Draft Additional Protocols
to the Geneva Conventions
of August 12, 1949

GENEVA
June 1973

345.21/33
(ENG)
Draft Additional Protocols
to the Geneva Conventions
of August 12, 1949

GENEVA
June 1973
CONTENTS

INTRODUCTION ...................................................................................................................... 1

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

PREAMBLE ................................................................................................................................. 3

PART I

GENERAL PROVISIONS ........................................................................................................ 3

Article 1. — Scope of the present Protocol ................................................................. 3
Article 2. — Definitions ......................................................................................... 3
Article 3. — Beginning and end of application ....................................................... 3
Article 4. — Legal status of the Parties to the conflict ........................................ 4
Article 5. — Appointment of Protecting Powers and of their substitute ........... 4
Article 6. — Qualified persons ........................................................................... 4
Article 7. — Meetings ........................................................................................... 4

PART II

WOUNDED, SICK AND SHIPWRECKED PERSONS ..................................................... 5

SECTION I

GENERAL PROTECTION ...................................................................................................... 5

Article 8. — Definitions ........................................................................................... 5
Article 9. — Field of application ........................................................................... 5
Article 10. — Protection and care ......................................................................... 6
Article 11. — Protection of persons ..................................................................... 6
Article 12. — Medical units .................................................................................. 6
Article 13. — Discontinuance of protection of civilian medical units ............... 6
Article 14. — Requisition ..................................................................................... 7
Article 15. — Civilian medical and religious personnel ...................................... 7
Article 16. — General protection of medical duties ........................................... 7
Article 17. — Role of the civilian population ..................................................... 8
Article 18. — Identification ................................................................................. 8
Article 19. — States not parties to a conflict ...................................................... 8
Article 20. — Prohibition of reprisals ................................................................. 8

SECTION II

MEDICAL TRANSPORTS .................................................................................................... 8

Chapter I

Joint provisions ........................................................................................................... 8

Article 21. — Definitions ....................................................................................... 8
Article 22. — Search for wounded ....................................................................... 9
Article 23. — Application ...................................................................................... 9
Article 24. — Protection ......................................................................................... 9
Article 25. — Notification ..................................................................................... 9
# Chapter II

- Medical air transport .................................................................................................................... 9
- Article 26. — Sectors controlled by national and allied forces .................................................. 9
- Article 27. — Contact zone ..................................................................................................... 9
- Article 28. — Sectors controlled by enemy forces .................................................................. 10
- Article 29. — Restrictions ................................................................................................... 10
- Article 30. — Agreements and notifications ............................................................................ 10
- Article 31. — Landing ............................................................................................................. 10
- Article 32. — States not parties to the conflict ........................................................................ 10

# PART III

**METHODS AND MEANS OF COMBAT—PRISONER-OF-WAR STATUS** ........................................ 12

## SECTION I

**METHODS AND MEANS OF COMBAT**

- Article 33. — Prohibition of unnecessary injury ...................................................................... 12
- Article 34. — New weapons .................................................................................................. 12
- Article 35. — Prohibition of perfidy ...................................................................................... 12
- Article 36. — Recognized signs ............................................................................................. 12
- Article 37. — Emblems of nationality ................................................................................... 12
- Article 38. — Safeguard of an enemy hors de combat and giving quarter ......................... 13
- Article 39. — Aircraft occupants .......................................................................................... 13
- Article 40. — Independent missions ..................................................................................... 13
- Article 41. — Organization and discipline ............................................................................ 13

## SECTION II

**PRISONER-OF-WAR STATUS**

- Article 42. — New category of prisoners of war ............................................................. 13

# PART IV

**CIVILIAN POPULATION** ........................................................................................................ 15

## SECTION I

**GENERAL PROTECTION AGAINST EFFECTS OF HOSTILITIES** ............................................. 15

### Chapter I

- Basic rule and field of application ....................................................................................... 15
  - Article 43. — Basic rule .................................................................................................. 15
  - Article 44. — Field of application ................................................................................. 15

### Chapter II

- Civilians and civilian population ...................................................................................... 15
  - Article 45. — Definition of civilians and civilian population ........................................ 15
  - Article 46. — Protection of the civilian population .......................................................... 16

### Chapter III

- Civilian objects ................................................................................................................. 16
  - Article 47. — General protection of civilian objects ....................................................... 16
  - Article 48. — Objects indispensable to the survival of the civilian population .............. 16
  - Article 49. — Works and installations containing dangerous forces ............................ 16

### Chapter IV

- Precautionary measures ................................................................................................. 17
  - Article 50. — Precautions in attack .............................................................................. 17
  - Article 51. — Precautions against the effects of attacks ............................................. 17
### Chapter V

Localities under special protection ............................................................................................................... 17

- Article 52. — Non-defended localities ................................................................. 17
- Article 53. — Neutralized localities ................................................................. 18

### Chapter VI

Civil Defence ...................................................................................................................................................... 18

- Article 54. — Definition ...................................................................................... 18
- Article 55. — Zones of military operations .......................................................... 19
- Article 56. — Occupied territories ........................................................................ 19
- Article 57. — Civil defence bodies of States not parties to a conflict and international bodies .......................................................... 19
- Article 58. — Cessation of protection ................................................................. 19
- Article 59. — Identification .................................................................................. 20

#### Section II

**Relief in favour of the civilian population** ............................................................................................ 20

- Article 60. — Field of application ........................................................................ 20
- Article 61. — Supplies .......................................................................................... 20
- Article 62. — Relief actions ................................................................................... 20

#### Section III

**Treatment of persons in the power of a party to the conflict** ............................................................ 21

**Chapter I**

Field of application and protection of persons and objects ............................................................................ 21

- Article 63. — Field of application ....................................................................... 21
- Article 64. — Refugees and stateless persons .......................................................... 21
- Article 65. — Fundamental guarantees ..................................................................... 21
- Article 66. — Objects indispensable to the survival of the civilian population ........... 22

**Chapter II**

Measures in favour of women and children ................................................................................................. 22

- Article 67. — Protection of women ...................................................................... 22
- Article 68. — Protection of children ....................................................................... 22
- Article 69. — Evacuation of children .................................................................... 22

**PART V**

**Execution of the conventions and of the present protocol** ............................................................... 24

#### Section I

**General provisions** ............................................................................................................................... 24

- Article 70. — Measures for execution .................................................................. 24
- Article 71. — Legal advisers in armed forces .......................................................... 24
- Article 72. — Dissemination ................................................................................... 24
- Article 73. — Rules of application ......................................................................... 24

#### Section II

**Repression of breaches of the conventions and of the present protocol** .................................................. 25

- Article 74. — Repression of breaches of the present Protocol .................................. 25
- Article 75. — Perfidious use of the protective signs ................................................. 25
- Article 76. — Failure to act .................................................................................... 25
- Article 77. — Superior order .................................................................................. 25
- Article 78. — Extradition ....................................................................................... 25
- Article 79. — Mutual assistance in criminal matters .............................................. 25
PART VI

FINAL PROVISIONS ................................................................. 26

Article 80. — Signature .......................................................... 26
Article 81. — Ratification ....................................................... 26
Article 82. — Accession .......................................................... 26
Article 83. — Entry into force .................................................. 26
Article 84. — Treaty relations upon entry into force of the present Protocol .................................................. 26
Article 85. — Reservations ...................................................... 26
Article 86. — Amendment ........................................................ 26
Article 87. — Denunciation ..................................................... 27
Article 88. — Notifications ..................................................... 27
Article 89. — Registration ....................................................... 27
Article 90. — Authentic texts and official translations ................. 27

ANNEX

REGULATIONS CONCERNING THE IDENTIFICATION AND MARKING OF MEDICAL PERSONNEL, UNITS AND MEANS OF TRANSPORT, AND CIVIL DEFENCE PERSONNEL, EQUIPMENT AND MEANS OF TRANSPORT .......................................................... 28

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

PREAMBLE ................................................................. 33

PART I

SCOPE OF THE PRESENT PROTOCOL ........................................ 33

Article 1. — Material field of application ........................................ 33
Article 2. — Personal field of application ........................................ 33
Article 3. — Legal status of the parties to the conflict ....................... 34
Article 4. — Non-intervention ...................................................... 34
Article 5. — Rights and duties of the parties to the conflict .................. 34

PART II

HUMANE TREATMENT OF PERSONS IN THE POWER OF THE PARTIES TO THE CONFLICT .......................................................... 35

Article 6. — Fundamental guarantees ........................................... 35
Article 7. — Safeguard of an enemy hors de combat ......................... 35
Article 8. — Persons whose liberty has been restricted ...................... 35
Article 9. — Principles of penal law ............................................... 36
Article 10. — Penal prosecutions .................................................. 36

PART III

WOUNDED, SICK AND SHIPWRECKED PERSONS .......................................................... 37

Article 11. — Definitions ......................................................... 37
Article 12. — Protection and care ................................................ 37
Article 13. — Search and evacuation ............................................. 38
Article 14. — Role of the civilian population .................................... 38
Article 15. — Medical and religious personnel ............................... 38
Article 16. — General protection of medical duties ......................... 38
Article 17. — Medical units and transports ..................................... 38
Article 18. — The distinctive emblem ........................................... 38
Article 19. — Prohibition of reprisals ............................................ 38

IV
PART IV

METHODS AND MEANS OF COMBAT ................................................................. 39

Article 20. — Prohibition of unnecessary injury .............................................. 39
Article 21. — Prohibition of perfidy ................................................................. 39
Article 22. — Quarter ..................................................................................... 39
Article 23. — Recognized signs .................................................................... 39

PART V

CIVILIAN POPULATION .................................................................................. 40

Chapter I

General protection against effects of hostilities .............................................. 40
Article 24. — Basic rules ............................................................................... 40
Article 25. — Definition ................................................................................. 40
Article 26. — Protection of the civilian population .......................................... 40
Article 27. — Protection of objects indispensable to the survival of the civilian population 40
Article 28. — Protection of works and installations containing dangerous forces 40
Article 29. — Prohibition of forced movement of civilians ............................. 41

Chapter II

Civil defence .................................................................................................... 41
Article 30. — Respect and protection ............................................................ 41
Article 31. — Definition .................................................................................. 41

Chapter III

Measures in favour of children ..................................................................... 41
Article 32. — Privileged treatment ................................................................. 41

PART VI

RELIEF ........................................................................................................... 43

Article 33. — Relief actions ........................................................................... 43
Article 34. — Recording and information ....................................................... 43
Article 35. — National Red Cross and other relief societies ......................... 43

PART VII

EXECUTION OF THE PRESENT PROTOCOL ............................................... 44

Article 36. — Measures for execution ............................................................ 44
Article 37. — Dissemination .......................................................................... 44
Article 38. — Special agreements ................................................................. 44
Article 39. — Co-operation in the observance of the present Protocol .......... 44

PART VIII

FINAL PROVISIONS ..................................................................................... 45

Article 40. — Signature ................................................................................ 45
Article 41. — Ratification ............................................................................. 45
Article 42. — Accession ............................................................................... 45
Article 43. — Entry into force ....................................................................... 45
Article 44. — Amendment ........................................................................... 45
Article 45. — Notifications ........................................................................ 45
Article 46. — Registration .......................................................................... 45
Article 47. — Authentic texts and official translations ................................... 46
INTRODUCTION

The XXth International Conference of the Red Cross, at Vienna, in 1965, after proclaiming four principles relating to the protection of the civilian population against the dangers of indiscriminate warfare, in its Resolution XXVIII, urged “the International Committee of the Red Cross to pursue the development of international humanitarian law”.

Consistent with that recommendation, the International Committee of the Red Cross (ICRC), on 19 May 1967, sent all States parties to the Geneva Conventions for the Protection of War Victims a memorandum in which it suggested that the principles adopted at Vienna be officially confirmed. On a more general plane, it raised the question of restoring some parts of the law of war, and it attached to its memorandum a kind of inventory of prevailing standards.

In May 1968, the United Nations Conference on Human Rights, at Teheran, invited the Secretary-General of the United Nations to contact the ICRC with a view to concerted study.

In September of that same year, the ICRC informed the representatives of National Red Cross (Red Crescent, Red Lion and Sun) Societies then in Geneva that it was launching a new effort to reaffirm and develop humanitarian law applicable in armed conflicts, as it had done several times since the founding of the Red Cross.

