FINAL RECORD

OF THE

DIPLOMATIC CONFERENCE OF GENEVA

OF 1949

VOL. 1
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FINAL RECORD

OF THE

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OF 1949

VOL. I
FINAL RECORD

OF THE

DIPLOMATIC CONFERENCE OF GENEVA

OF 1949

vol. 1
FINAL RECORD

OF THE

DIPLOMATIC CONFERENCE

CONVENED BY THE

SWISS FEDERAL COUNCIL

FOR THE ESTABLISHMENT

OF INTERNATIONAL CONVENTIONS

FOR THE PROTECTION OF WAR VICTIMS

AND HELD AT GENEVA

FROM APRIL 21st TO AUGUST 12th, 1949
FINAL RECORD

to the

Diplomatic Conference
concerned by the

Irish Historical Convention
for the establishment
of International
Justice for Ireland
and Ireland at-large

which took place at Trinity
College Dublin on

February 11th.
REVISION OF

THE GENEVA CONVENTION OF JULY 27th, 1929,
FOR THE RELIEF OF THE
WOUNDED AND SICK IN ARMIES IN THE FIELD

THE HAGUE CONVENTION OF OCTOBER 18th, 1907,
FOR THE ADAPTATION TO MARITIME WARFARE
OF THE PRINCIPLES OF THE GENEVA CONVENTION
OF JULY 6th, 1906

THE CONVENTION CONCLUDED AT GENEVA ON JULY 27th, 1929,
RELATIVE TO THE TREATMENT OF PRISONERS OF WAR

* 

THE ESTABLISHMENT

OF A CONVENTION FOR THE PROTECTION OF CIVILIAN
PERSONS IN TIME OF WAR

*
REVISION

THE OVERTON POSITION OF JULY 1976

FOR THE REFORM OF THE

PROTOCOL AND AGAINST THE ISSUE OF THE BOUNDARY

THE WIDER OPERATIONS IN UNDERSTANDING

FOR THE ADVOCATION OF REVOLUTION INCREASE

SUPPORT TO THE RECONSTRUCTION OF EMPIRE TO ANY

THE ESTABLISHMENT

OF A CONSULTATIVE AND POLITICAL ELITE

(1971-1999)
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PARTICIPATING STATES
CHAPTER I

WOUNDED AND SICK

ARTICLE 1. — Officers and soldiers and other persons officially attached to the armed forces who are wounded or sick shall be respected and protected in all circumstances; they shall be treated with humanity and cared for medically, without distinction of nationality, by the belligerent in whose power they may be.

Nevertheless, the belligerent who is compelled to abandon wounded or sick to the enemy, shall, as far as military exigencies permit, leave with them a portion of his medical personnel and material to help with their treatment.

ARTICLE 2. — Except as regards the treatment to be provided for them in virtue of the preceding article, the wounded and sick of an army who fall into the hands of the enemy shall be prisoners of war, and the general provisions of international law concerning prisoners of war shall be applicable to them.

Belligerents shall, however, be free to prescribe, for the benefit of wounded or sick prisoners, such arrangements as they may think fit beyond the limits of the existing obligations.

ARTICLE 3. — After each engagement the occupant of the field of battle shall take measures to search for the wounded and dead, and to protect them against pillage and maltreatment.

Whenever circumstances permit, a local armistice or a suspension of fire shall be arranged to permit the removal of the wounded remaining between the lines.

ARTICLE 4. — Belligerents shall communicate to each other reciprocally, as soon as possible, the names of the wounded, sick and dead, collected or discovered, together with any indications which may assist in their identification.

They shall establish and transmit to each other the certificates of death.

They shall likewise collect and transmit to each other all articles of a personal nature found on the field of battle or on the dead, especially one half of their identity discs, the other half to remain attached to the body.

They shall ensure that the burial or cremation of the dead is preceded by a careful, and if possible medical, examination of the bodies, with a view to confirming death, establishing identity and enabling a report to be made.

They shall further ensure that the dead are honourably interred, that their graves are respected and marked so that they may always be found.

To this end, at the commencement of hostilities, they shall organize officially a graves registration service, to render eventual exhumations possible and to ensure the identification of bodies whatever may be the subsequent site of the grave.

After the cessation of hostilities they shall exchange the list of graves and of dead interred in their cemeteries and elsewhere.

ARTICLE 5. — The military authorities may appeal to the charitable zeal of the inhabitants to collect and afford medical assistance, under their direction, to the wounded or sick of armies, and may accord to persons who have responded to this appeal special protection and certain facilities.
CHAPTER II
MEDICAL FORMATIONS AND ESTABLISHMENTS

ARTICLE 6. — Mobile medical formations, that is to say, those which are intended to accompany armies in the field, and the fixed establishments of the medical service shall be respected and protected by the belligerents.

ARTICLE 7. — The protection to which medical formations and establishments are entitled shall cease if they are made use of to commit acts harmful to the enemy.

ARTICLE 8. — The following conditions are not considered to be of such a nature as to deprive a medical formation or establishment of the protection guaranteed by article 6:

1. that the personnel of the formation or establishment is armed, and that they use the arms in their own defence or in that of the sick and wounded in charge;
2. that in the absence of armed orderlies the formation or establishment is protected by a piquet or by sentries;
3. that small arms and ammunition taken from the wounded and sick, which have not yet been transferred to the proper service, are found in the formation or establishment;
4. that personnel and material of the veterinary service are found in the formation or establishment, without forming an integral part of the same.

CHAPTER III
PERSONNEL

ARTICLE 9. — The personnel engaged exclusively in the collection, transport and treatment of the wounded and sick, and in the administration of medical formations and establishments, and chaplains attached to armies, shall be respected and protected under all circumstances. If they fall into the hands of the enemy they shall not be treated as prisoners of war.

Soldiers specially trained to be employed, in case of necessity, as auxiliary nurses or stretcher-bearers for the collection, transport and treatment of the wounded and sick, and furnished with a proof of identity, shall enjoy the same treatment as the permanent medical personnel if they are taken prisoners while carrying out these functions.

ARTICLE 10. — The personnel of Voluntary Aid Societies, duly recognized and authorized by their Government, who may be employed on the same duties as those of the personnel mentioned in the first paragraph of article 9, are placed on the same footing as the personnel contemplated in that paragraph, provided that the personnel of such societies are subject to military law and regulations.

Each High Contracting Party shall notify to the other, either in time of peace or at the commencement of or during the course of hostilities, but in every case before actually employing them, the names of the societies which it has authorized, under its responsibility, to render assistance to the regular medical service of its armed forces.

ARTICLE 11. — A recognized society of a neutral country can only afford the assistance of its medical personnel and formations to a belligerent with the previous consent of its own Government and the authorization of the belligerent concerned.

The belligerent who accepts such assistance is bound to notify the enemy thereof before making any use of it.

ARTICLE 12. — The persons designated in articles 9, 10 and 11 may not be retained after they have fallen into the hands of the enemy.

In the absence of an agreement to the contrary, they shall be sent back to the belligerent to which they belong as soon as a route for their return shall be open and military considerations permit.

Pending their return they shall continue to carry out their duties under the direction of the enemy; they shall preferably be engaged in the care of the wounded and sick of the belligerent to which they belong.
On their departure, they shall take with them the effects, instruments, arms and means of transport belonging to them.

**ARTICLE 13.** — Belligerents shall secure to the personnel mentioned in articles 9, 10 and 11, while in their hands, the same food, the same lodging, the same allowances and the same pay as are granted to the corresponding personnel of their own armed forces.

At the outbreak of hostilities the belligerents will notify one another of the grades of their respective medical personnel.

**CHAPTER IV**

**BUILDINGS AND MATERIAL**

**ARTICLE 14.** — Mobile medical formations, of whatsoever kind, shall retain, if they fall into the hands of the enemy, their equipment and stores, their means of transport and the drivers employed.

Nevertheless, the competent military authority shall be free to use the equipment and stores for the care of the wounded and sick; it shall be restored under the conditions laid down for the medical personnel, and as far as possible at the same time.

**ARTICLE 15.** — The buildings and material of the fixed medical establishments of the army shall be subject to the laws of war, but may not be diverted from their purpose as long as they are necessary for the wounded and the sick.

Nevertheless, the commanders of troops in the field may make use of them, in case of urgent military necessity, provided that they make previous arrangements for the welfare of the wounded and sick who are being treated therein.

**ARTICLE 16.** — The buildings of aid societies which are admitted to the privileges of the Convention shall be regarded as private property.

The material of these societies, wherever it may be, shall similarly be considered as private property.

The right of requisition recognized for belligerents by the laws and customs of war, shall only be exercised in case of urgent necessity and only after the welfare of the wounded and sick has been secured.

**CHAPTER V**

**MEDICAL TRANSPORT**

**ARTICLE 17.** — Vehicles equipped for the evacuation of wounded and sick, proceeding singly or in convoy, shall be treated as mobile medical formations, subject to the following special provisions:

A belligerent intercepting vehicles of medical transport, singly or in convoy, may, if military exigencies demand, stop them, and break up the convoy, provided he takes charge in every case of the wounded and sick who are in it. He can only use the vehicles in the sector where they have been intercepted, and exclusively for medical requirements. These vehicles, as soon as they are no longer required for local use, shall be given up in accordance with the conditions laid down in article 14.

The military personnel in charge of the transport and furnished for this purpose with authority in due form, shall be sent back in accordance with the conditions prescribed in article 12 for medical personnel, subject to the condition of the last paragraph of article 18.

All means of transport specially organized for evacuation and the material used in equipping these means of transport belonging to the medical service shall be restored in accordance with the provisions of Chapter IV. Military means of transport other than those of the medical service may be captured, with their teams.

