signals laid down by the International Telecommunication Union, the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization. These codes and signals shall be used in accordance with the standards, practices and procedures established by these Organizations.

Article 11 – Other means of communication

When two-way radiocommunication is not possible, the signals provided for in the International Code of Signals adopted by the Inter-Governmental Maritime Consultative Organization or in the appropriate Annex to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used.

19 (IV). USE OF RADIOCOMMUNICATIONS FOR ANNOUNCING AND IDENTIFYING MEDICAL TRANSPORTS PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974–1977,

Considering that:

(a) it is vital that distinctive and reliable communications be used for identifying, and announcing the movement of, medical transports,

(b) adequate and appropriate consideration will be given to communications related to the movement of a medical transport only if it is identified by an internationally recognized priority signal such as “Red Cross”, “Humanity”, “Mercy” or other technically and phonetically recognizable term,

(c) the wide range of circumstances under which a conflict may occur makes it impossible to select in advance suitable radio frequencies for communications,

(d) the radio frequencies to be employed for communicating information relative to the identification and movement of medical transports must be made known to all parties who may use medical transports,

Having noted:

(a) Recommendation No. 2 of the International Telecommunication Union (ITU) Plenipotentiary Conference, 1973, relating to the use of radiocommunications for announcing and identifying hospital ships and medical aircraft protected under the Geneva Conventions of 1949,

(b) Recommendation No. Mar2 – 17 of the International Telecommunication Union World Maritime Administrative Radio Conference, Geneva, 1974, relating to the use of radiocommunications for marking, identifying, locating, and communicating with the means of transport protected under the Geneva Conventions of 12 August 1949, concerning the protection of war victims and any additional instruments of those conventions, as well as for ensuring the safety of ships and aircraft of States not Parties to an armed conflict;

(c) the memorandum by the International Frequency Registration Board (IFRB), a permanent organ of the International Telecommunication Union (ITU), relating to the need for national co-ordination on radiocommunication matters;

Recognizing that:

(a) the designation and use of frequencies, including the use of distress frequencies,

operating procedures in the Mobile Service,

the distress, alarm, urgency and safety signals, and

the order of priority of communications in the Mobile Service

are governed by the Radio Regulations annexed to the International Telecommunication Convention;

(b) these Regulations may be revised only by a competent ITU World Administrative Radio Conference;

(c) the next competent World Administrative Radio Conference is planned for 1979 and that written proposals for the revision of the Radio Regulations should be submitted by Governments about one year before the opening of the Conference,

1. *Takes note with appreciation* that a specific item has been included on the agenda of the World Administrative Radio Conference, Geneva, 1979, which reads:

“2.6 to study the technical aspects of the use of radiocommunications for marking, identifying, locating and communicating with the means of medical transport protected under the 1949 Geneva Conventions and any additional instruments of these Conventions”;

2. *Requests* the President of the Conference to transmit this document to all Governments and organizations invited to the present Conference, together with the attachments representing the requirements, both for radio frequencies and for international recognition of an appropriate priority signal, which must be satisfied in the proceedings of a competent World Administrative Radio Conference;¹

3. *Urges* the Governments invited to the present Conference to make, as a matter of urgency, the appropriate preparations for the World Administrative Radio Conference to be held in 1979 so that the vital requirements of communications for protected medical transports in armed conflicts may be adequately provided for in the Radio Regulations.

*Fifty-fourth plenary meeting
7 June 1977*

¹ See Annex to this resolution.

ANNEX

Articles 7, 8 and 9 of the Regulations contained in Annex I to Protocol I

Article 7 – Radio signal

1. The radio signal shall consist of a radiotelephonic or radiotelegraphic message preceded by a distinctive priority signal to be designated and approved by a World Administrative Radio Conference of the International Telecommunication Union. It shall be transmitted three times before the call sign of the medical transport involved. This message shall be transmitted in English at appropriate intervals on a frequency or frequencies specified pursuant to paragraph 3. The use of the priority signal shall be restricted exclusively to medical units and transports.

2. The radio message preceded by the distinctive priority signal mentioned in paragraph 1 shall convey the following data:

- (a) call sign of the medical transport;
- (b) position of the medical transport;
- (c) number and type of medical transports;
- (d) intended route;
- (e) estimated time *en route* and of departure and arrival, as appropriate;
- (f) any other information such as flight altitude, radio frequencies guarded, languages and secondary surveillance radar modes and codes.

3. In order to facilitate the communications referred to in paragraphs 1 and 2, as well as the communications referred to in Articles 22, 23, 25, 26, 27, 28, 29, 30 and 31 of the Protocol, the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, may designate, in accordance with the Table of Frequency Allocations in the Radio Regulations annexed to the International Telecommunication Convention, and publish selected national frequencies to be used by them for such communications. These frequencies shall be notified to the International Telecommunication Union in accordance with procedures to be approved by a World Administrative Radio Conference.

Article 8 – Electronic identification

1. The Secondary Surveillance Radar (SSR) system, as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.

2. Parties to a conflict may, by special agreement between them, establish for their use a similar electronic system for the identification of medical vehicles, and medical ships and craft.

Article 9 – Radiocommunications

The priority signal provided for in Article 7 of these Regulations may precede appropriate radiocommunications by medical units and transports in the application of the procedures carried out under Articles 22, 23, 25, 26, 27, 28, 29, 30 and 31 of the Protocol.

20 (IV). PROTECTION OF CULTURAL PROPERTY

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974–1977,

Welcoming the adoption of Article 53 relating to the protection of cultural objects and places of worship as defined in the said Article, contained in the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I),

Acknowledging that the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Additional Protocol, signed at The Hague on 14 May 1954, constitutes an instrument of paramount importance for the international protection of the cultural heritage of all mankind against the effects of armed conflict and that the application of this Convention will in no way be prejudiced by the adoption of the Article referred to in the preceding paragraph,

Urges States which have not yet done so to become Parties to the aforementioned Convention.

*Fifty-fifth plenary meeting
7 June 1977*

21 (IV). DISSEMINATION OF KNOWLEDGE OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE IN ARMED CONFLICTS

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974–1977,

Convinced that a sound knowledge of international humanitarian law is an essential factor for its effective application,

Confident that widespread knowledge of that law will contribute to the promotion of humanitarian ideals and a spirit of peace among nations,

1. *Reminds* the High Contracting Parties that under the four Geneva Conventions of 1949 they have undertaken to disseminate knowledge of those Conventions as widely as possible, and that the Protocols adopted by the Conference reaffirm and extend that obligation;

2. *Invites* the signatory States to take all appropriate measures to ensure that knowledge of international humanitarian law applicable in armed conflicts, and of the fundamental principles on which that law is based, is effectively disseminated, particularly by:

(a) encouraging the authorities concerned to plan and give effect, if necessary with the assistance and advice of the International Committee of the Red Cross, to arrangements to teach international humanitarian law, particularly to the armed forces and to appropriate administrative authorities, in a manner suited to national circumstances;

(b) undertaking in peacetime the training of suitable persons to teach international humanitarian law and to facilitate the application thereof, in accordance with Articles 6 and 82 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I);

(c) recommending that the appropriate authorities intensify the teaching of international humanitarian law in universities (faculties of law, political science, medicine, etc.);

(d) recommending to educational authorities the introduction of courses on the principles of international humanitarian law in secondary and similar schools;

3. *Urges* National Red Cross, Red Crescent and Red Lion and Sun Societies to offer their services to the authorities in their own countries with a view to the effective dissemination of knowledge of international humanitarian law;

4. *Invites* the International Committee of the Red Cross to participate actively in the effort to disseminate knowledge of international humanitarian law by, *inter alia*:

(a) publishing material that will assist in teaching international humanitarian law, and circulating appropriate information for the dissemination of the Geneva Conventions and the Protocols,

(b) organizing, on its own initiative or when requested by Governments or national societies, seminars and courses on international humanitarian law, and co-operating for that purpose with States and appropriate institutions.

*Fifty-fifth plenary meeting
7 June 1977*

22 (IV). FOLLOW-UP REGARDING PROHIBITION OR RESTRICTION OF USE OF CERTAIN CONVENTIONAL WEAPONS

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974–1977,

Having met at Geneva for four sessions, in 1974, 1975, 1976 and 1977, and having adopted new humanitarian rules relating to armed conflicts and methods and means of warfare,

Convinced that the suffering of the civilian population and combatants could be significantly reduced if agreements can be attained on the prohibition or restriction for humanitarian reasons of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Recalling that the issue of prohibitions or restrictions for humanitarian reasons of the use of specific conventional weapons has been the subject of substantive discussion in the *Ad Hoc* Committee on Conventional Weapons of the Conference at all its four sessions, and at the Conferences of Government Experts held under the auspices of the International Committee of the Red Cross in 1974 at Lucerne and in 1976 at Lugano,

Recalling, in this connexion, discussions and relevant resolutions of the General Assembly of the United Nations and appeals made by several Heads of State and Government,

Having concluded, from these discussions, that agreement exists on the desirability of prohibiting the use of conventional weapons, the primary effect of which is to injure by fragments not detectable by X-ray, and that there is a wide area of agreement with regard to land-mines and booby-traps,

Having also devoted efforts to the further narrowing down of divergent views on the desirability of prohibiting or restricting the use of incendiary weapons, including napalm,

Having also considered the effects of the use of other conventional weapons, such as small calibre projectiles and certain blast and fragmentation weapons, and having begun the consideration of the possibility of prohibiting or restricting the use of such weapons,

Recognizing that it is important that this work continue and be pursued with the urgency required by evident humanitarian considerations,

Believing that further work should both build upon the areas of agreement thus far identified and include the search for further areas of agreement and should, in each case, seek the broadest possible agreement,

1. *Resolves* to send the report of the *Ad Hoc* Committee and the proposals presented in that Committee to the Governments of States represented at the Conference and to the Secretary-General of the United Nations;

2. *Requests* that serious and early consideration be given to these documents and to the reports of the Conferences of Government Experts of Lucerne and Lugano;

3. *Recommends* that a Conference of Governments should be convened not later than 1979 with a view to reaching:

(a) agreements on prohibitions or restrictions on the use of specific conventional weapons including those which may be deemed to be excessively injurious or have indiscriminate effects, taking into account humanitarian and military considerations; and

(b) agreement on a mechanism for the review of any such agreements and for the consideration of proposals for further such agreements;

4. *Urges* that consultations be undertaken prior to the consideration of this question at the thirty-second session of the United Nations General Assembly for the purpose of reaching agreement on the steps to be taken in preparation for the Conference;

5. *Recommends* that a consultative meeting of all interested Governments be convened during September/October 1977 for this purpose;

6. *Recommends further* that the States participating in these consultations should consider *inter alia* the establishment of a Preparatory Committee which would seek to establish the best possible basis for the achievement at the Conference of agreements as envisaged in this resolution;

7. *Invites* the General Assembly of the United Nations at its thirty-second session, in the light of the results of the consultations undertaken pursuant to paragraph 4 of this resolution, to take any further action that may be necessary for the holding of the Conference in 1979.

Fifty-seventh plenary meeting
9 June 1977

23 (IV). REPORT OF THE CREDENTIALS COMMITTEE

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974–1977,

Approves the report of the Credentials Committee.¹

*Fifty-seventh plenary meeting
9 June 1977*

¹ Document CDDH/409/Rev.1.

24 (IV). EXPRESSION OF GRATITUDE TO THE HOST COUNTRY

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974–1977,

Having been convened at Geneva at the invitation of the Swiss Government,

Having held four sessions, in 1974, 1975, 1976 and 1977, during which it considered two draft Protocols additional to the Geneva Conventions of 12 August 1949, which had been prepared by the International Committee of the Red Cross,

Having benefited throughout its four sessions from the facilities placed at its disposal by the Government of Switzerland and by the authorities of the Republic and Canton and of the City of Geneva,

Profoundly appreciative of the hospitality and courtesy accorded to the participants of the Conference by the Government of Switzerland and by the authorities and the people of the Republic and Canton of Geneva and of the City of Geneva,

Having concluded its work by the adoption of two Protocols additional to the Geneva Conventions of 12 August 1949 and of various resolutions,

1. *Expresses* its sincere gratitude to the Government of Switzerland for its unfailing support for the work of the Conference and in particular to Mr. Pierre Graber, President of the Conference, Federal Councillor, Head of the Federal Political Department of the Swiss Confederation, whose wise and firm guidance has contributed so much to the Conference's success;

2. *Expresses* its sincere gratitude to the authorities and the people of the Republic and Canton of Geneva and of the City of Geneva for the generous hospitality and courtesy which they showed to the Conference and those participating in it;

3. *Pays a tribute* to the International Committee of the Red Cross and to its representatives and experts who devotedly and patiently advised the Conference on all matters arising in connexion with the draft Protocols and whose attachment to the principles of the Red Cross has served as an inspiration to the Conference;

4. *Expresses* its appreciation to Ambassador Jean Humbert, Secretary-General of the Conference, and to the entire staff of the Conference for the provision of efficient services at all times throughout the four years' duration of the Conference.

Fifty-eighth plenary meeting
9 June 1977

Copie certifiée conforme à l'original déposé dans les archives
de la Confédération suisse.

Berne, le 26 septembre 1977

Pour le
DEPARTEMENT POLITIQUE FEDERAL



(Bührer)

Chef de la Section
des Traités internationaux

Part Two

RESOLUTIONS

FIRST SESSION

(Geneva, 20 February - 29 March 1974)

R E S O L U T I O N S

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1 (I). DECISIONS RELATING TO INVITATIONS TO TAKE PART IN
THE CONFERENCE

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable
in Armed Conflicts,

Having considered the question of invitations to take
part in its work,

Resolves that 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.

Third plenary meeting
27 February 1974

2 (I). PARTICIPATION OF THE REPUBLIC OF GUINEA-BISSAU
IN THE CONFERENCE

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable
in Armed Conflicts,

Recalling the Proclamation of Independence of the Republic of Guinea-Bissau on 24 September 1973 as a result of the armed struggle waged by the people of that country in exercise of their legitimate right to self-determination and independence, in conformity with the provisions of the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling further resolution 3061 (XXVIII) of 2 November 1973, in which the General Assembly welcomed the accession to independence of the people of Guinea-Bissau and the birth of the sovereign Republic of Guinea-Bissau,

Recognizing the universal character of the participation in the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts,

1. Invites the Government of the Republic of Guinea-Bissau to send its plenipotentiaries to participate in the Conference;

2. Requests the President of the Conference to take immediate steps to give effect to this resolution.

Fourth plenary meeting
28 February 1974

3 (I). PARTICIPATION OF NATIONAL LIBERATION MOVEMENTS IN
THE CONFERENCE

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable
in Armed Conflicts,

Recognizing the paramount importance of ensuring broad participation in the work of the Conference, which is of a fundamentally humanitarian nature.

Convinced that the progressive development and codification of international humanitarian law applicable in armed conflicts is a universal task in which the national liberation movements can contribute positively,

1. Decides to invite the national liberation movements, which are recognized by the regional intergovernmental organizations concerned, to participate fully in the deliberations of the Conference and its Main Committees;

2. Decides further that, notwithstanding anything contained in the rules of procedure, the statements made or the proposals and amendments submitted by delegations of such national liberation movements shall be circulated by the Conference Secretariat as Conference documents to all the participants in the Conference, it being understood that only delegations representing States will be entitled to vote.

3. Requests the President of the Conference to take immediate steps to give effect to this resolution.

Seventh plenary meeting
1 March 1974

4 (I). PROTECTION OF JOURNALISTS ENGAGED IN DANGEROUS
MISSIONS IN AREAS OF ARMED CONFLICT

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable
in Armed Conflicts,

Considering resolution 3058 (XXVIII) of 2 November 1973,
by which the General Assembly of the United Nations requested
the Secretary-General of the Organization to invite the
Diplomatic Conference to submit its comments and advice
on the draft articles on the protection of journalists
engaged in dangerous missions in areas of armed conflict
and related amendments,^{1/}

Being desirous of complying with that request by giving
the Secretary-General of the United Nations detailed comments
on the documents in question,

Noting that the progress so far made in its work will
unfortunately not permit it to examine this question under
appropriate conditions during its present session,

1. Asks the Secretary-General of the Conference to
transmit to the Secretary-General of the United Nations its
request that additional time may be allowed for that purpose;

2. Decides to include the examination of this question
as a matter of priority in the agenda for its next session.

Twenty-first plenary meeting
28 March 1974

^{1/} See United Nations document A/9073, annexes I and II.

5 (I). SUBMISSION OF PROPOSALS AND AMENDMENTS TO DRAFT
PROTOCOLS I AND II

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable
in Armed Conflicts,

Having decided to resume its deliberations at a later date,

Aiming at a rapid progress in the deliberations of the
Conference,

1. Calls upon all participants in the Conference to
submit to the Secretariat of the Conference proposals and
amendments to the two draft Protocols by a date not later
than 15 September 1974, this being understood to be without
prejudice to the right of participants to submit proposals
and amendments at a later date or during the following
session,

2. Requests the Secretariat of the Conference to
prepare a comparative table of proposals and amendments
submitted by 15 September 1974 and to distribute that
table to all participants by 15 November 1974.

Twenty-second plenary meeting
29 March 1974

6 (I). ADOPTION OF THE REPORT OF COMMITTEE I

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable
in Armed Conflicts,

Adopting the report of Committee I, containing its
recommendation in paragraph 37,

Welcomes the adoption of article 1 of draft Protocol
I by Committee I.

Twenty-second plenary meeting
29 March 1974

SECOND SESSION

(Geneva, 3 February - 18 April 1975)

R E S O L U T I O N S

C O N T E N T S

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Resolution adopted without reference to a Main Committee

7 (II). QUESTION OF THE OBSERVANCE BY SOUTH AFRICA OF THE
GENEVA CONVENTIONS OF 1949

The Diplomatic Conference on the Reaffirmation and Development
of International Humanitarian Law applicable in Armed Conflicts,

Having been informed by its President that the Government of the Republic of South Africa will not be participating in the second session of the Conference,

Concerned about the possible implications of such non-participation for the Government of South Africa's continued adherence to the provisions of the Geneva Conventions of 12 August 1949, and the general principles of international humanitarian law,

Convinced of the imperative necessity for the universal observance of and respect for the principles and rules of international humanitarian law applicable in armed conflicts,

1. Requests its President to seek urgent assurances from the Government of the Republic of South Africa regarding its adherence to the Geneva Conventions of 1949 and its commitment to the principles and rules of international humanitarian law applicable in armed conflicts;

2. Requests its Secretary-General to report on the implementation of this resolution to the Conference before the close of its present session.