It pointed out that the Geneva Conventions had been revised—or drawn up in the case of one of them—in 1949; they were almost twenty years old and had shown shortcomings due to the striking lack of balance between the rules which were for the most part developed in 1949 and those which were related to the conduct of hostilities, particularly to the protection of the civilian population.

However, there was no question of revising those Conventions which, when fully applied, offer effective guarantees to the victims of conflicts; but they had to be supplemented and given added precision on certain important points.

In September 1969, the XXIst International Conference of the Red Cross, at Istanbul, unanimously adopted Resolution XIII requesting the ICRC actively to pursue its efforts with a view to drafting as soon as possible concrete rules which would supplement existing international humanitarian law, and to invite government experts to meet for consultations with the ICRC on such proposals.

On the basis of that Resolution, the ICRC convened for 24 May 1971 the “Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts”, to which it invited some forty governments to delegate experts. As it was unable to cover all its agenda, the meeting requested the convening of a second session open to all States parties to the 1949 Geneva Conventions. This second session took place in Geneva from 3 May to 3 June 1972 and was attended by more than four hundred experts delegated by seventy-seven governments. This large attendance, the sustained work carried out in several commissions, and the constructive atmosphere which prevailed throughout the proceedings gave a decisive impetus to the undertaking.

With those meetings in mind, the ICRC had drawn up a series of volumes on the matters to be discussed. Those volumes, with the reports on the two sessions of the Conference of Government Experts, still constitute the basic documentary material.

In addition to the two sessions of the Conference, the ICRC arranged a number of consultative meetings with individuals and groups. In particular, in March 1971 at The Hague and in March 1972 at Vienna, it submitted its drafts to Red Cross experts in order to have their opinions. Similarly, in November 1971, it consulted the representatives of non-governmental organizations.
The ICRC also remained in close liaison with the United Nations and followed attentively the work of the General Assembly in this field. In each of its sessions, since 1968, the General Assembly has adopted resolutions on “respect for human rights in armed conflicts”. This was a powerful encouragement to the ICRC to continue its work.

Each time, the United Nations Secretary-General had submitted to the Assembly very detailed reports containing useful suggestions. In addition, representatives of the United Nations Secretary-General actively participated in the two sessions of the Conference of Government Experts convened by the ICRC.

Today the ICRC is able to present the result of several years’ joint effort, in the form of two draft Additional Protocols to the 1949 Geneva Conventions; these drafts are given in the pages which follow. Their sole aim is to provide an adequate basis for discussion at the forthcoming Diplomatic Conference convened by the Swiss Federal Council, the Government of the State depositary of the Geneva Conventions. They will also be submitted to the XXIIInd International Conference of the Red Cross which will meet in Teheran in November 1973.

In order to facilitate examination and discussion of these drafts, the ICRC is issuing a commentary which will subsequently be available to those who are interested.

Problems relating to atomic, bacteriological and chemical warfare are subjects of international agreements or negotiations by governments, and in submitting these draft Additional Protocols the ICRC does not intend to broach those problems. It should be borne in mind that the Red Cross as a whole, at several International Red Cross Conferences, has clearly made known its condemnation of weapons of mass destruction and has urged governments to reach agreements for the banning of their use.

With regard to the “conventional” weapons which cause unnecessary suffering or strike indiscriminately civilian population and combatants alike, the ICRC, at the request of the second session of the Conference of Government Experts, undertook a study to describe such weapons and their effects. A report thereon will be made available to all governments and institutions which may be interested and if necessary the ICRC is prepared to continue its research in this field which could lead, for example, to the convening of a special meeting of government experts in order to study the problem.

In drawing up the draft Protocols which it has the honour to bring to the attention of the authorities of all States parties to the Geneva Conventions, the ICRC believes that it has remained steadfast to the spirit in which, since 1864, it has demanded for the benefit of individuals guarantees consistent with the dictates of humanity, whilst bearing in mind the realities of national defence and security.

It is convinced that, thanks to the good will of one and all, the representatives of the Powers will reach agreement in order to afford the victims of armed conflicts the increased protection of which the urgent necessity is today recognized by the community of nations.
DRAFT PROTOCOL ADDITIONAL
TO THE GENEVA CONVENTIONS OF AUGUST 12, 1949,
AND RELATING TO THE PROTECTION OF VICTIMS
OF INTERNATIONAL ARMED CONFLICTS

The High Contracting Parties,

Proclaiming their earnest wish to see peace prevail among peoples,

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

Recalling that, in cases not covered by conventional or customary international law, the
civilian population and the combatants remain under the protection of the principles of
humanity and the dictates of the public conscience,

Have agreed on the following:

PART I

GENERAL PROVISIONS

Article 1. — Scope of the present Protocol

The present Protocol, which supplements the Geneva Conventions of August 12, 1949,
for the Protection of War Victims, shall apply in the situations referred to in Article 2
common to these Conventions.

Article 2. — Definitions

For the purposes of the present Protocol:

(a) "the Conventions" means the four Geneva Conventions of August 12, 1949, for the
Protection of War Victims;

(b) "First Convention", "Second Convention", "Third Convention" and "Fourth
Convention" mean, respectively, the Geneva Convention for the Amelioration of the
Condition of the Wounded and Sick in Armed Forces in the Field, of August 12, 1949; the
Geneva Convention for the Amelioration of the Condition of Wounded, Sick and
Shipwrecked Members of Armed Forces at Sea, of August 12, 1949; the Geneva Convention
relative to the Treatment of Prisoners of War, of August 12, 1949; the Geneva Convention
relative to the Protection of Civilian Persons in Time of War, of August 12, 1949;

(c) "protected persons" and "protected objects" mean persons and objects on whom
or on which protection is conferred by the Articles, Chapters or Sections which concern
them in Parts II, III and IV;

(d) "Protecting Power" means a State not engaged in the conflict, which, designated by
a Party to the conflict and accepted by the adverse Party, is prepared to carry out the
functions assigned to a Protecting Power under the Conventions and the present Protocol;

(e) "substitute" means an organization acting in place of a Protecting Power for the
discharge of all or part of its functions.

Article 3. — Beginning and end of application

1. In addition to the provisions applicable in peacetime, the present Protocol shall apply
from the beginning of any situation referred to in Article 2 common to the Conventions.
2. In the territory of Parties to the conflict, the application of the present Protocol shall cease on the general close of military operations.

3. In the case of occupied territory, the application of the present Protocol shall cease on the termination of the occupation.

Article 4. — Legal status of the Parties to the conflict

The application of the Conventions and of the present Protocol, as well as the conclusion of the agreements therein provided, shall not affect the legal status of the Parties to the conflict or that of the territories over which they exercise authority.

Article 5. — Appointment of Protecting Powers and of their substitute

1. From the beginning of a situation referred to in Article 2 common to the Conventions, each Party to the conflict, which has not already entrusted the protection of its interests and those of its nationals to a third State, shall without delay designate a Protecting Power for the sole purpose of applying the Conventions and the present Protocol and shall without delay and for the same purpose permit the activities of a Protecting Power designated by the adverse Party and accepted as such.

2. In the event of disagreement or unjustified delay in the designation and acceptance of Protecting Powers, the International Committee of the Red Cross shall offer its good offices with a view to the designation of Protecting Powers acceptable to both Parties to the conflict. For that purpose, it may, inter alia, ask each of the Parties to provide it with a list of at least five States which they consider acceptable in that respect; these lists shall be communicated to it within ten days; it shall compare them and seek the agreement of any proposed State named on both lists.

3. Proposal I

If, despite the foregoing, no Protecting Power is appointed, the International Committee of the Red Cross may assume the functions of a substitute within the meaning of Article 2 (e), provided the Parties to the conflict agree and insofar as those functions are compatible with its own activities.

4. The designation and acceptance of Protecting Powers for the sole purpose of applying the Conventions and the present Protocol shall not affect the legal status of the Parties to the conflict or that of the territories over which they exercise authority.

5. The maintenance of diplomatic relations between the Parties to the conflict does not constitute an obstacle to the appointment of Protecting Powers for the sole purpose of applying the Conventions and the present Protocol.

6. Whenever in the present Protocol mention is made of a Protecting Power, such mention also implies the substitute within the meaning of Article 2 (e).

Article 6. — Qualified persons

1. In peacetime the High Contracting Parties shall endeavour to train qualified personnel to facilitate the application of the Conventions and of the present Protocol and in particular the activities of the Protecting Powers.

2. The recruitment and training of such personnel lies within the national competence.

3. Each High Contracting Party shall establish a list of persons so trained and shall transmit it to the International Committee of the Red Cross.

4. The conditions governing the employment of these persons outside the national territory shall, in each case, form the subject of special agreements.

Article 7. — Meetings

The depositary of the Conventions shall convene a meeting of the High Contracting Parties, at the request of two-thirds of them, to study general problems concerning the application of the present Protocol; it may convene such a meeting at the request, also, of the International Committee of the Red Cross.
PART II
WOUNDED, SICK AND SHIPWRECKED PERSONS

SECTION I
GENERAL PROTECTION

Article 8. — Definitions

For the purposes of the present Part:

(a) "the wounded and the sick" means persons, whether military or civilian, who are in need of medical assistance and care and who refrain from any act of hostility. The term includes inter alia: the wounded, the sick, the shipwrecked, the infirm, as well as expectant mothers, maternity cases and new-born babies;

(b) "shipwrecked persons" means persons, whether military or civilian, who are in peril at sea as a result of the destruction, loss or disablement of the vessel or aircraft in which they were travelling and who refrain from any act of hostility;

(c) "medical unit" means medical establishments and units, whether military or civilian, especially all installations of a medical nature, such as hospitals, blood transfusion centres and their medical and pharmaceutical stores. Medical units may be fixed or mobile, permanent or temporary. Permanent units are those assigned exclusively and for an indeterminate period to medical purposes. Temporary medical units are those assigned exclusively but for one or more limited periods to medical purposes;

(d) "medical personnel" means:

i. military medical personnel as defined in the First and Second Conventions, including medical transport crews;

ii. civilian medical personnel, including members of the crews of means of medical transports, whether permanent or temporary, duly recognized or authorized by the State and engaged exclusively in the operation or administration of medical units and means of medical transport, that is to say personnel assigned to the search for, removal, treatment or transport of the wounded and the sick;

iii. the medical personnel of civil defence organizations referred to in Article 54, and the medical personnel of the National Red Cross (Red Crescent, Red Lion and Sun) Societies;

(e) "distinctive emblem" means the distinctive emblem of the red cross (red crescent, red lion and sun) on a white background.

(f) "distinctive signal" means any signalling and identification system for medical units and means of transport as envisaged in Chapter III of the Annex.

Article 9. — Field of application

1. The present Part shall apply, without distinction on grounds of nationality, to all the wounded, the sick and the shipwrecked of the armed forces and of the civilian population on the territory of the Parties to the conflict and to all military and civilian medical personnel, units and means of transport on such territory.

2. The provisions of Article 27 of the First Convention apply to permanent medical units and means of transport and their medical personnel lent for humanitarian purposes to a Party to a conflict by a State which is not a Party to the conflict or by a society recognized by such a State.
3. The provisions of Article 27 of the First Convention also apply to medical units and means of transport and their medical personnel lent for humanitarian purposes by an organization of an international character, provided the said organization fulfils the requirements imposed on the government of a State which is not a party to the conflict under the terms of the aforesaid Article 27.

**Article 10. — Protection and care**

1. The wounded and the sick shall be respected and protected.

2. In all circumstances they shall be treated humanely and shall receive with the least possible delay and without any adverse distinction the medical care necessitated by their condition.

**Article 11. — Protection of persons**

1. All unjustified acts or omissions, harmful to the health or to the physical or mental well-being of the persons protected by the Conventions or by the present Protocol pursuant to Article 2 (c), and especially of persons who have fallen into the hands of the adverse Party, or who are interned, detained or deprived of liberty as a result of hostilities, shall be prohibited. This prohibition applies even if the individual in question gives his consent to such act.

2. It accordingly is prohibited to carry out on such persons physical mutilations or medical or scientific experiments, including grafts and organ transplants, which are not justified by the medical, dental or hospital treatment of the persons concerned and are not in their interest.

