

No. 17512

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## MULTILATERAL

**Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I) (with annexes, Final Act of the Diplomatic Conference on the reaffirmation and development of international humanitarian law applicable in armed conflicts dated 10 June 1977 and resolutions adopted at the fourth session). Adopted at Geneva on 8 June 1977**

*Authentic texts: English, Arabic, Chinese, Spanish, French and Russian.  
Registered by Switzerland on 23 January 1979.*

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## MULTILATÉRAL

**Protocole additionnel aux Conventions de Genève du 12 août 1949 relatif à la protection des victimes des conflits armés internationaux (Protocole I) [avec annexes, Acte final de la Conférence diplomatique sur la réaffirmation et le développement du droit international humanitaire applicable dans les conflits armés en date du 10 juin 1977 et résolutions adoptées à la quatrième session]. Adopté à Genève le 8 juin 1977**

*Textes authentiques : anglais, arabe, chinois, espagnol, français et russe.  
Enregistré par la Suisse le 23 janvier 1979.*

**PROTOCOL ADDITIONAL<sup>1</sup> TO THE GENEVA CONVENTIONS OF  
12 AUGUST 1949,<sup>2</sup> AND RELATING TO THE PROTECTION OF  
VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PRO-  
TOCOL I)**

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<sup>1</sup> Came into force on 7 December 1978, i.e., six months after the deposit with the Swiss Federal Council of two instruments of ratification or accession, in accordance with article 95 (1). Instruments of ratification or accession were deposited as follows:

<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>
Ghana ..... (With effect from 7 December 1978. Signature affixed on 12 December 1977.)	28 February 1978
Libyan Arab Jamahiriya ..... (With effect from 7 December 1978.)	7 June 1978 <i>a</i>

Subsequently, the Protocol came into force for the following State six months after the deposit with the Swiss Federal Council of its instrument of ratification, in accordance with article 95(2).

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
El Salvador ..... (With effect from 23 May 1979. Signature affixed on 12 December 1977.)	23 November 1978

<sup>2</sup> United Nations, *Treaty Series*, vol. 75, pp. 31, 85, 135 and 287.

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## PREAMBLE

The High Contracting Parties,

Proclaiming their earnest wish to see peace prevail among peoples,

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

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

Expressing their conviction that nothing in this Protocol or in the Geneva Conventions of 12 August 1949<sup>1</sup> can be construed as legitimizing or authorizing any act of aggression or any other use of force inconsistent with the Charter of the United Nations,

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

Have agreed on the following:

#### PART I

### GENERAL PROVISIONS

*Article 1. GENERAL PRINCIPLES AND SCOPE OF APPLICATION.* 1. The High Contracting Parties undertake to respect and to ensure respect for this Protocol in all circumstances.

2. In cases not covered by this Protocol or by other international agreements, civilians and combatants remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience.

3. This Protocol, which supplements the Geneva Conventions of 12 August 1949 for the protection of war victims, shall apply in the situations referred to in Article 2 common to those Conventions.

4. The situations referred to in the preceding paragraph include armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist régimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

*Article 2. DEFINITIONS.* For the purposes of this Protocol:

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

(b) "Rules of international law applicable in armed conflict" means the rules applicable in armed conflict set forth in international agreements to which the Parties

<sup>1</sup> United Nations, *Treaty Series*, vol. 75, pp. 31, 85, 135 and 287.

to the conflict are Parties and the generally recognized principles and rules of international law which are applicable to armed conflict;

(c) "Protecting Power" means a neutral or other State not a Party to the conflict which has been designated by a Party to the conflict and accepted by the adverse Party and has agreed to carry out the functions assigned to a Protecting Power under the Conventions and this Protocol;

(d) "Substitute" means an organization acting in place of a Protecting Power in accordance with Article 5.

*Article 3. BEGINNING AND END OF APPLICATION.* Without prejudice to the provisions which are applicable at all times:

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

*Article 4. LEGAL STATUS OF THE PARTIES TO THE CONFLICT.* The application of the Conventions and of this Protocol, as well as the conclusion of the agreements provided for therein, shall not affect the legal status of the Parties to the conflict. Neither the occupation of a territory nor the application of the Conventions and this Protocol shall affect the legal status of the territory in question.

*Article 5. APPOINTMENT OF PROTECTING POWERS AND OF THEIR SUBSTITUTE.*

1. It is the duty of the Parties to a conflict from the beginning of that conflict to secure the supervision and implementation of the Conventions and of this Protocol by the application of the system of Protecting Powers, including *inter alia* the designation and acceptance of those Powers, in accordance with the following paragraphs. Protecting Powers shall have the duty of safeguarding the interests of the Parties to the conflict.

2. From the beginning of a situation referred to in Article 1, each Party to the conflict shall without delay designate a Protecting Power for the purpose of applying the Conventions and this Protocol and shall, likewise without delay and for the same purpose, permit the activities of a Protecting Power which has been accepted by it as such after designation by the adverse Party.

3. If a Protecting Power has not been designated or accepted from the beginning of a situation referred to in Article 1, the International Committee of the Red Cross, without prejudice to the right of any other impartial humanitarian organization to do likewise, shall offer its good offices to the Parties to the conflict with a view to the designation without delay of a Protecting Power to which the Parties to the conflict consent. For that purpose it may, *inter alia*, ask each Party to provide it with a list of at [least]<sup>1</sup> five States which that Party considers acceptable to act as Protecting Power on its behalf in relation to an adverse Party, and ask each adverse Party to

<sup>1</sup> The corrections between brackets were communicated to the States Parties to the Geneva Conventions of 12 August 1949 by the Government of Switzerland on 12 June 1978 and effected by a procès-verbal of rectification dated 6 November 1978. (Information supplied by the Government of Switzerland.)

provide a list of at least five States which it would accept as the Protecting Power of the first Party; these lists shall be communicated to the Committee within two weeks after the receipt of the request; it shall compare them and seek the agreement of any proposed State named on both lists.

4. If despite the foregoing, there is no Protecting Power, the Parties to the conflict shall accept without delay an offer which may be made by the International Committee of the Red Cross or by any other organization which offers all guarantees of impartiality and efficacy, after due consultations with the said Parties and taking into account the result of these consultations, to act as a substitute. The functioning of such a substitute is subject to the consent of the Parties to the conflict; every effort shall be made by the Parties to the conflict to facilitate the operations of the substitute in the performance of its tasks under the Conventions and this Protocol.

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

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

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

*Article 6. QUALIFIED PERSONS.* 1. The High Contracting Parties shall, also in peacetime, endeavour, with the assistance of the national Red Cross (Red Crescent, Red Lion and Sun) Societies, to train qualified personnel to facilitate the application of the Conventions and of this Protocol, and in particular the activities of the Protecting Powers.

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

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

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

*Article 7. MEETINGS.* The depositary of this Protocol shall convene a meeting of the High Contracting Parties, at the request of one or more of the said Parties and upon the approval of the majority of the said Parties, to consider general problems concerning the application of the Conventions and of the Protocol.