Twenty-seventh plenary meeting
5 February 1975

CDDH/227

Resolution adopted on the report of the Credentials Committee

8 (II). CREDENTIALS OF REPRESENTATIVES TO THE SECOND SESSION
OF THE CONFERENCE

The Diplomatic Conference on the Reaffirmation and Development
of International Humanitarian Law applicable in Armed Conflicts,

Approves the report of the Credentials Committee.^{1/}

Twenty-eighth plenary meeting
16 April 1975

^{1/} Document CDDH/218/Rev.2

Resolution adopted on the report of Committee I

9 (II). PROTECTION OF JOURNALISTS ENGAGED IN DANGEROUS
MISSIONS IN AREAS OF ARMED CONFLICTS

The Diplomatic Conference on the Reaffirmation and Development
of International Humanitarian Law Applicable in Armed Conflicts,

Considering resolution 3058 (XXVIII) of 2 November 1973, by which the General Assembly of the United Nations requested the Diplomatic Conference to submit its comments and advice on the draft Convention on the "protection of journalists engaged in dangerous missions in areas of armed conflict" ^{1/},

Considering resolution 4(I) of 28 March 1974, by which the Diplomatic Conference decided to include the examination of the question of journalists engaged in dangerous missions as a matter of priority in the agenda of its second session,

Considering resolution 3245 (XXIX) of 29 November 1974, by which the General Assembly of the United Nations expressed the wish that the Diplomatic Conference submit its observations and suggestions on the subject to the General Assembly at its thirtieth session,

Being desirous of complying with that request,

Noting with concern that too frequently journalists engaged in dangerous professional missions in areas of armed conflict do not enjoy adequate protection,

Having studied with close attention the draft articles which have been submitted to it,

^{1/} United Nations document A/9073, annex I.

Resolution adopted on the report of Committee I

1. Decides to add to Additional Protocol I to the Geneva Conventions an article concerning the protection of journalists engaged in dangerous professional missions in areas of armed conflict, which is based on the same guiding principles, and regards the matter from a purely humanitarian point of view, the text of which is annexed to this resolution;

2. Requests the Secretary-General of this Conference to transmit the text of this resolution to the Secretary-General of the United Nations.

Thirtieth plenary meeting
18 April 1975

ANNEX

In draft Protocol I, after article 69 add a new article reading as follows:

"Journalists who are engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of paragraph 1 of article 45. They shall be protected as such under the Conventions and the present Protocol, provided that they take no action affecting their status as civilians and without prejudice to the right of war correspondents accredited to the armed forces to the status provided under Article 4 A (4) of the Third Convention. They may obtain an identity card similar to the annexed model. This card, which shall be issued by the government of the State of which they are nationals or in which they reside or in which the news medium for which they work is located, shall attest to the holder's status as a journalist." ^{1/}

^{1/} See the report of Committee I (CDDH/219/Rev.1, para. 190 bis).

CDDH/227

Resolution adopted without reference to a Main Committee

10 (II). SUBMISSION OF PROPOSALS AND AMENDMENTS TO DRAFT
PROTOCOLS I AND II AND NEW ARRANGEMENT OF THE TWO
DRAFT PROTOCOLS

The Diplomatic Conference on the Reaffirmation and Development
of International Humanitarian Law applicable in Armed Conflicts,

Having decided to resume its deliberations at a later date,

Wishing to make rapid progress in its deliberations,

1. Calls on all participants in the Conference to submit to the Secretariat of the Conference any of their proposals or amendments relating to the two draft Protocols which have not yet been adopted, or the discussion of which in the Main Committees has not yet been completed;
2. Urges that all such proposals and amendments be submitted not later than 15 November 1975, it being understood that this request is without prejudice to the right of participants to submit proposals and amendments at a later date or even during the next session;
3. Requests the Secretariat of the Conference to prepare a comparative table of all proposals and amendments submitted by 15 November 1975 and to distribute it to all participants by 31 January 1976 at the latest;
4. Further requests the Secretariat of the Conference to prepare a synoptic table for the two draft Protocols giving:
 - (a) the text of the articles adopted by the Main Committees;
 - (b) the symbols of the documents containing the proposals and amendments relating to the articles not yet adopted.

Thirtieth plenary meeting
18 April 1975

THIRD SESSION

(Geneva, 21 April - 11 June 1976)

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Resolution adopted without reference to a Main Committee

11 (III). SUBMISSION OF PROPOSALS AND AMENDMENTS TO DRAFT
PROTOCOLS I AND II AND SUPPORTING DOCUMENTATION
BY THE SECRETARIAT OF THE CONFERENCE

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable in
Armed Conflicts,

Having decided to resume its deliberations at a later
date,

Wishing to make rapid progress towards the conclusion of
its deliberations,

1. Invites all participants in the Conference to submit to the Secretariat of the Conference any of their proposals or amendments relating to the articles of the draft Protocols which have not yet been adopted, or the discussion of which in the Main Committees has not yet been completed,
2. Requests that all such proposals and amendments be submitted not later than 15 November 1976, it being understood that this request is without prejudice to the right of participants to submit proposals and amendments at a later date or even during the next and final session,
3. Further requests the Secretariat of the Conference to prepare a comparative table of all proposals and amendments submitted by 15 November 1976 and to distribute it to all participants by 15 February 1977 at the latest;
4. Further requests the Secretariat of the Conference to prepare a synoptic table for the two draft Protocols giving:
 - (a) the text of the articles adopted by the Main Committees, and
 - (b) the symbols of the documents containing the proposals and amendments relating to the articles not yet adopted, and to send that synoptic table to all participants by 15 February 1977 at the latest.

Thirty-third plenary meeting
11 June 1976

CDDH/243

Resolution adopted without reference to a Main Committee

12 (III). WORK ON THE TEXT OF THE DRAFT ADDITIONAL PROTOCOLS
IN THE PERIOD BETWEEN THE THIRD AND FOURTH SESSIONS
OF THE CONFERENCE

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable in
Armed Conflicts,

Noting that, despite the efforts made during its first, second and third sessions, it has not been possible during those sessions to establish the definitive texts of all provisions of the proposed two Additional Protocols intended to supplement the Geneva Conventions of 12 August 1949, and to relate respectively to the protection of victims of international armed conflicts and to the protection of victims of non-international armed conflicts,

Keenly aware of the need to prepare the texts of the said Additional Protocols with the utmost care and without delay,

Having appointed a Drafting Committee to which it has entrusted the responsibility for co-ordinating and reviewing the drafting of all texts adopted or to be adopted by the Main Committees,

Considering the work already done by the Drafting Committee and realizing the vital function still to be performed by that Committee,

Having agreed to hold a final session in 1977 for the purpose of adopting the definitive texts of the Additional Protocols,

1. Invites the Secretariat to examine, in collaboration with the International Committee of the Red Cross, all the articles so far adopted by the Committees with a view, on the one hand, to ensuring the technical accuracy of words, correctness of grammar, consistency of usage, and accuracy of translation in the texts and, on the other, to identifying, with respect to each article, any issues of drafting and making any suggestions to the Drafting Committee with regard to the matter and with respect to the ordering and titles of the articles;

2. Considers that it would advance the work of the Drafting Committee to entrust the task of examining the texts prepared by the Secretariat in pursuance of paragraph 1 to a small team of members of the Secretariat and of the International Committee of the Red Cross, assisted by a few technical consultants, acting in their personal capacity, chosen from among the representatives of countries participating in the Conference by reason of their familiarity with the subject matter and their linguistic qualifications;

3. Requests the Secretary-General, in liaison with the President of the Conference and the Chairman of the Drafting Committee, to make appropriate arrangements for convening these technical consultants early in January 1977;

4. Further requests the Secretary-General to send to all participating delegations, before the opening of the fourth session of the Conference, the texts prepared by the Secretariat in collaboration with these technical consultants.

Thirty-third plenary meeting
11 June 1976

CDDH/243

Resolution adopted on the report of Committee II

13 (III). USE OF VISUAL SIGNALLING FOR IDENTIFICATION OF
MEDICAL TRANSPORTS PROTECTED BY THE GENEVA
CONVENTIONS OF 1949 AND ANY ADDITIONAL
INSTRUMENT

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable in
Armed Conflicts,

Considering

(a) that in order to avoid attack there is a need for improved visual identification of medical transports,

(b) that the present Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by those aircraft exclusively engaged in medical transport,

(c) that by special agreement, parties to a conflict may reserve the use of a flashing blue light for identification of medical vehicles and medical ships and craft, but, in the absence of such agreement the use of such signals for other vehicles or ships is not forbidden,

(d) that in addition to the distinctive emblem and the flashing blue light, other means of visual identification, such as signal flags and combinations of flares could be used eventually to identify medical transports,

(e) that the Inter-Governmental Maritime Consultative Organization (IMCO) is the most appropriate international body to designate and promulgate visual signals to be employed within the maritime environment, and

Having noted

that though the Geneva Conventions of August 1949 recognize the use of the distinctive emblem to be flown by hospital ships and medical craft, this use is not reflected in relevant documents of IMCO,

1. Requests the President of the Conference to transmit to IMCO this resolution, together with the attached documents of this Conference, inviting that Organization to:

(a) consider introduction into the appropriate documents such as the International Code of Signals, the flashing blue light as contained in article 6, Chapter III of the Annex to the Protocol on identification and marking;

(b) provide for recognition of the distinctive emblem in the appropriate documents (see article 3);

(c) consider the establishment both of unique flag signals and of a flare combination, such as white-red-white which might be used for additional or alternative visual identification of medical transports;

2. Resolves that the Governments invited to the present Conference should be urged to lend their full co-operation to this endeavour in the consultative processes of IMCO.

Thirty-third plenary meeting
11 June 1976

CDDH/243

ANNEX

Articles 3, 6, 10 and 11 of the annex to Additional Protocol I
to the Geneva Conventions of 12 August 1949

The distinctive emblem

Article 3 - Shape and nature

1. The distinctive emblem (red on a white ground), shall be as large as appropriate under the circumstances. For the shapes of the cross, the crescent or the lion and sun, the High Contracting Parties may be guided by the models shown in Fig. 2.

2. At night or when visibility is reduced, the distinctive emblem may be lighted or illuminated; it may also be made of materials rendering it recognizable by technical means of detection.

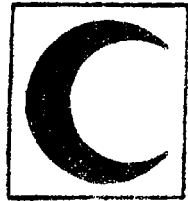


Fig. 2: Emblem in red on a white ground

ANNEX (continued)

Article 6 - Light signal

1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates, a green boundary represented by $y = 0.065 + 0.805x$, a white boundary by $y = 0.400 - x$, and a purple boundary by $x = 0.133 + 0.600y$. The recommended flashing rate of the blue light is between sixty and one hundred flashes per minute.
2. Medical aircraft should be equipped with the necessary lights to make the light signal visible in as many directions as possible.
3. In the absence of a special agreement concluded between the parties to the conflict, reserving the use of flashing blue lights for the identification of medical vehicles and ships and craft, the use of such signals for other vehicles or ships is not forbidden.

Article 10 - Use of international codes

Medical units and transports may also use the codes and signals laid down by the International Telecommunication Union, the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization. These codes and signals shall be used in accordance with the standards, practices and procedures established by these organizations.

Article 11 - Other means of communication

When two-way radio communications are not possible, the signals provided for in the International Code of Signals adopted by the Inter-Governmental Maritime Consultative Organization or in the appropriate annex of the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used.

CDDH/243

Resolution adopted on the report of Committee II

14 (III). USE OF RADIOCOMMUNICATIONS FOR ANNOUNCING AND
IDENTIFYING MEDICAL TRANSPORTS PROTECTED BY
THE GENEVA CONVENTIONS OF 1949 AND ANY
ADDITIONAL INSTRUMENT

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable in
Armed Conflicts,

Considering

(a) that it is vital that distinctive and reliable communications be used for identifying and announcing the movement of medical transports,

(b) that adequate and appropriate consideration will be given to communications related to the movement of a medical transport only if it is identified by an internationally recognized priority signal such as "Red Cross", "Humanity", "Mercy" or other technically and phonetically recognizable term,

(c) that the wide range of circumstances under which a conflict may occur makes it impossible to select in advance suitable radio frequencies for communications,

(d) that the radio frequencies to be employed for communicating information relative to the identification and movement of medical transports must be made known to all parties who may use medical transports, and,

Having noted

(a) Recommendation No. 2 of the International Telecommunication Union (ITU) Plenipotentiary Conference, 1973, relating to the use of radiocommunications for announcing and identifying hospital ships and medical aircraft protected under the Geneva Conventions of 1949,

(b) Recommendation No. Mar2 - 17 of the ITU World Maritime Administrative Radio Conference, Geneva, 1974, relating to the use of radiocommunications for marking, identifying, locating, and communicating with the means of transport protected under the Geneva Conventions of 12 August 1949, concerning the protection of

war victims and any additional instruments of those conventions, as well as for ensuring the safety of ships and aircraft of States not parties to an armed conflict, and

(c) The memorandum by the International Frequency Registration Board (IFRB), a permanent organ of the International Telecommunication Union (ITU), relating to the need for national co-ordination on radiocommunication matters, while

Recognizing

(a) that

- the designation and use of frequencies, including the use of distress frequencies,
- operating procedures in the Mobile Service,
- the distress, alarm, urgency and safety signals, and
- the order of priority of communications in the Mobile Service

are governed by the Radio Regulations annexed to the International Telecommunication Convention;

(b) that these Regulations may be revised only by a competent ITU World Administrative Radio Conference (WARC), and

(c) that the next general WARC is planned for 1979 and that written proposals for the revision of the Radio Regulations should be submitted by Governments about one year before the opening of the Conference,

1. Requests the President of the Conference to transmit this document to all Governments and organizations invited to the present Conference, together with the annex representing the requirements both for radio frequencies and for international recognition of an appropriate priority signal which must be satisfied in the proceedings of a competent general World Administrative Radio Conference, and further,

CDDH/243

2. Resolves that the Governments invited to the present Conference be informed of its concern that they make, as a matter of urgency, the appropriate preparations for the general World Administrative Radio Conference to be held in 1979 so that the vital requirements of communications for protected medical transports in armed conflicts may be adequately provided for in the Radio Regulations.

Thirty-third plenary meeting
11 June 1976

ANNEX

Articles 7, 8 and 9 of the annex to Additional Protocol I to
the Geneva Conventions of 12 August 1949

Article 7 - Radio signal

1. The radio signal shall consist of a radiotelephonic or radiotelegraphic message preceded by a distinctive priority signal to be designated and approved by a World Administrative Radio Conference of the International Telecommunication Union. It shall be transmitted three times before the call sign of the medical transport involved. This message shall be transmitted in English at appropriate intervals on a frequency or frequencies specified pursuant to paragraph 3. The use of the priority signal shall be restricted exclusively to medical units and transports.

2. The radio message preceded by the distinctive priority signal mentioned in paragraph 1 shall convey the following data:

- (a) the call sign of the medical transport,
- (b) position of the transport,
- (c) number and type of medical transports,
- (d) intended route,
- (e) estimated time en route and of departure and arrival, as appropriate,
- (f) any other information such as flight altitude, radio frequencies guarded, languages and secondary surveillance radar modes and codes.

3. In order to facilitate the communications referred to in paragraphs 1 and 2, as well as the communications referred to in articles 23 to 32 inclusive of the Protocol, the High Contracting Parties, the parties to a conflict, or one of the parties to a conflict, acting in agreement or alone, may designate, in accordance with the Table of Frequency Allocations in the Radio Regulations annexed to the International Telecommunication Convention, and publish selected national frequencies to be used by them for such communications. These frequencies shall be notified to the International Telecommunication Union in accordance with procedures to be approved by a general World Administrative Radio Conference.

ANNEX (continued)Article 8 - Electronic identification

1. The Secondary Surveillance Radar (SSR) system, as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the parties to a conflict, or one of the parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.
2. Parties to a conflict may, by special agreement between them, establish for their use a similar electronic system for the identification of medical vehicles, and medical ships and craft.

Article 9 - Radio communications

In application of the procedures referred to in articles 23 to 32 inclusive of the Protocol, appropriate radio communications by medical units and transports may be preceded by the priority signal referred to in article 7 of the present annex.

Resolution adopted on the report of Committee II

15 (III). USE OF CERTAIN ELECTRONIC AND VISUAL MEANS
OF IDENTIFICATION BY MEDICAL AIRCRAFT
PROTECTED BY THE GENEVA CONVENTIONS
OF 1949 AND ANY ADDITIONAL
INSTRUMENT

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable in
Armed Conflicts,

Considering

(a) that in order to avoid their engagement by armed forces there is an urgent need for both electronic and visual identification of medical aircraft in flight,

(b) that the Secondary Surveillance Radar (SSR) system has the capability of providing unique identification of aircraft and of en route flight details,

(c) that the International Civil Aviation Organization is the most appropriate international body to designate SSR modes and codes in the range of circumstances envisaged,

(d) that the present Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by those aircraft exclusively engaged in medical transport, and

Recognizing that the designation in advance of an exclusive, world-wide SSR mode and code for the identification of medical aircraft may not be possible due to the extensive deployment of the SSR system;

CDDH/243

1. Requests the President of the Conference to transmit to the International Civil Aviation Organization this document, together with the attached final documents of this Conference inviting that organization to:

(a) establish appropriate procedures for the designation, in case of an international armed conflict, of an exclusive SSR mode and code to be employed by medical aircraft concerned, and

(b) note the agreement of this Conference to recognize the flashing blue light as a means of identification of medical aircraft, and provide for that use in the appropriate ICAO documents, and further;

2. Resolves that the Governments invited to the present Conference should be requested to lend their full co-operation to this endeavour in the consultative processes of ICAO.

Thirty-third plenary meeting
11 June 1976

ANNEX

Articles 6 and 8 of the annex to Additional Protocol I to the Geneva Conventions of 12 August 1949

Article 6 - Light signal

1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates, a green boundary represented by $y = 0.065 + 0.805x$, a white boundary by $y = 0.400 - x$, and a purple boundary by $x = 0.133 + 0.600y$. The recommended flashing rate of the blue light is between sixty and one hundred flashes per minute.
2. Medical aircraft should be equipped with the necessary lights to make the light signal visible in as many directions as possible.
3. In the absence of a special agreement concluded between the parties to the conflict, reserving the use of flashing blue lights for the identification of medical vehicles and ships and craft, the use of such signals for other vehicles or ships is not forbidden.