**Article 12. — Medical units**

1. Permanent medical units shall at all times be respected and protected; they shall never be the object of attack. Temporary medical units shall be respected and protected during their assignment to medical duties.

2. In order to benefit from the special protection provided for in paragraph 1 above, civilian medical units shall either belong to the State or be recognized or authorized by the competent authority thereof.

3. The Parties to the conflict are urged to make known to each other the location of fixed medical units.

4. The Parties to the conflict shall ensure that medical units, insofar as is possible, are situated in such a manner that attacks against military objectives cannot imperil their safety. Under no circumstances shall they be used in an attempt to protect military objectives from attack.

**Article 13. — Discontinuance of protection of civilian medical units**

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

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

   (a) the fact that members of the armed forces are receiving medical treatment in such medical units;

   (b) the presence in the medical unit of small arms and ammunition which have been taken from the sick and the wounded and not yet handed over to the competent services;

   (c) the fact that the medical unit is guarded by an armed picket, sentries, or escort responsible for keeping order.

**Article 14. — Requisition**

1. An Occupying Power may requisition civilian medical units, their equipment, their material and the services of their personnel only temporarily and in case of urgent necessity, and solely for the purpose of providing medical care for sick and wounded members of the armed forces and of the occupation administration.
2. The Occupying Power shall ensure that arrangements are made for the care and treatment of the civilian patients of these units and shall take into account the civilian population's need for medical treatment.

**Article 15. — Civilian medical and religious personnel**

1. Civilian medical personnel shall be respected and protected.

2. Temporary civilian medical personnel shall be respected and protected for the duration of their medical mission.

3. All possible help shall be afforded medical personnel in the combat zone.

4. The Occupying Power shall afford civilian medical personnel in the occupied territories every assistance to enable such personnel to perform their medical functions to the best of their ability. The Occupying Power may not require that in the performance of those functions such personnel give priority to the treatment of nationals of that Power. Under no circumstances shall such personnel be compelled to carry out tasks unrelated to their mission.

5. Civilian medical personnel shall have access to any place where their services are essential, subject to such supervisory and safety measures as the Party to the conflict may judge necessary.

6. Chaplains and other persons performing similar functions who are permanently attached to civilian medical units shall be respected and protected. The provisions of the Conventions and of the present Protocol concerning the protection and identification of permanent medical personnel shall apply equally to such persons.

**Article 16. — General protection of medical duties**

1. In no circumstances shall any person be punished for carrying out medical activities compatible with professional ethics, regardless of the person benefiting therefrom.

2. Persons engaged in medical activities shall not be compelled to perform acts or to carry out work contrary to rules of professional ethics or to abstain from acts required by such rules.

3. No person engaged in medical activities may be compelled to give to any authority of the adverse Party information concerning the sick and the wounded under his care should such information be likely to prove harmful to the persons concerned or to their families. Compulsory medical regulations for the notification of communicable diseases shall however be respected.

**Article 17. — Role of the civilian population**

1. The civilian population shall respect the wounded and the sick, even if they belong to the adverse Party, and shall commit no act of violence against them.

2. Relief societies and the civilian population shall be permitted, even in invaded or occupied areas, spontaneously to offer shelter, care and assistance to such wounded and such sick persons.

3. No one shall be molested, prosecuted or convicted for having given shelter, care or assistance to sick or wounded persons, even if they belong to the adverse Party.

4. The Parties to the conflict may appeal to the charity of the civilian population or of relief societies to offer, under their supervision, voluntary shelter, care and assistance to the sick and the wounded and shall, in such case, grant protection and the necessary facilities to those who respond to their appeal. If the adverse Party gains or regains control of the area, that Party also shall afford the same protection and facilities.

5. Parties to the conflict may appeal to the charity of commanders of civilian ships and craft to take aboard and care for the wounded, the sick and the shipwrecked, and to collect the dead. Ships and craft responding to such appeals and those spontaneously giving shelter to such casualties shall be granted special protection and facilities for the discharge of their mission of assistance.

**Article 18. — Identification**

1. Each Party to the conflict shall endeavour to ensure the identification of medical personnel, units and means of transport.
2. The High Contracting Parties shall provide civilian medical personnel, units and permanent means of transport with a document attesting to their medical nature.

3. With the assent of the competent authority, medical personnel, units and means of transport shall be marked by the distinctive emblem.

4. Besides the distinctive emblem, the Parties to the conflict may authorize the use of distinctive signals to signalize medical units and means of transport. In case of an emergency, temporary means of medical transport may be signalized by such signals without being marked with the distinctive emblem.

5. The application of the provisions of paragraphs 2 to 4 of the present article is governed by Chapters I to III of the Annex. The signals mentioned in Chapter III of this Annex shall be used solely to identify medical units and means of transport and shall in no case be used for purposes other than those envisaged by the present Protocol.

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

Article 19. — States not parties to a conflict

States not parties to a conflict shall by analogy apply the provisions of the present Protocol to the wounded, the sick and the shipwrecked and to civilian medical and religious personnel belonging to the Parties to the conflict who may be received or interned on their territory, and to any dead collected.

Article 20. — Prohibition of reprisals

Measures of reprisals against the wounded, the sick and the shipwrecked, as well as against the medical personnel, units or means of transport mentioned in this Part, are prohibited.

SECTION II

MEDICAL TRANSPORTS

Chapter I

Joint provisions

Article 21. — Definitions

For the purposes of this Part:

(a) "medical transport" means the transport by land, sea or air of the wounded, the sick and the shipwrecked and of the medical personnel and equipment protected by the Conventions and the present Protocol;

(b) "means of medical transport" means any means of transport, be it military or civilian, permanent or temporary, assigned exclusively to medical transport, under the control of a competent authority of a Party to the conflict. Permanent means of medical transport are those which are assigned for an indeterminate period to medical transport. Temporary means of medical transport are those which are assigned to one or more medical transport operations and shall be considered as such throughout the said assignment;

(c) "medical ships and craft" means any means of medical transport by sea, including hospital ships, lifeboats of all kinds and small medical service craft, whether civilian or military;

(d) "medical vehicle" means any means of medical transport by land;

(e) "medical aircraft" means any means of medical transport by air.
Article 22. — Search for wounded

Subject to Article 29, means of medical transport may be used to search for and evacuate the wounded, the sick and the shipwrecked.

Article 23. — Application

1. Subject to paragraph 4, military and civilian medical ships and craft on sea routes are protected by the Second Geneva Convention and by the relevant provisions of the present Protocol.

2. Subject to paragraph 4, military and civilian medical ships and craft on inland waterways are protected by the First and Fourth Geneva Conventions and by the relevant provisions of the present Protocol.

3. Amphibious means of medical transport are subject to the provisions relating to their use at a given time.


Article 24. — Protection

1. Means of medical transport, whether alone or in convoy, shall be respected and protected.

2. Articles 12 and 13 apply, by analogy, to means of medical transport, subject, in the case of medical aircraft, to Articles 27, 28, 29 and 32.

3. The following acts shall not be considered as harmful:

(a) the carrying on board military or civilian means of medical transport of equipment to be used solely for such transmissions as may be necessary to movement or navigation;

(b) the carrying on board military means of medical transport of armed military medical personnel who use such arms for their own protection and for that of the wounded and the sick being conveyed.

Article 25. — Notification

1. Parties to the conflict utilizing means of medical transport may give due notification to adverse Parties of characteristics facilitating the identification of these means. Such notification, for which no particular form is specified, shall indicate, inter alia, the means of identification to be used. The adverse Party shall acknowledge receipt of that information.

2. Notification of hospital ships shall be made in conformity with Article 22 of the Second Convention.

Chapter II

Medical air transport

Article 26. — Sectors controlled by national and allied forces

Subject to Article 27, the medical aircraft of a Party to the conflict may fly over areas of land or sea controlled by itself or by its allies, without the prior agreement of the adverse Party. However, for greater safety, a Party to the conflict so using its medical aircraft may inform the adverse Party or its allies of such flights.

Article 27. — Contact zone

1. In any parts of a land or sea contact zone effectively controlled by national or allied troops, and in those areas the control of which is not clearly established, the only guarantee of protection for medical aircraft is an agreement reached between the local military authorities of the Parties to the conflict. No particular form of such agreement is prescribed.
2. In the absence of such an agreement, the Parties to the conflict shall respect medical aircraft as soon as they have been identified.

Article 28. — Sectors controlled by enemy forces

The medical aircraft of a Party to the conflict shall continue to benefit from protection while flying over land or sea areas effectively controlled by an opposing Party or its allies provided that it has previously obtained agreement to such flights from the competent authority of the adverse Party concerned.

Article 29. — Restrictions

When carrying out the flights referred to in Articles 27 and 28, medical aircraft may not, unless previously so agreed with the adverse Party or its allies, be used to explore areas of land and sea in order to search for the wounded and the sick. Furthermore, they may carry no photographic equipment.

Article 30. — Agreements and notifications

The agreements and notifications provided for in Articles 26, 27, 28 and 29 shall make specific mention of the number of medical aircraft, their flight altitude and the means of identification that they will be using.

Article 31. — Landing

1. Medical aircraft flying over land and water under the control of an adverse Party, may be ordered to land, or alight on water, as appropriate, in order to permit inspection and verification of the character of the aircraft. Medical aircraft shall obey every such order.

2. In the event of an alighting, on land or water, ordered, forced or resulting from fortuitous circumstances, an aircraft may be subject to inspection to determine whether it is a medical aircraft within the meaning of Article 21. If inspection discloses that it is not a medical aircraft within the meaning of the said article, if it is in violation of the conditions prescribed in Article 24 or if it has flown without prior agreement, it may be seized; the medical personnel and the passengers shall be treated in conformity with the Conventions and this Protocol. Such seized aircraft as are designed to serve as permanent medical aircraft may be used thereafter only as medical aircraft.

3. If the inspection discloses that the aircraft is a medical aircraft within the meaning of Article 21 (e), the aircraft and its occupants shall be authorized to continue their flight.

4. Inspection shall be conducted expeditiously in order not unduly to delay any medical treatment.

Article 32. — States not parties to the conflict

1. Except by prior agreement, medical aircraft shall not fly over or land on the territory of a State not party to the conflict. However, with such an agreement they shall be respected throughout their flight and also for the duration of any calls in the territory. Nevertheless they shall obey any summons to land or to alight on water as appropriate.

2. Should a medical aircraft, in the absence of an agreement, be forced because of urgent necessity to fly over or alight on land or water in the territory of a State not party to the conflict, the medical aircraft shall make every effort to give notice of the flight and to identify itself. The State not party to the conflict shall, so far as possible, respect such aircraft.

3. In the event of alighting on land or on water, in the territory of a State not party to the conflict, whether forced or in compliance with a summons, the aircraft, with its occupants, may resume its flight after examination, if any.
4. The wounded and the sick disembarked from a medical aircraft with the consent of the local authorities on the territory of a State not party to the conflict shall, unless agreed otherwise between that State and the Parties to the conflict, be detained by that State where so required by international law, in such a manner that they cannot again take part in the hostilities. The cost of hospital treatment and internment shall be borne by the Power to which those persons belong.

5. The States not parties to the conflict shall apply any conditions and restrictions on the passage or landing of medical aircraft on their territory equally to all Parties to the conflict.
PART III
METHODS AND MEANS OF COMBAT
PRISONER-OF-WAR STATUS

SECTION I
METHODS AND MEANS OF COMBAT

Article 33. — Prohibition of unnecessary injury

1. The right of Parties to the conflict and of members of their armed forces to adopt methods and means of combat is not unlimited.

2. It is forbidden to employ weapons, projectiles, substances, methods and means which uselessly aggravate the sufferings of disabled adversaries or render their death inevitable in all circumstances.

Article 34. — New weapons

In the study and development of new weapons or methods of warfare, the High Contracting Parties shall determine whether their use will cause unnecessary injury.

Article 35. — Prohibition of perfidy

1. It is forbidden to kill, injure or capture an adversary by resort to perfidy. Acts inviting the confidence of the adversary with intent to betray that confidence are deemed to constitute perfidy. Such acts, when carried out in order to commit or resume hostilities, include the following:

(a) the feigning of a situation of distress, notably through the misuse of an internationally recognized protective sign;

(b) the feigning of a cease-fire, of a humanitarian negotiation or of a surrender;

(c) the disguising of combatants in civilian clothing.