## P A R T I I

## WOUNDED, SICK AND SHIPWRECKED

## SECTION I. GENERAL PROTECTION

*Article 8. TERMINOLOGY.* For the purposes of this Protocol:

(a) “Wounded” and “sick” mean persons, whether military or civilian, who, because of trauma, disease or other physical or mental disorder or disability, are in need of medical assistance or care and who refrain from any act of hostility. These terms also cover maternity cases, new-born babies and other persons who may be in need of immediate medical assistance or care, such as the infirm or expectant mothers, and who refrain from any act of hostility;

(b) “Shipwrecked” means persons, whether military or civilian, who are in peril at sea or in other waters as a result of misfortune affecting them or the vessel or aircraft carrying them and who refrain from any act of hostility. These persons, provided that they continue to refrain from any act of hostility, shall continue to be considered shipwrecked during their rescue until they acquire another status under the Conventions or this Protocol;

(c) “Medical personnel” means those persons assigned, by a Party to the conflict, exclusively to the medical purposes enumerated under sub-paragraph (e) or to the administration of medical units or to the operation or administration of medical transports. Such assignments may be either permanent or [temporary]. The term includes:

- (i) Medical personnel of a Party to the conflict, whether military or civilian, including those described in the First and Second Conventions, and those assigned to civil defence organizations;
- (ii) Medical personnel of national Red Cross (Red Crescent, Red Lion and Sun) Societies and other national voluntary aid societies duly recognized and authorized by a Party to the conflict;
- (iii) Medical personnel of medical units or medical transports described in Article 9, paragraph 2;

(d) “Religious personnel” means military or civilian persons, such as chaplains, who are exclusively engaged in the work of their ministry and attached:

- (i) To the armed forces of a Party to the conflict;
- (ii) To medical units or medical transports of a Party to the conflict;
- (iii) To medical units or medical transports described in Article 9, paragraph 2; or
- (iv) To civil defence organizations of a Party to the conflict.

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

(e) “Medical units” means establishments and other units, whether military or civilian, organized for medical purposes, namely the search for, collection, transportation, diagnosis or treatment — including [first aid] treatment — of the wounded, sick and shipwrecked, or for the prevention of disease. The term includes, for example, hospitals and other similar units, blood transfusion centres, preventive medicine centres and institutes, medical depots and the medical and pharmaceutical stores of such units. Medical units may be fixed or mobile, permanent or temporary;



(f) "Medical transportation" means the conveyance by land, water or air of the wounded, sick, shipwrecked, medical personnel, religious personnel, medical equipment or medical supplies protected by the Conventions and by this Protocol;

(g) "Medical transports" means any means of transportation, whether military or civilian, permanent or temporary, assigned exclusively to medical transportation and under the control of a competent authority of a Party to the conflict;

(h) "Medical vehicles" means any medical transports by land;

(i) "Medical ships and craft" means any medical transports by water;

(j) "Medical aircraft" means any medical transports by air;

(k) "Permanent medical personnel", "permanent medical units" and "permanent medical transports" mean those assigned exclusively to medical purposes for an indeterminate period. "Temporary medical personnel", "temporary medical units" and "temporary medical transports" mean those devoted exclusively to medical purposes for limited periods during the whole of such periods. Unless otherwise specified, the terms "medical personnel", "medical units" and "medical transports" cover both permanent and temporary categories;

(l) "Distinctive emblem" means the distinctive emblem of the red cross, red crescent or red lion and sun on a white ground when used for the protection of medical units and transports, or medical and religious personnel, equipment or supplies;

(m) "Distinctive signal" means any signal or message specified for the identification exclusively of medical units or transports in Chapter III of Annex I to this Protocol.

*Article 9. FIELD OF APPLICATION.* 1. This Part, the provisions of which are intended to ameliorate the condition of the wounded, sick and shipwrecked, shall apply to all those affected by a situation referred to in Article 1, without any adverse distinction founded on race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria.

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

(a) By a neutral or other State which is not a Party to that conflict;

(b) By a recognized and authorized aid society of such a State;

(c) By an impartial international humanitarian organization.

*Article 10. PROTECTION AND CARE.* 1. All the wounded, sick and shipwrecked, to whichever Party they belong, shall be respected and protected.

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

*Article 11. PROTECTION OF PERSONS.* 1. The physical or mental health and integrity of persons who are in the power of the adverse Party or who are interned, detained or otherwise deprived of liberty as a result of a situation referred to in Article 1 shall not be endangered by any unjustified act or omission. Accordingly, it is prohibited to subject the persons described in this Article to any medical procedure

which is not indicated by the state of health of the person concerned and which is not consistent with generally accepted medical standards which would be applied under similar medical circumstances to persons who are nationals of the Party conducting the procedure and who are in no way deprived of liberty.

2. It is, in particular, prohibited to carry out on such persons, even with their consent:

- (a) Physical mutilations;
- (b) Medical or scientific experiments;
- (c) Removal of tissue or organs for transplantation,

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

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

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

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

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

*Article 12. PROTECTION OF MEDICAL UNITS.* 1. Medical units shall be respected and protected at all times and shall not be the object of attack.

2. Paragraph 1 shall apply to civilian medical units, provided that they:

- (a) Belong to one of the Parties to the conflict;
- (b) Are recognized and authorized by the competent authority of one of the Parties to the conflict; or
- (c) Are authorized in conformity with Article 9, paragraph 2, of this Protocol or Article 27 of the First Convention.

3. The Parties to the conflict are invited to notify each other of the location of their fixed medical units. The absence of such notification shall not exempt any of the Parties from the obligation to comply with the provisions of paragraph 1.

4. Under no circumstances shall medical units be used in an attempt to shield military objectives from attack. Whenever possible, the Parties to the conflict shall ensure that medical units are so sited that attacks against military objectives do not imperil their safety.

*Article 13.* DISCONTINUANCE OF PROTECTION OF CIVILIAN MEDICAL UNITS.

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

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

- (a) That the personnel of the unit are equipped with light individual weapons for their own defence or for that of the wounded and sick in their charge;
- (b) That the unit is guarded by a picket or by sentries or by an escort;
- (c) That small-arms and ammunition taken from the wounded and sick, and not yet handed to the proper service, are found in the units;
- (d) That members of the armed forces or other combatants are in the unit for medical reasons.

*Article 14.* LIMITATIONS ON REQUISITION OF CIVILIAN MEDICAL UNITS. 1. The Occupying Power has the duty to ensure that the medical needs of the civilian population in occupied territory continue to be satisfied.

2. The Occupying Power shall not, therefore, requisition civilian medical units, their equipment, their *matériel* or the services of their personnel, so long as these resources are necessary for the provision of adequate medical services for the civilian population and for the continuing medical care of any wounded and sick already under treatment.

3. Provided that the general rule in paragraph 2 continues to be observed, the Occupying Power may requisition the said resources, subject to the following particular conditions:

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

*Article 15.* PROTECTION OF CIVILIAN MEDICAL AND RELIGIOUS PERSONNEL. 1. Civilian medical personnel shall be respected and protected.

2. If needed, all available help shall be afforded to civilian medical personnel in an area where civilian medical services are disrupted by reason of combat activity.

3. The Occupying Power shall afford civilian medical personnel in occupied territories every assistance to enable them to perform, to the best of their ability, their humanitarian functions. The Occupying Power may not require that, in the performance of those functions, such personnel shall give priority to the treatment of any person except on medical grounds. They shall not be compelled to carry out tasks which are not compatible with their humanitarian mission.