Article 8 - Electronic identification

1. The secondary surveillance radar (SSR) system, as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the parties to a conflict, or one of the parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.
2. Parties to a conflict may, by special agreement between them, establish for their use a similar electronic system for the identification of medical vehicles, and medical ships and craft.

CDDH/243

Resolution adopted on the report of the Credentials Committee

16 (III). CREDENTIALS OF REPRESENTATIVES TO THE THIRD
SESSION OF THE CONFERENCE

The Diplomatic Conference on the Reaffirmation and
Development of International Humanitarian Law applicable in
Armed Conflicts,

Approves the report of the Credentials Committee.^{1/}

Thirty-third plenary meeting
11 June 1976

^{1/} Document CDDH/233/Rev.2.

FOURTH SESSION

(Geneva, 17 March - 10 June 1977)

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Resolution adopted on the report of Committee II

17. (IV). USE OF CERTAIN ELECTRONIC AND VISUAL MEANS OF IDENTIFICATION BY MEDICAL AIRCRAFT PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Considering that:

(a) in order to avoid their engagement by combatant forces there is an urgent need for both electronic and visual identification of medical aircraft in flight,

(b) the Secondary Surveillance Radar (SSR) system has the capability of providing unique identification of aircraft and of en route flight details,

(c) the International Civil Aviation Organization is the most appropriate international body to designate SSR modes and codes in the range of circumstances envisaged,

(d) this Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by aircraft exclusively engaged in medical transport, 1/

Recognizing that the designation in advance of an exclusive, world-wide SSR mode and code for the identification of medical aircraft may not be possible owing to the extensive deployment of the SSR system,

1. Requests the President of the Conference to transmit to the International Civil Aviation Organization this document, together with the attached documents of this Conference, inviting that Organization to:

(a) establish appropriate procedures for the designation, in case of an international armed conflict, of an exclusive SSR mode and code to be employed by medical aircraft concerned; and,

1/ See Annex to this resolution.

(b) note the agreement of this Conference to recognize the flashing blue light as a means of identification of medical aircraft, and provide for that use in the appropriate International Civil Aviation Organization documents;

2. Urges the Governments invited to the present Conference to lend their full co-operation to this endeavour in the consultative processes of the International Civil Aviation Organization.

Fifty-fourth plenary meeting

7 June 1977

ANNEX

Articles 6 and 8 of the Regulations
contained in Annex I to Protocol I

Article 6 - Light signal

1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates:

green boundary	$y = 0.065 + 0.805x$
white boundary	$y = 0.400 - x$
purple boundary	$x = 0.133 + 0.600y$

The recommended flashing rate of the blue light is between sixty and one hundred flashes per minute.

2. Medical aircraft should be equipped with such lights as may be necessary to make the light signal visible in as many directions as possible.

3. In the absence of a special agreement between the Parties to the conflict reserving the use of flashing blue lights for the identification of medical vehicles and medical ships and craft, the use of such signals for other vehicles or ships is not prohibited.

Article 8 - Electronic identification

1. The Secondary Surveillance Radar (SSR) system as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.

2. Parties to a conflict may, by special agreement between them, establish for their use a similar electronic system for the identification of medical vehicles and medical ships and craft.

Resolution adopted on the report of Committee II

- 18 (IV). USE OF VISUAL SIGNALLING FOR IDENTIFICATION OF MEDICAL TRANSPORTS PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Considering that:

- (a) in order to avoid attacks upon them there is a need for the improved visual identification of medical transports,
- (b) this Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by aircraft exclusively engaged in medical transport,^{1/}
- (c) by special agreement, Parties to a conflict may reserve the use of a flashing blue light for the identification of medical vehicles and medical ships and craft, but in the absence of such agreement, the use of such signals for other vehicles or ships is not prohibited,
- (d) in addition to the distinctive emblem and the flashing blue light, other means of visual identification, such as signal flags and combinations of flares, may be used eventually to identify medical transports,
- (e) the Inter-Governmental Maritime Consultative Organization is the most appropriate international body to designate and promulgate visual signals to be employed within the maritime environment,

Having noted that, though the Geneva Conventions of 12 August 1949 recognize the use of the distinctive emblem to be flown by hospital ships and medical craft, this use is not reflected in relevant documents of the Inter-Governmental Maritime Consultative Organization,

^{1/} See Annex to this resolution.

1. Requests the President of the Conference to transmit to the Inter-Governmental Maritime Consultative Organization this resolution, together with the documents of this Conference, inviting that Organization to:

(a) consider introduction into the appropriate documents, such as the International Code of Signals, the flashing blue light as described in Article 6 of Chapter III of the Regulations contained in Annex I to Protocol I;

(b) provide for recognition of the distinctive emblem in the appropriate documents (see Article 3 of Chapter II of the said Regulations);

(c) consider the establishment both of unique flag signals and of a flare combination, such as white-red-white, which might be used for additional or alternative visual identification of medical transports;

2. Urges the Governments invited to this Conference to lend their full co-operation to this endeavour in the consultative processes of the Inter-Governmental Maritime Consultative Organization.

Fifty-fourth plenary meeting
7 June 1977

ANNEX

Articles 3, 6, 10 and 11 of the
Regulations contained in Annex I to Protocol IArticle 3 - Shape and nature

1. The distinctive emblem (red on a white ground) shall be as large as appropriate under the circumstances. For the shapes of the cross, the crescent or the lion and sun, the High Contracting Parties may be guided by the models shown in Figure 2.
2. At night or when visibility is reduced, the distinctive emblem may be lighted or illuminated; it may also be made of materials rendering it recognizable by technical means of detection.



Fig. 2: Distinctive emblems in red on a white ground

Article 6 - Light signal

1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates:

green boundary	$y = 0.065 + 0.805x$
white boundary	$y = 0.400 - x$
purple boundary	$x = 0.133 + 0.600y$

The recommended flashing rate of the blue light is between sixty and one hundred flashes per minute.

2. Medical aircraft should be equipped with such lights as may be necessary to make the light signal visible in as many directions as possible.

ANNEX (continued)

3. In the absence of a special agreement between the Parties to the conflict reserving the use of flashing blue lights for the identification of medical vehicles and ships and craft, the use of such signals for other vehicles or ships is not prohibited.

Article 10 - Use of international codes

Medical units and transports may also use the codes and signals laid down by the International Telecommunication Union, the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization. These codes and signals shall be used in accordance with the standards, practices and procedures established by these Organizations.

Article 11 - Other means of communication

When two-way radiocommunication is not possible, the signals provided for in the International Code of Signals adopted by the Inter-Governmental Maritime Consultative Organization or in the appropriate Annex to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used.

CDDH/446

Resolution adopted on the report of Committee II

- 19 (IV). USE OF RADIOCOMMUNICATIONS FOR ANNOUNCING AND IDENTIFYING MEDICAL TRANSPORTS PROTECTED UNDER THE GENEVA CONVENTIONS OF 1949 AND UNDER THE PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977.

Considering that:

(a) it is vital that distinctive and reliable communications be used for identifying, and announcing the movement of, medical transports,

(b) adequate and appropriate consideration will be given to communications related to the movement of a medical transport only if it is identified by an internationally recognized priority signal such as "Red Cross", "Humanity", "Mercy" or other technically and phonetically recognizable term,

(c) the wide range of circumstances under which a conflict may occur makes it impossible to select in advance suitable radio frequencies for communications,

(d) the radio frequencies to be employed for communicating information relative to the identification and movement of medical transports must be made known to all parties who may use medical transports,

Having noted:

(a) Recommendation No. 2 of the International Telecommunication Union (ITU) Plenipotentiary Conference, 1973, relating to the use of radiocommunications for announcing and identifying hospital ships and medical aircraft protected under the Geneva Conventions of 1949,

(b) Recommendation No. Mar2 - 17 of the International Telecommunication Union World Maritime Administrative Radio Conference, Geneva, 1974, relating to the use of radiocommunications for marking, identifying, locating, and communicating with the means of transport protected under the Geneva Conventions of 12 August 1949, concerning the protection of war victims and any additional instruments of those conventions, as well as for ensuring the safety of ships and aircraft of States not Parties to an armed conflict;

(c) the memorandum by the International Frequency Registration Board (IFRB), a permanent organ of the International Telecommunication Union (ITU), relating to the need for national co-ordination on radiocommunication matters;

Recognizing that:

- (a) the designation and use of frequencies, including the use of distress frequencies,
operating procedures in the Mobile Service,
the distress, alarm, urgency and safety signals, and
the order of priority of communications in the Mobile Service

are governed by the Radio Regulations annexed to the International Telecommunication Convention;

(b) these Regulations may be revised only by a competent ITU World Administrative Radio Conference;

(c) the next competent World Administrative Radio Conference is planned for 1979 and that written proposals for the revision of the Radio Regulations should be submitted by Governments about one year before the opening of the Conference,

1. Takes note with appreciation that a specific item has been included on the agenda of the World Administrative Radio Conference, Geneva, 1979, which reads:

"2.6 to study the technical aspects of the use of radiocommunications for marking, identifying, locating and communicating with the means of medical transport protected under the 1949 Geneva Conventions and any additional instruments of these Conventions";

2. Requests the President of the Conference to transmit this document to all Governments and organizations invited to the present Conference, together with the attachments representing the requirements, both for radio frequencies and for international recognition of an appropriate priority signal, which must be satisfied in the proceedings of a competent World Administrative Radio Conference;1/

1/ See Annex to this resolution.

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3. Urges the Governments invited to the present Conference to make, as a matter of urgency, the appropriate preparations for the World Administrative Radio Conference to be held in 1979 so that the vital requirements of communications for protected medical transports in armed conflicts may be adequately provided for in the Radio Regulations.

Fifty-fourth plenary meeting
7 June 1977

ANNEX

Articles 7, 8 and 9 of the Regulations
contained in Annex I to Protocol I

Article 7 - Radio signal

1. The radio signal shall consist of a radiotelephonic or radiotelegraphic message preceded by a distinctive priority signal to be designated and approved by a World Administrative Radio Conference of the International Telecommunication Union. It shall be transmitted three times before the call sign of the medical transport involved. This message shall be transmitted in English at appropriate intervals on a frequency or frequencies specified pursuant to paragraph 3. The use of the priority signal shall be restricted exclusively to medical units and transports.

2. The radio message preceded by the distinctive priority signal mentioned in paragraph 1 shall convey the following data:

- (a) call sign of the medical transport;
- (b) position of the medical transport;
- (c) number and type of medical transports;
- (d) intended route;
- (e) estimated time en route and of departure and arrival, as appropriate;
- (f) any other information such as flight altitude, radio frequencies guarded, languages and secondary surveillance radar modes and codes.

3. In order to facilitate the communications referred to in paragraphs 1 and 2, as well as the communications referred to in Articles 22, 23, 25, 26, 27, 28, 29, 30 and 31 of the Protocol, the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, may designate, in accordance with the Table of Frequency Allocations in the Radio Regulations annexed to the International Telecommunication Convention, and publish selected national frequencies to be used by them for such communications. These frequencies shall be notified to the International Telecommunication Union in accordance with procedures to be approved by a World Administrative Radio Conference.

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ANNEX (continued)

Article 8 - Electronic identification

1. The Secondary Surveillance Radar (SSR) system, as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.

2. Parties to a conflict may, by special agreement between them, establish for their use a similar electronic system for the identification of medical vehicles, and medical ships and craft.

Article 9 - Radiocommunications

The priority signal provided for in Article 7 of these Regulations may precede appropriate radiocommunications by medical units and transports in the application of the procedures carried out under Articles 22, 23, 25, 26, 27, 28, 29, 30 and 31 of the Protocol.

Resolution adopted without reference to a Main Committee

20 (IV). PROTECTION OF CULTURAL PROPERTY

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Welcoming the adoption of Article 53 relating to the protection of cultural objects and places of worship as defined in the said Article, contained in the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I),

Acknowledging that the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Additional Protocol, signed at The Hague on 14 May 1954, constitutes an instrument of paramount importance for the international protection of the cultural heritage of all mankind against the effects of armed conflict and that the application of this Convention will in no way be prejudiced by the adoption of the Article referred to in the preceding paragraph,

Urges States which have not yet done so to become Parties to the aforementioned Convention.

Fifty-fifth plenary meeting
7 June 1977

CDDH/446

Resolution adopted without reference to a Main Committee

21 (IV). DISSEMINATION OF KNOWLEDGE OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE IN ARMED CONFLICTS

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Convinced that a sound knowledge of international humanitarian law is an essential factor for its effective application,

Confident that widespread knowledge of that law will contribute to the promotion of humanitarian ideals and a spirit of peace among nations,

1. Reminds the High Contracting Parties that under the four Geneva Conventions of 1949 they have undertaken to disseminate knowledge of those Conventions as widely as possible, and that the Protocols adopted by the Conference reaffirm and extend that obligation;

2. Invites the signatory States to take all appropriate measures to ensure that knowledge of international humanitarian law applicable in armed conflicts, and of the fundamental principles on which that law is based, is effectively disseminated, particularly by:

(a) encouraging the authorities concerned to plan and give effect, if necessary with the assistance and advice of the International Committee of the Red Cross, to arrangements to teach international humanitarian law, particularly to the armed forces and to appropriate administrative authorities, in a manner suited to national circumstances;

(b) undertaking in peacetime the training of suitable persons to teach international humanitarian law and to facilitate the application thereof, in accordance with Articles 6 and 82 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I);

(c) recommending that the appropriate authorities intensify the teaching of international humanitarian law in universities (faculties of law, political science, medicine, etc.);

(d) recommending to educational authorities the introduction of courses on the principles of international humanitarian law in secondary and similar schools;

3. Urges National Red Cross, Red Crescent and Red Lion and Sun Societies to offer their services to the authorities in their own countries with a view to the effective dissemination of knowledge of international humanitarian law;

4. Invites the International Committee of the Red Cross to participate actively in the effort to disseminate knowledge of international humanitarian law by, inter alia:

(a) publishing material that will assist in teaching international humanitarian law, and circulating appropriate information for the dissemination of the Geneva Conventions and the Protocols,

(b) organizing, on its own initiative or when requested by Governments or national societies, seminars and courses on international humanitarian law, and co-operating for that purpose with States and appropriate institutions.

Fifty-fifth plenary meeting
7 June 1977

CDDH/446

Resolution adopted without reference to a Main Committee

22 (IV). FOLLOW-UP REGARDING PROHIBITION OR RESTRICTION OF USE OF CERTAIN CONVENTIONAL WEAPONS

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Having met at Geneva for four sessions, in 1974, 1975, 1976 and 1977, and having adopted new humanitarian rules relating to armed conflicts and methods and means of warfare,

Convinced that the suffering of the civilian population and combatants could be significantly reduced if agreements can be attained on the prohibition or restriction for humanitarian reasons of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Recalling that the issue of prohibitions or restrictions for humanitarian reasons of the use of specific conventional weapons has been the subject of substantive discussion in the Ad Hoc Committee on Conventional Weapons of the Conference at all its four sessions, and at the Conferences of Government Experts held under the auspices of the International Committee of the Red Cross in 1974 at Lucerne and in 1976 at Lugano,

Recalling, in this connexion, discussions and relevant resolutions of the General Assembly of the United Nations and appeals made by several Heads of State and Government,

Having concluded, from these discussions, that agreement exists on desirability of prohibiting the use of conventional weapons, the primary effect of which is to injure by fragments not detectable by X-ray, and that there is a wide area of agreement with regard to land-mines and booby-traps,

Having also devoted efforts to the further narrowing down of divergent views on the desirability of prohibiting or restricting the use of incendiary weapons, including napalm,

Having also considered the effects of the use of other conventional weapons, such as small calibre projectiles and certain blast and fragmentation weapons, and having begun the consideration of the possibility of prohibiting or restricting the use of such weapons,

Recognizing that it is important that this work continue and be pursued with the urgency required by evident humanitarian considerations,

Believing that further work should both build upon the areas of agreement thus far identified and include the search for further areas of agreement and should, in each case, seek the broadest possible agreement,

1. Resolves to send the report of the Ad Hoc Committee and the proposals presented in that Committee to the Governments of States represented at the Conference and to the Secretary-General of the United Nations;
2. Requests that serious and early consideration be given to these documents and to the reports of the Conferences of Government Experts of Lucerne and Lugano;
3. Recommends that a Conference of Governments should be convened not later than 1979 with a view to reaching:
 - (a) agreements on prohibitions or restrictions on the use of specific conventional weapons including those which may be deemed to be excessively injurious or have indiscriminate effects, taking into account humanitarian and military considerations; and
 - (b) agreement on a mechanism for the review of any such agreements and for the consideration of proposals for further such agreements;
4. Urges that consultations be undertaken prior to the consideration of this question at the thirty-second session of the United Nations General Assembly for the purpose of reaching agreement on the steps to be taken in preparation for the Conference;
5. Recommends that a consultative meeting of all interested Governments be convened during September/October 1977 for this purpose;
6. Recommends further that the States participating in these consultations should consider inter alia the establishment of a Preparatory Committee which would seek to establish the best possible basis for the achievement at the Conference of agreements as envisaged in this resolution;
7. Invites the General Assembly of the United Nations at its thirty-second session, in the light of the results of the consultations undertaken pursuant to paragraph 4 of this resolution, to take any further action that may be necessary for the holding of the Conference in 1979.