The civilian personnel and all means of transport obtained by requisition shall be subject to the general rules of international law.

**ARTICLE 18.** — Aircraft used as means of medical transport shall enjoy the protection of the Convention during the period in which they are reserved exclusively for the evacuation of wounded and sick and the transport of medical personnel and material.
They shall be painted white and shall bear, clearly marked, the distinctive emblem prescribed in article 19, side by side with their national colours, on their lower and upper surfaces.

In the absence of special and express permission, flying over the firing line, and over the zone situated in front of clearing or dressing stations, and generally over all enemy territory or territory occupied by the enemy, is prohibited.

Medical aircraft shall obey every summons to land.

In the event of a landing thus imposed, or of an involuntary landing in enemy territory or territory occupied by the enemy, the wounded and sick, as well as the medical personnel and material, including the aircraft, shall enjoy the privileges of the present Convention.

The pilot, mechanics and wireless telegraph operators captured shall be sent back, on condition that they shall be employed until the close of hostilities in the medical service only.

CHAPTER VI

THE DISTINCTIVE EMBLEM

Article 19. — As a compliment to Switzerland, the heraldic emblem of the red cross on a white ground, formed by reversing the Federal colours, is retained as the emblem and distinctive sign of the medical service of armed forces.

Nevertheless, in the case of countries which already use, in place of the Red Cross, the Red Crescent or the Red Lion and Sun on a white ground as a distinctive sign, these emblems are also recognized by the terms of the present Convention.

Article 20. — The emblem shall figure on the flags, armlets, and on all material belonging to the medical service, with the permission of the competent military authority.

Article 21. — The personnel protected in pursuance of articles 9 (paragraph 1), 10 and 11, shall wear, affixed to the left arm, an armlet bearing the distinctive sign, issued and stamped by a military authority.

The personnel mentioned in article 9, paragraphs 1 and 2, shall be provided with a certificate of identity, consisting either of an entry in their small book (paybook) or a special document.

The persons mentioned in articles 10 and 11 who have no military uniform shall be furnished by the competent military authority with a certificate of identity, with photograph, certifying their status as medical personnel.

The certificates of identity shall be uniform and of the same pattern in each army.

In no case may the medical personnel be deprived of their armlets or the certificates of identity belonging to them.

In case of loss they have the right to obtain duplicates.

Article 22. — The distinctive flag of the Convention shall be hoisted only over such medical formations and establishments as are entitled to be respected under the Convention, and with the consent of the military authorities. In fixed establishments it shall be, and in mobile formations it may be, accompanied by the national flag of the belligerent to whom the formation or establishment belongs.

Nevertheless, medical formations which have fallen into the hands of the enemy, so long as they are in that situation, shall not fly any other flag than that of the Convention.

Belligerents shall take the necessary steps, so far as military exigencies permit, to make clearly visible to the enemy forces, whether land, air, or sea, the distinctive emblems indicating medical formations and establishments, in order to avoid the possibility of any offensive action.

Article 23. — The medical units belonging to neutral countries which shall have been authorized to lend their services under the conditions laid down in article 11, shall fly, along with the flag of the Convention, the national flag of the belligerent to whose army they are attached.

They shall also have the right, so long as they shall lend their services to a belligerent, to fly their national flag.

The provisions of the second paragraph of the preceding article are applicable to them.

Article 24. — The emblem of the red cross on a white ground and the words "Red Cross" or "Geneva Cross" shall not be used, either in time of peace or in time of war, except to protect
or to indicate the medical formations and establishments and the personnel and material protected by the Convention.

The same shall apply, as regards the emblems mentioned in article 19, paragraph 2, in respect of the countries which use them.

The Voluntary Aid Societies mentioned in article 10, may, in accordance with their national legislation, use the distinctive emblem in connexion with their humanitarian activities in time of peace.

As an exceptional measure, and with the express authority of one of the national societies of the Red Cross (Red Crescent, Red Lion and Sun), use may be made of the emblem of the Convention in time of peace to mark the position of aid stations exclusively reserved for the purpose of giving free treatment to the wounded or the sick.

CHAPTER VII
APPLICATION AND EXECUTION OF THE CONVENTION

ARTICLE 25. — The provisions of the present Convention shall be respected by the High Contracting Parties in all circumstances. If, in time of war, a belligerent is not a party to the Convention, its provisions shall, nevertheless, be binding as between all the belligerents who are parties thereto.

ARTICLE 26. — The Commanders-in-Chief of belligerent armies shall arrange the details for carrying out the preceding articles, as well as for cases not provided for, in accordance with the instructions of their respective Governments and in conformity with the general principles of the present Convention.

ARTICLE 27. — The High Contracting Parties shall take the necessary steps to instruct their troops, and in particular the personnel protected, in the provisions of the present Convention, and to bring them to the notice of the civil population.

CHAPTER VIII
SUPPRESSION OF ABUSES AND INFRACTIONS

ARTICLE 28. — The Governments of the High Contracting Parties whose legislation is not at present adequate for the purpose, shall adopt or propose to their legislatures the measures necessary to prevent at all times:

(a) the use of the emblem or designation "Red Cross" or "Geneva Cross" by private individuals or associations, firms or companies, other than those entitled thereto under the present Convention, as well as the use of any sign or designation constituting an imitation, for commercial or any other purposes;

(b) by reason of the compliment paid to Switzerland by the adoption of the reversed Federal colours, the use by private individuals or associations, firms or companies of the arms of the Swiss Confederation, or marks constituting an imitation, whether as trade-marks or as parts of such marks, or for a purpose contrary to commercial honesty, or in circumstances capable of wounding Swiss national sentiment.

The prohibition indicated in (a) of the use of marks or designations constituting an imitation of the emblem or designation of "Red Cross" or "Geneva Cross", as well as the prohibition in (b) of the use of the arms of the Swiss Confederation or marks constituting an imitation, shall take effect as from the date fixed by each legislature, and not later than five years after the coming into force of the present Convention. From the date of such coming into force, it shall no longer be lawful to adopt a trade-mark in contravention of these rules.

ARTICLE 29. — The Governments of the High Contracting Parties shall also propose to their legislatures, should their penal laws be inadequate, the necessary measures for the repression in time of war, of any act contrary to the provisions of the present Convention.
They shall communicate to one another, through the Swiss Federal Council, the provisions relative to such repression not later than five years from the ratification of the present Convention.

**Article 30.** — On the request of a belligerent, an enquiry shall be instituted, in a manner to be decided between the interested parties, concerning any alleged violation of the Convention; when such violation has been established the belligerents shall put an end to and repress it as promptly as possible.

**FINAL PROVISIONS**

**Article 31.** — The present Convention, which shall bear this day's date, may be signed, up to the 1st February, 1930, on behalf of all the countries represented at the Conference which opened at Geneva on the 1st July, 1929, as well as by countries not represented at that Conference but which were parties to the Geneva Conventions of 1864 and 1906.

**Article 32.** — The present Convention shall be ratified as soon as possible. The ratifications shall be deposited at Berne.

A procès-verbal of the deposit of each instrument of ratification shall be drawn up, one copy of which, certified to be correct, shall be transmitted by the Swiss Federal Council to the Governments of all countries on whose behalf the Convention has been signed, or whose accession has been notified.

**Article 33.** — The present Convention shall come into force six months after not less than two instruments of ratification have been deposited.

Thereafter, it shall enter into force for each High Contracting Party six months after the deposit of its instrument of ratification.

**Article 34.** — The present Convention shall replace the Conventions of the 22nd August, 1864, and the 6th July, 1906, in relations between the High Contracting Parties.

**Article 35.** — From the date of its coming into force, the present Convention shall be open to accession duly notified on behalf of any country on whose behalf this Convention has not been signed.

**Article 36.** — Accessions shall be notified in writing to the Swiss Federal Council, and shall take effect six months after the date on which they are received.

The Swiss Federal Council shall communicate the accessions to the Governments of all the countries on whose behalf the Convention has been signed or whose accession has been notified.

**Article 37.** — A state of war shall give immediate effect to ratifications deposited and accessions notified by the belligerent Powers before or after the outbreak of hostilities. The communication of ratifications or accessions received from Powers in a state of war shall be made by the Swiss Federal Council by the quickest method.

**Article 38.** — Each of the High Contracting Parties shall be at liberty to denounce the present Convention. The denunciation shall not take effect until one year after the notification thereof in writing has been made to the Swiss Federal Council. The latter shall communicate such notification to the Governments of all the High Contracting Parties.

The denunciation shall only have effect in respect of the High Contracting Party which has made notification thereof.

Moreover, this denunciation shall not take effect during a war in which the denouncing Power is involved. In such a case, the present Convention shall continue binding beyond the period of one year, until the conclusion of peace.

**Article 39.** — A certified copy of the present Convention shall be deposited in the Archives of the League of Nations by the Swiss Federal Council. Similarly, ratifications, accessions and denunciations which shall be notified to the Swiss Federal Council shall be communicated by them to the League of Nations.
LIST OF STATES PARTIES TO THE GENEVA CONVENTION OF JULY 27th, 1929, FOR THE RELIEF OF THE WOUNDED AND SICK IN ARMIES IN THE FIELD

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HAGUE CONVENTION OF OCTOBER 18th, 1907, FOR THE ADAPTATION TO MARITIME WARFARE OF THE PRINCIPLES OF THE GENEVA CONVENTION OF JULY 6th, 1906

Article 1. — Military hospital ships, that is to say, ships constructed or assigned by States specially and solely with a view to assisting the wounded, sick, and shipwrecked, the names of which have been communicated to the belligerent Powers at the commencement or during the course of hostilities, and in any case before they are employed, shall be respected, and can not be captured while hostilities last.