2. On the other hand, those acts which, without inviting the confidence of the adversary, are intended to mislead him or to induce him to act recklessly, such as camouflage, traps, mock operations and misinformation, are ruses of war and are lawful.

Article 36. — Recognized signs

1. It is forbidden to make use of the protective sign of the red cross (red crescent, red lion and sun) and of the protective emblem of cultural property in cases other than those provided for in international agreements establishing those signs and in the present Protocol. The same prohibition applies to the use of oblique red bands on a white ground and of the international distinctive sign of Civil Defence referred to in Part IV, as well as to that of protective signals referred to in Article 18.

2. It is forbidden to make improper use of the flag of truce.

3. It is forbidden to make use of the distinctive sign of the United Nations except as authorized by that Organization.

Article 37. — Emblems of nationality

It is forbidden to make use of the enemy or neutral flags, military insignia and uniforms in order to shield, favour or impede military operations.
Article 38. — Safeguard of an enemy hors de combat and giving quarter

1. It is forbidden to kill, injure, ill-treat or torture an enemy hors de combat. An enemy hors de combat is one who, having laid down his arms, no longer has any means of defence or has surrendered. These conditions are considered to have been fulfilled, in particular, in the case of an adversary who:

(a) is unable to express himself, or
(b) has surrendered or has clearly expressed an intention to surrender
(c) and abstains from any hostile act and does not attempt to escape.

2. Any Party to the conflict is free to send back to the adverse Party those combatants it does not wish to hold as prisoners, after ensuring that they are in a fit state to make the journey without any danger to their safety.

3. It is forbidden to order that there shall be no survivors, to threaten an adversary therewith and to conduct hostilities on such basis.

Article 39. — Aircraft occupants

1. The occupants of aircraft in distress shall never be attacked when they are obviously hors de combat, whether or not they have abandoned the aircraft in distress. An aircraft is not considered to be in distress solely on account of the fact that its means of combat are out of commission.

2. The use of misleading signals and messages of distress is forbidden.

Article 40. — Independent missions

1. Members of armed forces in uniform and other combatants referred to in Article 4 of the Third Convention, as well as those combatants referred to in Article 42 who, in their operations, distinguish themselves from the civilian population and who, having entered enemy-controlled territory or having remained therein, gather or attempt to gather military information for further transmission shall not be considered as spies.

2. Members of armed forces in uniform and other combatants referred to in Article 4 of the Third Convention, as well as those combatants referred to in Article 42 who, in their operations, distinguish themselves from the civilian population and who, having entered enemy-controlled territory or having remained therein, destroy or attempt to destroy military objectives shall not be considered as saboteurs.

3. In the event of their capture, the persons referred to in paragraphs 1 and 2 above shall be prisoners of war.

Article 41. — Organization and discipline

Armed forces, including the armed forces of resistance movements covered by Article 42, shall be organized and subject to an appropriate internal disciplinary system. Such disciplinary system shall enforce respect for the present rules and for the other rules of international law applicable in armed conflicts.

SECTION II

PRISONER-OF-WAR STATUS

Article 42. — New category of prisoners of war

1. In addition to the persons mentioned in Article 4 of the Third Convention, members of organized resistance movements who have fallen into the hands of the enemy are prisoners of war provided such movements belong to a Party to the conflict, even if that Party is represented by a government or an authority not recognized by the Detaining Power, and provided that such movements fulfil the following conditions:
(a) that they are under a command responsible to a Party to the conflict for its subordinates;

(b) that they distinguish themselves from the civilian population in military operations;

(c) that they conduct their military operations in accordance with the Conventions and the present Protocol.

2. Non-fulfilment of the aforementioned conditions by individual members of the resistance movement shall not deprive other members of the movement of the status of prisoners of war. Members of a resistance movement who violate the Conventions and the present Protocol shall, if prosecuted, enjoy the judicial guarantees provided by the Third Convention and, even if sentenced, retain the status of prisoners of war.*

* Note

If, as many Governments wished, the Diplomatic Conference should decide to mention in the present Protocol members of movements of armed struggle for self-determination, a solution would be to include in this Article a third paragraph worded as follows:

" 3. In cases of armed struggle where peoples exercise their right to self-determination as guaranteed by the United Nations Charter and the "Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations", members of organized liberation movements who comply with the aforementioned conditions shall be treated as prisoners of war for as long as they are detained ".

PART IV

CIVILIAN POPULATION

SECTION I

GENERAL PROTECTION AGAINST EFFECTS OF HOSTILITIES

Chapter I

Basic rule and field of application

Article 43. — Basic rule

In order to ensure respect for the civilian population, the Parties to the conflict shall confine their operations to the destruction or weakening of the military resources of the adversary and shall make a distinction between the civilian population and combatants, and between civilian objects and military objectives.

Article 44. — Field of application

1. The provisions contained in the present Section apply to any land, air or sea warfare which may affect the civilian population, individual civilians and civilian objects on land.

2. These provisions apply to acts of violence committed against the adversary, whether in defence or offence. Such acts are referred to hereafter as "attacks".

3. These provisions are complementary to such other international rules relating to the protection of civilians and civilian objects against effects resulting from hostilities as may be binding upon the High Contracting Parties, in particular to Part II of the Fourth Convention.

Chapter II

Civilians and civilian population

Article 45. — Definition of civilians and civilian population

1. Any person who does not belong to one of the categories of armed forces referred to in Article 4 (A) (1), (2), (3) and (6) of the Third Convention and in Article 42 is considered to be a civilian.

2. The civilian population comprises all persons who are civilians.

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

4. In case of doubt as to whether any person is a civilian, he or she shall be presumed to be so.
Article 46. — Protection of the civilian population

1. The civilian population as such, as well as individual civilians, shall not be made the object of attack. In particular, methods intended to spread terror among the civilian population are prohibited.

2. Civilians shall enjoy the protection afforded by this Article unless and for such time they take a direct part in hostilities.

3. The employment of means of combat, and any methods which strike or affect indiscriminately the civilian population and combatants, or civilian objects and military objectives, are prohibited. In particular it is forbidden:
   (a) to attack without distinction, as one single objective, by bombardment or any other method, a zone containing several military objectives, which are situated in populated areas, and are at some distance from each other;
   (b) to launch attacks which may be expected to entail incidental losses among the civilian population and cause the destruction of civilian objects to an extent disproportionate to the direct and substantial military advantage anticipated.

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

5. The presence or movements of the civilian population or individual civilians shall not be used for military purposes, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. If a Party to the conflict, in violation of the foregoing provision, uses civilians with the aim of shielding military objectives from attack, the other Party to the conflict shall take the precautionary measures provided for in Article 50.

Chapter III

Civilian objects

Article 47. — General protection of civilian objects

1. Attacks shall be strictly limited to military objectives, namely, to those objectives which are, by their nature, purpose or use, recognized to be of military interest and whose total or partial destruction, in the circumstances ruling at the time, offers a distinct and substantial military advantage.

2. Consequently, objects designed for civilian use, such as houses, dwellings, installations and means of transport, and all objects which are not military objectives, shall not be made the object of attack, except if they are used mainly in support of the military effort.

Article 48. — Objects indispensable to the survival of the civilian population

It is forbidden to attack or destroy objects indispensable to the survival of the civilian population, namely, foodstuffs and food-producing areas, crops, livestock, drinking water supplies and irrigation works, whether it is to starve out civilians, to cause them to move away or for any other reason. These objects shall not be made the object of reprisals.

Article 49. — Works and installations containing dangerous forces

1. It is forbidden to attack or destroy works or installations containing dangerous forces, namely, dams, dykes and nuclear generating stations. These objects shall not be made the object of reprisals.

2. The Parties to the conflict shall endeavour to avoid locating any military objectives in the immediate vicinity of the objects mentioned in paragraph 1.

3. In order to facilitate their identification, the Parties to the conflict may mark works and installations containing dangerous forces with a special sign consisting of two oblique red bands on a white ground. Absence of such marking in no way relieves a Party from its obligations under paragraphs 1 and 2 of this Article.
Chapter IV

Precautionary measures

Article 50. — Precautions in attack

1. Constant care shall be taken, when conducting military operations, to spare the civilian population, civilians and civilian objects. In the planning, deciding or launching of an attack the following precautions shall be taken:

(a) Proposal I
those who plan or decide upon an attack shall ensure that the objectives to be attacked are duly identified as military objectives within the meaning of paragraph 1 of Article 47 and may be attacked without incidental losses in civilian lives and damage to civilian objects in their vicinity being caused or that at all events those losses or damage are not disproportionate to the direct and substantial military advantage anticipated;

(b) those who launch an attack shall, if possible, cancel or suspend it if it becomes apparent that the objective is not a military one or that incidental losses in civilian lives and damage to civilian objects would be disproportionate to the direct and substantial advantage anticipated;

(c) whenever circumstances so permit, advance warning shall be given of attacks which may affect the civilian population. Such warnings do not, however, in any way limit the scope of the obligations laid down in the preceding paragraphs.

2. All necessary precautions shall be taken in the choice of weapons and methods of attack so as not to cause losses in civilian lives and damage to civilian objects in the immediate vicinity of military objectives to be attacked.

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

Article 51. — Precautions against the effects of attacks

1. The Parties to the conflict shall, to the maximum extent feasible, take the necessary precautions to protect the civilian population, individual civilians and civilian objects under their authority against the dangers resulting from military operations.

2. They shall endeavour to remove them from the proximity of military objectives, subject to Article 49 of the Fourth Convention, or to avoid that any military objectives be kept within or near densely populated areas.

Chapter V

Locality under special protection

Article 52. — Non-defended localities

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

2. To facilitate the observance of this rule, the Parties to the conflict may declare as a non-defended locality any inhabited place near or in a zone where armed forces are in contact. Armed forces and all other combatants, as well as mobile weapons and mobile military equipment, must have been evacuated from that locality; no hostile use shall be made of fixed military installations or establishments; no acts of warfare shall be committed by the authorities or the population.
3. Except where a Party to the conflict replies to such a declaration addressed to it by an express refusal, it is presumed as having accepted to abide by it.

4. The Parties to the conflict may also agree on the creation of non-defended localities. Such an agreement may be concluded either directly, or through a Protecting Power or any impartial humanitarian body. The agreement shall demarcate the non-defended locality and, should the need arise, lay down the methods of supervision.

5. The presence, in these localities, of military medical personnel, civil defence personnel, civilian police forces, wounded and sick military personnel, as well as military chaplains, is not contrary to the conditions stipulated in paragraph 2.

6. The Party in whose power these localities lie shall mark them, so far as possible, by means of signs consisting of two oblique red bands on a white ground displayed where they are clearly visible, especially on their perimeter and on highways.

7. A locality will lose its status of non-defended locality if it no longer fulfills the conditions stipulated in paragraph 2 or when it is occupied militarily.

Article 53. — Neutralized localities

1. It is forbidden for the Parties to the conflict to extend their military operations to localities on which they have conferred by agreement the status of neutralized localities.

2. This shall be an express agreement, which may be concluded verbally or in writing, either directly or through a Protecting Power or any impartial humanitarian body, and may consist of reciprocal and concordant declarations. It shall demarcate the neutralized locality and lay down the methods of supervision.

3. The subject of such an agreement may be any inhabited place situated outside a zone where armed forces are in contact. Armed forces and all other combatants, as well as mobile weapons and mobile military equipment, must have been evacuated from that locality; no hostile use shall be made of fixed military installations or establishments; no acts of warfare shall be committed by the authorities or the population; any activity linked to the military effort must have ceased.

4. The presence, in these localities, of military medical personnel, civil defence personnel, civilian police forces, wounded and sick military personnel, as well as military chaplains, is not contrary to the conditions stipulated in paragraph 3.

5. The Party in whose power these localities lie shall mark them by means of signs consisting of two oblique red bands on a white ground displayed where they are clearly visible, especially on their perimeter and on highways.

6. If the fighting draws nearer to a neutralized locality, none of the Parties to the conflict may effect a military occupation of such a locality or unilaterally repeal its status.