Fifty-seventh plenary meeting
9 June 1977

CDDH/446

Resolution adopted on the report of the Credentials Committee

23 (IV). REPORT OF THE CREDENTIALS COMMITTEE

The Diplomatic Conference on the Reaffirmation and Development
of International Humanitarian Law Applicable in Armed Conflicts,
Geneva, 1974-1977,

Approves the report of the Credentials Committee.1/

Fifty-seventh plenary meeting
9 June 1977

1/ Document CDDH/409/Rev.1

Resolution adopted without reference to a Main Committee

24 (IV). EXPRESSION OF GRATITUDE TO THE HOST COUNTRY

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, Geneva, 1974-1977,

Having been convened at Geneva at the invitation of the Swiss Government,

Having held four sessions, in 1974, 1975, 1976 and 1977, during which it considered two draft Protocols additional to the Geneva Conventions of 12 August 1949, which had been prepared by the International Committee of the Red Cross,

Having benefited throughout its four sessions from the facilities placed at its disposal by the Government of Switzerland and by the authorities of the Republic and Canton and of the City of Geneva,

Profoundly appreciative of the hospitality and courtesy accorded to the participants of the Conference by the Government of Switzerland and by the authorities and the people of the Republic and Canton of Geneva and of the City of Geneva,

Having concluded its work by the adoption of two Protocols additional to the Geneva Conventions of 12 August 1949 and of various resolutions,

1. Expresses its sincere gratitude to the Government of Switzerland for its unfailing support for the work of the Conference and in particular to Mr. Pierre Graber, President of the Conference, Federal Councillor, Head of the Federal Political Department of the Swiss Confederation, whose wise and firm guidance has contributed so much to the Conference's success;

2. Expresses its sincere gratitude to the authorities and the people of the Republic and Canton of Geneva and of the City of Geneva for the generous hospitality and courtesy which they showed to the Conference and those participating in it;

3. Pays a tribute to the International Committee of the Red Cross and to its representatives and experts who devotedly and patiently advised the Conference on all matters arising in connexion with the draft Protocols and whose attachment to the principles of the Red Cross has served as an inspiration to the Conference;

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4. Expresses its appreciation to Ambassador Jean Humbert, Secretary-General of the Conference, and to the entire staff of the Conference for the provision of efficient services at all times throughout the four years' duration of the Conference.

Fifty-eighth plenary meeting
9 June 1977

Part Three

DRAFT ADDITIONAL PROTOCOLS TO THE
GENEVA CONVENTIONS OF 12 AUGUST, 1949 -
INTERNATIONAL COMMITTEE OF THE RED CROSS

INTERNATIONAL COMMITTEE OF THE RED CROSS

**Draft Additional Protocols
to the Geneva Conventions
of August 12, 1949**

GENEVA

June 1973

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INTRODUCTION

The XXth International Conference of the Red Cross, at Vienna, in 1965, after proclaiming four principles relating to the protection of the civilian population against the dangers of indiscriminate warfare, in its Resolution XXVIII, urged "the International Committee of the Red Cross to pursue the development of international humanitarian law".

Consistent with that recommendation, the International Committee of the Red Cross (ICRC), on 19 May 1967, sent all States parties to the Geneva Conventions for the Protection of War Victims a memorandum in which it suggested that the principles adopted at Vienna be officially confirmed. On a more general plane, it raised the question of restoring some parts of the law of war, and it attached to its memorandum a kind of inventory of prevailing standards.

In May 1968, the United Nations Conference on Human Rights, at Teheran, invited the Secretary-General of the United Nations to contact the ICRC with a view to concerted study.

In September of that same year, the ICRC informed the representatives of National Red Cross (Red Crescent, Red Lion and Sun) Societies then in Geneva that it was launching a new effort to reaffirm and develop humanitarian law applicable in armed conflicts, as it had done several times since the founding of the Red Cross.

It pointed out that the Geneva Conventions had been revised—or drawn up in the case of one of them—in 1949; they were almost twenty years old and had shown shortcomings due to the striking lack of balance between the rules which were for the most part developed in 1949 and those which were related to the conduct of hostilities, particularly to the protection of the civilian population.

However, there was no question of revising those Conventions which, when fully applied, offer effective guarantees to the victims of conflicts; but they had to be supplemented and given added precision on certain important points.

In September 1969, the XXIst International Conference of the Red Cross, at Istanbul, unanimously adopted Resolution XIII requesting the ICRC actively to pursue its efforts with a view to drafting as soon as possible concrete rules which would supplement existing international humanitarian law, and to invite government experts to meet for consultations with the ICRC on such proposals.

On the basis of that Resolution, the ICRC convened for 24 May 1971 the "Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts", to which it invited some forty governments to delegate experts. As it was unable to cover all its agenda, the meeting requested the convening of a second session open to all States parties to the 1949 Geneva Conventions. This second session took place in Geneva from 3 May to 3 June 1972 and was attended by more than four hundred experts delegated by seventy-seven governments. This large attendance, the sustained work carried out in several commissions, and the constructive atmosphere which prevailed throughout the proceedings gave a decisive impetus to the undertaking.

With those meetings in mind, the ICRC had drawn up a series of volumes on the matters to be discussed. Those volumes, with the reports on the two sessions of the Conference of Government Experts, still constitute the basic documentary material.

In addition to the two sessions of the Conference, the ICRC arranged a number of consultative meetings with individuals and groups. In particular, in March 1971 at The Hague and in March 1972 at Vienna, it submitted its drafts to Red Cross experts in order to have their opinions. Similarly, in November 1971, it consulted the representatives of non-governmental organizations.

The ICRC also remained in close liaison with the United Nations and followed attentively the work of the General Assembly in this field. In each of its sessions, since 1968, the General Assembly has adopted resolutions on "respect for human rights in armed conflicts". This was a powerful encouragement to the ICRC to continue its work.

Each time, the United Nations Secretary-General had submitted to the Assembly very detailed reports containing useful suggestions. In addition, representatives of the United Nations Secretary-General actively participated in the two sessions of the Conference of Government Experts convened by the ICRC.

Today the ICRC is able to present the result of several years' joint effort, in the form of two draft Additional Protocols to the 1949 Geneva Conventions; these drafts are given in the pages which follow. Their sole aim is to provide an adequate basis for discussion at the forthcoming Diplomatic Conference convened by the Swiss Federal Council, the Government of the State Depository of the Geneva Conventions. They will also be submitted to the XXIInd International Conference of the Red Cross which will meet in Teheran in November 1973.

In order to facilitate examination and discussion of these drafts, the ICRC is issuing a commentary which will subsequently be available to those who are interested.

Problems relating to atomic, bacteriological and chemical warfare are subjects of international agreements or negotiations by governments, and in submitting these draft Additional Protocols the ICRC does not intend to broach those problems. It should be borne in mind that the Red Cross as a whole, at several International Red Cross Conferences, has clearly made known its condemnation of weapons of mass destruction and has urged governments to reach agreements for the banning of their use.

With regard to the "conventional" weapons which cause unnecessary suffering or strike indiscriminately civilian population and combatants alike, the ICRC, at the request of the second session of the Conference of Government Experts, undertook a study to describe such weapons and their effects. A report thereon will be made available to all governments and institutions which may be interested and if necessary the ICRC is prepared to continue its research in this field which could lead, for example, to the convening of a special meeting of government experts in order to study the problem.

In drawing up the draft Protocols which it has the honour to bring to the attention of the authorities of all States parties to the Geneva Conventions, the ICRC believes that it has remained steadfast to the spirit in which, since 1864, it has demanded for the benefit of individuals guarantees consistent with the dictates of humanity, whilst bearing in mind the realities of national defence and security.

It is convinced that, thanks to the good will of one and all, the representatives of the Powers will reach agreement in order to afford the victims of armed conflicts the increased protection of which the urgent necessity is today recognized by the community of nations.

**DRAFT PROTOCOL ADDITIONAL
TO THE GENEVA CONVENTIONS OF AUGUST 12, 1949,
AND RELATING TO THE PROTECTION OF VICTIMS
OF INTERNATIONAL ARMED CONFLICTS**

The High Contracting Parties,

Proclaiming their earnest wish to see peace prevail among peoples,

Believing it necessary, nevertheless, to reaffirm and develop the provisions protecting the victims of armed conflicts and to supplement those measures intended to reinforce their application,

Recalling that, in cases not covered by conventional or customary international law, the civilian population and the combatants remain under the protection of the principles of humanity and the dictates of the public conscience,

Have agreed on the following:

PART I

GENERAL PROVISIONS

Article 1. — Scope of the present Protocol

The present Protocol, which supplements the Geneva Conventions of August 12, 1949, for the Protection of War Victims, shall apply in the situations referred to in Article 2 common to these Conventions.

Article 2. — Definitions

For the purposes of the present Protocol:

(a) “the Conventions” means the four Geneva Conventions of August 12, 1949, for the Protection of War Victims;

(b) “First Convention”, “Second Convention”, “Third Convention” and “Fourth Convention” mean, respectively, the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of August 12, 1949; the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, of August 12, 1949; the Geneva Convention relative to the Treatment of Prisoners of War, of August 12, 1949; the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of August 12, 1949;

(c) “protected persons” and “protected objects” mean persons and objects on whom or on which protection is conferred by the Articles, Chapters or Sections which concern them in Parts II, III and IV;

(d) “Protecting Power” means a State not engaged in the conflict, which, designated by a Party to the conflict and accepted by the adverse Party, is prepared to carry out the functions assigned to a Protecting Power under the Conventions and the present Protocol;

(e) “substitute” means an organization acting in place of a Protecting Power for the discharge of all or part of its functions.

Article 3. — Beginning and end of application

1. In addition to the provisions applicable in peacetime, the present Protocol shall apply from the beginning of any situation referred to in Article 2 common to the Conventions.

2. In the territory of Parties to the conflict, the application of the present Protocol shall cease on the general close of military operations.

3. In the case of occupied territory, the application of the present Protocol shall cease on the termination of the occupation.

Article 4. — Legal status of the Parties to the conflict

The application of the Conventions and of the present Protocol, as well as the conclusion of the agreements therein provided, shall not affect the legal status of the Parties to the conflict or that of the territories over which they exercise authority.

Article 5. — Appointment of Protecting Powers and of their substitute

1. From the beginning of a situation referred to in Article 2 common to the Conventions, each Party to the conflict, which has not already entrusted the protection of its interests and those of its nationals to a third State, shall without delay designate a Protecting Power for the sole purpose of applying the Conventions and the present Protocol and shall without delay and for the same purpose permit the activities of a Protecting Power designated by the adverse Party and accepted as such.

2. In the event of disagreement or unjustified delay in the designation and acceptance of Protecting Powers, the International Committee of the Red Cross shall offer its good offices with a view to the designation of Protecting Powers acceptable to both Parties to the conflict. For that purpose, it may, *inter alia*, ask each of the Parties to provide it with a list of at least five States which they consider acceptable in that respect; these lists shall be communicated to it within ten days; it shall compare them and seek the agreement of any proposed State named on both lists.

3. Proposal I

If, despite the foregoing, no Protecting Power is appointed, the International Committee of the Red Cross may assume the functions of a substitute within the meaning of Article 2 (e), provided the Parties to the conflict agree and insofar as those functions are compatible with its own activities.

Proposal II

If, despite the foregoing, no Protecting Power is appointed, the Parties to the conflict shall accept the offer made by the International Committee of the Red Cross, if it deems it necessary, to act as a substitute within the meaning of Article 2 (e).

4. The designation and acceptance of Protecting Powers for the sole purpose of applying the Conventions and the present Protocol shall not affect the legal status of the Parties to the conflict or that of the territories over which they exercise authority.

5. The maintenance of diplomatic relations between the Parties to the conflict does not constitute an obstacle to the appointment of Protecting Powers for the sole purpose of applying the Conventions and the present Protocol.

6. Whenever in the present Protocol mention is made of a Protecting Power, such mention also implies the substitute within the meaning of Article 2 (e).

Article 6. — Qualified persons

1. In peacetime the High Contracting Parties shall endeavour to train qualified personnel to facilitate the application of the Conventions and of the present Protocol and in particular the activities of the Protecting Powers.

2. The recruitment and training of such personnel lies within the national competence.

3. Each High Contracting Party shall establish a list of persons so trained and shall transmit it to the International Committee of the Red Cross.

4. The conditions governing the employment of these persons outside the national territory shall, in each case, form the subject of special agreements.

Article 7. — Meetings

The depositary of the Conventions shall convene a meeting of the High Contracting Parties, at the request of two-thirds of them, to study general problems concerning the application of the present Protocol; it may convene such a meeting at the request, also, of the International Committee of the Red Cross.

PART II
WOUNDED, SICK AND SHIPWRECKED PERSONS

SECTION I
GENERAL PROTECTION

Article 8. — Definitions

For the purposes of the present Part:

(a) “the wounded and the sick” means persons, whether military or civilian, who are in need of medical assistance and care and who refrain from any act of hostility. The term includes *inter alia*: the wounded, the sick, the shipwrecked, the infirm, as well as expectant mothers, maternity cases and new-born babies;

(b) “shipwrecked persons” means persons, whether military or civilian, who are in peril at sea as a result of the destruction, loss or disablement of the vessel or aircraft in which they were travelling and who refrain from any act of hostility;

(c) “medical unit” means medical establishments and units, whether military or civilian, especially all installations of a medical nature, such as hospitals, blood transfusion centres and their medical and pharmaceutical stores. Medical units may be fixed or mobile, permanent or temporary. Permanent units are those assigned exclusively and for an indeterminate period to medical purposes. Temporary medical units are those assigned exclusively but for one or more limited periods to medical purposes;

(d) “medical personnel” means:

- i. military medical personnel as defined in the First and Second Conventions, including medical transport crews;
- ii. civilian medical personnel, including members of the crews of means of medical transports, whether permanent or temporary, duly recognized or authorized by the State and engaged exclusively in the operation or administration of medical units and means of medical transport, that is to say personnel assigned to the search for, removal, treatment or transport of the wounded and the sick;
- iii. the medical personnel of civil defence organizations referred to in Article 54, and the medical personnel of the National Red Cross (Red Crescent, Red Lion and Sun) Societies;

(e) “distinctive emblem” means the distinctive emblem of the red cross (red crescent, red lion and sun) on a white background.

(f) “distinctive signal” means any signalling and identification system for medical units and means of transport as envisaged in Chapter III of the Annex.

Article 9. — Field of application

1. The present Part shall apply, without distinction on grounds of nationality, to all the wounded, the sick and the shipwrecked of the armed forces and of the civilian population on the territory of the Parties to the conflict and to all military and civilian medical personnel, units and means of transport on such territory.

2. The provisions of Article 27 of the First Convention apply to permanent medical units and means of transport and their medical personnel lent for humanitarian purposes to a Party to a conflict by a State which is not a Party to the conflict or by a society recognized by such a State.

3. The provisions of Article 27 of the First Convention also apply to medical units and means of transport and their medical personnel lent for humanitarian purposes by an organization of an international character, provided the said organization fulfils the requirements imposed on the government of a State which is not a party to the conflict under the terms of the aforesaid Article 27.

Article 10. — Protection and care

1. The wounded and the sick shall be respected and protected.

2. In all circumstances they shall be treated humanely and shall receive with the least possible delay and without any adverse distinction the medical care necessitated by their condition.

Article 11. — Protection of persons

1. All unjustified acts or omissions, harmful to the health or to the physical or mental well-being of the persons protected by the Conventions or by the present Protocol pursuant to Article 2 (c), and especially of persons who have fallen into the hands of the adverse Party, or who are interned, detained or deprived of liberty as a result of hostilities, shall be prohibited. This prohibition applies even if the individual in question gives his consent to such act.

2. It accordingly is prohibited to carry out on such persons physical mutilations or medical or scientific experiments, including grafts and organ transplants, which are not justified by the medical, dental or hospital treatment of the persons concerned and are not in their interest.

Article 12. — Medical units

1. Permanent medical units shall at all times be respected and protected; they shall never be the object of attack. Temporary medical units shall be respected and protected during their assignment to medical duties.

2. In order to benefit from the special protection provided for in paragraph 1 above, civilian medical units shall either belong to the State or be recognized or authorized by the competent authority thereof.

3. The Parties to the conflict are urged to make known to each other the location of fixed medical units.

4. The Parties to the conflict shall ensure that medical units, insofar as is possible, are situated in such a manner that attacks against military objectives cannot imperil their safety. Under no circumstances shall they be used in an attempt to protect military objectives from attack.

Article 13. — Discontinuance of protection of civilian medical units

1. The protection to which civilian medical units are entitled shall not cease unless they are used to commit, outside their humanitarian function, acts harmful to the enemy. Protection may, however, cease only after a warning has been given setting, whenever appropriate, a reasonable time limit, and after such warning has remained unheeded.

2. The following shall not be considered as harmful acts:

(a) the fact that members of the armed forces are receiving medical treatment in such medical units;

(b) the presence in the medical unit of small arms and ammunition which have been taken from the sick and the wounded and not yet handed over to the competent services;

(c) the fact that the medical unit is guarded by an armed picket, sentries, or escort responsible for keeping order.

Article 14. — Requisition

1. An Occupying Power may requisition civilian medical units, their equipment, their material and the services of their personnel only temporarily and in case of urgent necessity, and solely for the purpose of providing medical care for sick and wounded members of the armed forces and of the occupation administration.

2. The Occupying Power shall ensure that arrangements are made for the care and treatment of the civilian patients of these units and shall take into account the civilian population's need for medical treatment.

Article 15. — Civilian medical and religious personnel

1. Civilian medical personnel shall be respected and protected.
2. Temporary civilian medical personnel shall be respected and protected for the duration of their medical mission.
3. All possible help shall be afforded medical personnel in the combat zone.
4. The Occupying Power shall afford civilian medical personnel in the occupied territories every assistance to enable such personnel to perform their medical functions to the best of their ability. The Occupying Power may not require that in the performance of those functions such personnel give priority to the treatment of nationals of that Power. Under no circumstances shall such personnel be compelled to carry out tasks unrelated to their mission.
5. Civilian medical personnel shall have access to any place where their services are essential, subject to such supervisory and safety measures as the Party to the conflict may judge necessary.
6. Chaplains and other persons performing similar functions who are permanently attached to civilian medical units shall be respected and protected. The provisions of the Conventions and of the present Protocol concerning the protection and identification of permanent medical personnel shall apply equally to such persons.

Article 16. — General protection of medical duties

1. In no circumstances shall any person be punished for carrying out medical activities compatible with professional ethics, regardless of the person benefiting therefrom.
2. Persons engaged in medical activities shall not be compelled to perform acts or to carry out work contrary to rules of professional ethics or to abstain from acts required by such rules.
3. No person engaged in medical activities may be compelled to give to any authority of the adverse Party information concerning the sick and the wounded under his care should such information be likely to prove harmful to the persons concerned or to their families. Compulsory medical regulations for the notification of communicable diseases shall however be respected.