These ships, moreover, are not on the same footing as warships as regards their stay in a neutral port.

Article 2. — Hospital ships, equipped wholly or in part at the expense of private individuals or officially recognized relief societies, shall be likewise respected and exempt from capture, if the belligerent Power to whom they belong has given them an official commission and has notified their names to the hostile Power at the commencement of or during hostilities, and in any case before they are employed.

These ships must be provided with a certificate from the competent authorities declaring that the vessels have been under their control while fitting out and on their final departure.

Article 3. — Hospital ships, equipped wholly or in part at the expense of private individuals or officially recognized societies of neutral countries, shall be respected and exempt from capture, on condition that they are placed under the control of one of the belligerents, with the previous consent of their own Government and with the authorization of the belligerent himself, and that the latter has notified their names to his adversary at the commencement of or during hostilities, and in any case, before they are employed.

Article 4. — The ships mentioned in Articles 1, 2, and 3 shall afford relief and assistance to the wounded, sick, and shipwrecked of the belligerents without distinction of nationality.

The Governments undertake not to use the ships for any military purpose.

These vessels must in no wise hamper the movements of the combatants.

During and after an engagement they will act at their own risk and peril.

The belligerents shall have the right to control and search them; they can refuse to help them, order them off, make them take a certain course, and put a commissioner on board; they can even detain them, if important circumstances require it.

As far as possible, the belligerents shall enter in the log of the hospital ships the orders which they give them.

Article 5. — Military hospital ships shall be distinguished by being painted white outside with a horizontal band of green about a meter and a half in breadth.

The ships mentioned in Articles 2 and 3 shall be distinguished by being painted white outside with a horizontal band of red about a meter and a half in breadth.

The boats of the ships above mentioned, as also small craft which may be used for hospital work, shall be distinguished by similar painting.

All hospital ships shall make themselves known by hoisting, with their national flag, the white flag with a red cross provided by the Geneva Convention, and further, if they belong to a neutral State, by flying at the mainmast the national flag of the belligerent under whose control they are placed.

Hospital ships which, in the terms of Article 4, are detained by the enemy must haul down the national flag of the belligerent to whom they belong.

The ships and boats above mentioned which wish to ensure by night the freedom from interference to which they are entitled, must, subject to the assent of the belligerent they are accompanying, take the necessary measures to render their special painting sufficiently plain.

Article 6. — The distinguishing signs referred to in Article 5 can only be used, whether in time of peace or war, for protecting or indicating the ships therein mentioned.
ARTICLE 7. — In the case of a fight on board a warship, the sick wards shall be respected and spared as far as possible.

The said sick wards and the matériel belonging to them remain subject to the laws of war; they cannot, however, be used for any purpose other than that for which they were originally intended, so long as they are required for the sick and wounded.

The commander, however, into whose power they have fallen may apply them to other purposes, if the military situation requires it, after seeing that the sick and wounded on board are properly provided for.

ARTICLE 8. — Hospital ships and sick wards of vessels are no longer entitled to protection if they are employed for the purpose of injuring the enemy.

The fact of the staff of the said ships and sick wards being armed for maintaining order and for defending the sick and wounded, and the presence of wireless telegraphy apparatus on board, is not a sufficient reason for withdrawing protection.

ARTICLE 9. — Belligerents may appeal to the charity of the commanders of neutral merchant ships, yachts, or boats to take on board and tend the sick and wounded.

Vessels responding to this appeal, and also vessels which have of their own accord rescued sick, wounded, or shipwrecked men, shall enjoy special protection and certain immunities. In no case can they be captured for having such persons on board, but, apart from special undertakings that have been made to them, they remain liable to capture for any violations of neutrality they may have committed.

ARTICLE 10. — The religious, medical, and hospital staff of any captured ship is inviolable, and its members cannot be made prisoners of war. On leaving the ship they take away with them the objects and surgical instruments which are their own private property.

This staff shall continue to discharge its duties while necessary, and can afterwards leave, when the Commander-in-Chief considers it possible.

The belligerents must guarantee to the said staff, when it has fallen into their hands, the same allowances and pay which are given to the staff of corresponding rank in their own navy.

ARTICLE 11. — Sailors and soldiers on board, when sick or wounded, as well as other persons officially attached to fleets or armies, whatever their nationality, shall be respected and tended by the captors.

ARTICLE 12. — Any war-ship belonging to a belligerent may demand that sick, wounded, or shipwrecked men on board military hospital ships, hospital ships belonging to relief societies or to private individuals, merchant ships, yachts, or boats, whatever the nationality of these vessels, should be handed over.

ARTICLE 13. — If sick, wounded, or shipwrecked persons are taken on board a neutral war-ship, every possible precaution must be taken that they do not again take part in the operations of the war.

ARTICLE 14. — The shipwrecked, wounded, or sick of one of the belligerents who fall into the power of the other belligerent are prisoners of war. The captor must decide, according to circumstances, whether to keep them, send them to a port of his own country, to a neutral port, or even to an enemy port. In this last case, prisoners thus repatriated cannot serve again while the war lasts.

ARTICLE 15. — The shipwrecked, sick, or wounded, who are landed at a neutral port with the consent of the local authorities, must, unless an arrangement is made to the contrary between the neutral State and the belligerent States, be guarded by the neutral State so as to prevent them again taking part in the operations of the war.

The expenses of tending them in hospital and interning them shall be borne by the State to which the shipwrecked, sick, or wounded persons belong.

ARTICLE 16. — After every engagement, the two belligerents, so far as military interests permit, shall take steps to look for the shipwrecked, sick, and wounded, and to protect them, as well as the dead, against pillage and ill-treatment.

They shall see that the burial, whether by land or sea, or cremation of the dead shall be preceded by a careful examination of the corpse.
ARTICLE 17. — Each belligerent shall send, as early as possible, to the authorities of their country, navy, or army the military marks or documents of identity found on the dead and the description of the sick and wounded picked up by him.

The belligerents shall keep each other informed as to internments and transfers as well as to the admissions into hospital and deaths which have occurred among the sick and wounded in their hands. They shall collect all the objects of personal use, valuables, letters, etc., which are found in the captured ships, or which have been left by the sick or wounded who died in hospital, in order to have them forwarded to the persons concerned by the authorities of their own country.

ARTICLE 18. — The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

ARTICLE 19. — The Commanders-in-Chief of the belligerent fleets must see that the above articles are properly carried out; they will have also to see to cases not covered thereby, in accordance with the instructions of their respective Governments and in conformity with the general principles of the present Convention.

ARTICLE 20. — The signatory Powers shall take the necessary measures for bringing the provisions of the present Convention to the knowledge of their naval forces, and especially of the members entitled thereunder to immunity, and for making them known to the public.

ARTICLE 21. — The signatory Powers likewise undertake to enact or to propose to their Legislatures, if their criminal laws are inadequate, the measures necessary for checking in time of war individual acts of pillage and ill-treatment in respect to the sick and wounded in the fleet, as well as for punishing, as an unjustifiable adoption of naval or military marks, the unauthorized use of the distinctive marks mentioned in Article 5 by vessels not protected by the present Convention.

They will communicate to each other, through the Netherland Government, the enactments for preventing such acts at the latest within five years of the ratification of the present Convention.

ARTICLE 22. — In the case of operations of war between the land and sea forces of belligerents, the provisions of the present Convention do not apply except between the forces actually on board ship.

ARTICLE 23. — The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a procès-verbal signed by the representatives of the Powers taking part therein and by the Netherland Minister for Foreign Affairs.

Subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

A certified copy of the procès-verbal relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of instruments of ratification, shall be at once sent by the Netherland Government through the diplomatic channel to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph the said Government shall inform them at the same time of the date on which it received the notification.

ARTICLE 24. — Non-signatory Powers which have accepted the Geneva Convention of July 6, 1906, may adhere to the present Convention.

The Power which desires to adhere notifies its intention to the Netherland Government in writing, forwarding to it the act of adhesion, which shall be deposited in the Archives of the said Government.

The said Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.

ARTICLE 25. — The present Convention, duly ratified, shall replace as between contracting Powers, the Convention of July 29, 1899, for the adaptation to maritime warfare of the principles of the Geneva Convention.
The Convention of 1899 remains in force as between the Powers which signed it but which
do not also ratify the present Convention.

**Article 26.** — The present Convention shall come into force, in the case of the Powers
which were a party to the first deposit of ratifications, sixty days after the date of the *procès-
verbal* of this deposit, and, in the case of the Powers which ratify subsequently or which adhere,
sixty days after the notification of their ratification or of their adhesion has been received by the
Netherland Government.

**Article 27.** — In the event of one of the contracting Powers wishing to denounce the
present Convention, the denunciation shall be notified in writing to the Netherland Government,
which shall at once communicate a duly certified copy of the notification to all the other Powers,
informing them at the same time of the date on which it was received.

The denunciation shall only have effect in regard to the notifying Power, and one year after
the notification has reached the Netherland Government.

**Article 28.** — A register kept by the Netherland Ministry for Foreign Affairs shall give
the date of the deposit of ratifications made in virtue of Article 23, paragraphs 3 and 4, as well
as the date on which the notifications of adhesion (Article 24, paragraph 2) or of denunciation
(Article 27, paragraph 1) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with
duly certified extracts from it.