7. If one of the Parties to the conflict commits a violation of the provisions of paragraphs 3 or 6, the other Party shall be released from the obligations incumbent upon it under the agreement conferring upon a place the status of a neutralized locality.

Chapter VI

Civil Defence

Article 54. — Definition

Civil defence, for the purpose of the present Chapter, covers humanitarian tasks intended to safeguard the civilian population against the effects arising from hostilities or disasters, to ensure its survival and to provide the conditions necessary for its existence. Civil defence includes, inter alia:

(a) rescue, first-aid, conveyance of wounded, fire-fighting;
(b) safeguard of objects indispensable to the survival of the civilian population;
(c) provision of emergency material and social assistance to the civilian population;
(d) emergency repair of public services indispensable to the civilian population;
(e) maintenance of public order in disaster areas;
(f) preventive measures, such as warning the civilian population, evacuation, provision of shelters;
(g) detection and marking of danger areas.

Article 55. — Zones of military operations

1. In zones of military operations, the civilian bodies which are established or recognized by their governments and are assigned to the discharge of the tasks mentioned in Article 54 shall be respected and protected. Their personnel shall not be intentionally attacked. Except in case of imperative military necessity, Parties to a conflict shall permit them freely to discharge their tasks.

2. Civilians who, although not members of the civil defence bodies mentioned in paragraph 1, respond to an appeal from the authorities and carry out civil defence tasks under the control of those authorities shall likewise be respected and protected during the performance of those tasks.*

3. Buildings, materiel and means of transport used by the civil defence shall not be intentionally attacked or destroyed.

Article 56. — Occupied territories

1. In occupied territories, the civilian bodies assigned to the discharge of the tasks mentioned in Article 54 shall receive every facility from the authorities for the discharge thereof. In no circumstance shall their personnel be compelled to perform activities unconnected with their functions. The Occupying Power shall not change the structure or personnel of such bodies in any way which might jeopardize the efficient discharge of their mission. It shall not demand that the civil defence bodies give the nationals of the Occupying Power priority.

2. The Occupying Power shall not divert buildings, materiel and means of transport belonging to civil defence bodies from their assignment.

Article 57. — Civil defence bodies of States not parties to a conflict and international bodies

1. The protection conferred by the present Chapter applies also to the personnel, materiel and means of transport of civil defence bodies of States not parties to a conflict and which carry out civil defence activities on the territory of, with the agreement of, and under the control of a Party to the conflict after notification to the adverse Party. In no circumstance shall such activities be deemed to be interference in the conflict.

2. The personnel, materiel and means of transport of international civil defence bodies engaged in civil defence activities on the territory of a Party to a conflict under the conditions mentioned in the preceding paragraph shall also be respected and protected.

Article 58. — Cessation of protection

1. The protection due to persons, buildings, materiel and means of transport engaged in civil defence tasks shall not cease unless they are used to commit, outside those duties, acts harmful to the enemy. Protection may, however, cease only after a warning, specifying in all appropriate cases a reasonable time limit, has remained unheeded.

2. The fact that civil defence personnel:

(a) receive instructions from military authorities,

(b) co-operate in the discharge of their tasks with military personnel,

(c) bear small-arms for the purpose of maintaining order in a stricken area or for self-defence,

(d) carry out their tasks for the benefit of military victims, shall not be considered to be harmful to the enemy.

* Note

Some experts consulted by the ICRC recommended adding here the following paragraph:

"Personnel of military units assigned exclusively to civil defence tasks shall not be intentionally attacked provided they display the international distinctive sign of civil defence specified in Article 59 below, and bear only small-arms. If they fall into the power of the enemy they shall be considered to be prisoners of war."
3. Similarly, the organization of civil defence bodies along military lines, and compulsory service in them, shall not deprive them of the protection conferred by the present Chapter.

Article 59. — Identification

1. Each Party to a conflict shall endeavour to ensure that personnel, buildings, materiel and means of transport engaged in civil defence tasks are identifiable.

2. The High Contracting Parties shall issue for permanent civil defence personnel and means of transport permanently assigned to civil defence tasks a document attesting to their character.

3. Personnel, buildings, materiel and means of transport engaged in civil defence tasks shall, with the consent of the competent authority, display the international distinctive sign of civil defence.

4. The international distinctive sign of civil defence is:

   Proposal I
   An equilateral light blue triangle on a light orange background.

   Proposal II
   Two or, in case of need, more vertical light blue stripes on a light orange background.

5. In addition to the distinctive sign, Parties to a conflict may authorize the use of distinctive signals to signalize civil defence buildings and means of transport.

6. The implementation of the provisions of paragraphs 2 to 5 of this article is governed by Chapter IV of the Annex.

7. Temporary personnel, buildings, materiel and means of transport temporarily engaged in an emergency relief action may display the international distinctive sign of civil defence only for the duration of their assignment.

8. The identification of civil defence medical services is governed by Article 18.

9. The High Contracting Parties shall take the measures necessary to supervise the display of the distinctive sign and to prevent and repress abuse thereof.

SECTION II

RELIEF IN FAVOUR OF THE CIVILIAN POPULATION

Article 60. — Field of application

The provisions contained in the present Section are complementary to such international rules concerning relief as may be binding upon the High Contracting Parties, in particular to Article 23 of the Fourth Convention. They apply to the civilian population as defined in Article 45.

Article 61. — Supplies

To the fullest extent possible and without any adverse distinction, the Parties to the conflict shall ensure the provision of foodstuffs, clothing, medical and hospital stores and means of shelter for the civilian population.

Article 62. — Relief actions

1. If the civilian population is inadequately supplied, in particular, with foodstuffs, clothing, medical and hospital stores and means of shelter, the Parties to the conflict shall agree to and facilitate those relief actions which are exclusively humanitarian and impartial in character and conducted without any adverse distinction. Relief actions fulfilling the above conditions shall not be regarded as interference in the armed conflict.

2. The Parties to the conflict and any High Contracting Party through whose territory supplies must pass shall grant free passage when relief actions are carried out in accordance with the conditions stated in paragraph 1.
3. When prescribing the technical methods relating to assistance or transit, the Parties to the conflict and any High Contracting Party shall endeavour to facilitate and accelerate the entry, transport, distribution or passage of relief.

4. The Parties to the conflict and any High Contracting Party may set as condition that the entry, transport, distribution or passage of relief be executed under the supervision of a Protecting Power or of an impartial humanitarian body.

5. The Parties to the conflict and any High Contracting Party shall in no way whatsoever divert relief consignments from the purpose for which they are intended or delay the forwarding of such consignments.

SECTION III

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

Chapter I

Field of application and protection of persons and objects

Article 63. — Field of application

The provisions contained in the present Section are complementary to such international rules concerning the protection of civilians and civilian objects in the power of a Party to the conflict as may be binding upon the High Contracting Parties, in particular to Parts I and III of the Fourth Convention.

Article 64. — Refugees and stateless persons

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

Article 65. — Fundamental guarantees

1. Persons who would not receive more favourable treatment under the Conventions or the present Protocol, namely, nationals of States not bound by the Conventions and the Parties' own nationals shall, in all circumstances, be treated humanely by the Party in whose power they may be and without any adverse distinction. The present article also applies to persons who are in situations under Article 5 of the Fourth Convention. All these persons shall enjoy at least the provisions laid down in the following paragraphs.

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

(a) violence to the life, health and physical or mental well-being of persons, in particular murder, torture, corporal punishment and mutilation;
(b) physical or moral coercion, in particular to obtain information;
(c) medical or scientific experiments, including the removal or transplant of organs, not justified by the medical treatment and not carried out in the patients' own interest;
(d) outrages upon personal dignity, in particular humiliating and degrading treatment;
(e) taking of hostages;
(f) threats to commit any of the foregoing acts.
3. No sentence may be passed or penalty executed on a person found guilty of an offence related to a situation referred to in Article 2 common to the Conventions except in pursuance of a previous judgment pronounced by an impartial and properly constituted court, affording the following essential judicial guarantees:

(a) no person may be punished for an offence he or she has not personally committed; collective penalties are prohibited;

(b) no person may be prosecuted or punished for an offence in respect of which a final judgment has been previously passed, acquitting or convicting that person;

(c) everyone charged with an offence is presumed to be innocent until proved guilty according to law;

(d) no person may be sentenced except in pursuance of those provisions of law which were in force at the time the offence was committed, subject to later more favourable provisions.

4. Women whose liberty has been restricted shall be held in quarters separated from men's quarters. They shall be under the immediate supervision of women. This does not apply to those cases where members of the same family are together in the same place of internment.

5. The persons mentioned in paragraph 1, detained by reason of a situation referred to in Article 2 common to the Conventions and who are released, repatriated or established after the general cessation of hostilities, shall enjoy, in the meantime, the protection of the present article.

Article 66. — Objects indispensable to the survival of the civilian population

It is prohibited to destroy, render useless or remove objects indispensable to the survival of the civilian population, namely, foodstuffs, food-producing areas, crops, livestock, drinking water supplies and irrigation works, whether to starve out civilians, cause them to move away or for any other reason. They shall not be the object of reprisals.

Chapter II

Measures in favour of women and children

Article 67. — Protection of women

1. Women shall be the object of special respect and shall be protected, in particular against rape, enforced prostitution, and any other form of indecent assault.

2. The death penalty for an offence related to a situation referred to in Article 2 common to the Conventions shall not be executed on pregnant women.

Article 68. — Protection of children

1. Children shall be the object of privileged treatment. The Parties to the conflict shall provide them with the care and aid their age and situation require. Children shall be protected against any form of indecent assault.

2. The Parties to the conflict shall take all necessary measures in order that children aged under fifteen years shall not take any part in hostilities and, in particular, they shall refrain from recruiting them in their armed forces or accepting their voluntary enrolment.

3. The death penalty for an offence related to a situation referred to in Article 2 common to the Conventions shall not be pronounced on persons who were under eighteen years at the time the offence was committed.

Article 69. — Evacuation of children

1. If their condition necessitates their evacuation for reasons of health, in particular to obtain medical treatment or to hasten convalescence, children may be transferred to a foreign country. Where they have not been separated by circumstances from their parents or
egal guardians, the latters’ consent must be obtained. In the case of evacuation to a foreign country, the operation shall be supervised or directed by the Protecting Power, in agreement with the Parties to the conflict concerned.

2. In the case of evacuation to a foreign country, the Party to the conflict carrying out the evacuation and the authorities of the receiving country shall arrange, if possible, for the children’s education to be continued in the language and culture of the country to which they belong.

3. So as to facilitate the return, to their families and country, of children cared for or received abroad, the authorities of the receiving country shall establish for each child a card, with photographs, which they shall communicate to the Central Tracing Agency. Each card shall bear, whenever possible, the following minimum information:

(a) surname of the child;
(b) the child’s first name;
(c) the place and date of birth (failing this, the approximate age);
(d) the father’s first name;
(e) the mother’s first name and her maiden name;
(f) the child’s nationality;
(g) the address of the child’s family;
(h) the date on which and the place where the child was found;
(i) the date on which and the place from where the child left his country;
(j) the child’s blood group;
(k) any distinguishing features;
(l) the child’s present address.
PART V

EXECUTION OF THE CONVENTIONS AND OF THE PRESENT PROTOCOL

SECTION I

GENERAL PROVISIONS

Article 70. — Measures for execution

1. The High Contracting Parties shall without delay take all necessary measures for the execution of the obligations incumbent upon them under the Conventions and the present Protocol, without availing themselves of special circumstances or of any advantages which a postponement might bring them.

2. The High Contracting Parties, acting through their military or civilian authorities, shall give orders and instructions to ensure observance of the Conventions and the present Protocol and shall supervise their execution.

Article 71. — Legal advisers in armed forces

The High Contracting Parties shall employ in their armed forces, in time of peace as in time of armed conflict, qualified legal advisers who shall advise military commanders on the application of the Conventions and the present Protocol and who shall ensure that appropriate instruction be given to the armed forces.

Article 72. — Dissemination

1. The High Contracting Parties undertake, in time of peace as in time of armed conflict, to disseminate the Conventions and the present Protocol as widely as possible in their respective countries, and, in particular, to include the study thereof in their programmes of military and civil instruction, so that those instruments may become known to the armed forces and to the civilian population.