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

5. Civilian religious personnel shall be respected and protected. The provisions of the Conventions and of this Protocol concerning the protection and identification of medical personnel shall apply equally to such persons.

*Article 16. GENERAL PROTECTION OF MEDICAL DUTIES.* 1. Under no circumstances shall any person be punished for carrying out medical activities compatible with medical ethics, regardless of the person benefiting therefrom.

2. Persons engaged in medical activities shall not be compelled to perform acts or to carry out work contrary to the rules of medical ethics or to other medical rules designed for the benefit of the wounded and sick or to the provisions of the Conventions or of this Protocol, or to refrain from performing acts or from carrying out work required by those rules and provisions.

3. No person engaged in medical activities shall be compelled to give to anyone belonging either to an adverse Party, or to his own Party except as required by the law of the latter Party, any information concerning the wounded and sick who are, or who have been, under his care, if such information would, in his opinion, prove harmful to the patients concerned or to their families. Regulations for the compulsory notification of communicable diseases shall, however, be respected.

*Article 17. ROLE OF THE CIVILIAN POPULATION AND OF AID SOCIETIES.* 1. The civilian population shall respect the wounded, sick and shipwrecked, even if they belong to the adverse Party, and shall commit no act of violence against them. The civilian population and aid societies, such as national Red Cross (Red Crescent, Red Lion and Sun) Societies, shall be permitted, even on their own initiative, to collect and care for the wounded, sick and shipwrecked, even in invaded or occupied areas. No one shall be harmed, prosecuted, convicted or punished for such humanitarian acts.

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

*Article 18. IDENTIFICATION.* 1. Each Party to the conflict shall endeavour to ensure that medical and religious personnel and medical units and transports are identifiable.

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

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

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

5. In addition to the distinctive emblem, a Party to the conflict may, as provided in Chapter III of Annex I to this Protocol, authorize the use of distinctive signals to identify medical units and transports. Exceptionally, in the special cases

covered in that Chapter, medical transports may use distinctive signals without displaying the distinctive emblem.

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

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

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

*Article 19. NEUTRAL AND OTHER STATES NOT PARTIES TO THE CONFLICT.* Neutral and other States not Parties to the conflict shall apply the relevant provisions of this Protocol to persons protected by this Part who may be received or interned within their territory, and to any dead of the Parties to that conflict whom they may find.

*Article 20. PROHIBITION OF REPRISALS.* Reprisals against the persons and objects protected by this Part are prohibited.

## SECTION II. MEDICAL TRANSPORTATION

*Article 21. MEDICAL VEHICLES.* Medical vehicles shall be respected and protected in the same way as mobile medical units under the Conventions and this Protocol.

*Article 22. HOSPITAL SHIPS AND COASTAL RESCUE CRAFT.* 1. The provisions of the Conventions relating to:

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

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

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

- (a) By a neutral or other State which is not a Party to that conflict; or
  - (b) By an impartial international humanitarian organization,
- provided that, in either case, the requirements set out in that Article are complied with.

3. Small craft described in Article 27 of the Second Convention shall be protected even if the notification envisaged by that Article has not been made. The

Parties to the conflict are, nevertheless, invited to inform each other of any details of such craft which will facilitate their identification and recognition.

*Article 23. OTHER MEDICAL SHIPS AND CRAFT.* 1. Medical ships and craft other than those referred to in Article 22 of this Protocol and Article 38 of the Second Convention shall, whether at sea or in other waters, be respected and protected in the same way as mobile medical units under the Conventions and this Protocol. Since this protection can only be effective if they can be identified and recognized as medical ships or craft, such vessels should be marked with the distinctive emblem and as far as possible comply with the second paragraph of Article 43 of the Second Convention.

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

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

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

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

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

*Article 24. PROTECTION OF MEDICAL AIRCRAFT.* Medical aircraft shall be respected and protected, subject to the provisions of this Part.

*Article 25. MEDICAL AIRCRAFT IN AREAS NOT CONTROLLED BY AN ADVERSE PARTY.* In and over land areas physically controlled by friendly forces, or in and over sea areas not physically controlled by an adverse Party, the respect and protection of medical aircraft of a Party to the conflict is not dependent on any agreement with an adverse Party. For greater safety, however, a Party to the conflict operating its medical aircraft in these areas may notify the adverse Party, as provided in Article 29, in particular when such aircraft are making flights bringing them within range of surface-to-air weapons systems of the adverse Party.

*Article 26. MEDICAL AIRCRAFT IN CONTACT OR SIMILAR ZONES.* 1. In and over those parts of the contact zone which are physically controlled by friendly forces and in and over those areas the physical control of which is not clearly established, protection for medical aircraft can be fully effective only by prior agreement between the competent military authorities of the Parties to the conflict, as provided for in Article 29. Although, in the absence of such an agreement, medical aircraft operate at their own risk, they shall nevertheless be respected after they have been recognized as such.

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

*Article 27. MEDICAL AIRCRAFT IN AREAS CONTROLLED BY AN ADVERSE PARTY.* 1. The medical aircraft of a Party to the conflict shall continue to be protected while flying over land or sea areas physically controlled by an adverse Party, provided that prior agreement to such flights has been obtained from the competent authority of that adverse Party.

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

*Article 28. RESTRICTIONS ON OPERATIONS OF MEDICAL AIRCRAFT.* 1. The Parties to the conflict are prohibited from using their medical aircraft to attempt to acquire any military advantage over an adverse Party. The presence of medical aircraft shall not be used in an attempt to render military objectives immune from attack.

2. Medical aircraft shall not be used to collect or transmit intelligence data and shall not carry any equipment intended for such purposes. They are prohibited from carrying any persons or cargo not included within the definition in Article 8, subparagraph (f). The carrying on board of the personal effects of the occupants or of equipment intended solely to facilitate navigation, communication or identification shall not be considered as prohibited.

3. Medical aircraft shall not carry any armament except small-arms and ammunition taken from the wounded, sick and shipwrecked on board and not yet handed to the proper service, and such light individual weapons as may be necessary to enable the medical personnel on board to defend themselves and the wounded, sick and shipwrecked in their charge.

4. While carrying out the flights referred to in Articles 26 and 27, medical aircraft shall not, except by prior agreement with the adverse Party, be used to search for the wounded, sick and shipwrecked.

*Article 29. NOTIFICATIONS AND AGREEMENTS CONCERNING MEDICAL AIRCRAFT.* 1. Notifications under Article 25, or requests for prior agreement under Articles 26, 27, 28 (paragraph 4), or 31 shall state the proposed number of

medical aircraft, their flight plans and means of identification, and shall be understood to mean that every flight will be carried out in compliance with Article 28.

2. A Party which receives a notification given under Article 25 shall at once acknowledge receipt of such notification.

3. A Party which receives a request for prior agreement under Articles 26, 27, 28 (paragraph 4), or 31 shall, as rapidly as possible, notify the requesting Party:

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

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

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

*Article 30. LANDING AND INSPECTION OF MEDICAL AIRCRAFT.* 1. Medical aircraft flying over areas which are physically controlled by an adverse Party, or over areas the physical control of which is not clearly established, may be ordered to land or to alight on water, as appropriate, to permit inspection in accordance with the following paragraphs. Medical aircraft shall obey any such order.