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**LIST OF STATES PARTIES TO THE HAGUE CONVENTION OF OCTOBER 18th, 1907,
FOR THE ADAPTATION TO MARITIME WARFARE OF THE PRINCIPLES OF THE
GENEVA CONVENTION OF JULY 6th, 1906**

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PART I
GENERAL PROVISIONS

ARTICLE 1. — The present Convention shall apply without prejudice to the stipulations of Part VII:

1° to all persons referred to in Articles 1, 2 and 3 of the Regulations annexed to The Hague Convention of the 18th October, 1907, concerning the Laws and Customs of War on Land, who are captured by the enemy;

2° to all persons belonging to the armed forces of belligerents who are captured by the enemy in the course of operations of maritime or aerial war, subject to such exceptions (derogations) as the conditions of such capture render inevitable. Nevertheless these exceptions shall not infringe the fundamental principles of the present Convention; they shall cease from the moment when the captured persons shall have reached a prisoners of war camp.

ARTICLE 2. — Prisoners of war are in the power of the hostile Government, but not of the individuals or formation which captured them.

They shall at all times be humanely treated and protected, particularly against acts of violence, from insults and from public curiosity.

Measures of reprisal against them are forbidden.

ARTICLE 3. — Prisoners of war are entitled to respect for their persons and honour. Women shall be treated with all consideration due to their sex.

Prisoners retain their civil capacity.

ARTICLE 4. — The Detaining Power is required to provide for the maintenance of prisoners of war in its charge.

Differences of treatment between prisoners are permissible only if such differences are based on the military rank, the state of physical or mental health, the professional abilities, or the sex of those who benefit from them.

PART II
CAPTURE

ARTICLE 5. — Every prisoner of war is required to declare, if he is interrogated on the subject, his true names and rank, or his regimental number.

If he infringes this rule, he exposes himself to a restriction of the privileges accorded to prisoners of his category.

No pressure shall be exerted on prisoners to obtain information regarding the situation in their armed forces or their country. Prisoners who refuse to reply may not be threatened, insulted, or exposed to unpleasantness or disadvantages of any kind whatsoever.

If, by reason of his physical or mental condition, a prisoner is incapable of stating his identity, he shall be handed over to the Medical Service.

ARTICLE 6. — All personal effects and articles in personal use — except arms, horses, military equipment and military papers — shall remain in the possession of prisoners of war, as well as their metal helmets and gas-masks.
Sums of money carried by prisoners may only be taken from them on the order of an officer and after the amount has been recorded. A receipt shall be given for them. Sums thus impounded shall be placed to the account of each prisoner.

Their identity tokens, badges of rank, decorations and articles of value may not be taken from prisoners.

PART III
CAPTIVITY
SECTION I
EVACUATION OF PRISONERS OF WAR

Article 7. — As soon as possible after their capture, prisoners of war shall be evacuated to depots sufficiently removed from the fighting zone for them to be out of danger.

Only prisoners who, by reason of their wounds or maladies, would run greater risks by being evacuated than by remaining may be kept temporarily in a dangerous zone.

Prisoners shall not be unnecessarily exposed to danger while awaiting evacuation from a fighting zone.

The evacuation of prisoners on foot shall in normal circumstances be effected by stages of not more than 20 kilometres per day, unless the necessity for reaching water and food depots requires longer stages.

Article 8. — Belligerents are required to notify each other of all captures of prisoners as soon as possible, through the intermediary of the Information Bureaux organized in accordance with Article 77. They are likewise required to inform each other of the official addresses to which letters from the prisoners' families may be addressed to the prisoners of war. As soon as possible, every prisoner shall be enabled to correspond personally with his family, in accordance with the conditions prescribed in Article 36 and the following articles.

As regards prisoners captured at sea, the provisions of the present article shall be observed as soon as possible after arrival in port.

SECTION II
PRISONERS OF WAR CAMPS

Article 9. — Prisoners of war may be interned in a town, fortress, or other place, and may be required not to go beyond certain fixed limits. They may also be interned in fenced camps; they shall not be confined or imprisoned except as a measure indispensable for safety or health, and only so long as circumstances exist which necessitate such a measure.

Prisoners captured in districts which are unhealthy or whose climate is deleterious to persons coming from temperate climates shall be removed as soon as possible to a more favourable climate.

Belligerents shall as far as possible avoid bringing together in the same camp prisoners of different races or nationalities.

No prisoner may at any time be sent to an area where he would be exposed to the fire of the fighting zone, or be employed to render by his presence certain points or areas immune from bombardment.
CHAPTER I

INSTALLATION OF CAMPS

ARTICLE 10. — Prisoners of war shall be lodged in buildings or huts which afford all possible safeguards as regards hygiene and salubrity.

The premises must be entirely free from damp, and adequately heated and lighted. All precautions shall be taken against the danger of fire.

As regards dormitories, their total areas, minimum cubic air space, fittings and bedding material, the conditions shall be the same as for the depot troops of the detaining Power.

CHAPTER II

FOOD AND CLOTHING OF PRISONERS OF WAR

ARTICLE 11. — The food ration of prisoners of war shall be equivalent in quantity and quality to that of the depot troops.

Prisoners shall also be afforded the means of preparing for themselves such additional articles of food as they may possess.

Sufficient drinking water shall be supplied to them. The use of tobacco shall be authorized. Prisoners may be employed in the kitchens.

All collective disciplinary measures affecting food are prohibited.

ARTICLE 12. — Clothing, underwear and footwear shall be supplied to prisoners of war by the detaining Power. The regular replacement and repair of such articles shall be assured.

Workers shall also receive working kit wherever the nature of the work requires it.

In all camps, canteens shall be installed at which prisoners shall be able to procure, at the local market price, food commodities and ordinary articles.

The profits accruing to the administrations of the camps from the canteens shall be utilized for the benefit of the prisoners.

CHAPTER III

HYGIENE IN CAMPS

ARTICLE 13. — Belligerents shall be required to take all necessary hygienic measures to ensure the cleanliness and salubrity of camps and to prevent epidemics.

Prisoners of war shall have for their use, day and night, conveniences which conform to the rules of hygiene and are maintained in a constant state of cleanliness.

In addition and without prejudice to the provision as far as possible of baths and shower-baths in the camps, the prisoners shall be provided with a sufficient quantity of water for their bodily cleanliness.

They shall have facilities for engaging in physical exercises and obtaining the benefit of being out of doors.

ARTICLE 14. — Each camp shall possess an infirmary, where prisoners of war shall receive attention of any kind of which they may be in need. If necessary, isolation establishments shall be reserved for patients suffering from infectious and contagious diseases.

The expenses of treatment, including those of temporary remedial apparatus, shall be borne by the detaining Power.

Belligerents shall be required to issue, on demand, to any prisoner treated, an official statement indicating the nature and duration of his illness and of the treatment received.

It shall be permissible for belligerents mutually to authorize each other, by means of special agreements, to retain in the camps doctors and medical orderlies for the purpose of caring for their prisoner compatriots.

Prisoners who have contracted a serious malady, or whose condition necessitates important surgical treatment, shall be admitted, at the expense of the detaining Power, to any military or civil institution qualified to treat them.
ARTICLE 15. — Medical inspections of prisoners of war shall be arranged at least once a month. Their object shall be the supervision of the general state of health and cleanliness, and the detection of infectious and contagious diseases, particularly tuberculosis and venereal complaints.

CHAPTER IV

INTELLECTUAL AND MORAL NEEDS OF PRISONERS OF WAR

ARTICLE 16. — Prisoners of war shall be permitted complete freedom in the performance of their religious duties, including attendance at the services of their faith, on the sole condition that they comply with the routine and police regulations prescribed by the military authorities.

Ministers of religion, who are prisoners of war, whatever may be their denomination, shall be allowed freely to minister to their co-religionists.

ARTICLE 17. — Belligerents shall encourage as much as possible the organization of intellectual and sporting pursuits by the prisoners of war.

CHAPTER V

INTERNAL DISCIPLINE OF CAMPS

ARTICLE 18. — Each prisoners of war camp shall be placed under the authority of a responsible officer.

In addition to external marks of respect required by the regulations in force in their own armed forces with regard to their nationals, prisoners of war shall be required to salute all officers of the Detaining Power.

Officer prisoners of war shall be required to salute only officers of that Power who are their superiors or equals in rank.

ARTICLE 19. — The wearing of badges of rank and decorations shall be permitted.

ARTICLE 20. — Regulations, orders, announcements and publications of any kind shall be communicated to prisoners of war in a language which they understand. The same principle shall be applied to questions.

CHAPTER VI

SPECIAL PROVISIONS CONCERNING OFFICERS AND PERSONS OF EQUIVALENT STATUS

ARTICLE 21. — At the commencement of hostilities, belligerents shall be required reciprocally to inform each other of the titles and ranks in use in their respective armed forces, with the view of ensuring equality of treatment between the corresponding ranks of officers and persons of equivalent status.

Officers and persons of equivalent status who are prisoners of war shall be treated with due regard to their rank and age.

ARTICLE 22. — In order to ensure the service of officers' camps, soldier prisoners of war of the same armed forces, and as far as possible speaking the same language, shall be detached for service therein in sufficient number, having regard to the rank of the officers and persons of equivalent status.

Officers and persons of equivalent status shall procure their food and clothing from the pay to be paid to them by the Detaining Power. The management of a mess by officers themselves shall be facilitated in every way.

CHAPTER VII

PECUNIARY RESOURCES OF PRISONERS OF WAR

ARTICLE 23. — Subject to any special arrangements made between the belligerent Powers and particularly those contemplated in Article 24, officers and persons of equivalent status who are prisoners of war shall receive from the Detaining Power the same pay as officers of
corresponding rank in the armed forces of that Power, provided, however, that such pay does not exceed that to which they are entitled in the armed forces of the country in whose service they have been. This pay shall be paid to them in full, once a month if possible, and no deduction therefrom shall be made for expenditure devolving upon the Detaining Power, even if such expenditure is incurred on their behalf.