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

3. The High Contracting Parties shall report to the depositary of the Conventions and to the International Committee of the Red Cross at intervals of four years on the measures they have taken in accordance with their obligations under this article.

Article 73. — Rules of application

The High Contracting Parties shall communicate to one another, through the depositary of the Conventions and, in case of need, through the Protecting Powers, the official translations of the present Protocol, as well as the laws and regulations which they may adopt to ensure the application thereof.
SECTION II
REPRESSION OF BREACHES OF THE CONVENTIONS AND OF THE
PRESENT PROTOCOL

Article 74. — Repression of breaches of the present Protocol

The provisions of the Conventions relating to the repression of breaches, supplemented by the present Section, shall apply to the repression of breaches of the present Protocol, including to that of the grave breaches committed against protected persons or protected objects within the meaning of Article 2 (c).

Article 75. — Perfidious use of the protective signs

The use of the red cross sign and of the other protective signs or markings recognized by the Conventions or by the present Protocol constitutes a grave breach of the Conventions or of the present Protocol when the use invites the confidence of the enemy with intent to betray that confidence.

Article 76. — Failure to act

1. The High Contracting Parties undertake to repress breaches of the Conventions or of the present Protocol resulting from a failure to perform a duty to act.

2. The fact that a breach of the Conventions or of the present Protocol was committed by a subordinate does not absolve his superiors from penal responsibility if they knew or should have known that he was committing or would commit such a breach and if they did not take measures within their power to prevent or repress the breach.

Article 77. — Superior orders

1. No person shall be punished for refusing to obey an order of his government or of a superior which, if carried out, would constitute a grave breach of the provisions of the Conventions or of the present Protocol.

2. The fact of having acted pursuant to an order of his government or of a superior does not absolve an accused person from penal responsibility if it be established that, in the circumstances at the time, he should have reasonably known that he was committing a grave breach of the Conventions or of the present Protocol and that he had the possibility of refusing to obey the order.

Article 78. — Extradition

1. Grave breaches of the Conventions or of the present Protocol, whatever the motives for which they were committed, shall be deemed to be included as extraditable offences in any extradition treaty existing between the High Contracting Parties. The High Contracting Parties undertake to include the said grave breaches as extraditable offences in every extradition treaty to be concluded between them.

2. If a High Contracting Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another High Contracting Party with which it has no extradition treaty, the Conventions and the present Protocol shall be considered as the legal basis for extradition in respect of the said grave breaches. Extradition shall be subject to the other conditions provided by the law of the requested High Contracting Party.

3. High Contracting Parties which do not make extradition conditional on the existence of a treaty shall recognize the said grave breaches as extraditable offences between themselves subject to the conditions provided by the law of the requested High Contracting Party.

Article 79. — Mutual assistance in criminal matters

The High Contracting Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of grave breaches of the Conventions or of the present Protocol. The law of the High Contracting Party requested shall apply in all cases.
PART VI

FINAL PROVISIONS

Article 80. — Signature

The present Protocol shall be open until ... ... 197... at ... for signature by the Parties to the Conventions.

Article 81. — Ratification

The present Protocol shall be ratified as soon as possible. The instruments of ratification shall be deposited with the Swiss Confederation, depositary of the Conventions.

Article 82. — Accession

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

Article 83. — Entry into force

1. The present Protocol shall enter into force six months after two instruments of ratification have been deposited.

2. For each Party to the Conventions thereafter ratifying or acceding to the present Protocol, it shall enter into force six months after the deposit by such Party of its instrument of ratification or accession.

Article 84. — Treaty relations upon entry into force of the present Protocol

1. When the Parties to the Conventions are also parties to the present Protocol, the Conventions shall apply as supplemented by this Protocol.

2. Although one of the Parties to the conflict may not be bound by the present Protocol, the other Parties to the conflict shall remain bound by it in their mutual relations. They shall furthermore be bound by the present Protocol in relation to the said Party, if the latter accepts and applies the provisions thereof.

Article 85. — Reservations

1. Each one of the Parties to the Conventions may, when signing, ratifying or acceding to the present Protocol, formulate reservations to articles other than Articles 5, 10, 20, 33, Article 35, paragraph 1, first sentence, Article 38, paragraph 1, first sentence, and Articles 41, 43, 46 and 47.

2. Each reservation shall be operative for five years from the entry into force of the present Protocol in respect of the High Contracting Party formulating the reservation. Any reservation may be renewed for further successive periods of five years subject to a declaration being sent to the depositary of the Conventions not less than three months prior to the expiry of the said period. A reservation may be withdrawn at any time by notification to this effect addressed to the depositary of the Conventions.

Article 86. — Amendment

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

**Article 87. — Denunciation**

1. In case a High Contracting Party should denounce the present Protocol, the denunciation shall only take effect one year after receipt of the instrument of denunciation. However, if on the expiry of that year the denouncing Party is engaged in one of the situations referred to in Article 2 common to the Conventions, the denunciation shall not take effect until the end of the armed conflict or occupation and, in any case, until after operations connected with release, repatriation and establishment of the persons protected by the present Protocol have been terminated.

2. The denunciation shall be notified in writing to the depositary of the Conventions, which shall transmit it to all the High Contracting Parties.

3. The denunciation shall have effect only in respect of the denouncing Party.

**Article 88. — Notifications**

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

(a) signatures affixed to the present Protocol and the deposit of the instruments of ratification and accession under Articles 81 and 82;

(b) the date of entry into force of the present Protocol under Article 83;

(c) communications and declarations received under Articles 73, 85 and 86;

(d) denunciations under Article 87.

**Article 89. — Registration**

1. After its entry into force, the present Protocol shall be transmitted by the depositary of the Conventions to the Secretariat of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

2. The depositary of the Conventions shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to the present Protocol.

**Article 90. — Authentic texts and official translations**

1. The original of the present Protocol, of which the French and English texts are equally authentic, shall be deposited with the depositary of the Conventions, which shall transmit certified true copies thereof to all the Parties to the Conventions.

2. The depositary of the Conventions shall arrange for official translations of the present Protocol to be made into ... .

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Protocol.

DONE AT GENEVA, this ... day of ... 197... .
ANNEX

REGULATIONS CONCERNING THE IDENTIFICATION AND MARKING OF MEDICAL PERSONNEL, UNITS AND MEANS OF TRANSPORT, AND CIVIL DEFENCE PERSONNEL, EQUIPMENT AND MEANS OF TRANSPORT

Chapter I

Documents

Article 1. — Permanent civilian medical personnel

1. Permanent civilian medical personnel shall carry a special identity card bearing the distinctive emblem. This card shall be water-resistant and of such size that it can be carried in the pocket. It shall be worded in the language of the country concerned and in one of the languages mentioned in Article 90 of the present Protocol and shall mention the surname and first names, the date of birth, function and the service number, if any, of the holder. It shall state in what capacity the holder is entitled to the protection of the Conventions and the present Protocol. The card shall bear the photograph of the holder as well as his signature or his fingerprints, or both. It shall bear the embossed stamp of the competent authorities.

2. The identity card shall be uniform throughout the territory of each High Contracting Party and, as far as possible, of the same type for all the High Contracting Parties. The High Contracting Parties may be guided by the model shown below 1. At the outbreak of hostilities, they shall transmit to each other a specimen of the model they are using. Identity cards shall be made out, if possible, at least in duplicate, one copy being kept by the issuing authorities.

3. In no circumstances may the said personnel be deprived of their identity cards. In the event of loss, they shall be entitled to obtain a duplicate copy.

Article 2. — Temporary civilian medical personnel

1. Temporary civilian medical personnel shall carry a special identity card similar to that provided for in Article 1 above. This card shall specify the medical training of the holder, the temporary nature of his functions and the right to display the distinctive emblem.

2. The High Contracting Parties may be guided by the model shown below 2. Identity cards shall be made out, if possible, in duplicate, one copy being kept by the issuing authorities.

Article 3. — Lists of personnel

The management of each civilian medical unit shall at all times keep an up-to-date list of the names of its personnel at the disposal of the competent authorities.

Article 4. — Flight plan

The agreements and notifications relating to flight plans provided for in Article 30 of the present Protocol shall be established as far as possible in accordance with procedures laid down by the International Civil Aviation Organization.

1 The model of the identity card will be established subsequently.

2 The model of the identity card will be established subsequently.
Chapter II

Distinctive emblem

Article 5. — Shape and nature

1. The distinctive emblem shall be as large as possible. The red and white surfaces shall be, as far as possible, of equal area. For the shapes of the cross, the crescent or the lion and sun, the High Contracting Parties may be guided by the models shown below.

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

Emblems in red on a white ground

Article 6. — Use

1. The distinctive emblems shall be marked on a flat surface or on flags visible from all possible directions and from as far as possible.

2. As far as possible, medical personnel removing casualties from the battle area shall wear headgear and clothing bearing distinctive emblems.

Chapter III

Distinctive signals

Article 7. — Optional use

The distinctive signals referred to in the present Chapter shall be used exclusively by medical units and means of transport; their use is optional.

Article 8. — Light signals

1. The light signal shall consist of a blue light flashing at a frequency of between 40 and 100 flashes a minute.

2. Medical aircraft and vehicles may be equipped by the Parties to the conflict with signals consisting of one or more blue lights, flashing as mentioned in paragraph 1, and placed in such a way as to be visible in as many directions as possible.\(^3\)

\(^3\) The chromatic boundaries of the luminous signal's blue light are represented on the chromatic diagram of the International Commission of Illumination by the three straight lines determined by the following equations:

- green boundary: \(y = 0.065 + 0.805 \times x\)
- white boundary: \(y = 0.400 - x\)
- purple boundary: \(x = 0.133 \times 0.600 y\)

The triangle formed by the intersection of these three lines determines the blue zone, recommended for this signal, shown on the chromatic diagram given in Publication No. 2 « Colours of Light Signals » of the International Commission on Illumination.

The effective intensity of the blue luminous signal should not be inferior to 400 candelas.
Article 9. — Unilateral radio signal

1. The unilateral radio signal consists of a radiotelephonic or radiotelegraphic message preceded by the call sign "MEDICAL" emitted three times and followed by the call sign of the medical means of transport. This message is transmitted in English at frequent intervals on an agreed or specified frequency. The use of the call sign "MEDICAL" shall be restricted exclusively to the medical services.

2. The radio message shall convey the following data:
(a) "MEDICAL" followed by the call sign of the means of transport;
(b) position of the means of transport;
(c) number and type of medical means of transport;
(d) itinerary;
(e) timetable;
(f) any other information, such as flight altitudes, radio frequencies, languages, secondary radar modes and codes.

3. So as to facilitate the communication of information referred to in paragraphs 1 and 2 of the present article, the High Contracting Parties shall designate and publish the national frequencies to be used by them. These frequencies shall be notified by the High Contracting Parties to the International Telecommunication Union for listing in the Master International Frequency Register and for inclusion in Service Documents.

4. The use of other frequencies shall be the subject of special agreements entered into between the Parties to the conflict which, as a general rule, shall inform the International Telecommunication Union.

Article 10. — Bilateral radio signal

1. The bilateral radio signal consists of an exchange of radio messages, in the language and on the frequency provided for in Article 9. It is initiated by the transmission of a unilateral radio signal.

2. The bilateral radio signal permits the communication and, if necessary, the discussion of the measures that should be taken to reinforce the protection of medical personnel, units and means of transport.

Article 11. — Secondary surveillance radar system signal

1. Identification by the secondary surveillance radar system, which consists of an exchange of electro-magnetic impulses, may be used to identify and to follow the course of medical aircraft.

2. For that purpose, the secondary surveillance radar system as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944 may be used.

3. The exchange of impulses shall be made in mode A/3, using the radar code or codes assigned by the International Civil Aviation Organization for the identification of medical aircraft in accordance with the international standards, practices and procedures recommended by the Organization. The Parties to the conflict may agree to use other modes and codes. They shall inform the International Civil Aviation Organization of the agreements.