Article 17. — Role of the civilian population

1. The civilian population shall respect the wounded and the sick, even if they belong to the adverse Party, and shall commit no act of violence against them.
2. Relief societies and the civilian population shall be permitted, even in invaded or occupied areas, spontaneously to offer shelter, care and assistance to such wounded and such sick persons.
3. No one shall be molested, prosecuted or convicted for having given shelter, care or assistance to sick or wounded persons, even if they belong to the adverse Party.
4. The Parties to the conflict may appeal to the charity of the civilian population or of relief societies to offer, under their supervision, voluntary shelter, care and assistance to the sick and the wounded and shall, in such case, grant protection and the necessary facilities to those who respond to their appeal. If the adverse Party gains or regains control of the area, that Party also shall afford the same protection and facilities.
5. Parties to the conflict may appeal to the charity of commanders of civilian ships and craft to take aboard and care for the wounded, the sick and the shipwrecked, and to collect the dead. Ships and craft responding to such appeals and those spontaneously giving shelter to such casualties shall be granted special protection and facilities for the discharge of their mission of assistance.

Article 18. — Identification

1. Each Party to the conflict shall endeavour to ensure the identification of medical personnel, units and means of transport.

2. The High Contracting Parties shall provide civilian medical personnel, units and permanent means of transport with a document attesting to their medical nature.

3. With the assent of the competent authority, medical personnel, units and means of transport shall be marked by the distinctive emblem.

4. Besides the distinctive emblem, the Parties to the conflict may authorize the use of distinctive signals to signalize medical units and means of transport. In case of an emergency, temporary means of medical transport may be signalized by such signals without being marked with the distinctive emblem.

5. The application of the provisions of paragraphs 2 to 4 of the present article is governed by Chapters I to III of the Annex. The signals mentioned in Chapter III of this Annex shall be used solely to identify medical units and means of transport and shall in no case be used for purposes other than those envisaged by the present Protocol.

6. The provisions of the Conventions relating to supervision of the use of the distinctive emblem and to the prevention and repression of any misuse thereof shall be applicable to distinctive signals.

Article 19. — States not parties to a conflict

States not parties to a conflict shall by analogy apply the provisions of the present Protocol to the wounded, the sick and the shipwrecked and to civilian medical and religious personnel belonging to the Parties to the conflict who may be received or interned on their territory, and to any dead collected.

Article 20. — Prohibition of reprisals

Measures of reprisals against the wounded, the sick and the shipwrecked, as well as against the medical personnel, units or means of transport mentioned in this Part, are prohibited.

SECTION II

MEDICAL TRANSPORTS

Chapter I

Joint provisions

Article 21. — Definitions

For the purposes of this Part:

(a) "medical transport" means the transport by land, sea or air of the wounded, the sick and the shipwrecked and of the medical personnel and equipment protected by the Conventions and the present Protocol;

(b) "means of medical transport" means any means of transport, be it military or civilian, permanent or temporary, assigned exclusively to medical transport, under the control of a competent authority of a Party to the conflict. Permanent means of medical transport are those which are assigned for an indeterminate period to medical transport. Temporary means of medical transport are those which are assigned to one or more medical transport operations and shall be considered as such throughout the said assignment;

(c) "medical ships and craft" means any means of medical transport by sea, including hospital ships, lifeboats of all kinds and small medical service craft whether civilian or military;

(d) "medical vehicle" means any means of medical transport by land;

(e) "medical aircraft" means any means of medical transport by air.

Article 22. — Search for wounded

Subject to Article 29, means of medical transport may be used to search for and evacuate the wounded, the sick and the shipwrecked.

Article 23. — Application

1. Subject to paragraph 4, military and civilian medical ships and craft on sea routes are protected by the Second Geneva Convention and by the relevant provisions of the present Protocol.

2. Subject to paragraph 4, military and civilian medical ships and craft on inland waterways are protected by the First and Fourth Geneva Conventions and by the relevant provisions of the present Protocol.

3. Amphibious means of medical transport are subject to the provisions relating to their use at a given time.

4. Articles 22, 24 and 25 of the Second Geneva Convention apply exclusively to civilian and military hospital ships.

Article 24. — Protection

1. Means of medical transport, whether alone or in convoy, shall be respected and protected.

2. Articles 12 and 13 apply, by analogy, to means of medical transport, subject, in the case of medical aircraft, to Articles 27, 28, 29 and 32.

3. The following acts shall not be considered as harmful:

(a) the carrying on board military or civilian means of medical transport of equipment to be used solely for such transmissions as may be necessary to movement or navigation;

(b) the carrying on board military means of medical transport of armed military medical personnel who use such arms for their own protection and for that of the wounded and the sick being conveyed.

Article 25. — Notification

1. Parties to the conflict utilizing means of medical transport may give due notification to adverse Parties of characteristics facilitating the identification of these means. Such notification, for which no particular form is specified, shall indicate, *inter alia*, the means of identification to be used. The adverse Party shall acknowledge receipt of that information.

2. Notification of hospital ships shall be made in conformity with Article 22 of the Second Convention.

Chapter II

Medical air transport

Article 26. — Sectors controlled by national and allied forces

Subject to Article 27, the medical aircraft of a Party to the conflict may fly over areas of land or sea controlled by itself or by its allies, without the prior agreement of the adverse Party. However, for greater safety, a Party to the conflict so using its medical aircraft may inform the adverse Party or its allies of such flights.

Article 27. — Contact zone

1. In any parts of a land or sea contact zone effectively controlled by national or allied troops, and in those areas the control of which is not clearly established, the only guarantee of protection for medical aircraft is an agreement reached between the local military authorities of the Parties to the conflict. No particular form of such agreement is prescribed.

2. In the absence of such an agreement, the Parties to the conflict shall respect medical aircraft as soon as they have been identified.

Article 28. — Sectors controlled by enemy forces

The medical aircraft of a Party to the conflict shall continue to benefit from protection while flying over land or sea areas effectively controlled by an opposing Party or its allies provided that it has previously obtained agreement to such flights from the competent authority of the adverse Party concerned.

Article 29. — Restrictions

When carrying out the flights referred to in Articles 27 and 28, medical aircraft may not, unless previously so agreed with the adverse Party or its allies, be used to explore areas of land and sea in order to search for the wounded and the sick. Furthermore, they may carry no photographic equipment.

Article 30. — Agreements and notifications

The agreements and notifications provided for in Articles 26, 27, 28 and 29 shall make specific mention of the number of medical aircraft, their flight altitude and the means of identification that they will be using.

Article 31. — Landing

1. Medical aircraft flying over land and water under the control of an adverse Party, may be ordered to land, or alight on water, as appropriate, in order to permit inspection and verification of the character of the aircraft. Medical aircraft shall obey every such order.

2. In the event of an alighting, on land or water, ordered, forced or resulting from fortuitous circumstances, an aircraft may be subject to inspection to determine whether it is a medical aircraft within the meaning of Article 21. If inspection discloses that it is not a medical aircraft within the meaning of the said article, if it is in violation of the conditions prescribed in Article 24 or if it has flown without prior agreement, it may be seized; the medical personnel and the passengers shall be treated in conformity with the Conventions and this Protocol. Such seized aircraft as are designed to serve as permanent medical aircraft may be used thereafter only as medical aircraft.

3. If the inspection discloses that the aircraft is a medical aircraft within the meaning of Article 21 (e), the aircraft and its occupants shall be authorized to continue their flight.

4. Inspection shall be conducted expeditiously in order not unduly to delay any medical treatment.

Article 32. — States not parties to the conflict

1. Except by prior agreement, medical aircraft shall not fly over or land on the territory of a State not party to the conflict. However, with such an agreement they shall be respected throughout their flight and also for the duration of any calls in the territory. Nevertheless they shall obey any summons to land or to alight on water as appropriate.

2. Should a medical aircraft, in the absence of an agreement, be forced because of urgent necessity to fly over or alight on land or water in the territory of a State not party to the conflict, the medical aircraft shall make every effort to give notice of the flight and to identify itself. The State not party to the conflict shall, so far as possible, respect such aircraft.

3. In the event of alighting on land or on water, in the territory of a State not party to the conflict, whether forced or in compliance with a summons, the aircraft, with its occupants, may resume its flight after examination, if any.

4. The wounded and the sick disembarked from a medical aircraft with the consent of the local authorities on the territory of a State not party to the conflict shall, unless agreed otherwise between that State and the Parties to the conflict, be detained by that State where so required by international law, in such a manner that they cannot again take part in the hostilities. The cost of hospital treatment and internment shall be borne by the Power to which those persons belong.

5. The States not parties to the conflict shall apply any conditions and restrictions on the passage or landing of medical aircraft on their territory equally to all Parties to the conflict.

PART III

METHODS AND MEANS OF COMBAT PRISONER-OF-WAR STATUS

SECTION I

METHODS AND MEANS OF COMBAT

Article 33. — Prohibition of unnecessary injury

1. The right of Parties to the conflict and of members of their armed forces to adopt methods and means of combat is not unlimited.

2. It is forbidden to employ weapons, projectiles, substances, methods and means which uselessly aggravate the sufferings of disabled adversaries or render their death inevitable in all circumstances.

Article 34. — New weapons

In the study and development of new weapons or methods of warfare, the High Contracting Parties shall determine whether their use will cause unnecessary injury.

Article 35. — Prohibition of perfidy

1. It is forbidden to kill, injure or capture an adversary by resort to perfidy. Acts inviting the confidence of the adversary with intent to betray that confidence are deemed to constitute perfidy. Such acts, when carried out in order to commit or resume hostilities, include the following:

(a) the feigning of a situation of distress, notably through the misuse of an internationally recognized protective sign;

(b) the feigning of a cease-fire, of a humanitarian negotiation or of a surrender;

(c) the disguising of combatants in civilian clothing.

2. On the other hand, those acts which, without inviting the confidence of the adversary, are intended to mislead him or to induce him to act recklessly, such as camouflage, traps, mock operations and misinformation, are ruses of war and are lawful.

Article 36. — Recognized signs

1. It is forbidden to make use of the protective sign of the red cross (red crescent, red lion and sun) and of the protective emblem of cultural property in cases other than those provided for in international agreements establishing those signs and in the present Protocol. The same prohibition applies to the use of oblique red bands on a white ground and of the international distinctive sign of Civil Defence referred to in Part IV, as well as to that of protective signals referred to in Article 18.

2. It is forbidden to make improper use of the flag of truce.

3. It is forbidden to make use of the distinctive sign of the United Nations except as authorized by that Organization.

Article 37. — Emblems of nationality

It is forbidden to make use of the enemy or neutral flags, military insignia and uniforms in order to shield, favour or impede military operations.

Article 38. — Safeguard of an enemy hors de combat and giving quarter

1. It is forbidden to kill, injure, ill-treat or torture an enemy *hors de combat*. An enemy *hors de combat* is one who, having laid down his arms, no longer has any means of defence or has surrendered. These conditions are considered to have been fulfilled, in particular, in the case of an adversary who:

- (a) is unable to express himself, or
- (b) has surrendered or has clearly expressed an intention to surrender
- (c) and abstains from any hostile act and does not attempt to escape.

2. Any Party to the conflict is free to send back to the adverse Party those combatants it does not wish to hold as prisoners, after ensuring that they are in a fit state to make the journey without any danger to their safety.

3. It is forbidden to order that there shall be no survivors, to threaten an adversary therewith and to conduct hostilities on such basis.

Article 39. — Aircraft occupants

1. The occupants of aircraft in distress shall never be attacked when they are obviously *hors de combat*, whether or not they have abandoned the aircraft in distress. An aircraft is not considered to be in distress solely on account of the fact that its means of combat are out of commission.

2. The use of misleading signals and messages of distress is forbidden.

Article 40. — Independent missions

1. Members of armed forces in uniform and other combatants referred to in Article 4 of the Third Convention, as well as those combatants referred to in Article 42 who, in their operations, distinguish themselves from the civilian population and who, having entered enemy-controlled territory or having remained therein, gather or attempt to gather military information for further transmission shall not be considered as spies.

2. Members of armed forces in uniform and other combatants referred to in Article 4 of the Third Convention, as well as those combatants referred to in Article 42 who, in their operations, distinguish themselves from the civilian population and who, having entered enemy-controlled territory or having remained therein, destroy or attempt to destroy military objectives shall not be considered as saboteurs.

3. In the event of their capture, the persons referred to in paragraphs 1 and 2 above shall be prisoners of war.

Article 41. — Organization and discipline

Armed forces, including the armed forces of resistance movements covered by Article 42, shall be organized and subject to an appropriate internal disciplinary system. Such disciplinary system shall enforce respect for the present rules and for the other rules of international law applicable in armed conflicts.

SECTION II

PRISONER-OF-WAR STATUS

Article 42. — New category of prisoners of war

1. In addition to the persons mentioned in Article 4 of the Third Convention, members of organized resistance movements who have fallen into the hands of the enemy are prisoners of war provided such movements belong to a Party to the conflict, even if that Party is represented by a government or an authority not recognized by the Detaining Power, and provided that such movements fulfil the following conditions:

(a) that they are under a command responsible to a Party to the conflict for its subordinates;

(b) that they distinguish themselves from the civilian population in military operations;

(c) that they conduct their military operations in accordance with the Conventions and the present Protocol.

2. Non-fulfilment of the aforementioned conditions by individual members of the resistance movement shall not deprive other members of the movement of the status of prisoners of war. Members of a resistance movement who violate the Conventions and the present Protocol shall, if prosecuted, enjoy the judicial guarantees provided by the Third Convention and, even if sentenced, retain the status of prisoners of war.*

* *Note*

If, as many Governments wished, the Diplomatic Conference should decide to mention in the present Protocol members of movements of armed struggle for self-determination, a solution would be to include in this Article a third paragraph worded as follows:

“ 3. In cases of armed struggle where peoples exercise their right to self-determination as guaranteed by the United Nations Charter and the “ Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations ”, members of organized liberation movements who comply with the aforementioned conditions shall be treated as prisoners of war for as long as they are detained ”.

PART IV

CIVILIAN POPULATION

SECTION I

GENERAL PROTECTION AGAINST EFFECTS OF HOSTILITIES

Chapter I

Basic rule and field of application

Article 43. — Basic rule

In order to ensure respect for the civilian population, the Parties to the conflict shall confine their operations to the destruction or weakening of the military resources of the adversary and shall make a distinction between the civilian population and combatants, and between civilian objects and military objectives.

Article 44. — Field of application

1. The provisions contained in the present Section apply to any land, air or sea warfare which may affect the civilian population, individual civilians and civilian objects on land.

2. These provisions apply to acts of violence committed against the adversary, whether in defence or offence. Such acts are referred to hereafter as “ attacks ”.

3. These provisions are complementary to such other international rules relating to the protection of civilians and civilian objects against effects resulting from hostilities as may be binding upon the High Contracting Parties, in particular to Part II of the Fourth Convention.

Chapter II

Civilians and civilian population

Article 45. — Definition of civilians and civilian population

1. Any person who does not belong to one of the categories of armed forces referred to in Article 4 (A) (1), (2), (3) and (6) of the Third Convention and in Article 42 is considered to be a civilian.

2. The civilian population comprises all persons who are civilians.

3. The presence, within the civilian population, of individuals who do not fall within the definition of civilians does not deprive the population of its civilian character.

4. In case of doubt as to whether any person is a civilian, he or she shall be presumed to be so.

Article 46. — Protection of the civilian population

1. The civilian population as such, as well as individual civilians, shall not be made the object of attack. In particular, methods intended to spread terror among the civilian population are prohibited.

2. Civilians shall enjoy the protection afforded by this Article unless and for such time they take a direct part in hostilities.

3. The employment of means of combat, and any methods which strike or affect indiscriminately the civilian population and combatants, or civilian objects and military objectives, are prohibited. In particular it is forbidden:

(a) to attack without distinction, as one single objective, by bombardment or any other method, a zone containing several military objectives, which are situated in populated areas, and are at some distance from each other;

(b) to launch attacks which may be expected to entail incidental losses among the civilian population and cause the destruction of civilian objects to an extent disproportionate to the direct and substantial military advantage anticipated.

4. Attacks against the civilian population or civilians by way of reprisals are prohibited.

5. The presence or movements of the civilian population or individual civilians shall not be used for military purposes, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. If a Party to the conflict, in violation of the foregoing provision, uses civilians with the aim of shielding military objectives from attack, the other Party to the conflict shall take the precautionary measures provided for in Article 50.

Chapter III

Civilian objects

Article 47. — General protection of civilian objects

1. Attacks shall be strictly limited to military objectives, namely, to those objectives which are, by their nature, purpose or use, recognized to be of military interest and whose total or partial destruction, in the circumstances ruling at the time, offers a distinct and substantial military advantage.

2. Consequently, objects designed for civilian use, such as houses, dwellings, installations and means of transport, and all objects which are not military objectives, shall not be made the object of attack, except if they are used mainly in support of the military effort.

Article 48. — Objects indispensable to the survival of the civilian population

It is forbidden to attack or destroy objects indispensable to the survival of the civilian population, namely, foodstuffs and food-producing areas, crops, livestock, drinking water supplies and irrigation works, whether it is to starve out civilians, to cause them to move away or for any other reason. These objects shall not be made the object of reprisals.

Article 49. — Works and installations containing dangerous forces

1. It is forbidden to attack or destroy works or installations containing dangerous forces, namely, dams, dykes and nuclear generating stations. These objects shall not be made the object of reprisals.

2. The Parties to the conflict shall endeavour to avoid locating any military objectives in the immediate vicinity of the objects mentioned in paragraph 1.

3. In order to facilitate their identification, the Parties to the conflict may mark works and installations containing dangerous forces with a special sign consisting of two oblique red bands on a white ground. Absence of such marking in no way relieves a Party from its obligations under paragraphs 1 and 2 of this Article.

Chapter IV

Precautionary measures

Article 50. — Precautions in attack

1. Constant care shall be taken, when conducting military operations, to spare the civilian population, civilians and civilian objects. In the planning, deciding or launching of an attack the following precautions shall be taken:

(a) Proposal I

those who plan or decide upon an attack shall ensure that the objectives to be attacked are duly identified as military objectives within the meaning of paragraph 1 of Article 47 and may be attacked without incidental losses in civilian lives and damage to civilian objects in their vicinity being caused or that at all events those losses or damage are not disproportionate to the direct and substantial military advantage anticipated;

Proposal II

those who plan or decide upon an attack shall take all reasonable steps to ensure...

(b) those who launch an attack shall, if possible, cancel or suspend it if it becomes apparent that the objective is not a military one or that incidental losses in civilian lives and damage to civilian objects would be disproportionate to the direct and substantial advantage anticipated;

(c) whenever circumstances so permit, advance warning shall be given of attacks which may affect the civilian population. Such warnings do not, however, in any way limit the scope of the obligations laid down in the preceding paragraphs.