An agreement between the belligerents shall prescribe the rate of exchange applicable to this payment; in default of such agreement, the rate of exchange adopted shall be that in force at the moment of the commencement of hostilities.

All advances made to prisoners of war by way of pay shall be reimbursed, at the end of hostilities, by the Power in whose service they were.

**Article 24.** — At the commencement of hostilities, belligerents shall determine by common accord the maximum amount of cash which prisoners of war of various ranks and categories shall be permitted to retain in their possession. Any excess withdrawn or withheld from a prisoner, and any deposit of money effected by him, shall be carried to his account, and may not be converted into another currency without his consent.

The credit balances of their accounts shall be paid to the prisoners of war at the end of their captivity.

During the continuance of the latter, facilities shall be accorded to them for the transfer of these amounts, wholly or in part, to banks or private individuals in their country of origin.

**CHAPTER VIII**

**TRANSFER OF PRISONERS OF WAR**

**Article 25.** — Unless the course of military operations demands it, sick and wounded prisoners of war shall not be transferred if their recovery might be prejudiced by the journey.

**Article 26.** — In the event of transfer, prisoners of war shall be officially informed in advance of their new destination; they shall be authorized to take with them their personal effects, their correspondence and parcels which have arrived for them.

All necessary arrangements shall be made so that correspondence and parcels addressed to their former camp shall be sent on to them without delay.

The sums credited to the account of transferred prisoners shall be transmitted to the competent authority of their new place of residence.

Expenses incurred by the transfers shall be borne by the Detaining Power.

**SECTION III**

**WORK OF PRISONERS OF WAR**

**CHAPTER I**

**GENERAL**

**Article 27.** — Belligerents may employ as workmen prisoners of war who are physically fit, other than officers and persons of equivalent status, according to their rank and their ability. Nevertheless, if officers or persons of equivalent status ask for suitable work, this shall be found for them as far as possible.

Non-commissioned officers who are prisoners of war may be compelled to undertake only supervisory work, unless they expressly request remunerative occupation.

During the whole period of captivity, belligerents are required to admit prisoners of war who are victims of accidents at work to the benefit of provisions applicable to workmen of the same category under the legislation of the Detaining Power. As regards prisoners of war to whom these legal provisions could not be applied by reason of the legislation of that Power, the latter undertakes to recommend to its legislative body all proper measures for the equitable compensation of the victims.
CHAPTER II
ORGANIZATION OF WORK

Article 28. — The Detaining Power shall assume entire responsibility for the maintenance, care, treatment and the payment of the wages of prisoners of war working for private individuals.

Article 29. — No prisoner of war may be employed on work for which he is physically unsuited.

Article 30. — The duration of the daily work of prisoners of war, including the time of the journey to and from work, shall not be excessive and shall in no case exceed that permitted for civil workers of the locality employed on the same work. Each prisoner shall be allowed a rest of twenty-four consecutive hours each week, preferably on Sunday.

CHAPTER III
PROHIBITED WORK

Article 31. — Work done by prisoners of war shall have no direct connexion with the operations of the war. In particular, it is forbidden to employ prisoners in the manufacture or transport of arms or munitions of any kind, or on the transport of material destined for combatant units.

In the event of violation of the provisions of the preceding paragraph, prisoners are at liberty, after performing or commencing to perform the order, to have their complaints presented through the intermediary of the prisoners' representatives whose functions are described in articles 43 and 44, or, in the absence of a prisoners' representative, through the intermediary of the representatives of the Protecting Power.

Article 32. — It is forbidden to employ prisoners of war on unhealthy or dangerous work. Conditions of work shall not be rendered more arduous by disciplinary measures.

CHAPTER IV
LABOUR DETACHMENTS

Article 33. — Conditions governing labour detachments shall be similar to those of prisoners of war camps, particularly as concern hygienic conditions, food, care in case of accidents or sickness, correspondence, and the reception of parcels.

Every labour detachment shall be attached to a prisoners' camp. The commandant of this camp shall be responsible for the observance in the labour detachment of the provisions of the present Convention.

CHAPTER V
PAY

Article 34. — Prisoners of war shall not receive pay for work in connection with the administration, internal arrangement and maintenance of camps.

Prisoners employed on other work shall be entitled to a rate of pay, to be fixed by agreements between the belligerents.

These agreements shall also specify the portion which may be retained by the camp administration, the amount which shall belong to the prisoner of war and the manner in which this amount shall be placed at his disposal during the period of his captivity.
Pending the conclusion of the said agreements, remuneration of the work of prisoners shall be fixed according to the following standards:

(a) Work done for the State shall be paid for according to the rates in force for soldiers of the national forces doing the same work, or, if no such rates exist, according to a tariff corresponding to the work executed.

(b) When the work is done for other public administrations or for private individuals, the conditions shall be settled in agreement with the military authorities.

The pay which remains to the credit of a prisoner shall be remitted to him on the termination of his captivity. In case of death, it shall be remitted through the diplomatic channel to the heirs of the deceased.

SECTION IV

RELATIONS OF PRISONERS OF WAR WITH THE EXTERIOR

ARTICLE 35. — On the commencement of hostilities, belligerents shall publish the measures prescribed for the execution of the provisions of the present Section.

ARTICLE 36. — Each of the belligerents shall fix periodically the number of letters and postcards which prisoners of war of different categories shall be permitted to send per month, and shall notify that number to the other belligerent. These letters and cards shall be sent by post by the shortest route. They may not be delayed or withheld for disciplinary motives.

Not later than one week after his arrival in camp, and similarly in case of sickness, each prisoner shall be enabled to send a postcard to his family informing them of the capture and the state of his health. The said postcard shall be forwarded as quickly as possible and shall not be delayed in any manner.

As a general rule, the correspondence of prisoners shall be written in their native language. Belligerents may authorize correspondence in other languages.

ARTICLE 37. — Prisoners of war shall be authorized to receive individually postal parcels containing foodstuffs and other articles intended for consumption or clothing. The parcels shall be delivered to the addressees and a receipt given.

ARTICLE 38. — Letters and remittances of money or valuables, as well as postal parcels addressed to prisoners of war, or despatched by them, either directly or through the intermediary of the Information Bureaux mentioned in article 77, shall be exempt from all postal charges in the countries of origin and destination and in the countries through which they pass.

Presents and relief in kind intended for prisoners of war shall also be exempt from all import or other duties, as well as any charges for carriage on railways operated by the State.

Prisoners may, in cases of recognized urgency, be authorized to send telegrams on payment of the usual charges.

ARTICLE 39. — Prisoners of war shall be permitted to receive individually consignments of books which may be subject to censorship.

Representatives of the Protecting Powers and of duly recognized and authorized relief societies may send works and collections of books to the libraries of prisoners' camps. The transmission of such consignments to libraries may not be delayed under pretext of difficulties of censorship.

ARTICLE 40. — The censoring of correspondence shall be accomplished as quickly as possible. The examination of postal parcels shall, moreover, be effected under such conditions as will ensure the preservation of any foodstuffs which they may contain, and, if possible, be done in the presence of the addressee or of a representative duly recognized by him.

Any prohibition of correspondence ordered by the belligerents for military or political reasons, shall only be of a temporary character and shall also be for as brief a time as possible.

ARTICLE 41. — Belligerents shall accord all facilities for the transmission of documents destined for prisoners of war or signed by them, in particular powers of attorney and wills.

They shall take the necessary measures to secure, in case of need, the legalisation of signatures of prisoners.
SECTION V

RELATIONS BETWEEN PRISONERS OF WAR AND THE AUTHORITIES

CHAPTER I

COMPLAINTS OF PRISONERS OF WAR RESPECTING THE CONDITIONS OF CAPTIVITY

ARTICLE 42. — Prisoners of war shall have the right to bring to the notice of the military authorities, in whose hands they are, their petitions concerning the conditions of captivity to which they are subjected.

They shall also have the right to communicate with the representatives of the Protecting Powers in order to draw their attention to the points on which they have complaints to make with regard to the conditions of captivity.

Such petitions and complaints shall be transmitted immediately.

Even though they are found to be groundless, they shall not give rise to any punishment.

CHAPTER II

REPRESENTATIVES OF PRISONERS OF WAR

ARTICLE 43. — In any locality where there may be prisoners of war, they shall be authorized to appoint representatives to represent them before the military authorities and the Protecting Powers.

Such appointments shall be subject to the approval of the military authorities.

The prisoners' representatives shall be charged with the reception and distribution of collective consignments. Similarly, in the event of the prisoners deciding to organize amongst themselves a system of mutual aid, such organization shall be one of the functions of the prisoners' representatives. On the other hand, the latter may offer their services to prisoners to facilitate their relations with the relief societies mentioned in Article 78.

In camps of officers and persons of equivalent status the senior officer prisoner of the highest rank shall be recognized as intermediary between the camp authorities and the officers and similar persons who are prisoners. For this purpose, he shall have the power to appoint an officer prisoner to assist him as interpreter in the course of conferences with the authorities of the camp.

ARTICLE 44. — When the prisoners' representatives are employed as workmen, their work as representatives of the prisoners of war shall be reckoned in the compulsory period of labour.

All facilities shall be accorded to the prisoners' representatives for their correspondence with the military authorities and the Protecting Power. Such correspondence shall not be subject to any limitation.

No prisoners' representative may be transferred without his having been allowed the time necessary to acquaint his successors with the current business.