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

3. If the inspection discloses that the aircraft:

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

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

4. If the inspection discloses that the aircraft:

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

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



*Article 31. NEUTRAL OR OTHER STATES NOT PARTIES TO THE CONFLICT.* 1. Except by prior agreement, medical aircraft shall not fly over or land in the territory of a neutral or other State not a Party to the conflict. However, with such an agreement, they shall be respected throughout their flight and also for the duration of any calls in the territory. Nevertheless they shall obey any summons to land or to alight on water, as appropriate.

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

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

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

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

### SECTION III. MISSING AND DEAD PERSONS

*Article 32. GENERAL PRINCIPLE.* In the implementation of this Section, the activities of the High Contracting Parties, of the Parties to the conflict and of the international humanitarian organizations mentioned in the Conventions and in this Protocol shall be prompted mainly by the right of families to know the fate of their relatives.

*Article 33. MISSING PERSONS.* 1. As soon as circumstances permit, and at the latest from the end of active hostilities, each Party to the conflict shall search for the persons who have been reported missing by an adverse Party. Such adverse Party shall transmit all relevant information concerning such persons in order to [facilitate] such searches.

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

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

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

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

*Article 34. REMAINS OF DECEASED.* 1. The remains of persons who have died for reasons related to occupation or in detention resulting from occupation or hostilities and those of persons not nationals of the country in which they have died as a result of hostilities shall be respected, and the gravesites of all such persons shall be respected, maintained and marked as provided for in Article 130 of the Fourth Convention, where their remains or gravesites would not receive more favourable consideration under the Conventions and this Protocol.

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

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

3. In the absence of the agreements provided for in paragraph 2 (b) or (c) and if the home country of such deceased is not willing to arrange at its expense for the

maintenance of such gravesites, the High Contracting Party in whose territory the gravesites are situated may offer to facilitate the return of the remains of the deceased to the home country. Where such an offer has not been accepted the High Contracting Party may, after the expiry of five years from the date of the offer and upon due notice to the home country, adopt the arrangements laid down in its own laws relating to cemeteries and graves.

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

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

#### PART III

### METHODS AND MEANS OF WARFARE COMBATANT AND PRISONER-OF-WAR STATUS

#### SECTION I. METHODS AND MEANS OF WARFARE

*Article 35. BASIC RULES.* 1. In any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited.

2. It is prohibited to employ weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering.

3. It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment.

*Article 36. NEW WEAPONS.* In the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an obligation to determine whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party.

*Article 37. PROHIBITION OF PERFDY.* 1. It is prohibited to kill, injure or capture an adversary by resort to perfidy. Acts inviting the confidence of an adversary to lead him to believe that he is entitled to, or is obliged to accord, protection under the rules of international law applicable in armed conflict, with intent to betray that confidence, shall constitute perfidy. The following acts are examples of perfidy:

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

2. Ruses of war are not prohibited. Such ruses are acts which are intended to mislead an adversary or to induce him to act recklessly but which infringe no rule of international law applicable in armed conflict and which are not perfidious because

they do not invite the confidence of an adversary with respect to protection under that law. The following are examples of such ruses: the use of camouflage, decoys, mock operations and misinformation.

*Article 38. RECOGNIZED EMBLEMS.* 1. It is prohibited to make improper use of the distinctive emblem of the red cross, red crescent or red lion and sun or of other emblems, signs or signals provided for by the Conventions or by this Protocol. It is also prohibited to misuse deliberately in an armed conflict other internationally recognized protective emblems, signs or signals, including the flag of truce, and the protective emblem of cultural property.

2. It is prohibited to make use of the distinctive emblem of the United Nations, except as authorized by that Organization.

*Article 39. EMBLEMS OF NATIONALITY.* 1. It is prohibited to make use in an armed conflict of the flags or military emblems, insignia or uniforms of neutral or other States not Parties to the conflict.

2. It is prohibited to make use of the flags or military emblems, insignia or uniforms of adverse Parties while engaging in attacks or in order to shield, favour, protect or impede military operations.

3. Nothing in this Article or in Article 37, paragraph 1 (*d*), shall affect the existing generally recognized rules of international law applicable to espionage or to the use of flags in the conduct of armed conflict at sea.

*Article 40. QUARTER.* It is prohibited to order that there shall be no survivors, to threaten an adversary therewith or to conduct hostilities on this basis.

*Article 41. SAFEGUARD OF AN ENEMY "HORS DE COMBAT".* 1. A person who is recognized or who, in the circumstances, should be recognized to be *hors de combat* shall not be made the object of attack.

2. A person is *hors de combat* if:

- (a) He is in the power of an adverse Party;
- (b) He clearly expresses an intention to surrender; or
- (c) He has been rendered unconscious or is otherwise incapacitated by wounds or sickness, and therefore is incapable of defending himself;

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

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

*Article 42. OCCUPANTS OF AIRCRAFT.* 1. No person parachuting from an aircraft in distress shall be made the object of attack during his descent.

2. Upon reaching the ground in territory controlled by an adverse Party, a person who has parachuted from an aircraft in distress shall be given an opportunity to surrender before being made the object of attack, unless it is apparent that he is engaging in a hostile act.

3. Airborne troops are not protected by this Article.

## SECTION II. COMBATANT AND PRISONER-OF-WAR STATUS

*Article 43. ARMED FORCES.* 1. The armed forces of a Party to a conflict consist of all organized armed forces, groups and units which are under a command responsible to that Party for the conduct of its subordinates, even if that Party is represented by a government or an authority not recognized by an adverse Party. Such armed forces shall be subject to an internal disciplinary system which, *inter alia*, shall enforce compliance with the rules of international law applicable in armed conflict.

2. Members of the armed forces of a Party to a conflict (other than medical personnel and chaplains covered by Article 33 of the Third Convention) are combatants, that is to say, they have the right to participate directly in hostilities.

3. Whenever a Party to a conflict incorporates a paramilitary or armed law enforcement agency into its armed forces it shall so notify the other Parties to the conflict.

*Article 44. COMBATANTS AND PRISONERS OF WAR.* 1. Any combatant, as defined in Article 43, who falls into the power of an adverse Party shall be a prisoner of war.

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

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

(a) During each military engagement, and

(b) During such time as he is visible to the adversary while he is engaged in a military deployment preceding the launching of an attack in which he is to participate.

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

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

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

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

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

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

*Article 45. PROTECTION OF PERSONS WHO HAVE TAKEN PART IN HOSTILITIES.* 1. A person who takes part in hostilities and falls into the power of an adverse Party shall be presumed to be a prisoner of war, and therefore shall be protected by the Third Convention, if he claims the status of prisoner of war, or if he appears to be entitled to such status, or if the Party on which he depends claims such status on his behalf by notification to the detaining Power or to the Protecting Power. Should any doubt arise as to whether any such person is entitled to the status of prisoner of war, he shall continue to have such status and, therefore, to be protected by the Third Convention and this Protocol until such time as his status has been determined by a competent tribunal.