2. All necessary precautions shall be taken in the choice of weapons and methods of attack so as not to cause losses in civilian lives and damage to civilian objects in the immediate vicinity of military objectives to be attacked.

3. When a choice is possible between several objectives, for obtaining a similar military advantage, the objective to be selected shall be that which will occasion the least danger to civilian lives and to civilian objects.

Article 51. — Precautions against the effects of attacks

1. The Parties to the conflict shall, to the maximum extent feasible, take the necessary precautions to protect the civilian population, individual civilians and civilian objects under their authority against the dangers resulting from military operations.

2. They shall endeavour to remove them from the proximity of military objectives, subject to Article 49 of the Fourth Convention, or to avoid that any military objectives be kept within or near densely populated areas.

Chapter V

Localities under special protection

Article 52. — Non-defended localities

1. It is forbidden for the Parties to the conflict to attack, by any means whatsoever, non-defended localities.

2. To facilitate the observance of this rule, the Parties to the conflict may declare as a non-defended locality any inhabited place near or in a zone where armed forces are in contact. Armed forces and all other combatants, as well as mobile weapons and mobile military equipment, must have been evacuated from that locality; no hostile use shall be made of fixed military installations or establishments; no acts of warfare shall be committed by the authorities or the population.

3. Except where a Party to the conflict replies to such a declaration addressed to it by an express refusal, it is presumed as having accepted to abide by it.

4. The Parties to the conflict may also agree on the creation of non-defended localities. Such an agreement may be concluded either directly, or through a Protecting Power or any impartial humanitarian body. The agreement shall demarcate the non-defended locality and, should the need arise, lay down the methods of supervision.

5. The presence, in these localities, of military medical personnel, civil defence personnel, civilian police forces, wounded and sick military personnel, as well as military chaplains, is not contrary to the conditions stipulated in paragraph 2.

6. The Party in whose power these localities lie shall mark them, so far as possible, by means of signs consisting of two oblique red bands on a white ground displayed where they are clearly visible, especially on their perimeter and on highways.

7. A locality will lose its status of non-defended locality if it no longer fulfils the conditions stipulated in paragraph 2 or when it is occupied militarily.

Article 53. — Neutralized localities

1. It is forbidden for the Parties to the conflict to extend their military operations to localities on which they have conferred by agreement the status of neutralized localities.

2. This shall be an express agreement, which may be concluded verbally or in writing, either directly or through a Protecting Power or any impartial humanitarian body, and may consist of reciprocal and concordant declarations. It shall demarcate the neutralized locality and lay down the methods of supervision.

3. The subject of such an agreement may be any inhabited place situated outside a zone where armed forces are in contact. Armed forces and all other combatants, as well as mobile weapons and mobile military equipment, must have been evacuated from that locality; no hostile use shall be made of fixed military installations or establishments; no acts of warfare shall be committed by the authorities or the population; any activity linked to the military effort must have ceased.

4. The presence, in these localities, of military medical personnel, civil defence personnel, civilian police forces, wounded and sick military personnel, as well as military chaplains, is not contrary to the conditions stipulated in paragraph 3.

5. The Party in whose power these localities lie shall mark them by means of signs consisting of two oblique red bands on a white ground displayed where they are clearly visible, especially on their perimeter and on highways.

6. If the fighting draws nearer to a neutralized locality, none of the Parties to the conflict may effect a military occupation of such a locality or unilaterally repeal its status.

7. If one of the Parties to the conflict commits a violation of the provisions of paragraphs 3 or 6, the other Party shall be released from the obligations incumbent upon it under the agreement conferring upon a place the status of a neutralized locality.

Chapter VI

Civil Defence

Article 54. — Definition

Civil defence, for the purpose of the present Chapter, covers humanitarian tasks intended to safeguard the civilian population against the effects arising from hostilities or disasters, to ensure its survival and to provide the conditions necessary for its existence. Civil defence includes, *inter alia*:

- (a) rescue, first-aid, conveyance of wounded, fire-fighting;
- (b) safeguard of objects indispensable to the survival of the civilian population;
- (c) provision of emergency material and social assistance to the civilian population;
- (d) emergency repair of public services indispensable to the civilian population;

- (e) maintenance of public order in disaster areas;
- (f) preventive measures, such as warning the civilian population, evacuation, provision of shelters;
- (g) detection and marking of danger areas.

Article 55. — Zones of military operations

1. In zones of military operations, the civilian bodies which are established or recognized by their governments and are assigned to the discharge of the tasks mentioned in Article 54 shall be respected and protected. Their personnel shall not be intentionally attacked. Except in case of imperative military necessity, Parties to a conflict shall permit them freely to discharge their tasks.

2. Civilians who, although not members of the civil defence bodies mentioned in paragraph 1, respond to an appeal from the authorities and carry out civil defence tasks under the control of those authorities shall likewise be respected and protected during the performance of those tasks.*

3. Buildings, materiel and means of transport used by the civil defence shall not be intentionally attacked or destroyed.

Article 56. — Occupied territories

1. In occupied territories, the civilian bodies assigned to the discharge of the tasks mentioned in Article 54 shall receive every facility from the authorities for the discharge thereof. In no circumstance shall their personnel be compelled to perform activities unconnected with their functions. The Occupying Power shall not change the structure or personnel of such bodies in any way which might jeopardize the efficient discharge of their mission. It shall not demand that the civil defence bodies give the nationals of the Occupying Power priority.

2. The Occupying Power shall not divert buildings, materiel and means of transport belonging to civil defence bodies from their assignment.

Article 57. — Civil defence bodies of States not parties to a conflict and international bodies

1. The protection conferred by the present Chapter applies also to the personnel, materiel and means of transport of civil defence bodies of States not parties to a conflict and which carry out civil defence activities on the territory of, with the agreement of, and under the control of a Party to the conflict after notification to the adverse Party. In no circumstance shall such activities be deemed to be interference in the conflict.

2. The personnel, materiel and means of transport of international civil defence bodies engaged in civil defence activities on the territory of a Party to a conflict under the conditions mentioned in the preceding paragraph shall also be respected and protected.

Article 58. — Cessation of protection

1. The protection due to persons, buildings, materiel and means of transport engaged in civil defence tasks shall not cease unless they are used to commit, outside those duties, acts harmful to the enemy. Protection may, however, cease only after a warning, specifying in all appropriate cases a reasonable time limit, has remained unheeded.

2. The fact that civil defence personnel:

- (a) receive instructions from military authorities,
- (b) co-operate in the discharge of their tasks with military personnel,
- (c) bear small-arms for the purpose of maintaining order in a stricken area or for self-defence,
- (d) carry out their tasks for the benefit of military victims, shall not be considered to be harmful to the enemy.

** Note*

Some experts consulted by the ICRC recommended adding here the following paragraph:

“ Personnel of military units assigned exclusively to civil defence tasks shall not be intentionally attacked provided they display the international distinctive sign of civil defence specified in Article 59 below, and bear only small-arms. If they fall into the power of the enemy they shall be considered to be prisoners of war.”

3. Similarly, the organization of civil defence bodies along military lines, and compulsory service in them, shall not deprive them of the protection conferred by the present Chapter.

Article 59. — Identification

1. Each Party to a conflict shall endeavour to ensure that personnel, buildings, materiel and means of transport engaged in civil defence tasks are identifiable.

2. The High Contracting Parties shall issue for permanent civil defence personnel and means of transport permanently assigned to civil defence tasks a document attesting to their character.

3. Personnel, buildings, materiel and means of transport engaged in civil defence tasks shall, with the consent of the competent authority, display the international distinctive sign of civil defence.

4. The international distinctive sign of civil defence is:

Proposal I
An equilateral light blue triangle on a light orange background.

Proposal II
Two or, in case of need, more vertical light blue stripes on a light orange background.

5. In addition to the distinctive sign, Parties to a conflict may authorize the use of distinctive signals to signalize civil defence buildings and means of transport.

6. The implementation of the provisions of paragraphs 2 to 5 of this article is governed by Chapter IV of the Annex.

7. Temporary personnel, buildings, materiel and means of transport temporarily engaged in an emergency relief action may display the international distinctive sign of civil defence only for the duration of their assignment.

8. The identification of civil defence medical services is governed by Article 18.

9. The High Contracting Parties shall take the measures necessary to supervise the display of the distinctive sign and to prevent and repress abuse thereof.

SECTION II

RELIEF IN FAVOUR OF THE CIVILIAN POPULATION

Article 60. — Field of application

The provisions contained in the present Section are complementary to such international rules concerning relief as may be binding upon the High Contracting Parties, in particular to Article 23 of the Fourth Convention. They apply to the civilian population as defined in Article 45.

Article 61. — Supplies

To the fullest extent possible and without any adverse distinction, the Parties to the conflict shall ensure the provision of foodstuffs, clothing, medical and hospital stores and means of shelter for the civilian population.

Article 62. — Relief actions

1. If the civilian population is inadequately supplied, in particular, with foodstuffs, clothing, medical and hospital stores and means of shelter, the Parties to the conflict shall agree to and facilitate those relief actions which are exclusively humanitarian and impartial in character and conducted without any adverse distinction. Relief actions fulfilling the above conditions shall not be regarded as interference in the armed conflict.

2. The Parties to the conflict and any High Contracting Party through whose territory supplies must pass shall grant free passage when relief actions are carried out in accordance with the conditions stated in paragraph 1.

3. When prescribing the technical methods relating to assistance or transit, the Parties to the conflict and any High Contracting Party shall endeavour to facilitate and accelerate the entry, transport, distribution or passage of relief.

4. The Parties to the conflict and any High Contracting Party may set as condition that the entry, transport, distribution or passage of relief be executed under the supervision of a Protecting Power or of an impartial humanitarian body.

5. The Parties to the conflict and any High Contracting Party shall in no way whatsoever divert relief consignments from the purpose for which they are intended or delay the forwarding of such consignments.

SECTION III

TREATMENT OF PERSONS IN THE POWER OF A PARTY TO THE CONFLICT

Chapter I

Field of application and protection of persons and objects

Article 63. — Field of application

The provisions contained in the present Section are complementary to such international rules concerning the protection of civilians and civilian objects in the power of a Party to the conflict as may be binding upon the High Contracting Parties, in particular to Parts I and III of the Fourth Convention.

Article 64. — Refugees and stateless persons

Persons who, before the beginning of hostilities, were considered as being stateless persons, or refugees under the relevant international instruments or the national legislation of the State of refuge or State of residence, shall be recognized as being protected persons within the meaning of Parts I and III of the Fourth Convention, in all circumstances and without any adverse distinction.

Article 65. — Fundamental guarantees

1. Persons who would not receive more favourable treatment under the Conventions or the present Protocol, namely, nationals of States not bound by the Conventions and the Parties' own nationals shall, in all circumstances, be treated humanely by the Party in whose power they may be and without any adverse distinction. The present article also applies to persons who are in situations under Article 5 of the Fourth Convention. All these persons shall enjoy at least the provisions laid down in the following paragraphs.

2. The following acts are and shall remain prohibited at any time and in any place whatsoever, whether committed by civilian or military agents:

(a) violence to the life, health and physical or mental well-being of persons, in particular murder, torture, corporal punishment and mutilation;

(b) physical or moral coercion, in particular to obtain information;

(c) medical or scientific experiments, including the removal or transplant of organs, not justified by the medical treatment and not carried out in the patients' own interest;

(d) outrages upon personal dignity, in particular humiliating and degrading treatment;

(e) taking of hostages;

(f) threats to commit any of the foregoing acts.

3. No sentence may be passed or penalty executed on a person found guilty of an offence related to a situation referred to in Article 2 common to the Conventions except in pursuance of a previous judgment pronounced by an impartial and properly constituted court, affording the following essential judicial guarantees:

(a) no person may be punished for an offence he or she has not personally committed; collective penalties are prohibited;

(b) no person may be prosecuted or punished for an offence in respect of which a final judgment has been previously passed, acquitting or convicting that person;

(c) everyone charged with an offence is presumed to be innocent until proved guilty according to law;

(d) no person may be sentenced except in pursuance of those provisions of law which were in force at the time the offence was committed, subject to later more favourable provisions.

4. Women whose liberty has been restricted shall be held in quarters separated from men's quarters. They shall be under the immediate supervision of women. This does not apply to those cases where members of the same family are together in the same place of internment.

5. The persons mentioned in paragraph 1, detained by reason of a situation referred to in Article 2 common to the Conventions and who are released, repatriated or established after the general cessation of hostilities, shall enjoy, in the meantime, the protection of the present article.

Article 66. — Objects indispensable to the survival of the civilian population

It is prohibited to destroy, render useless or remove objects indispensable to the survival of the civilian population, namely, foodstuffs, food-producing areas, crops, livestock, drinking water supplies and irrigation works, whether to starve out civilians, cause them to move away or for any other reason. They shall not be the object of reprisals.

Chapter II

Measures in favour of women and children

Article 67. — Protection of women

1. Women shall be the object of special respect and shall be protected, in particular against rape, enforced prostitution, and any other form of indecent assault.

2. The death penalty for an offence related to a situation referred to in Article 2 common to the Conventions shall not be executed on pregnant women.

Article 68. — Protection of children

1. Children shall be the object of privileged treatment. The Parties to the conflict shall provide them with the care and aid their age and situation require. Children shall be protected against any form of indecent assault.

2. The Parties to the conflict shall take all necessary measures in order that children aged under fifteen years shall not take any part in hostilities and, in particular, they shall refrain from recruiting them in their armed forces or accepting their voluntary enrolment.

3. The death penalty for an offence related to a situation referred to in Article 2 common to the Conventions shall not be pronounced on persons who were under eighteen years at the time the offence was committed.

Article 69. — Evacuation of children

1. If their condition necessitates their evacuation for reasons of health, in particular to obtain medical treatment or to hasten convalescence, children may be transferred to a foreign country. Where they have not been separated by circumstances from their parents or

egal guardians, the latter's consent must be obtained. In the case of evacuation to a foreign country, the operation shall be supervised or directed by the Protecting Power, in agreement with the Parties to the conflict concerned.

2. In the case of evacuation to a foreign country, the Party to the conflict carrying out the evacuation and the authorities of the receiving country shall arrange, if possible, for the children's education to be continued in the language and culture of the country to which they belong.

3. So as to facilitate the return, to their families and country, of children cared for or received abroad, the authorities of the receiving country shall establish for each child a card, with photographs, which they shall communicate to the Central Tracing Agency. Each card shall bear, whenever possible, the following minimum information:

- (a) surname of the child;
- (b) the child's first name;
- (c) the place and date of birth (failing this, the approximate age);
- (d) the father's first name;
- (e) the mother's first name and her maiden name;
- (f) the child's nationality;
- (g) the address of the child's family;
- (h) the date on which and the place where the child was found;
- (i) the date on which and the place from where the child left his country;
- (j) the child's blood group;
- (k) any distinguishing features;
- (l) the child's present address.

PART V

EXECUTION OF THE CONVENTIONS AND OF THE PRESENT PROTOCOL

SECTION I

GENERAL PROVISIONS

Article 70. — Measures for execution

1. The High Contracting Parties shall without delay take all necessary measures for the execution of the obligations incumbent upon them under the Conventions and the present Protocol, without availing themselves of special circumstances or of any advantages which a postponement might bring them.

2. The High Contracting Parties, acting through their military or civilian authorities, shall give orders and instructions to ensure observance of the Conventions and the present Protocol and shall supervise their execution.

Article 71. — Legal advisers in armed forces

The High Contracting Parties shall employ in their armed forces, in time of peace as in time of armed conflict, qualified legal advisers who shall advise military commanders on the application of the Conventions and the present Protocol and who shall ensure that appropriate instruction be given to the armed forces.

Article 72. — Dissemination

1. The High Contracting Parties undertake, in time of peace as in time of armed conflict, to disseminate the Conventions and the present Protocol as widely as possible in their respective countries, and, in particular, to include the study thereof in their programmes of military and civil instruction, so that those instruments may become known to the armed forces and to the civilian population.

2. Any military or civilian authorities who, in time of armed conflict, assume responsibilities in respect of the application of the Conventions and the present Protocol must be fully acquainted with the text thereof.

3. The High Contracting Parties shall report to the depositary of the Conventions and to the International Committee of the Red Cross at intervals of four years on the measures they have taken in accordance with their obligations under this article.

Article 73. — Rules of application

The High Contracting Parties shall communicate to one another, through the depositary of the Conventions and, in case of need, through the Protecting Powers, the official translations of the present Protocol, as well as the laws and regulations which they may adopt to ensure the application thereof.

SECTION II

REPRESSION OF BREACHES OF THE CONVENTIONS AND OF THE PRESENT PROTOCOL

Article 74. — Repression of breaches of the present Protocol

The provisions of the Conventions relating to the repression of breaches, supplemented by the present Section, shall apply to the repression of breaches of the present Protocol, including to that of the grave breaches committed against protected persons or protected objects within the meaning of Article 2 (c).

Article 75. — Perfidious use of the protective signs

The use of the red cross sign and of the other protective signs or markings recognized by the Conventions or by the present Protocol constitutes a grave breach of the Conventions or of the present Protocol when the use invites the confidence of the enemy with intent to betray that confidence.

Article 76. — Failure to act

1. The High Contracting Parties undertake to repress breaches of the Conventions or of the present Protocol resulting from a failure to perform a duty to act.

2. The fact that a breach of the Conventions or of the present Protocol was committed by a subordinate does not absolve his superiors from penal responsibility if they knew or should have known that he was committing or would commit such a breach and if they did not take measures within their power to prevent or repress the breach.

Article 77. — Superior orders

1. No person shall be punished for refusing to obey an order of his government or of a superior which, if carried out, would constitute a grave breach of the provisions of the Conventions or of the present Protocol.

2. The fact of having acted pursuant to an order of his government or of a superior does not absolve an accused person from penal responsibility if it be established that, in the circumstances at the time, he should have reasonably known that he was committing a grave breach of the Conventions or of the present Protocol and that he had the possibility of refusing to obey the order.

Article 78. — Extradition

1. Grave breaches of the Conventions or of the present Protocol, whatever the motives for which they were committed, shall be deemed to be included as extraditable offences in any extradition treaty existing between the High Contracting Parties. The High Contracting Parties undertake to include the said grave breaches as extraditable offences in every extradition treaty to be concluded between them.

2. If a High Contracting Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another High Contracting Party with which it has no extradition treaty, the Conventions and the present Protocol shall be considered as the legal basis for extradition in respect of the said grave breaches. Extradition shall be subject to the other conditions provided by the law of the requested High Contracting Party.