CHAPTER III

PENAL SANCTIONS WITH REGARD TO PRISONERS OF WAR

1. — General provisions

ARTICLE 45. — Prisoners of war shall be subject to the laws, regulations, and orders in force in the armed forces of the Detaining Power.

Any act of insubordination shall render them liable to the measures prescribed by such laws, regulations, and orders, except as otherwise provided in this Chapter.
ARTICLE 46. — Prisoners of war shall not be subjected by the military authorities or the tribunals of the Detaining Power to penalties other than those which are prescribed for similar acts by members of the national forces.

Officers, non-commissioned officers or private soldiers, prisoners of war, undergoing disciplinary punishment shall not be subjected to treatment less favourable than that prescribed, as regard the same punishment, for similar ranks in the armed forces of the Detaining Power.

All forms of corporal punishment, confinement in premises not lighted by daylight and, in general, all forms of cruelty whatsoever are prohibited.

Collective penalties for individual acts are also prohibited.

ARTICLE 47. — A statement of the facts in cases of acts constituting a breach of discipline, and particularly an attempt to escape, shall be drawn up in writing without delay. The period during which prisoners of war of whatever rank are detained in custody (pending the investigation of such offences) shall be reduced to a strict minimum.

The judicial proceedings against a prisoner of war shall be conducted as quickly as circumstances will allow. The period during which prisoners shall be detained in custody shall be as short as possible.

In all cases the period during which a prisoner is under arrest (awaiting punishment or trial) shall be deducted from the sentence, whether disciplinary or judicial, provided such deduction is permitted in the case of members of the national forces.

ARTICLE 48. — After undergoing the judicial or disciplinary punishments which have been inflicted on them, prisoners of war shall not be treated differently from other prisoners.

Nevertheless, prisoners who have been punished as the result of an attempt to escape may be subjected to a special regime of surveillance, but this shall not involve the suppression of any of the safeguards accorded to prisoners by the present Convention.

ARTICLE 49. — No prisoner of war may be deprived of his rank by the Detaining Power. Prisoners on whom disciplinary punishment is inflicted shall not be deprived of the privileges attaching to their rank. In particular, officers and persons of equivalent status who suffer penalties entailing deprivation of liberty shall not be placed in the same premises as non-commissioned officers or private soldiers undergoing punishment.

ARTICLE 50. — Escaped prisoners of war who are re-captured before they have been able to rejoin their own armed forces or to leave the territory occupied by the armed forces which captured them shall be liable only to disciplinary punishment.

Prisoners who, after succeeding in rejoining their armed forces or in leaving the territory occupied by the armed forces which captured them, are again taken prisoner shall not be liable to any punishment for their previous escape.

ARTICLE 51. — Attempted escape, even if it is not a first offence, shall not be considered as an aggravation of the offence in the event of the prisoner of war being brought before the courts for crimes or offences against persons or property committed in the course of such attempt.

After an attempted or successful escape, the comrades of the escaped person who aided the escape shall incur only disciplinary punishment therefor.

ARTICLE 52. — Belligerents shall ensure that the competent authorities exercise the greatest leniency in considering the question whether an offence committed by a prisoner of war should be punished by disciplinary or by judicial measures.

This provision shall be observed in particular in appraising facts in connexion with escape or attempted escape.

A prisoner shall not be punished more than once for the same act or on the same charge.

ARTICLE 53. — No prisoner who has been awarded any disciplinary punishment for an offence and who fulfils the conditions laid down for repatriation shall be retained on the ground that he has not undergone his punishment.

Prisoners qualified for repatriation against whom any prosecution for a criminal offence has been brought may be excluded from repatriation until the termination of the proceedings and until fulfilment of their sentence, if any; prisoners already serving a sentence of imprisonment may be retained until the expiry of the sentence.

Belligerents shall communicate to each other lists of those who cannot be repatriated for the reasons indicated in the preceding paragraph.
2. — Disciplinary punishments

ARTICLE 54. — Imprisonment is the most severe disciplinary punishment which may be inflicted on a prisoner of war.

The duration of any single punishment shall not exceed thirty days.

This maximum of thirty days shall, moreover, not be exceeded in the event of there being several acts for which the prisoner is answerable to discipline at the time when his case is disposed of, whether such acts are connected or not.

Where, during the course or after the termination of a period of imprisonment, a prisoner is sentenced to a fresh disciplinary penalty, a period of at least three days shall intervene between each of the periods of imprisonment, if one of such periods is of ten days or over.

ARTICLE 55. — Subject to the provisions of the last paragraph of Article 11, the restrictions in regard to food permitted in the armed forces of the Detaining Power may be applied, as an additional penalty, to prisoners of war undergoing disciplinary punishment.

Such restrictions shall, however, only be ordered if the state of the prisoner’s health permits.

ARTICLE 56. — In no case shall prisoners of war be transferred to penitentiary establishments (prisons, penitentiaries, convict establishments, etc.) in order to undergo disciplinary sentence there.

Establishments in which disciplinary sentences are undergone shall conform to the requirements of hygiene.

Facilities shall be afforded to prisoners undergoing sentence to keep themselves in a state of cleanliness.

Every day, such prisoners shall have facilities for taking exercise or for remaining out of doors for at least two hours.

ARTICLE 57. — Prisoners of war undergoing disciplinary punishment shall be permitted to read and write, and to send and receive letters.

On the other hand, it shall be permissible not to deliver parcels and remittances of money to the addressees until the expiration of the sentence. If the undelivered parcels contain perishable foodstuffs, these shall be handed over to the infirmary or to the camp kitchen.

ARTICLE 58. — Prisoners of war undergoing disciplinary punishment shall be permitted, on their request, to present themselves for daily medical inspection. They shall receive such attention as the medical officers may consider necessary and, if need be, shall be evacuated to the camp infirmary or to hospital.

ARTICLE 59. — Without prejudice to the competency of the courts and the superior military authorities, disciplinary sentences may only be awarded by an officer vested with disciplinary powers in his capacity as Commandant of the camp or detachment, or by the responsible officer acting as his substitute.

3. — Judicial proceedings

ARTICLE 60. — At the commencement of a judicial hearing against a prisoner of war, the Detaining Power shall notify the representative of the Protecting Power as soon as possible, and in any case before the date fixed for the opening of the hearing.

The said notification shall contain the following particulars:

(a) Civil status and rank of the prisoner;
(b) Place of residence or detention;
(c) Statement of the charge or charges, and of the legal provisions applicable.

If it is not possible in this notification to indicate particulars of the court which will try the case, the date of the opening of the hearing and the place where it will take place, these particulars shall be furnished to the representative of the Protecting Power at a later date, but as soon as possible and in any case at least three weeks before the opening of the hearing.

ARTICLE 61. — No prisoner of war shall be sentenced without being given the opportunity to defend himself.

No prisoner shall be compelled to admit that he is guilty of the offence of which he is accused.
ARTICLE 62. — The prisoner of war shall have the right to be assisted by a qualified advocate of his own choice, and, if necessary, to have recourse to the offices of a competent interpreter. He shall be informed of his right by the Detaining Power in good time before the hearing.

Failing a choice on the part of the prisoner, the Protecting Power may procure an advocate for him. The Detaining Power shall, on the request of the Protecting Power, furnish to the latter a list of persons qualified to conduct the defence.

The representatives of the Protecting Power shall have the right to attend the hearing of the case.

The only exception to this rule is where the hearing has to be kept secret in the interests of the safety of the State. The Detaining Power would then notify the Protecting Power accordingly.

ARTICLE 63. — A sentence shall only be pronounced on a prisoner of war by the same tribunals and in accordance with the same procedure as in the case of persons belonging to the armed forces of the Detaining Power.

ARTICLE 64. — Every prisoner of war shall have the right of appeal against any sentence against him in the same manner as persons belonging to the armed forces of the Detaining Power.

ARTICLE 65. — Sentences pronounced against prisoners of war shall be communicated immediately to the Protecting Power.

ARTICLE 66. — If sentence of death is passed on a prisoner of war, a communication setting forth in detail the nature and the circumstances of the offence shall be addressed as soon as possible to the representative of the Protecting Power for transmission to the Power in whose armed forces the prisoner served.

The sentence shall not be carried out before the expiration of a period of at least three months from the date of the receipt of this communication by the Protecting Power.

ARTICLE 67. — No prisoner of war may be deprived of the benefit of the provisions of Article 42 of the present Convention as the result of a judgment or otherwise.

PART IV

END OF CAPTIVITY

SECTION I

DIRECT REPATRIATION AND ACCOMMODATION IN A NEUTRAL COUNTRY

ARTICLE 68. — Belligerents shall be required to send back to their own country, without regard to rank or numbers, after rendering them in a fit condition for transport, prisoners of war who are seriously ill or seriously wounded.

Agreements between the belligerents shall therefore determine, as soon as possible, the forms of disablement or sickness requiring direct repatriation and cases which may necessitate accommodation in a neutral country. Pending the conclusion of such agreements, the belligerents may refer to the model draft agreement annexed to the present Convention.

ARTICLE 69. — On the opening of hostilities, belligerents shall come to an understanding as to the appointment of Mixed Medical Commissions. These Commissions shall consist of three members, two of whom shall belong to a neutral country and one appointed by the Detaining Power; one of the medical officers of the neutral country shall preside. These Mixed Medical commissions shall proceed to the examination of sick or wounded prisoners and shall make all appropriate decisions with regard to them.

The decisions of these Commissions shall be decided by majority and shall be carried into effect as soon as possible.