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

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

*Article 46. SPIES.* 1. Notwithstanding any other provision of the Conventions or of this Protocol, any member of the armed forces of a Party to the conflict who falls into the power of an adverse Party while engaging in espionage shall not have the right to the status of prisoner of war and may be treated as a spy.

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

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

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

*Article 47. MERCENARIES.* 1. A mercenary shall not have the right to be a combatant or a prisoner of war.

2. A mercenary is any person who:

- (a) Is specially recruited locally or abroad in order to fight in an armed conflict;
- (b) Does, in fact, take a direct part in the hostilities;
- (c) Is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that Party;
- (d) Is neither a national of a Party to the conflict nor a resident of territory controlled by a Party to the conflict;
- (e) Is not a member of the armed forces of a Party to the conflict; and
- (f) Has not been sent by a State which is not a Party to the conflict on official duty as a member of its armed forces.

#### PART IV

### CIVILIAN POPULATION

#### SECTION I. GENERAL PROTECTION AGAINST EFFECTS OF HOSTILITIES

##### Chapter I. *Basic rule and field of application*

*Article 48. BASIC RULE.* In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.

*Article 49. DEFINITION OF ATTACKS AND SCOPE OF APPLICATION.* 1. "Attacks" means acts of violence against the adversary, whether in offence or in defence.

2. The provisions of this Protocol with respect to attacks apply to all attacks in whatever territory conducted, including the national territory belonging to a Party to the conflict but under the control of an adverse Party.

3. The provisions of this Section apply to any land, air or sea warfare which may affect the civilian population, individual civilians or civilian objects on land. They further apply to all attacks from the sea or from the air against objectives on land but do not otherwise affect the rules of international law applicable in armed conflict at sea or in the air.

4. The provisions of this Section are additional to the rules concerning humanitarian protection contained in the Fourth Convention, particularly in Part II thereof, and in other international agreements binding upon the High Contracting Parties, as well as to other rules of international law relating to the protection of civilians and civilian objects on land, at sea or in the air against the effects of hostilities.

## Chapter II. *Civilians and civilian population*

*Article 50.* DEFINITION OF CIVILIANS AND CIVILIAN POPULATION. 1. A civilian is any person who does not belong to one of the categories of persons referred to in Article 4 A (1), (2), (3) and (6) of the Third Convention and in Article 43 of this Protocol. In case of doubt whether a person is a civilian, that person shall be considered to be a civilian.

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

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

*Article 51.* PROTECTION OF THE CIVILIAN POPULATION. 1. The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations. To give effect to this protection, the following rules, which are additional to other applicable rules of international law, shall be observed in all circumstances.

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

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

4. Indiscriminate attacks are prohibited. Indiscriminate attacks are:

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

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

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

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

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

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



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

### Chapter III. *Civilian objects*

*Article 52.* GENERAL PROTECTION OF CIVILIAN OBJECTS. 1. Civilian objects shall not be the object of attack or of reprisals. Civilian objects are all objects which are not military objectives as defined in paragraph 2.

2. Attacks shall be limited strictly to military objectives. In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

3. In case of doubt whether an object which is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling or a school, is being used to make an effective contribution to military action, it shall be presumed not to be so used.

*Article 53.* PROTECTION OF CULTURAL OBJECTS AND OF PLACES OF WORSHIP. Without prejudice to the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954,<sup>1</sup> and of other relevant international instruments, it is prohibited:

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

*Article 54.* PROTECTION OF OBJECTS INDISPENSABLE TO THE SURVIVAL OF THE CIVILIAN POPULATION. 1. Starvation of civilians as a method of warfare is prohibited.

2. It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.

3. The prohibitions in paragraph 2 shall not apply to such of the objects covered by it as are used by an adverse Party:

- (a) As sustenance solely for the members of its armed forces; or
- (b) If not as sustenance, then in direct support of military action, provided, however, that in no event shall actions against these objects be taken which may be expected to leave the civilian population with such inadequate food or water as to cause its starvation or force its movement.

4. These objects shall not be made the object of reprisals.

5. In recognition of the vital requirements of any Party to the conflict in the defence of its national territory against invasion, derogation from the prohibitions

<sup>1</sup> United Nations, *Treaty Series*, vol. 249, p. 215.

contained in paragraph 2 may be made by a Party to the conflict within such territory under its own control where required by imperative military necessity.

*Article 55. PROTECTION OF THE NATURAL ENVIRONMENT.* 1. Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population.

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

*Article 56. PROTECTION OF WORKS AND INSTALLATIONS CONTAINING DANGEROUS FORCES.* 1. Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, shall not be made the object of attack, even where these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population. Other military objectives located at or in the vicinity of these works or installations shall not be made the object of attack if such attack may cause the release of dangerous forces from the works or installations and consequent severe losses among the civilian population.

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

- (a) For a dam or a dyke only if it is used for other than its normal function and in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support;
- (b) For a nuclear electrical generating station only if it provides electric power in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support;
- (c) For other military objectives located at or in the vicinity of these works or installations only if they are used in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support.

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

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

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

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

7. In order to facilitate the identification of the objects protected by this Article, the Parties to the conflict may mark them with a special sign consisting of a group

of three bright orange circles placed on the same axis, as specified in Article 16 of Annex I to this Protocol. The absence of such marking in no way relieves any Party to the conflict of its obligations under this Article.

#### Chapter IV. *Precautionary measures*

*Article 57. PRECAUTIONS IN ATTACK.* 1. In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects.

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

- (a) Those who plan or decide upon an attack shall:
- (i) Do everything feasible to verify that the objectives to be attacked are neither civilians nor civilian objects and are not subject to special protection but are military objectives within the meaning of paragraph 2 of Article 52 and that it is not prohibited by the provisions of this Protocol to attack them;
  - (ii) Take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects;
  - (iii) Refrain from deciding to launch any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;
- (b) An attack shall be cancelled or suspended if it becomes apparent that the objective is not a military one or is subject to special protection or that the attack may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;
- (c) Effective advance warning shall be given of attacks which may affect the civilian population, unless circumstances do not permit.

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

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

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

*Article 58. PRECAUTIONS AGAINST THE EFFECTS OF ATTACKS.* The Parties to the conflict shall, to the maximum extent feasible:

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

### Chapter V. *Localities and zones under special protection*

*Article 59. NON-DEFENDED LOCALITIES.* 1. It is prohibited for the Parties to the conflict to attack, by any means whatsoever, non-defended localities.

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

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

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

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

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

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

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

*Article 60. DEMILITARIZED ZONES.* 1. It is prohibited for the Parties to the conflict to extend their military operations to zones on which they have conferred by agreement the status of demilitarized zone, if such extension is contrary to the terms of this agreement.

2. The agreement shall be an express agreement, may be concluded verbally or in writing, either directly or through a Protecting Power or any impartial humanitarian organization, and may consist of reciprocal and concordant declarations. The agreement may be concluded in peacetime, as well as after the outbreak of hostilities,

and should define and describe, as precisely as possible, the limits of the demilitarized zone and, if necessary, lay down the methods of supervision.