3. High Contracting Parties which do not make extradition conditional on the existence of a treaty shall recognize the said grave breaches as extraditable offences between themselves subject to the conditions provided by the law of the requested High Contracting Party.

Article 79. — Mutual assistance in criminal matters

The High Contracting Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of grave breaches of the Conventions or of the present Protocol. The law of the High Contracting Party requested shall apply in all cases.

PART VI

FINAL PROVISIONS

Article 80. — Signature

The present Protocol shall be open until 197... at ... for signature by the Parties to the Conventions.

Article 81. — Ratification

The present Protocol shall be ratified as soon as possible. The instruments of ratification shall be deposited with the Swiss Confederation, depositary of the Conventions.

Article 82. — Accession

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

Article 83. — Entry into force

1. The present Protocol shall enter into force six months after two instruments of ratification have been deposited.

2. For each Party to the Conventions thereafter ratifying or acceding to the present Protocol, it shall enter into force six months after the deposit by such Party of its instrument of ratification or accession.

Article 84. — Treaty relations upon entry into force of the present Protocol

1. When the Parties to the Conventions are also parties to the present Protocol, the Conventions shall apply as supplemented by this Protocol.

2. Although one of the Parties to the conflict may not be bound by the present Protocol, the other Parties to the conflict shall remain bound by it in their mutual relations. They shall furthermore be bound by the present Protocol in relation to the said Party, if the latter accepts and applies the provisions thereof.

Article 85. — Reservations

1. Each one of the Parties to the Conventions may, when signing, ratifying or acceding to the present Protocol, formulate reservations to articles other than Articles 5, 10, 20, 33, Article 35, paragraph 1, first sentence, Article 38, paragraph 1, first sentence, and Articles 41, 43, 46 and 47.

2. Each reservation shall be operative for five years from the entry into force of the present Protocol in respect of the High Contracting Party formulating the reservation. Any reservation may be renewed for further successive periods of five years subject to a declaration being sent to the depositary of the Conventions not less than three months prior to the expiry of the said period. A reservation may be withdrawn at any time by notification to this effect addressed to the depositary of the Conventions.

Article 86. — Amendment

1. Any High Contracting Party may propose one or more amendments to the present Protocol or its Annex. The text of any proposed amendment shall be communicated to the depositary of the Conventions which shall decide, after consultation with all the High Contracting Parties and the International Committee of the Red Cross, whether a conference should be convened to consider the proposed amendment.

2. The depositary of the Conventions shall invite to this conference all the High Contracting Parties as well as the Parties to the Conventions, whether or not they are signatories of the present Protocol.

Article 87. — Denunciation

1. In case a High Contracting Party should denounce the present Protocol, the denunciation shall only take effect one year after receipt of the instrument of denunciation. However, if on the expiry of that year the denouncing Party is engaged in one of the situations referred to in Article 2 common to the Conventions, the denunciation shall not take effect until the end of the armed conflict or occupation and, in any case, until after operations connected with release, repatriation and establishment of the persons protected by the present Protocol have been terminated.

2. The denunciation shall be notified in writing to the depositary of the Conventions, which shall transmit it to all the High Contracting Parties.

3. The denunciation shall have effect only in respect of the denouncing Party.

Article 88. — Notifications

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

(a) signatures affixed to the present Protocol and the deposit of the instruments of ratification and accession under Articles 81 and 82;

(b) the date of entry into force of the present Protocol under Article 83;

(c) communications and declarations received under Articles 73, 85 and 86;

(d) denunciations under Article 87.

Article 89. — Registration

1. After its entry into force, the present Protocol shall be transmitted by the depositary of the Conventions 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 of the Conventions shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to the present Protocol.

Article 90. — Authentic texts and official translations

1. The original of the present Protocol, of which the French and English texts are equally authentic, shall be deposited with the depositary of the Conventions, which shall transmit certified true copies thereof to all the Parties to the Conventions.

2. The depositary of the Conventions shall arrange for official translations of the present Protocol to be made into

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Protocol.

DONE AT GENEVA, this ... day of ... 197... .

ANNEX

REGULATIONS CONCERNING THE IDENTIFICATION AND MARKING OF MEDICAL PERSONNEL, UNITS AND MEANS OF TRANSPORT, AND CIVIL DEFENCE PERSONNEL, EQUIPMENT AND MEANS OF TRANSPORT

Chapter I

Documents

Article 1. — Permanent civilian medical personnel

1. Permanent civilian medical personnel shall carry a special identity card bearing the distinctive emblem. This card shall be water-resistant and of such size that it can be carried in the pocket. It shall be worded in the language of the country concerned and in one of the languages mentioned in Article 90 of the present Protocol and shall mention the surname and first names, the date of birth, function and the service number, if any, of the holder. It shall state in what capacity the holder is entitled to the protection of the Conventions and the present Protocol. The card shall bear the photograph of the holder as well as his signature or his fingerprints, or both. It shall bear the embossed stamp of the competent authorities.

2. The identity card shall be uniform throughout the territory of each High Contracting Party and, as far as possible, of the same type for all the High Contracting Parties. The High Contracting Parties may be guided by the model shown below¹. At the outbreak of hostilities, they shall transmit to each other a specimen of the model they are using. Identity cards shall be made out, if possible, at least in duplicate, one copy being kept by the issuing authorities.

3. In no circumstances may the said personnel be deprived of their identity cards. In the event of loss, they shall be entitled to obtain a duplicate copy.

Article 2. — Temporary civilian medical personnel

1. Temporary civilian medical personnel shall carry a special identity card similar to that provided for in Article 1 above. This card shall specify the medical training of the holder, the temporary nature of his functions and the right to display the distinctive emblem.

2. The High Contracting Parties may be guided by the model shown below². Identity cards shall be made out, if possible, in duplicate, one copy being kept by the issuing authorities.

Article 3. — Lists of personnel

The management of each civilian medical unit shall at all times keep an up-to-date list of the names of its personnel at the disposal of the competent authorities.

Article 4. — Flight plan

The agreements and notifications relating to flight plans provided for in Article 30 of the present Protocol shall be established as far as possible in accordance with procedures laid down by the International Civil Aviation Organization.

¹ The model of the identity card will be established subsequently.

² The model of the identity card will be established subsequently.

Chapter II

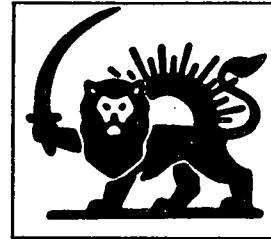
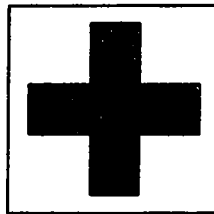
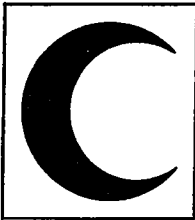
Distinctive emblem

Article 5. — *Shape and nature*

1. The distinctive emblem shall be as large as possible. The red and white surfaces shall be, as far as possible, of equal area. For the shapes of the cross, the crescent or the lion and sun, the High Contracting Parties may be guided by the models shown below.

2. At night or when visibility is reduced, the distinctive emblem may be lighted or illuminated; it may also be made of materials rendering it recognizable by technical means of detection.

Emblems in red on a white ground



Article 6. — *Use*

1. The distinctive emblems shall be marked on a flat surface or on flags visible from all possible directions and from as far as possible.

2. As far as possible, medical personnel removing casualties from the battle area shall wear headgear and clothing bearing distinctive emblems.

Chapter III

Distinctive signals

Article 7. — *Optional use*

The distinctive signals referred to in the present Chapter shall be used exclusively by medical units and means of transport; their use is optional.

Article 8. — *Light signals*

1. The light signal shall consist of a blue light flashing at a frequency of between 40 and 100 flashes a minute.

2. Medical aircraft and vehicles may be equipped by the Parties to the conflict with signals consisting of one or more blue lights, flashing as mentioned in paragraph 1, and placed in such a way as to be visible in as many directions as possible³.

³ The chromatic boundaries of the luminous signal's blue light are represented on the chromatic diagram of the International Commission of Illumination by the three straight lines determined by the following equations:

green boundary $y=0.065+0.805x$

white boundary $y=0.400-x$

purple boundary $x=0.133 \times 0.600y$

The triangle formed by the intersection of these three lines determines the blue zone, recommended for this signal, shown on the chromatic diagram given in Publication No. 2 « Colours of Light Signals » of the International Commission on Illumination.

The effective intensity of the blue luminous signal should not be inferior to 400 candelas.

Article 9. — Unilateral radio signal

1. The unilateral radio signal consists of a radiotelephonic or radiotelegraphic message preceded by the call sign "MEDICAL" emitted three times and followed by the call sign of the medical means of transport. This message is transmitted in English at frequent intervals on an agreed or specified frequency. The use of the call sign "MEDICAL" shall be restricted exclusively to the medical services.

2. The radio message shall convey the following data:

- (a) "MEDICAL" followed by the call sign of the means of transport;
- (b) position of the means of transport;
- (c) number and type of medical means of transport;
- (d) itinerary;
- (e) timetable;

(f) any other information, such as flight altitudes, radio frequencies, languages, secondary radar modes and codes.

3. So as to facilitate the communication of information referred to in paragraphs 1 and 2 of the present article, the High Contracting Parties shall designate and publish the national frequencies to be used by them. These frequencies shall be notified by the High Contracting Parties to the International Telecommunication Union for listing in the Master International Frequency Register and for inclusion in Service Documents.

4. The use of other frequencies shall be the subject of special agreements entered into between the Parties to the conflict which, as a general rule, shall inform the International Telecommunication Union.

Article 10. — Bilateral radio signal

1. The bilateral radio signal consists of an exchange of radio messages, in the language and on the frequency provided for in Article 9. It is initiated by the transmission of a unilateral radio signal.

2. The bilateral radio signal permits the communication and, if necessary, the discussion of the measures that should be taken to reinforce the protection of medical personnel, units and means of transport.

Article 11. — Secondary surveillance radar system signal

1. Identification by the secondary surveillance radar system, which consists of an exchange of electro-magnetic impulses, may be used to identify and to follow the course of medical aircraft.

2. For that purpose, the secondary surveillance radar system as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944 may be used.

3. The exchange of impulses shall be made in mode A/3, using the radar code or codes assigned by the International Civil Aviation Organization for the identification of medical aircraft in accordance with the international standards, practices and procedures recommended by the Organization. The Parties to the conflict may agree to use other modes and codes. They shall inform the International Civil Aviation Organization of the agreements.

4. The High Contracting Parties may establish the use of a similar system for other means of medical transport.

Article 12. — Other means of communication

When the use of the bilateral radio signal is not possible, the signals as provided for in the International Code of Signals by the Inter-Governmental Maritime Consultative Organization and in Annex 12 to the Chicago Convention on International Civil Aviation of 7 December 1944 shall be used.

Article 13. — Use of international codes

The medical units and means of transport of the Parties to the conflict may use the International Code of Signals radio codes, and the International Telecommunication Union's Q code for their communications by radiotelegraphy or radiotelephony. The use of such codes shall be in accordance with international standards, practices and procedures laid down by the International Telecommunication Union, the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization.

Chapter IV

Civil defence

Article 14. — Documents

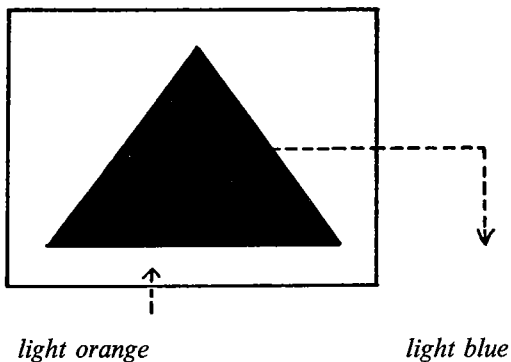
1. The identity card delivered to permanent civil defence personnel in accordance with Article 59, paragraph 2, of the present Protocol shall be similar to that referred to in Article 1 for permanent civilian medical personnel.

2. Documents delivered in respect of means of transport permanently assigned to the civil defence services shall certify that the means of transport are so assigned and shall carry a description thereof.

Article 15. — International distinctive sign for civil defence services

The international distinctive sign for civil defence services as provided for in Article 59, paragraph 4, of the present Protocol shall be in accordance with the model below.

Proposal I



(a) the background to the sign may be in the form of different geometrical shapes (circle, square, rectangle);

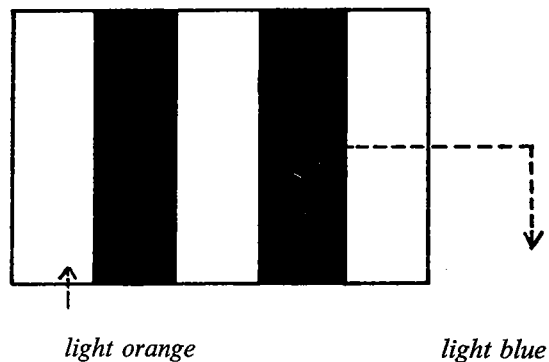
(b) if the triangle is on a flag or armlet or tabard, the background to the triangle shall be the flag or armlet or tabard;

(c) one of the angles of the triangle shall be pointed vertically upwards; if the background is a square or rectangle, the side of the triangle opposite the aforementioned angle shall be parallel to one of the sides of the background;

(d) no angle of the triangle shall touch the edge of the background;

(e) the area covered by the triangle shall be, as far as possible, equal to the background area.

Proposal II



(a) the background to the sign may be in the form of different geometrical shapes (square, rectangle);

(b) if the stripes are on a flag or armlet or tabard, the background to the stripes shall be the flag or armlet or tabard;

(c) the stripes shall be vertical and parallel; they shall touch the background edges;

(d) the area covered by the stripes shall be, as far as possible, equal to the background area.

Chapter V

Periodical revision

Article 16. — Procedure

Every five years, after the entry into force of the present Protocol, the International Committee of the Red Cross, after prior consultation with experts, shall submit to the High Contracting Parties a report on any possible amendments to be made, arising from technical developments, to the present Annex.

* * *

**DRAFT PROTOCOL ADDITIONAL
TO GENEVA CONVENTIONS OF AUGUST 12, 1949,
AND RELATING TO THE PROTECTION OF VICTIMS
OF NON-INTERNATIONAL ARMED CONFLICTS**

The High Contracting Parties,

Recalling that the humanitarian principles enshrined in Article 3 common to the Geneva Conventions of August 12, 1949, constitute the foundation of respect for the human person in cases of armed conflict not of an international character,

Recalling furthermore that international instruments relating to human rights offer a basic protection to the human person,

Emphasizing the need to ensure a better protection for the victims of those armed conflicts,

Recalling that, in cases not covered by the law in force, the human person remains under the protection of the principles of humanity and the dictates of the public conscience,

Have agreed on the following:

PART I

SCOPE OF THE PRESENT PROTOCOL

Article 1. — Material field of application

1. The present Protocol shall apply to all armed conflicts not covered by Article 2 common to the Geneva Conventions of August 12, 1949, taking place between armed forces or other organized armed groups under responsible command.

2. The present Protocol shall not apply to situations of internal disturbances and tensions, *inter alia* riots, isolated and sporadic acts of violence and other acts of a similar nature.

3. The foregoing provisions do not modify the conditions governing the application of Article 3 common to the Geneva Conventions of August 12, 1949.

Article 2. — Personal field of application

1. The present Protocol shall apply, without any adverse distinction, to all persons, whether military or civilian, combatant or non-combatant, affected by an armed conflict within the meaning of Article 1.

2. Even after the end of the armed conflict, all persons whose liberty has been restricted for reasons in relation to the armed conflict and who might not have been released, as well as persons arrested for these same reasons, shall enjoy the protection of Articles 8 and 10 until released.

Article 3. — Legal status of the parties to the conflict

The legal status of the parties to the conflict or that of the territories on which they exercise authority shall not be affected by the application of the provisions of the present Protocol, or by all or part of the provisions of the Geneva Conventions of August 12, 1949, and of the Additional Protocol relating to the protection of victims of international armed conflicts brought into force in accordance with Article 38 or by the conclusion of any agreement provided for in the Geneva Conventions and their Additional Protocols.

Article 4. — Non-intervention

Nothing in the present Protocol shall be interpreted as affecting the sovereignty of States or as authorizing third States to intervene in the armed conflict.

Article 5. — Rights and duties of the parties to the conflict

The rights and duties of the parties to the conflict under the present Protocol are equally valid for all of them.

PART II
HUMANE TREATMENT OF PERSONS IN THE POWER OF THE PARTIES
TO THE CONFLICT

Article 6. — Fundamental guarantees

1. All persons who do not take a direct part or who have ceased to take a part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, their honour and their religious convictions and practices. They shall in all circumstances be treated humanely, without any adverse distinction.

2. The following acts against the persons referred to in paragraph 1 are and shall remain prohibited at any time and in any place whatsoever:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) acts of terrorism in the form of acts of violence committed against those persons;

(d) outrages upon personal dignity, in particular humiliating and degrading treatment;

(e) slavery and the slave-trade in all their forms;

(f) pillage;

(g) threats to commit any of the foregoing acts.

3. Women shall be the object of special respect and shall be protected in particular against rape, enforced prostitution, and any other form of indecent assault.

Article 7. — Safeguard of an enemy hors de combat

1. In accordance with Article 6, it is forbidden to kill, injure, ill-treat or torture an adversary *hors de combat*. An adversary *hors de combat* is one who, having laid down his arms, no longer has any means of defence or has surrendered. These conditions are considered to have been fulfilled, in particular, in the case of an adversary who:

(a) is unable to express himself, or

(b) has surrendered or has clearly expressed an intention to surrender

(c) and abstains from any hostile act and does not attempt to escape.

2. If a party to the conflict decides to send back to the adverse party those combatants it has captured, it must ensure that they are in a fit state to make the journey without any danger to their safety.

Article 8. — Persons whose liberty has been restricted

1. All persons whose liberty has been restricted by capture or arrest for reasons in relation to the armed conflict, shall, whether they are interned or detained, be treated humanely, in accordance with Article 6.

2. In addition, the parties to the conflict shall respect at least the following provisions:

(a) the wounded and sick shall be treated in accordance with Article 12;

(b) the persons referred to in paragraph 1 shall be accommodated in buildings or quarters which afford reasonable safeguards as regards hygiene and health and provide efficient protection against the rigours of the climate and the dangers of the armed conflict;

(c) they shall be provided with adequate supplies of drinking water and with food rations sufficient to keep them in good health; they shall be permitted to secure or to be provided with adequate clothing;

(d) women shall be held in quarters separated from men's quarters. They shall be under the immediate supervision of women. This does not apply to those cases where members of the same family are in the same place of internment.