ARTICLE 70. — In addition to those prisoners of war selected by the medical officer of the camp, the following shall be inspected by the Mixed Medical Commissions mentioned in Article 69, with a view to their direct repatriation or accommodation in a neutral country:

(a) prisoners who make a direct request to that effect to the medical officer of the camp;
(b) prisoners presented by the prisoners' representatives mentioned in Article 43, the latter acting on their own initiative or on the request of the prisoners themselves;

(c) prisoners nominated by the Power in whose armed forces they served or by a relief society duly recognized and authorized by that Power.

**Article 71.** — Prisoners of war who meet with accidents at work, unless the injury is self-inflicted, shall have the benefit of the same provisions as regards repatriation or accommodation in a neutral country.

**Article 72.** — During the continuance of hostilities, and for humanitarian reasons, belligerents may conclude agreements with a view to the direct repatriation or accommodation in a neutral country of prisoners of war in good health who have been in captivity for a long time.

**Article 73.** — The expenses of repatriation or transport to a neutral country of prisoners of war shall be borne, as from the frontier of the Detaining Power, by the Power in whose armed forces such prisoners served.

**Article 74.** — No repatriated person shall be employed on active military service.

**SECTION II**

**LIBERATION AND REPATRIATION AT THE END OF HOSTILITIES**

**Article 75.** — When belligerents conclude an armistice convention, they shall normally cause to be included therein provisions concerning the repatriation of prisoners of war. If it has not been possible to insert in that convention such stipulations, the belligerents shall, nevertheless, enter into communication with each other on the question as soon as possible. In any case, the repatriation of prisoners shall be effected as soon as possible after the conclusion of peace.

Prisoners of war who are subject to criminal proceedings for a crime or offence at common law may, however, be detained until the end of the proceedings, and, if need be, until the expiration of the sentence. The same applies to prisoners convicted for a crime or offence at common law.

By agreement between the belligerents, commissions may be instituted for the purpose of searching for scattered prisoners and ensuring their repatriation.

**PART V**

**DEATHS OF PRISONERS OF WAR**

**Article 76.** — The wills of prisoners of war shall be received and drawn up under the same conditions as for soldiers of the national armed forces.

The same rules shall be followed as regards the documents relative to the certification of the death.

The belligerents shall ensure that prisoners of war who have died in captivity are honourably buried, and that the graves bear the necessary indications and are treated with respect and suitably maintained.

**PART VI**

**BUREAUX OF RELIEF AND INFORMATION CONCERNING PRISONERS OF WAR**

**Article 77.** — At the commencement of hostilities, each of the belligerent Powers and the neutral Powers who have belligerents in their care, shall institute an official bureau to give information about the prisoners of war in their territory.
Each of the belligerent Powers shall inform its Information Bureau as soon as possible of all captures of prisoners effected by its armed forces, furnishing them with all particulars of identity at its disposal to enable the families concerned to be quickly notified, and stating the official addresses to which families may write to the prisoners.

The Information Bureau shall transmit all such information immediately to the Powers concerned, on the one hand through the intermediary of the Protecting Powers, and on the other through the Central Agency contemplated in Article 70.

The Information Bureau, being charged with replying to all enquiries relative to prisoners of war, shall receive from the various services concerned all particulars respecting interments and transfers, releases on parole, repatriations, escapes, stays in hospitals, and deaths, together with all other particulars necessary for establishing and keeping up to date an individual record for each prisoner of war.

The Bureau shall note in this record, as far as possible, and subject to the provisions of Article 5, the regimental number, names and surnames, date and place of birth, rank and unit of the prisoner, the surname of the father and name of the mother, the address of the person to be notified in case of accident, wounds, dates and places of capture, of internment, of wounds, of death, together with all other important particulars.

Weekly lists containing all additional particulars capable of facilitating the identification of each prisoner shall be transmitted to the interested Powers.

The individual record of a prisoner of war shall be sent after the conclusion of peace to the Power in whose service he was.

The Information Bureau shall also be required to collect all personal effects, valuables, correspondence, pay-books, identity tokens, etc. which have been left by prisoners of war who have been repatriated or released on parole, or who have escaped or died, and to transmit them to the countries concerned.

**Article 78.** — Societies for the relief of prisoners of war, regularly constituted in accordance with the laws of their country, and having for their object to serve as intermediaries for charitable purposes, shall receive from the belligerents, for themselves and their duly accredited agents, all facilities for the efficacious performance of their humane task within the limits imposed by military exigencies. Representatives of these societies shall be permitted to distribute relief in the camps and at the halting places of repatriated prisoners under a personal permit issued by the military authority, and on giving an undertaking in writing to comply with all routine and police orders which the said authority shall prescribe.

**Article 79.** — A Central Agency of information regarding prisoners of war shall be established in a neutral country. The International Red Cross Committee shall, if they consider it necessary, propose to the Powers concerned the organization of such an Agency.

This agency shall be charged with the duty of collecting all information regarding prisoners which they may be able to obtain through official or private channels, and the Agency shall transmit the information as rapidly as possible to the prisoners' own country or the Power in whose service they have been.

The provisions shall not be interpreted as restricting the humanitarian work of the International Red Cross Committee.

**Article 80.** — Information Bureaux shall enjoy exemption from fees on postal matter as well as all the exemptions prescribed in Article 38.

**PART VII**

**APPLICATION OF THE CONVENTION TO CERTAIN CATEGORIES OF CIVILIANS**

**Article 81.** — Persons who follow the armed forces without directly belonging thereto, such as correspondents, newspaper reporters, sutlers or contractors, who fall into the hands of the enemy, and whom the latter think fit to detain, shall be entitled to be treated as prisoners of war, provided they are in possession of an authorization from the military authorities of the armed forces which they were following.
PART VIII
EXECUTION OF THE CONVENTION

SECTION I
GENERAL PROVISIONS

ARTICLE 82. — The provisions of the present Convention shall be respected by the High Contracting Parties in all circumstances.

In time of war, if one of the belligerents is not a party to the Convention, its provisions shall, nevertheless, remain binding as between the belligerents who are parties thereto.

ARTICLE 83. — The High Contracting Parties reserve to themselves the right to conclude special conventions on all questions relating to prisoners of war concerning which they may consider it desirable to make special provision.

Prisoners of war shall continue to enjoy the benefits of these agreements until their repatriation has been effected subject to any provisions expressly to the contrary contained in the above mentioned agreements or in subsequent agreements, and subject to any more favourable measures by one or the other of the belligerent Powers concerning the prisoners detained by that Power.

In order to ensure the application, on both sides, of the provisions of the present Convention, and to facilitate the conclusion of the special conventions mentioned above, the belligerents may, at the commencement of hostilities, authorize meetings of representatives of the respective authorities charged with the administration of prisoners of war.

ARTICLE 84. — The text of the present Convention and of the special conventions mentioned in the preceding article shall be posted, whenever possible, in the native language of the prisoners of war, in places where it may be consulted by all the prisoners.

The text of these conventions shall be communicated, on their request, to prisoners who are unable to inform themselves of the text posted.

ARTICLE 85. — The High Contracting Parties shall communicate to each other, through the intermediary of the Swiss Federal Council, the official translations of the present Convention, together with such laws and regulations as they may adopt to ensure the application of the present Convention.

SECTION II
ORGANIZATION OF CONTROL

ARTICLE 86. — The High Contracting Parties recognize that a guarantee of the regular application of the present Convention will be found in the possibility of collaboration between the Protecting Powers charged with the protection of the interests of the belligerents; in this connection, the Protecting Powers may, apart from their diplomatic personnel, appoint delegates from among their own nationals or the nationals of other neutral Powers. The appointment of these delegates shall be subject to the approval of the belligerent with whom they are to carry out their mission.

The representatives of the Protecting Power or their recognized delegates shall be authorized to proceed to any place, without exception, where prisoners of war are interned. They shall have access to all premises occupied by prisoners and may hold conversation with prisoners, as a general rule without witnesses, either personally or through the intermediary of interpreters.

Belligerents shall facilitate as much as possible the task of the representatives or recognized delegates of the Protecting Power. The military authorities shall be informed of their visits.

Belligerents may mutually agree to allow persons of the prisoners' own nationality to participate in the tours of inspection.

ARTICLE 87. — In the event of dispute between the belligerents regarding the application of the provisions of the present Convention, the Protecting Powers shall, as far as possible, lend their good offices with the object of settling the dispute.

To this end, each of the Protecting Powers may, for instance, propose to the belligerents concerned that a conference of representatives of the latter should be held, on suitably chosen
neutral territory. The belligerents shall be required to give effect to proposals made to them with this object. The Protecting Power may, if necessary, submit for the approval of the Powers in dispute, the name of a person belonging to a neutral Power or nominated by the International Red Cross Committee, who shall be invited to take part in this conference.

Article 88. — The foregoing provisions do not constitute any obstacle to the humanitarian work which the International Red Cross Committee may perform for the protection of prisoners of war with the consent of the belligerents concerned.

SECTION III

FINAL PROVISIONS

Article 89. — In the relations between the Powers who are bound either by The Hague Convention concerning the Laws and Customs of War on Land of the 29th July, 1899, or that of the 18th October, 1907, and are parties to the present Convention, the latter shall be complementary to Chapter II of the Regulations annexed to the above-mentioned Conventions of The Hague.

Article 90. — The present Convention, which shall bear this day's date, may be signed up to the 1st February, 1930, on behalf of any of the countries represented at the Conference which opened at Geneva on the 1st July, 1929.

Article 91. — The present Convention shall be ratified as soon as possible. The ratifications shall be deposited at Berne.

In respect of the deposit of each instrument of ratification, a procès-verbal shall be drawn up, and a copy thereof, certified correct, shall be sent by the Swiss Federal Council to the Governments of all the countries on whose behalf the Convention has been signed or whose accession has been notified.