4. The High Contracting Parties may establish the use of a similar system for other means of medical transport.

Article 12. — Other means of communication

When the use of the bilateral radio signal is not possible, the signals as provided for in the International Code of Signals by the Inter-Governmental Maritime Consultative Organization and in Annex 12 to the Chicago Convention on International Civil Aviation of 7 December 1944 shall be used.
Article 13. — Use of international codes

The medical units and means of transport of the Parties to the conflict may use the International Code of Signals radio codes, and the International Telecommunication Union's Q code for their communications by radiotelegraphy or radiotelephony. The use of such codes shall be in accordance with international standards, practices and procedures laid down by the International Telecommunication Union, the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization.

Chapter IV

Civil defence

Article 14. — Documents

1. The identity card delivered to permanent civil defence personnel in accordance with Article 59, paragraph 2, of the present Protocol shall be similar to that referred to in Article 1 for permanent civilian medical personnel.

2. Documents delivered in respect of means of transport permanently assigned to the civil defence services shall certify that the means of transport are so assigned and shall carry a description thereof.

Article 15. — International distinctive sign for civil defence services

The international distinctive sign for civil defence services as provided for in Article 59, paragraph 4, of the present Protocol shall be in accordance with the model below.

Proposal I

Proposal II

light orange  light blue  light orange  light blue

(a) the background to the sign may be in the form of different geometrical shapes (circle, square, rectangle);

(b) if the triangle is on a flag or armlet or tabard, the background to the triangle shall be the flag or armlet or tabard;

(c) one of the angles of the triangle shall be pointed vertically upwards; if the background is a square or rectangle, the side of the triangle opposite the aforementioned angle shall be parallel to one of the sides of the background;

(d) no angle of the triangle shall touch the edge of the background;

(e) the area covered by the triangle shall be, as far as possible, equal to the background area.

(a) the background to the sign may be in the form of different geometrical shapes (square, rectangle);

(b) if the stripes are on a flag or armlet or tabard, the background to the stripes shall be the flag or armlet or tabard;

(c) the stripes shall be vertical and parallel; they shall touch the background edges;

(d) the area covered by the stripes shall be, as far as possible, equal to the background area.
Chapter V

Periodical revision

Article 16. — Procedure

Every five years, after the entry into force of the present Protocol, the International Committee of the Red Cross, after prior consultation with experts, shall submit to the High Contracting Parties a report on any possible amendments to be made, arising from technical developments, to the present Annex.
DRAFT PROTOCOL ADDITIONAL
TO GENEVA CONVENTIONS OF AUGUST 12, 1949,
AND RELATING TO THE PROTECTION OF VICTIMS
OF NON-INTERNATIONAL ARMED CONFLICTS

The High Contracting Parties,

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

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

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

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

Have agreed on the following:

PART I

SCOPE OF THE PRESENT PROTOCOL

Article 1. — Material field of application

1. The present Protocol shall apply to all armed conflicts not covered by Article 2 common to the Geneva Conventions of August 12, 1949, taking place between armed forces or other organized armed groups under responsible command.

2. The present Protocol shall not apply to situations of internal disturbances and tensions, inter alia riots, isolated and sporadic acts of violence and other acts of a similar nature.

3. The foregoing provisions do not modify the conditions governing the application of Article 3 common to the Geneva Conventions of August 12, 1949.

Article 2. — Personal field of application

1. The present Protocol shall apply, without any adverse distinction, to all persons, whether military or civilian, combatant or non-combatant, affected by an armed conflict within the meaning of Article 1.
2. Even after the end of the armed conflict, all persons whose liberty has been restricted for reasons in relation to the armed conflict and who might not have been released, as well as persons arrested for these same reasons, shall enjoy the protection of Articles 8 and 10 until released.

Article 3. — Legal status of the parties to the conflict

The legal status of the parties to the conflict or that of the territories on which they exercise authority shall not be affected by the application of the provisions of the present Protocol, or by all or part of the provisions of the Geneva Conventions of August 12, 1949, and of the Additional Protocol relating to the protection of victims of international armed conflicts brought into force in accordance with Article 38 or by the conclusion of any agreement provided for in the Geneva Conventions and their Additional Protocols.

Article 4. — Non-intervention

Nothing in the present Protocol shall be interpreted as affecting the sovereignty of States or as authorizing third States to intervene in the armed conflict.

Article 5. — Rights and duties of the parties to the conflict

The rights and duties of the parties to the conflict under the present Protocol are equally valid for all of them.
PART II
HUMANE TREATMENT OF PERSONS IN THE POWER OF THE PARTIES
TO THE CONFLICT

Article 6. — Fundamental guarantees

1. All persons who do not take a direct part or who have ceased to take a part in
hostilities, whether or not their liberty has been restricted, are entitled to respect for their
person, their honour and their religious convictions and practices. They shall in all
circumstances be treated humanely, without any adverse distinction.

2. The following acts against the persons referred to in paragraph 1 are and shall
remain prohibited at any time and in any place whatsoever:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel
treatment and torture;
(b) taking of hostages;
(c) acts of terrorism in the form of acts of violence committed against those persons;
(d) outrages upon personal dignity, in particular humiliating and degrading treatment;
(e) slavery and the slave-trade in all their forms;
(f) pillage;
(g) threats to commit any of the foregoing acts.

3. Women shall be the object of special respect and shall be protected in particular
against rape, enforced prostitution, and any other form of indecent assault.

Article 7. — Safeguard of an enemy hors de combat

1. In accordance with Article 6, it is forbidden to kill, injure, ill-treat or torture an
adversary hors de combat. An adversary hors de combat is one who, having laid down his
arms, no longer has any means of defence or has surrendered. These conditions are
considered to have been fulfilled, in particular, in the case of an adversary who:

(a) is unable to express himself, or
(b) has surrendered or has clearly expressed an intention to surrender
(c) and abstains from any hostile act and does not attempt to escape.

2. If a party to the conflict decides to send back to the adverse party those combatants
it has captured, it must ensure that they are in a fit state to make the journey without any
danger to their safety.

Article 8. — Persons whose liberty has been restricted

1. All persons whose liberty has been restricted by capture or arrest for reasons in
relation to the armed conflict, shall, whether they are interned or detained, be treated
humanely, in accordance with Article 6.

2. In addition, the parties to the conflict shall respect at least the following provisions:

(a) the wounded and sick shall be treated in accordance with Article 12;
(b) the persons referred to in paragraph 1 shall be accommodated in buildings or
quarters which afford reasonable safeguards as regards hygiene and health and provide
efficient protection against the rigours of the climate and the dangers of the armed conflict;
(c) they shall be provided with adequate supplies of drinking water and with food rations
sufficient to keep them in good health; they shall be permitted to secure or to be provided
with adequate clothing;
(d) women shall be held in quarters separated from men's quarters. They shall be under the immediate supervision of women. This does not apply to those cases where members of the same family are in the same place of internment.

3. The parties to the conflict shall also respect the following provisions within the limits of their capabilities:

(a) the persons referred to in paragraph 1 shall be allowed to receive individual or collective relief;

(b) they shall be allowed to practise their religion and receive spiritual assistance from chaplains and other persons performing similar functions;

(c) they shall be allowed to send and receive letters and cards. The parties to the conflict may limit the number of such letters if they deem it necessary;

(d) places of internment and detention shall not be set up close to the combat zone. The persons referred to in paragraph 1 shall be evacuated when the places where they are interned or detained become particularly exposed to dangers arising out of the armed conflict, if their evacuation can be carried out in adequate conditions of safety.

4. Measures of reprisals against the persons referred to in paragraph 1 are prohibited.

5. Subject to temporary and exceptional measures, the parties to the conflict shall endeavour to facilitate visits to the persons referred to in paragraph 1 by an impartial humanitarian body such as the International Committee of the Red Cross.

**Article 9. — Principles of penal law**

1. No one may be punished for an offence which he or she has not personally committed; collective penalties are prohibited.

2. No one may be punished on account of any act or omission contrary to a duty to act which was not an offence at the time when it was committed.

3. No one shall be liable to be prosecuted or punished for an offence for which he has already been finally acquitted or convicted.

4. No one shall be held guilty of an offence except under those provisions of law which were in force at the time when the offence was committed.

5. Everyone charged with an offence is presumed innocent until proved guilty according to law.

**Article 10. — Penal prosecutions**

1. No sentence shall be passed or penalty inflicted upon a person found guilty of an offence in relation to the armed conflict without previous judgment pronounced by a court offering the guarantees of independence and impartiality which are generally recognized as essential, in accordance with a procedure affording the accused the necessary rights and means of defence.

2. Everyone shall have the right of appeal against any sentence pronounced upon him. He shall be fully informed of his right to appeal and of the time limit within which he may do so.

3. The death penalty pronounced on any person found guilty of an offence in relation to the armed conflict shall not be carried out until the hostilities have ceased.

4. The death penalty shall not be pronounced for an offence in relation to the armed conflict committed by persons below eighteen years of age and shall not be carried out on pregnant women.

5. In case of prosecutions carried out against a person only by reason of his having taken part in hostilities, the court, when deciding upon the sentence, shall take into consideration, to the greatest possible extent, the fact that the accused respected the provisions of the present Protocol.

6. At the end of hostilities, the authorities in power shall endeavour to grant amnesty to as many as possible of those who have participated in the armed conflict, in particular those whose liberty has been restricted for reasons in relation to the armed conflict, whether they are interned or detained.
PART III

WOUNDED, SICK AND SHIPWRECKED PERSONS

Article 11. — Definitions

For the purposes of this Part:

(a) "the wounded and the sick" means persons, whether military or civilian, who are in need of medical assistance and care and who refrain from any act of hostility. The term includes inter alia: the wounded, the sick, the shipwrecked, the infirm, as well as expectant mothers, maternity cases and new-born babies;

(b) "shipwrecked persons" means persons, whether military or civilian, who are in peril at sea as a result of the destruction, loss or disablement of the vessel or aircraft in which they were travelling and who refrain from any act of hostility;

(c) "medical unit" means medical establishments and units, whether military or civilian, especially all installations of a medical nature, such as hospitals, blood transfusion centres and their medical and pharmaceutical stores; such units may be fixed or mobile, permanent or temporary, and are exclusively assigned to medical purposes;

(d) "medical transport" means the transport by land, sea or air of the wounded, the sick or the shipwrecked, and of medical personnel and equipment;

(e) "means of medical transport" means any means of transport assigned exclusively to medical transport, under the control of a competent authority of a party to the conflict;

(f) "medical personnel" means:

i. the medical personnel of the parties to the conflict, whether military or civilian, permanent or temporary, exclusively engaged in the operation or administration of medical units and means of medical transport, including their crews, and assigned inter alia to the search for, removal, treatment or transport of the wounded and the sick;

ii. the civil defence medical personnel referred to in Article 30 and the medical personnel of the National Red Cross (Red Crescent, Red Lion and Sun) Societies referred to in Article 35;

(g) "distinctive emblem" means the distinctive emblem of the red cross (red crescent, red lion and sun) on a white ground.

Article 12. — Protection and care

1. The wounded and the sick shall be respected and protected.

2. In all circumstances, they shall be treated humanely and shall receive with the least possible delay and without any adverse distinction the medical care necessitated by their condition.

3. All unjustified acts or omissions harmful to the health or to the physical or mental well-being of the persons referred to in paragraph 1 are prohibited. This prohibition applies even if those persons give their consent.

4. It is accordingly prohibited to carry out on the persons referred to in paragraph 1 physical mutilations or medical or scientific experiments, including grafts and organ transplants, which are not justified by their medical treatment and are not in their interest.
Article 13. — Search and evacuation

1. At all times, and particularly after an engagement, the parties to the conflict shall, without delay, take all possible measures to search for and collect the wounded and the sick and ensure their adequate care.

2. Whenever circumstances permit, local arrangements shall be concluded by the parties to the conflict for the removal of the wounded and the sick from the combat zone or from a besieged or encircled area.

Article 14. — Role of the civilian population

1. The civilian population shall respect the wounded and the sick, even if they belong to the adverse party, and shall refrain from committing acts of violence against them.

2. Relief societies and the civilian population shall be permitted to offer shelter, care and assistance to such wounded and sick persons, either spontaneously or at the request of the parties to the conflict.

3. No one shall be molested or convicted for having given shelter, care or assistance to the wounded and the sick, even if they belong to the adverse party.

Article 15. — Medical and religious personnel

Medical personnel and chaplains and other persons performing similar functions, whether military or civilian, shall, in all circumstances, be respected and protected. They shall be granted all the aid necessary for the discharge of their functions and shall not be compelled to carry out tasks unrelated to their mission.