3. The parties to the conflict shall also respect the following provisions within the limits of their capabilities:

(a) the persons referred to in paragraph 1 shall be allowed to receive individual or collective relief;

(b) they shall be allowed to practise their religion and receive spiritual assistance from chaplains and other persons performing similar functions;

(c) they shall be allowed to send and receive letters and cards. The parties to the conflict may limit the number of such letters if they deem it necessary;

(d) places of internment and detention shall not be set up close to the combat zone. The persons referred to in paragraph 1 shall be evacuated when the places where they are interned or detained become particularly exposed to dangers arising out of the armed conflict, if their evacuation can be carried out in adequate conditions of safety.

4. Measures of reprisals against the persons referred to in paragraph 1 are prohibited.

5. Subject to temporary and exceptional measures, the parties to the conflict shall endeavour to facilitate visits to the persons referred to in paragraph 1 by an impartial humanitarian body such as the International Committee of the Red Cross.

Article 9. — Principles of penal law

1. No one may be punished for an offence which he or she has not personally committed; collective penalties are prohibited.

2. No one may be punished on account of any act or omission contrary to a duty to act which was not an offence at the time when it was committed.

3. No one shall be liable to be prosecuted or punished for an offence for which he has already been finally acquitted or convicted.

4. No one shall be held guilty of an offence except under those provisions of law which were in force at the time when the offence was committed.

5. Everyone charged with an offence is presumed innocent until proved guilty according to law.

Article 10. — Penal prosecutions

1. No sentence shall be passed or penalty inflicted upon a person found guilty of an offence in relation to the armed conflict without previous judgment pronounced by a court offering the guarantees of independence and impartiality which are generally recognized as essential, in accordance with a procedure affording the accused the necessary rights and means of defence.

2. Everyone shall have the right of appeal against any sentence pronounced upon him. He shall be fully informed of his right to appeal and of the time limit within which he may do so.

3. The death penalty pronounced on any person found guilty of an offence in relation to the armed conflict shall not be carried out until the hostilities have ceased.

4. The death penalty shall not be pronounced for an offence in relation to the armed conflict committed by persons below eighteen years of age and shall not be carried out on pregnant women.

5. In case of prosecutions carried out against a person only by reason of his having taken part in hostilities, the court, when deciding upon the sentence, shall take into consideration, to the greatest possible extent, the fact that the accused respected the provisions of the present Protocol.

6. At the end of hostilities, the authorities in power shall endeavour to grant amnesty to as many as possible of those who have participated in the armed conflict, in particular those whose liberty has been restricted for reasons in relation to the armed conflict, whether they are interned or detained.

PART III

WOUNDED, SICK AND SHIPWRECKED PERSONS

Article 11. — Definitions

For the purposes of this Part:

(a) “the wounded and the sick” means persons, whether military or civilian, who are in need of medical assistance and care and who refrain from any act of hostility. The term includes *inter alia*: the wounded, the sick, the shipwrecked, the infirm, as well as expectant mothers, maternity cases and new-born babies;

(b) “shipwrecked persons” means persons, whether military or civilian, who are in peril at sea as a result of the destruction, loss or disablement of the vessel or aircraft in which they were travelling and who refrain from any act of hostility;

(c) “medical unit” means medical establishments and units, whether military or civilian, especially all installations of a medical nature, such as hospitals, blood transfusion centres and their medical and pharmaceutical stores; such units may be fixed or mobile, permanent or temporary, and are exclusively assigned to medical purposes;

(d) “medical transport” means the transport by land, sea or air of the wounded, the sick or the shipwrecked, and of medical personnel and equipment;

(e) “means of medical transport” means any means of transport assigned exclusively to medical transport, under the control of a competent authority of a party to the conflict;

(f) “medical personnel” means:

- i. the medical personnel of the parties to the conflict, whether military or civilian, permanent or temporary, exclusively engaged in the operation or administration of medical units and means of medical transport, including their crews, and assigned *inter alia* to the search for, removal, treatment or transport of the wounded and the sick;
- ii. the civil defence medical personnel referred to in Article 30 and the medical personnel of the National Red Cross (Red Crescent, Red Lion and Sun) Societies referred to in Article 35;

(g) “distinctive emblem” means the distinctive emblem of the red cross (red crescent, red lion and sun) on a white ground.

Article 12. — Protection and care

1. The wounded and the sick shall be respected and protected.

2. In all circumstances, they shall be treated humanely and shall receive with the least possible delay and without any adverse distinction the medical care necessitated by their condition.

3. All unjustified acts or omissions harmful to the health or to the physical or mental well-being of the persons referred to in paragraph 1 are prohibited. This prohibition applies even if those persons give their consent.

4. It is accordingly prohibited to carry out on the persons referred to in paragraph 1 physical mutilations or medical or scientific experiments, including grafts and organ transplants, which are not justified by their medical treatment and are not in their interest.

Article 13. — Search and evacuation

1. At all times, and particularly after an engagement, the parties to the conflict shall, without delay, take all possible measures to search for and collect the wounded and the sick and ensure their adequate care.

2. Whenever circumstances permit, local arrangements shall be concluded by the parties to the conflict for the removal of the wounded and the sick from the combat zone or from a besieged or encircled area.

Article 14. — Role of the civilian population

1. The civilian population shall respect the wounded and the sick, even if they belong to the adverse party, and shall refrain from committing acts of violence against them.

2. Relief societies and the civilian population shall be permitted to offer shelter, care and assistance to such wounded and sick persons, either spontaneously or at the request of the parties to the conflict.

3. No one shall be molested or convicted for having given shelter, care or assistance to the wounded and the sick, even if they belong to the adverse party.

Article 15. — Medical and religious personnel

Medical personnel and chaplains and other persons performing similar functions, whether military or civilian, shall, in all circumstances, be respected and protected. They shall be granted all the aid necessary for the discharge of their functions and shall not be compelled to carry out tasks unrelated to their mission.

Article 16. — General protection of medical duties

1. In no circumstances shall any person be punished for carrying out medical activities compatible with professional ethics, regardless of the person benefiting therefrom.

2. Persons engaged in medical activities shall not be compelled to perform acts or to carry out work contrary to rules of professional ethics or to abstain from acts required by such rules.

3. No person engaged in medical activities may be compelled to give to any authority information concerning the sick and the wounded under his care should such information be likely to prove harmful to the persons concerned or to their families. Compulsory medical regulations for the notification of communicable diseases shall however be respected.

Article 17. — Medical units and transports

Medical units and means of medical transport, whether military or civilian, shall in all circumstances be respected and protected.

Article 18. — The distinctive emblem

1. The emblem of the red cross (red crescent, red lion and sun) on a white ground, which is the distinctive emblem of the medical personnel, medical units and means of medical transport of the parties to the conflict and of Red Cross (Red Crescent, Red Lion and Sun) organizations, shall be respected in all circumstances.

2. It may not be used to protect other persons or objects; the parties to the conflict shall adopt special measures for supervising its use and for preventing and repressing any misuse of it.

Article 19. — Prohibition of reprisals

Measures of reprisals against the wounded, the sick, and the shipwrecked as well as against medical personnel, medical units and means of medical transport are prohibited.

PART IV

METHODS AND MEANS OF COMBAT

Article 20. — Prohibition of unnecessary injury

1. The right of parties to the conflict and of members of their armed forces to adopt methods and means of combat is not unlimited.

2. It is forbidden to employ weapons, projectiles, substances, methods and means which uselessly aggravate the sufferings of disabled adversaries or render their death inevitable in all circumstances.

Article 21. — Prohibition of perfidy

1. It is forbidden to kill, injure or capture an adversary by resort to perfidy. Acts inviting the confidence of the adversary with intent to betray that confidence are deemed to constitute perfidy. Such acts, when carried out in order to commit or resume hostilities, include the following:

(a) the feigning of a situation of distress, notably through the misuse of an internationally recognized protective sign;

(b) the feigning of a cease-fire, of a humanitarian negotiation or of a surrender;

(c) the feigning, before an attack, of non-combatant status;

(d) the use in combat of the enemy's distinctive military emblems.

2. On the other hand, ruses of war, that is to say, those acts which, without inviting the confidence of the adversary, are intended to mislead him or to induce him to act recklessly, such as camouflage, traps, mock operations and misinformation, are not perfidious acts.

Article 22. — Quarter

It is forbidden to order that there shall be no survivors, to threaten an adversary therewith and to conduct hostilities on such basis.

Article 23. — Recognized signs

1. It is forbidden to make use of the protective sign of the red cross (red crescent, red lion and sun) and of the protective emblem of cultural property for purposes other than those provided for in the Conventions establishing those signs.

2. It is forbidden to make improper use of the flag of truce.

PART V
CIVILIAN POPULATION

Chapter I

General protection against effects of hostilities

Article 24. — Basic rules

1. In order to ensure respect for the civilian population, the parties to the conflict shall confine their operations to the destruction or weakening of the military resources of the adversary and shall make a distinction between the civilian population and combatants, and between civilian objects and military objectives.

2. Constant care shall be taken, when conducting military operations, to spare the civilian population, civilians and civilian objects. This rule shall, in particular, apply to the planning, deciding or launching of an attack.

Article 25. — Definition

1. Any person who is not a member of armed forces is considered to be a civilian.

2. The civilian population comprises all persons who are civilians.

3. The presence, within the civilian population, of individuals who do not fall within the definition of civilians does not deprive the population of its civilian character.

Article 26. — Protection of the civilian population

1. The civilian population as such, as well as individual civilians, shall not be made the object of attack. In particular, methods intended to spread terror among the civilian population are prohibited.

2. Civilians shall enjoy the protection afforded by this article unless and for such time they take a direct part in hostilities.

3. The employment of means of combat, and any methods which strike or affect indiscriminately the civilian population and combatants, or civilian objects and military objectives, are prohibited. In particular it is forbidden:

(a) to attack without distinction, as one single objective, by bombardment or any other method, a zone containing several military objectives, which are situated in populated areas and are at some distance from each other;

(b) to launch attacks which may be expected to entail incidental losses among the civilian population and cause the destruction of civilian objects to an extent disproportionate to the direct and substantial military advantage anticipated.

4. Attacks against the civilian population or civilians by way of reprisals are prohibited.

5. The parties to the conflict shall not use the civilian population or civilians in attempts to shield military objectives from attacks.

Article 27. — Protection of objects indispensable to the survival of the civilian population

It is forbidden to attack, destroy or render useless objects indispensable to the survival of the civilian population, namely, foodstuffs and food-producing areas, crops, livestock, drinking water supplies and irrigation works, whether it is to starve out civilians, to cause them to move away or for any other reason.

Article 28. — Protection of works and installations containing dangerous forces

1. It is forbidden to attack or destroy works or installations containing dangerous forces, namely, dams, dykes and nuclear generating stations, whenever their destruction or damage would cause grave losses among the civilian population.

2. The parties to the conflict shall endeavour to avoid locating any military objectives in the immediate vicinity of the objects mentioned in paragraph 1.

Article 29. — Prohibition of forced movement of civilians

1. The displacement of the civilian population shall not be ordered unless the security of the civilians involved or imperative military reasons so demand. Should the parties to the conflict undertake such displacements, they shall take all possible measures in order that the civilian population be received under satisfactory conditions of hygiene, health, safety and nutrition.

2. Civilians shall not be compelled to leave their own national territory.

Chapter II

Civil defence

Article 30. — Respect and protection

1. Civil defence personnel shall be respected and protected and, except in the case of imperative military necessity, shall be authorized to discharge their tasks.

2. In no circumstances shall the fact of having taken part in civil defence activities be considered to be punishable.

Article 31. — Definition

Civil defence includes the following tasks:

- (a) rescue, first aid, conveyance of wounded, fire-fighting;
- (b) safeguard of objects indispensable to the survival of the civilian population;
- (c) provision of emergency material and social assistance to the civilian population;
- (d) emergency repair of public services indispensable to the civilian population;
- (e) maintenance of public order in disaster areas;
- (f) preventive measures, such as warning the civilian population, evacuation, provision of shelters;
- g) detection and marking of danger areas.

Chapter III

Measures in favour of children

Article 32. — Privileged treatment

1. Children shall be the object of privileged treatment; they shall be especially protected against any form of indecent assault. The parties to the conflict shall provide them with the care and aid their age and situation require.

2. To this end, the parties to the conflict shall, *inter alia*:

(a) endeavour to furnish the means for the identification of children, where necessary in the area of armed conflict;

(b) take care that children who are orphaned or separated from their families as a result of armed conflict are not abandoned;

(c) take measures, if necessary and with the consent of their parents or persons responsible for their care, to remove children from the area of combat and ensure that they are accompanied by persons entrusted to provide for their safety;

(d) take all necessary steps to facilitate the reuniting of families temporarily separated;

(e) take the necessary measures in order that children under fifteen years of age shall not take any part in hostilities and, in particular, they shall refrain from recruiting them in armed forces or accepting their voluntary enrolment.

PART VI

RELIEF

Article 33. — Relief actions

1. If the civilian population is inadequately supplied, in particular, with foodstuffs, clothing, medical and hospital stores and means of shelter, the parties to the conflict shall agree to and facilitate, to the fullest possible extent, those relief actions which are exclusively humanitarian and impartial in character and conducted without any adverse distinction. Relief actions fulfilling the above conditions shall not be regarded as interference in the armed conflict.

2. The parties to the conflict and any High Contracting Party through whose territory supplies must pass shall grant free passage when relief actions are carried out in accordance with the conditions stated in paragraph 1.

3. When prescribing the technical methods relating to assistance or transit, the parties to the conflict and any High Contracting Party shall endeavour to facilitate and accelerate the entry, transport, distribution, or passage of relief.

4. The parties to the conflict and any High Contracting Party may set as condition that the entry, transport, distribution, or passage of relief be executed under the supervision of an impartial humanitarian body.

5. The parties to the conflict and any High Contracting Party shall in no way whatsoever divert relief consignments from the purpose for which they are intended or delay the forwarding of such consignments.

Article 34. — Recording and information

1. If necessary, the parties to the conflict shall organize, with the co-operation of the International Committee of the Red Cross, information bureaux to which they shall communicate all relevant information on the victims of the conflict who may be in their power. The dead shall also be recorded.

2. Each information bureau shall transmit to the other bureaux, if necessary through the Central Information Agency provided for in the Geneva Conventions of August 12, 1949, the information thus obtained, and shall transmit it to the next of kin concerned; the information bureaux shall also be responsible for replying to all enquiries concerning the victims of the conflict, and shall take the necessary steps to search for them; the transmission of information or the search for the victims shall not be undertaken if they are liable to be prejudicial to the interests of the victims or of their relatives.

Article 35. — National Red Cross and other relief societies

1. The National Red Cross (Red Crescent, Red Lion and Sun) Society and its branches, acting if necessary independently, shall be permitted to pursue their humanitarian activities in accordance with the principles of the Red Cross as stated by the International Conferences of the Red Cross. Other relief societies shall be permitted to carry out their humanitarian activities in accordance with similar conditions.

2. In no circumstances shall the fact of having taken part in these activities be punishable.

PART VII

EXECUTION OF THE PRESENT PROTOCOL

Article 36. — Measures for execution

Each party to the conflict shall take measures to ensure observance of this Protocol by its military and civilian agents and persons subject to its authority.

Article 37. — Dissemination

1. The High Contracting Parties undertake to disseminate the present Protocol as widely as possible in time of peace and in particular to include the study thereof in their programmes of military and civil instruction, so that it may become known to the armed forces and to the civilian population.

2. In time of armed conflict, the parties to the conflict shall take appropriate measures to bring the provisions of the present Protocol to the knowledge of its military and civilian agents and persons subject to its authority.

Article 38. — Special agreements

The parties to the conflict shall endeavour to bring into force, either by means of special agreements or by declarations addressed to the depositary of the Geneva Conventions of August 12, 1949, or to the International Committee of the Red Cross, all or part of the provisions of those Conventions and of the Additional Protocol relating to the Protection of Victims of International Armed Conflicts.

Article 39. — Co-operation in the observance of the present Protocol

The parties to the conflict may call upon a body offering all guarantees of impartiality and efficacy, such as the International Committee of the Red Cross, to co-operate in the observance of the provisions of the present Protocol. Such a body may also offer its services to the parties to the conflict.

PART VIII

FINAL PROVISIONS

Article 40. — Signature

The present Protocol shall be open until 197... at ... for signature by the Parties to the Geneva Conventions of August 12, 1949.

Article 41. — Ratification

The present Protocol shall be ratified as soon as possible. The instruments of ratification shall be deposited with the Swiss Confederation, depositary of the Conventions.

Article 42. — Accession

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

Article 43. — Entry into force

1. The present Protocol shall enter into force six months after two instruments of ratification have been deposited.

2. For each Party to the Conventions ratifying or acceding to the present Protocol thereafter, it shall enter into force six months after the deposit by such Party of its instrument of ratification or accession.

Article 44. — Amendment

1. Any High Contracting Party may propose one or more amendments to the present Protocol. The text of any proposed amendment shall be communicated to the depositary of the Conventions which shall decide, after consultation with all the High Contracting Parties and the International Committee of the Red Cross, whether a conference should be convened to consider the proposed amendment.

2. The depositary of the Conventions shall invite to this conference all the High Contracting Parties as well as the Parties to the Conventions, whether or not they are signatories of the present Protocol.

Article 45. — Notifications

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

(a) signatures affixed to the present Protocol and the deposit of the instruments of ratification and accession under Articles 41 and 42;

(b) the date of entry into force of the present Protocol under Article 43;

(c) communications and declarations received under Article 44.

Article 46. — Registration

1. After its entry into force, the present Protocol shall be transmitted by the depositary of the Conventions 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 of the Conventions shall also inform the Secretariat of the United Nations of all ratifications and accessions received by it with respect to the present Protocol.

Article 47. — Authentic texts and official translations

1. The original of the present Protocol, of which the French and English texts are equally authentic, shall be deposited with the depositary of the Conventions, which shall transmit certified true copies thereof to all the Parties to the Conventions.

2. The depositary of the Conventions shall arrange for official translations of the present Protocol to be made into

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Protocol.

DONE AT GENEVA, this ... day of ... 197... .