Article 92. — The present Convention shall enter into force six months after at least two instruments of ratification have been deposited. Thereafter it shall enter into force for each High Contracting Party six months after the deposit of its instrument of ratification.

Article 93. — As from the date of its entry into force, the present Convention shall be open to accession notified in respect of any country on whose behalf this Convention has not been signed.

Article 94. — Accessions shall be notified in writing to the Swiss Federal Council and shall take effect six months after the date on which they have been received. The Swiss Federal Council shall notify the accessions to the Governments of all countries on whose behalf the Convention has been signed or whose accession has been notified.

Article 95. — A state of war shall give immediate effect to ratifications deposited and to accessions notified by the belligerent Powers before or after the commencement of hostilities. The communication of ratifications or accessions received from Powers in a state of war shall be effected by the Swiss Federal Council by the quickest method.

Article 96. — Each of the High Contracting Parties shall have the right to denounce the present Convention. The denunciation shall only take effect one year after notification thereof has been made in writing to the Swiss Federal Council. The latter shall communicate this notification to the Governments of all the High Contracting Parties.

The denunciation shall only be valid in respect of the High Contracting Party which has made notification thereof.

Such denunciation shall, moreover, not take effect during a war in which the denouncing Power is involved. In this case, the present Convention shall continue binding, beyond the period of one year, until the conclusion of peace and, in any case, until operations of repatriation shall have terminated.

Article 97. — A copy of the present Convention, certified to be correct, shall be deposited by the Swiss Federal Council in the Archives of the League of Nations. Similarly, ratifications, accessions and denunciations notified to the Swiss Federal Council shall be communicated by them to the League of Nations.
LIST OF STATES PARTIES TO THE CONVENTION CONCLUDED AT GENEVA ON JULY 27th, 1929, RELATIVE TO THE TREATMENT OF PRISONERS OF WAR

Argentina
Australia
Austria
Belgium
Bolivia
Brazil
Bulgaria
Burma
Canada
Chile
China
Colombia
Czechoslovakia
Denmark
Egypt
El Salvador
Estonia
France
Germany
Great Britain
Greece
Hungary
Iceland
India
Iraq

Israel
Italy
Jugoslavia
Latvia
Liechtenstein
Lithuania
Mexico
Monaco
Netherlands
New Zealand
Norway
Pakistan
Philippines
Poland
Portugal
Rumania
Siam
Spain
Sweden
Switzerland
Transjordania
Turkey
Union of South Africa
United States of America
Venezuela
ANNEX

MODEL AGREEMENT CONCERNING DIRECT REPATRIATION AND HOSPITALIZATION IN A NEUTRAL COUNTRY PRISONERS OF WAR FOR REASONS OF HEALTH

I. Governing Principles for Direct Repatriation and Hospitalization in a Neutral Country

A. Direct Repatriation

There shall be repatriated directly:

1. Sick and wounded who, according to medical opinion, are not likely to recover in one year, their condition requiring treatment and their mental or physical fitness appearing to have suffered considerable diminution;

2. Incurable sick and wounded whose mental or physical fitness appears to have suffered considerable diminution;

3. Cured sick and wounded whose mental or physical fitness appears to have suffered considerable diminution.

B. Hospitalization in a Neutral Country

There shall be placed in hospitals:

1. Sick and wounded whose cure within a period of one year is to be expected, such cure appearing more certain and more rapid if the sick and wounded are given the benefit of the resources offered by the neutral country than if their captivity properly so-called is prolonged;

2. Prisoners of war whose mental or physical health appears, according to medical opinion, to be seriously menaced by continuance in captivity, while hospitalization in a neutral country would probably remove this danger.

C. Repatriation of those hospitalized in a Neutral Country

There shall be repatriated the prisoners of war hospitalized in a neutral country who belong to the following categories:

1. Those whose state of health appears to be or to be becoming such that they fall within the categories of persons eligible to repatriation for reasons of health;

2. The recovered whose mental or physical fitness seems to have suffered a considerable diminution.

II. Special Principles for Direct Repatriation or Hospitalization in a Neutral Country

A. Repatriation

There shall be repatriated:

1. All prisoners of war who, as the result of organic injuries, have the following impairments, actual or functional: loss of a member, paralysis, articular or other defects, provided that the loss is at least a foot or a hand, or is equivalent to the loss of a foot or a hand;
2. All wounded or injured prisoners of war whose condition is such that it renders them invalids whose cure, within a period of one year, can not be anticipated from a medical standpoint;

3. All the sick whose condition is such that it renders them invalids whose cure, within a period of one year, can not be anticipated from a medical standpoint;

The following, in particular, belong to this category:

a) Progressive tuberculosis of any organs which, according to medical opinion, can no longer be cured or at least considerably improved by a course of treatment in a neutral country.

b) Nontubercular affections of the respiratory organs presumed incurable (such as above all, strongly developed pulmonary emphysema, with or without bronchitis, bronchiectasis, serious asthma, gas poisoning, etc);

c) Serious chronic affections of the organs of circulation (for example: valvular affections with tendencies to disorders of compensation, relatively serious affections of the myocardium, pericardium of the vessels, especially inoperable aneurisms of the large vessels, etc.);

d) Serious chronic affections of the digestive organs;

e) Serious chronic affections of the urinary and sexual organs (particularly, for example: all cases of confirmed chronic nephritis with complete semiology, and most especially when cardiac and vascular impairments already exist; likewise, pyelites and chronic cystitis, etc.);

f) Serious chronic diseases of the central and peripheral nervous system (such as, particularly, serious neurasthenia and hysteria, all unquestionable cases of Basedow’s disease, etc.);

g) Blindness in both eyes, or in one eye when the vision of the other remains below 1 in spite of the use of corrective glasses; reduction in acuteness of vision in case it is impossible to restore it by correction to the acuteness of ½ for one eye at least; other ocular affections coming in the present class (glaucoma iritis, choroiditis, etc.);

h) Total deafness in both ears, as well as total deafness in one ear in case the partially deaf ear does not discern the ordinary spoken voice at a distance of one meter;

i) All unquestionable cases of mental affections;

k) All serious cases of chronic poisoning by metals or other causes (lead poisoning, mercury poisoning, morphinism, cocainism, alcoholism, gas poisoning, etc.);

l) Chronic affections of the organs of locomotion (arthritis deformans, gout, rheumatism with impairments clinically discoverable), provided they are serious;

m) All malignant growths, if they are not amenable to relatively minor operations without endangering the life of the patient;

n) All cases of malaria with noticeable organic changes (important chronic increase in size of the liver, of the spleen, cachexia, etc.);

o) Serious chronic cutaneous affections, in so far as their nature does not constitute a medical indication for hospitalization in a neutral country;

p) Serious avitaminoses (beri-beri, pellagra, chronic scurvy).

B. Hospitalization

Prisoners of war must be hospitalized if they have the following affections:

1. All forms of tuberculosis of any organs whatever if, according to present medical knowledge, they may be cured, or at least considerably improved by methods applicable in a neutral country (altitude, treatment in sanatoria, etc.);

2. All forms - necessitating treatment - of affections of the respiratory, circulatory, digestive, genito-urinary, and nervous organs, of organs of the senses, of the locomotor and cutaneous apparatus provided, however, that the forms of these affections do not belong to the categories requiring direct repatriation, or are not acute diseases properly so-called susceptible to a complete cure. The affections contemplated in this paragraph are those which offer really better chances
of cure for the patient by the application of means of treatment available in a neutral country than if he were treated in captivity.

Nervous troubles, the efficient or determinant causes of which are the events of the war or even of the captivity itself, such as the psychasthenia of prisoners of war and other analogous cases, should be given special consideration.

All duly verified cases of this kind should be hospitalized, provided that the seriousness or constitutional character thereof does not make them cases for direct repatriation.

Cases of psychasthenia of prisoners of war which are not cured after three months of hospitalization in a neutral country or which, after this period has expired, are not obviously on the road to final recovery, should be repatriated;

3. All cases of wounds or lesions and their consequences which offer better chances of cure in a neutral country than in captivity, provided that these cases are not either eligible for direct repatriation or else are insignificant;

4. All cases of malaria, duly verified and not presenting organic changes clinically discoverable (chronic enlargement of the liver, of the spleen, cachexia, etc.), if the stay in a neutral country offers particularly favorable prospects of final cure;

5. All cases of poisoning (particularly by gases, metals, alkaloids) for which the prospects of cure in a neutral country are especially favorable.

There shall be excluded from hospitalization:

1. All duly verified cases of mental affections;

2. All organic or functional nervous affections reputed to be incurable (these two categories belong to those giving a right to direct repatriation);

3. Serious chronic alcoholism;

4. All contagious affections during the period in which they are transmissible (acute infectious diseases, primary and secondary syphilis, trachoma, leprosy, etc.).

III. General Observations

The conditions given above should, generally speaking, be interpreted and applied in as broad a spirit as possible.

This breadth of interpretation should be especially applied to neuropathic or psychopathic conditions caused or brought to a head by the events of the war or even of the captivity itself (psychasthenia of prisoners of war), and also to cases of tuberculosis in all degrees.

It is needless to state that camp physicians and the Mixed Medical Commissions may find themselves confronted with a great number of cases not mentioned among the examples given under Section II, or cases not fitting in with these examples. The examples mentioned above are given only as typical examples; an analogous list of examples of surgical alterations has not been drawn up because, with the exception of cases incontestable by their very nature (amputations), it is difficult to make a list of particular types; experience has shown that a recital of these particular cases was not without disadvantages in practice.

All cases not fitting exactly into the examples cited shall be decided by invoking the spirit of the above governing principles.