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

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

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

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

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

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

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

#### Chapter VI. *Civil defence*

*Article 61.* DEFINITIONS AND SCOPE. For the purposes of this Protocol:

(a) "Civil defence" means the performance of some or all of the undermentioned humanitarian tasks intended to protect the civilian population against the dangers, and to help it to recover from the immediate effects, of hostilities or disasters and also to provide the conditions necessary for its survival. These tasks are:

- (i) Warning;
- (ii) Evacuation;
- (iii) Management of shelters;
- (iv) Management of blackout measures;
- (v) Rescue;
- (vi) Medical services, including first aid, and religious assistance;
- (vii) Fire-fighting;
- (viii) Detection and marking of danger areas;
- (ix) Decontamination and similar protective measures;
- (x) Provision of emergency accommodation and supplies;
- (xi) Emergency assistance in the restoration and maintenance of order in distressed areas;

- (xii) Emergency repair of indispensable public utilities;
- (xiii) Emergency disposal of the dead;
- (xiv) Assistance in the preservation of objects essential for survival;
- (xv) Complementary activities necessary to carry out any of the tasks mentioned above, including, but not limited to, planning and organization;

(b) "Civil defence organizations" means those establishments and other units which are organized or authorized by the competent authorities of a Party to the conflict to perform any of the tasks mentioned under sub-paragraph (a), and which are assigned and devoted exclusively to such tasks;

(c) "Personnel" of civil defence organizations means those persons assigned by a Party to the conflict exclusively to the performance of the tasks mentioned under sub-paragraph (a), including personnel assigned by the competent authority of that Party exclusively to the administration of these organizations;

(d) "*Matériel*" of civil defence organizations means equipment, supplies and transports used by these organizations for the performance of the tasks mentioned under sub-paragraph (a).

*Article 62. GENERAL PROTECTION.* 1. Civilian civil defence organizations and their personnel shall be respected and protected, subject to the provisions of this Protocol, particularly the provisions of this Section. They shall be entitled to perform their civil defence tasks except in case of imperative military necessity.

2. The provisions of paragraph 1 shall also apply to civilians who, although not members of civilian civil defence organizations, respond to an appeal from the competent authorities and perform civil defence tasks under their control.

3. Buildings and *matériel* used for civil defence purposes and shelters provided for the civilian population are covered by Article 52. Objects used for civil defence purposes may not be destroyed or diverted from their proper use except by the Party to which they belong.

*Article 63. CIVIL DEFENCE IN OCCUPIED TERRITORIES* 1. In occupied territories, civilian civil defence organizations shall receive from the authorities the facilities necessary for the performance of their tasks. In no circumstances shall their personnel be compelled to perform activities which would interfere with the proper performance of these tasks. The Occupying Power shall not change the structure or personnel of such organizations in any way which might jeopardize the efficient performance of their mission. These organizations shall not be required to give priority to the nationals or interests of that Power.

2. The Occupying Power shall not compel, coerce or induce civilian civil defence organizations to perform their tasks in any manner prejudicial to the interests of the civilian population.

3. The Occupying Power may disarm civil defence personnel for reasons of security.

4. The Occupying Power shall neither divert from their proper use nor requisition buildings or *matériel* belonging to or used by civil defence organizations if such diversion or requisition would be harmful to the civilian population.

5. Provided that the general rule in paragraph 4 continues to be observed, the Occupying Power may requisition or divert these resources, subject to the following particular conditions:

(a) That the buildings or *matériel* are necessary for other needs of the civilian population; and

(b) That the requisition or diversion continues only while such necessity exists.

6. The Occupying Power shall neither divert nor requisition shelters provided for the use of the civilian population or needed by such population.

*Article 64. CIVILIAN CIVIL DEFENCE ORGANIZATIONS OF NEUTRAL OR OTHER STATES NOT PARTIES TO THE CONFLICT AND INTERNATIONAL CO-ORDINATING ORGANIZATIONS.* 1. Articles 62, 63, 65 and 66 shall also apply to the personnel and *matériel* of civilian civil defence organizations of neutral or other States not Parties to the conflict which perform civil defence tasks mentioned in Article 61 in the territory of a Party to the conflict, with the consent and under the control of that Party. Notification of such assistance shall be given as soon as possible to any adverse Party concerned. In no circumstances shall this activity be deemed to be an interference in the conflict. This activity should, however, be performed with due regard to the security interests of the Parties to the conflict concerned.

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

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

*Article 65. CESSATION OF PROTECTION.* 1. The protection to which civilian civil defence organizations, their personnel, buildings, shelters and *matériel* are entitled shall not cease unless they commit or are used to commit, outside their proper tasks, acts harmful to the enemy. Protection may, however, cease only after a warning has been given setting, whenever appropriate, a reasonable time-limit, and after such warning has remained unheeded.

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

(a) That civil defence tasks are carried out under the direction or control of military authorities;

(b) That civilian civil defence personnel co-operate with military personnel in the performance of civil defence tasks, or that some military personnel are attached to civilian civil defence organizations;

(c) That the performance of civil defence tasks may incidentally benefit military victims, particularly those who are *hors de combat*.

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

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

*Article 66. IDENTIFICATION.* 1. Each Party to the conflict shall endeavour to ensure that its civil defence organizations, their personnel, buildings and *matériel*, are identifiable while they are exclusively devoted to the performance of civil defence tasks. Shelters provided for the civilian population should be similarly identifiable.

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

3. In occupied territories and in areas where fighting is taking place or is likely to take place, civilian civil defence personnel should be recognizable by the international distinctive sign of civil defence and by an identity card certifying their status.

4. The international distinctive sign of civil defence is an equilateral blue triangle on an orange ground when used for the protection of civil defence organizations, their personnel, buildings and *matériel* and for civilian shelters.

5. In addition to the distinctive sign, Parties to the conflict may agree upon the use of distinctive signals for civil defence identification purposes.

6. The application of the provisions of paragraphs 1 to 4 is governed by Chapter V of Annex I to this Protocol.

7. In time of peace, the sign described in paragraph 4 may, with the consent of the competent national authorities, be used for civil defence identification purposes.

8. The High Contracting Parties and the Parties to the conflict shall take the measures necessary to supervise the display of the international distinctive sign of civil defence and to prevent and repress any misuse thereof.

9. The identification of civil defence medical and religious personnel, medical units and medical transports is also governed by Article 18.

*Article 67. MEMBERS OF THE ARMED FORCES AND MILITARY UNITS ASSIGNED TO CIVIL DEFENCE ORGANIZATIONS.* 1. Members of the armed forces and military units assigned to civil defence organizations shall be respected and protected, provided that:

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



(f) Such personnel and such units perform their civil defence tasks only within the national territory of their party.

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

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

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

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

## SECTION II. RELIEF IN FAVOUR OF THE CIVILIAN POPULATION

*Article 68.* FIELD OF APPLICATION. The provisions of this Section apply to the civilian population as defined in this Protocol and are supplementary to Articles 23, 55, 59, 60, 61 and 62 and other relevant provisions of the Fourth Convention.

*Article 69.* BASIC NEEDS IN OCCUPIED TERRITORIES. 1. In addition to the duties specified in Article 55 of the Fourth Convention concerning food and medical supplies, the Occupying Power shall, to the fullest extent of the means available to it and without any adverse distinction, also ensure the provision of clothing, bedding, means of shelter, other supplies essential to the survival of the civilian population of the occupied territory and objects necessary for religious worship.