Article 16. — General protection of medical duties

1. In no circumstances shall any person be punished for carrying out medical activities compatible with professional ethics, regardless of the person benefiting therefrom.

2. Persons engaged in medical activities shall not be compelled to perform acts or to carry out work contrary to rules of professional ethics or to abstain from acts required by such rules.

3. No person engaged in medical activities may be compelled to give to any authority information concerning the sick and the wounded under his care should such information be likely to prove harmful to the persons concerned or to their families. Compulsory medical regulations for the notification of communicable diseases shall however be respected.

Article 17. — Medical units and transports

Medical units and means of medical transport, whether military or civilian, shall in all circumstances be respected and protected.

Article 18. — The distinctive emblem

1. The emblem of the red cross (red crescent, red lion and sun) on a white ground, which is the distinctive emblem of the medical personnel, medical units and means of medical transport of the parties to the conflict and of Red Cross (Red Crescent, Red Lion and Sun) organizations, shall be respected in all circumstances.

2. It may not be used to protect other persons or objects; the parties to the conflict shall adopt special measures for supervising its use and for preventing and repressing any misuse of it.

Article 19. — Prohibition of reprisals

Measures of reprisals against the wounded, the sick, and the shipwrecked as well as against medical personnel, medical units and means of medical transport are prohibited.
PART IV

METHODS AND MEANS OF COMBAT

Article 20. — Prohibition of unnecessary injury

1. The right of parties to the conflict and of members of their armed forces to adopt methods and means of combat is not unlimited.

2. It is forbidden to employ weapons, projectiles, substances, methods and means which uselessly aggravate the sufferings of disabled adversaries or render their death inevitable in all circumstances.

Article 21. — Prohibition of perfidy

1. It is forbidden to kill, injure or capture an adversary by resort to perfidy. Acts inviting the confidence of the adversary with intent to betray that confidence are deemed to constitute perfidy. Such acts, when carried out in order to commit or resume hostilities, include the following:

   (a) the feigning of a situation of distress, notably through the misuse of an internationally recognized protective sign;

   (b) the feigning of a cease-fire, of a humanitarian negotiation or of a surrender;

   (c) the feigning, before an attack, of non-combatant status;

   (d) the use in combat of the enemy’s distinctive military emblems.

2. On the other hand, ruses of war, that is to say, those acts which, without inviting the confidence of the adversary, are intended to mislead him or to induce him to act recklessly, such as camouflage, traps, mock operations and misinformation, are not perfidious acts.

Article 22. — Quarter

It is forbidden to order that there shall be no survivors, to threaten an adversary therewith and to conduct hostilities on such basis.

Article 23. — Recognized signs

1. It is forbidden to make use of the protective sign of the red cross (red crescent, red lion and sun) and of the protective emblem of cultural property for purposes other than those provided for in the Conventions establishing those signs.

2. It is forbidden to make improper use of the flag of truce.
PART V

CIVILIAN POPULATION

Chapter I

General protection against effects of hostilities

Article 24. — Basic rules

1. In order to ensure respect for the civilian population, the parties to the conflict shall confine their operations to the destruction of weakening of the military resources of the adversary and shall make a distinction between the civilian population and combatants, and between civilian objects and military objectives.

2. Constant care shall be taken, when conducting military operations, to spare the civilian population, civilians and civilian objects. This rule shall, in particular, apply to the planning, deciding or launching of an attack.

Article 25. — Definition

1. Any person who is not a member of armed forces is considered to be a civilian.

2. The civilian population comprises all persons who are civilians.

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

Article 26. — Protection of the civilian population

1. The civilian population as such, as well as individual civilians, shall not be made the object of attack. In particular, methods intended to spread terror among the civilian population are prohibited.

2. Civilians shall enjoy the protection afforded by this article unless and for such time they take a direct part in hostilities.

3. The employment of means of combat, and any methods which strike or affect indiscriminately the civilian population and combatants, or civilian objects and military objectives, are prohibited. In particular it is forbidden:

   (a) to attack without distinction, as one single objective, by bombardment or any other method, a zone containing several military objectives, which are situated in populated areas and are at some distance from each other;

   (b) to launch attacks which may be expected to entail incidental losses among the civilian population and cause the destruction of civilian objects to an extent disproportionate to the direct and substantial military advantage anticipated.

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

5. The parties to the conflict shall not use the civilian population or civilians in attempts to shield military objectives from attacks.

Article 27. — Protection of objects indispensable to the survival of the civilian population

It is forbidden to attack, destroy or render useless objects indispensable to the survival of the civilian population, namely, foodstuffs and food-producing areas, crops, livestock, drinking water supplies and irrigation works, whether it is to starve out civilians, to cause them to move away or for any other reason.
Article 28. — Protection of works and installations containing dangerous forces

1. It is forbidden to attack or destroy works or installations containing dangerous forces, namely, dams, dykes and nuclear generating stations, whenever their destruction or damage would cause grave losses among the civilian population.

2. The parties to the conflict shall endeavour to avoid locating any military objectives in the immediate vicinity of the objects mentioned in paragraph 1.

Article 29. — Prohibition of forced movement of civilians

1. The displacement of the civilian population shall not be ordered unless the security of the civilians involved or imperative military reasons so demand. Should the parties to the conflict undertake such displacements, they shall take all possible measures in order that the civilian population be received under satisfactory conditions of hygiene, health, safety and nutrition.

2. Civilians shall not be compelled to leave their own national territory.

Chapter II

Civil defence

Article 30. — Respect and protection

1. Civil defence personnel shall be respected and protected and, except in the case of imperative military necessity, shall be authorized to discharge their tasks.

2. In no circumstances shall the fact of having taken part in civil defence activities be considered to be punishable.

Article 31. — Definition

Civil defence includes the following tasks:

(a) rescue, first aid, conveyance of wounded, fire-fighting;

(b) safeguard of objects indispensable to the survival of the civilian population;

(c) provision of emergency material and social assistance to the civilian population;

(d) emergency repair of public services indispensable to the civilian population;

(e) maintenance of public order in disaster areas;

(f) preventive measures, such as warning the civilian population, evacuation, provision of shelters;

(g) detection and marking of danger areas.

Chapter III

Measures in favour of children

Article 32. — Privileged treatment

1. Children shall be the object of privileged treatment; they shall be especially protected against any form of indecent assault. The parties to the conflict shall provide them with the care and aid their age and situation require.

2. To this end, the parties to the conflict shall, inter alia:

(e) endeavour to furnish the means for the identification of children, where necessary in the area of armed conflict;
(b) take care that children who are orphaned or separated from their families as a result of armed conflict are not abandoned;

(c) take measures, if necessary and with the consent of their parents or persons responsible for their care, to remove children from the area of combat and ensure that they are accompanied by persons entrusted to provide for their safety;

(d) take all necessary steps to facilitate the reuniting of families temporarily separated;

(e) take the necessary measures in order that children under fifteen years of age shall not take any part in hostilities and, in particular, they shall refrain from recruiting them in armed forces or accepting their voluntary enrolment.
PART VI

RELIEF

Article 33. — Relief actions

1. If the civilian population is inadequately supplied, in particular, with foodstuffs, clothing, medical and hospital stores and means of shelter, the parties to the conflict shall agree to and facilitate, to the fullest possible extent, those relief actions which are exclusively humanitarian and impartial in character and conducted without any adverse distinction. Relief actions fulfilling the above conditions shall not be regarded as interference in the armed conflict.

2. The parties to the conflict and any High Contracting Party through whose territory supplies must pass shall grant free passage when relief actions are carried out in accordance with the conditions stated in paragraph 1.

3. When prescribing the technical methods relating to assistance or transit, the parties to the conflict and any High Contracting Party shall endeavour to facilitate and accelerate the entry, transport, distribution, or passage of relief.

4. The parties to the conflict and any High Contracting Party may set as condition that the entry, transport, distribution, or passage of relief be executed under the supervision of an impartial humanitarian body.

5. The parties to the conflict and any High Contracting Party shall in no way whatsoever divert relief consignments from the purpose for which they are intended or delay the forwarding of such consignments.

Article 34. — Recording and information

1. If necessary, the parties to the conflict shall organize, with the co-operation of the International Committee of the Red Cross, information bureaux to which they shall communicate all relevant information on the victims of the conflict who may be in their power. The dead shall also be recorded.

2. Each information bureau shall transmit to the other bureaux, if necessary through the Central Information Agency provided for in the Geneva Conventions of August 12, 1949, the information thus obtained, and shall transmit it to the next of kin concerned; the information bureaux shall also be responsible for replying to all enquiries concerning the victims of the conflict, and shall take the necessary steps to search for them; the transmission of information or the search for the victims shall not be undertaken if they are liable to be prejudicial to the interests of the victims or of their relatives.

Article 35. — National Red Cross and other relief societies

1. The National Red Cross (Red Crescent, Red Lion and Sun) Society and its branches, acting if necessary independently, shall be permitted to pursue their humanitarian activities in accordance with the principles of the Red Cross as stated by the International Conferences of the Red Cross. Other relief societies shall be permitted to carry out their humanitarian activities in accordance with similar conditions.

2. In no circumstances shall the fact of having taken part in these activities be punishable.
PART VII

EXECUTION OF THE PRESENT PROTOCOL

*Article 36. — Measures for execution*

Each party to the conflict shall take measures to ensure observance of this Protocol by its military and civilian agents and persons subject to its authority.

*Article 37. — Dissemination*

1. The High Contracting Parties undertake to disseminate the present Protocol as widely as possible in time of peace and in particular to include the study thereof in their programmes of military and civil instruction, so that it may become known to the armed forces and to the civilian population.

2. In time of armed conflict, the parties to the conflict shall take appropriate measures to bring the provisions of the present Protocol to the knowledge of its military and civilian agents and persons subject to its authority.

*Article 38. — Special agreements*

The parties to the conflict shall endeavour to bring into force, either by means of special agreements or by declarations addressed to the depositary of the Geneva Conventions of August 12, 1949, or to the International Committee of the Red Cross, all or part of the provisions of those Conventions and of the Additional Protocol relating to the Protection of Victims of International Armed Conflicts.

*Article 39. — Co-operation in the observance of the present Protocol*

The parties to the conflict may call upon a body offering all guarantees of impartiality and efficacy, such as the International Committee of the Red Cross, to co-operate in the observance of the provisions of the present Protocol. Such a body may also offer its services to the parties to the conflict.
PART VIII

FINAL PROVISIONS

Article 40. — Signature

The present Protocol shall be open until ... ... 197... at ... for signature by the Parties to the Geneva Conventions of August 12, 1949.

Article 41. — Ratification

The present Protocol shall be ratified as soon as possible. The instruments of ratification shall be deposited with the Swiss Confederation, depositary of the Conventions.

Article 42. — Accession

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

Article 43. — Entry into force

1. The present Protocol shall enter into force six months after two instruments of ratification have been deposited.

2. For each Party to the Conventions ratifying or acceding to the present Protocol thereafter, it shall enter into force six months after the deposit by such Party of its instrument of ratification or accession.

Article 44. — Amendment

1. Any High Contracting Party may propose one or more amendments to the present Protocol. The text of any proposed amendment shall be communicated to the depositary of the Conventions which shall decide, after consultation with all the High Contracting Parties and the International Committee of the Red Cross, whether a conference should be convened to consider the proposed amendment.

2. The depositary of the Conventions shall invite to this conference all the High Contracting Parties as well as the Parties to the Conventions, whether or not they are signatories of the present Protocol.

Article 45. — Notifications

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

(a) signatures affixed to the present Protocol and the deposit of the instruments of ratification and accession under Articles 41 and 42;

(b) the date of entry into force of the present Protocol under Article 43;

c) communications and declarations received under Article 44.

Article 46. — Registration

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

Article 47. — Authentic texts and official translations

1. The original of the present Protocol, of which the French and English texts are equally authentic, shall be deposited with the depositary of the Conventions, which shall transmit certified true copies thereof to all the Parties to the Conventions.

2. The depositary of the Conventions shall arrange for official translations of the present Protocol to be made into ....

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Protocol.

DONE AT GENEVA, this ... day of ... 197... .