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

*Article 70.* RELIEF ACTIONS. 1. If the civilian population of any territory under the control of a Party to the conflict, other than occupied territory, is not adequately provided with the supplies mentioned in Article 69, relief actions which are humanitarian and impartial in character and conducted without any adverse distinction shall be undertaken, subject to the agreement of the Parties concerned in such relief actions. Offers of such relief shall not be regarded as interference in the armed conflict or as unfriendly acts. In the distribution of relief consignments, priority shall be given to those persons, such as children, expectant mothers, maternity cases and nursing mothers, who, under the Fourth Convention or under this Protocol, are to be accorded privileged treatment or special protection.

2. The Parties to the conflict and each High Contracting Party shall allow and facilitate rapid and unimpeded passage of all relief consignments, equipment and

personnel provided in accordance with this Section, even if such assistance is destined for the civilian population of the adverse Party.

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

- (a) Shall have the right to prescribe the technical arrangements, including search, under which such passage is permitted;
- (b) May make such permission conditional on the distribution of this assistance being made under the local supervision of a Protecting Power;
- (c) Shall, in [no] way whatsoever, divert relief consignments from the purpose for which they are intended nor delay their forwarding, except in cases of urgent necessity in the interest of the civilian population concerned.

4. The Parties to the conflict shall protect relief consignments and facilitate their rapid distribution.

5. The Parties to the conflict and each High Contracting Party concerned shall encourage and facilitate effective international co-ordination of the relief actions referred to in paragraph 1.

*Article 71. PERSONNEL PARTICIPATING IN RELIEF ACTIONS.* 1. Where necessary, relief personnel may form part of the assistance provided in any relief action, in particular for the transportation and distribution of relief consignments; the participation of such personnel shall be subject to the approval of the Party in whose territory they will carry out their duties.

2. Such personnel shall be respected and protected.

3. Each Party in receipt of relief consignments shall, to the fullest extent practicable, assist the relief personnel referred to in paragraph 1 in carrying out their relief mission. Only in case of imperative military necessity may the activities of the relief personnel be limited or their movements temporarily restricted.

4. Under no circumstances may relief personnel exceed the terms of their mission under this Protocol. In particular they shall take account of the security requirements of the Party in whose territory they are carrying out their duties. The mission of any of the personnel who do not respect these conditions may be terminated.

### SECTION III. TREATMENT OF PERSONS IN THE POWER OF A PARTY TO THE CONFLICT

#### Chapter I. *Field of application and protection of persons and objects*

*Article 72. FIELD OF APPLICATION.* The provisions of this Section are additional to the rules concerning humanitarian protection of civilians and civilian objects in the power of a Party to the conflict contained in the Fourth Convention, particularly Parts I and III thereof, as well as to other applicable rules of international law relating to the protection of fundamental human rights during international armed conflict.

*Article 73. REFUGEES AND STATELESS PERSONS.* Persons who, before the beginning of hostilities, were considered as stateless persons or refugees under the relevant international instruments accepted by the Parties concerned or under the national legislation of the State of refuge or State of residence shall be protected persons within the meaning of Parts I and III of the Fourth Convention, in all circumstances and without any adverse distinction.

*Article 74.* REUNION OF DISPERSED FAMILIES. The High Contracting Parties and the Parties to the conflict shall facilitate in every possible way the reunion of families dispersed as a result of armed conflicts and shall encourage in particular the work of the humanitarian organizations engaged in this task in accordance with the provisions of the Conventions and of this Protocol and in conformity with their respective security regulations.

*Article 75.* FUNDAMENTAL GUARANTEES. 1. In so far as they are affected by a situation referred to in Article 1 of this Protocol, persons who are in the power of a Party to the conflict and who do not benefit from more favourable treatment under the Conventions or under this Protocol shall be treated humanely in all circumstances and shall enjoy, as a minimum, the protection provided by this Article without any adverse distinction based upon race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria. Each Party shall respect the person, honour, convictions and religious practices of all such persons.

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

- (a) Violence to the life, health, or physical or mental well-being of persons, in particular:
  - (i) Murder;
  - (ii) Torture of all kinds, whether physical or mental;
  - (iii) Corporal punishment; and
  - (iv) [Mutilation];
- (b) Outrages upon personal dignity, in particular humiliating and degrading treatment, enforced prostitution and any form of indecent assault;
- (c) The taking of hostages;
- (d) Collective punishments; and
- (e) Threats to commit any of the foregoing acts.

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

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

- (a) The procedure shall provide for an accused to be informed without delay of the particulars of the offence alleged against him and shall afford the accused before and during his trial all necessary rights and means of defence;
- (b) No one shall be convicted of an offence except on the basis of individual penal responsibility;
- (c) No one shall be accused or convicted of a criminal offence on account of any act or omission which did not constitute a criminal offence under the national or international law to which he was subject at the time when it was committed; nor

shall a heavier penalty be imposed than that which was applicable at the time when the criminal offence was committed; if, after the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby;

- (d) Anyone charged with an offence is presumed innocent until proved guilty according to law;
- (e) Anyone charged with an offence shall have the right to be tried in his presence;
- (f) No one shall be compelled to testify against himself or to confess guilt;
- (g) Anyone charged with an offence shall have the right to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- (h) No one shall be prosecuted or punished by the same Party for an offence in respect of which a final judgement acquitting or convicting that person has been previously pronounced under the same law and judicial procedure;
- (i) Anyone prosecuted for an offence shall have the right to have the judgement pronounced publicly; and
- (j) A convicted person shall be advised on conviction of his judicial and other remedies and of the time-limits within which they may be exercised.

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

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

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

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

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

## Chapter II. *Measures in favour of women and children*

*Article 76. PROTECTION OF WOMEN.* 1. Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault.

2. Pregnant women and mothers having dependent infants who are arrested, detained or interned for reasons related to the armed conflict, shall have their cases considered with the utmost priority.

3. To the maximum extent feasible, the Parties to the conflict shall endeavour to avoid the pronouncement of the death penalty on pregnant women or mothers having dependent infants, for an offence related to the armed conflict. The death penalty for such offences shall not be executed on such women.

*Article 77. PROTECTION OF CHILDREN.* 1. Children shall be the object of special respect and shall be protected against any form of indecent assault. The Parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason.

2. The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, the Parties to the conflict shall endeavour to give priority to those who are oldest.

3. If, in exceptional cases, despite the provisions of paragraph 2, children who have not attained the age of fifteen years take a direct part in hostilities and fall into the power of an adverse Party, they shall continue to benefit from the special protection accorded by this Article, whether or not they are prisoners of war.

4. If arrested, detained or interned for reasons related to the armed conflict, children shall be held in quarters separate from the quarters of adults, except where families are accommodated as family units as provided in Article 75, paragraph 5.

5. The death penalty for an offence related to the armed conflict shall not be executed on persons who had not attained the age of eighteen years at the time the offence was committed.

*Article 78. EVACUATION OF CHILDREN.* 1. No Party to the conflict shall arrange for the evacuation of children, other than its own nationals, to a foreign country except for a temporary evacuation where compelling reasons of the health or medical treatment of the children or, except in occupied territory, their safety, so require. Where the parents or legal guardians can be found, their written consent to such evacuation is required. If these persons cannot be found, the written consent to such evacuation of the persons who by law or custom are primarily responsible for the care of the children is required. Any such evacuation shall be supervised by the Protecting Power in agreement with the Parties concerned, namely, the Party arranging for the evacuation, the Party receiving the children and any Parties whose nationals are being evacuated. In each case, all Parties to the conflict shall take all feasible precautions to avoid endangering the evacuation.

2. Whenever an evacuation occurs pursuant to paragraph 1, each child's education, including his religious and moral education as his parents desire, shall be provided while he is away with the greatest possible continuity.

3. With a view to facilitating the return to their families and country of children evacuated pursuant to this Article, the authorities of the Party arranging for the evacuation and, as appropriate, the authorities of the receiving country shall establish for each child a card with photographs, which they shall send to the Central Tracing Agency of the International Committee of the Red Cross. Each card shall bear, whenever possible, and whenever it involves no risk of harm to the child, the following information:

- (a) Surname(s) of the child;
- (b) The child's first name(s);

- (c) The child's sex;
- (d) The place and date of birth (or, if that date is not known, the approximate age);
- (e) The father's full name;
- (f) The mother's full name and her maiden name;
- (g) The child's next of kin;
- (h) The child's nationality;
- (i) The child's native language, and any other languages he speaks;
- (j) The address of the child's family;
- (k) Any identification number for the child;
- (l) The child's state of health;
- (m) The child's blood group;
- (n) Any distinguishing features;
- (o) The date on which and the place where the child was found;
- (p) The date on which and the place from which the child left the country;
- (q) The child's religion, if any;
- (r) The child's present address in the receiving country;
- (s) Should the child die before his return, the date, place and circumstances of death and place of interment.

### Chapter III. *Journalists*

*Article 79.* MEASURES OF PROTECTION FOR JOURNALISTS. 1. Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of Article 50, paragraph 1.

2. They shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians, and without prejudice to the right of war correspondents accredited to the armed forces to the status provided for in Article 4 A (4) of the Third Convention.

3. They may obtain an identity card similar to the model in Annex II of this Protocol. This card, which shall be issued by the government of the State of which the journalist is a national or in whose territory he resides or in which the news medium employing him is located, shall attest to his status as a journalist.

## PART V

### EXECUTION OF THE CONVENTIONS AND OF THIS PROTOCOL

#### SECTION I. GENERAL PROVISIONS

*Article 80.* MEASURES FOR EXECUTION. 1. The High Contracting Parties and the Parties to the conflict shall without delay take all necessary measures for the execution of their obligations under the Conventions and this Protocol.

2. The High Contracting Parties and the Parties to the conflict shall give orders and instructions to ensure observance of the Conventions and this Protocol, and shall supervise their execution.

*Article 81.* ACTIVITIES OF THE RED CROSS AND OTHER HUMANITARIAN ORGANIZATIONS. 1. The Parties to the conflict shall grant to the International Committee

of the Red Cross all facilities within their power so as to enable it to carry out the humanitarian functions assigned to it by the Conventions and this Protocol in order to ensure protection and assistance to the victims of conflicts; the International Committee of the Red Cross may also carry out any other humanitarian activities in favour of these victims, subject to the consent of the Parties to the conflict concerned.

2. The Parties to the conflict shall grant to their respective Red Cross (Red Crescent, Red Lion and Sun) organizations the facilities necessary for carrying out their humanitarian activities in favour of the victims of the conflict, in accordance with the provisions of the Conventions and this Protocol and the fundamental principles of the Red Cross as formulated by the International Conferences of the Red Cross.

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

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

*Article 82. LEGAL ADVISERS IN ARMED FORCES.* The High Contracting Parties at all times, and the Parties to the conflict in time of armed conflict, shall ensure that legal advisers are available, when necessary, to advise military commanders at the appropriate level on the application of the Conventions and this Protocol and on the appropriate instruction to be given to the armed forces on this subject.

*Article 83. DISSEMINATION.* 1. The High Contracting Parties undertake, in time of peace as in time of armed conflict, to disseminate the Conventions and this Protocol as widely as possible in their respective countries and, in particular, to include the study thereof in their programmes of military instruction and to encourage the study thereof by the civilian population, so that those instruments may become known to the armed forces and to the civilian population.

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

*Article 84. RULES OF APPLICATION.* The High Contracting Parties shall [communicate] to one another, as soon as possible, through the depositary and, as appropriate, through the Protecting Powers, their official translations of this Protocol, as well as the laws and regulations which they may adopt to ensure its application.

## SECTION II. REPRESSION OF BREACHES OF THE CONVENTIONS AND OF THIS PROTOCOL

*Article 85. REPRESSION OF BREACHES OF THIS PROTOCOL.* 1. The provisions of the Conventions relating to the repression of breaches and grave breaches, supplemented by this Section, shall apply to the repression of breaches and grave breaches of this Protocol.

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

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

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

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

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

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

*Article 86. FAILURE TO ACT.* 1. The High Contracting Parties and the Parties to the conflict shall repress grave breaches, and take measures necessary to sup-



press all other breaches, of the Conventions or of this Protocol which result from a failure to act when under a duty to do so.

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

*Article 87. DUTY OF COMMANDERS.* 1. The High Contracting Parties and the Parties to the conflict shall require military commanders, with respect to members of the armed forces under their command and other persons under their control, to prevent and, where necessary, to suppress and to report to competent authorities breaches of the Conventions and of this Protocol.

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

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

*Article 88. MUTUAL ASSISTANCE IN CRIMINAL MATTERS.* 1. The High Contracting Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of grave breaches of the Conventions or of this Protocol.

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

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

*Article 89. CO-OPERATION.* In situations of serious violations of the Conventions or of this Protocol, the High Contracting Parties undertake to act, jointly or individually, in co-operation with the United Nations and in conformity with the United Nations Charter.

*Article 90. INTERNATIONAL FACT-FINDING COMMISSION.* 1. (a) An International Fact-Finding Commission (hereinafter referred to as "the Commission") consisting of fifteen members of high moral standing and acknowledged impartiality shall be established.

(b) When not less than twenty High Contracting Parties have agreed to accept the competence of the Commission pursuant to paragraph 2, the depositary shall

then, and at intervals of five years thereafter, convene a meeting of representatives of those High Contracting Parties for the purpose of electing the members of the Commission. At the meeting, the representatives shall elect the members of the Commission by secret ballot from a list of persons to which each of those High Contracting Parties may nominate one person.

(c) The members of the Commission shall serve in their personal capacity and shall hold office until the election of new members at the ensuing meeting.

(d) At the election, the High Contracting Parties shall ensure that the persons to be elected to the Commission individually possess the qualifications required and that, in the Commission as a whole, equitable geographical representation is assured.

(e) In the case of a casual vacancy, the Commission itself shall fill the vacancy, having due regard to the provisions of the preceding sub-paragraphs.

(f) The depositary shall make available to the Commission the necessary administrative facilities for the performance of its functions.

2. (a) The High Contracting Parties may at the time of signing, ratifying or acceding to the Protocol, or at any other subsequent time, declare that they recognize *ipso facto* and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the Commission to enquire into allegations by such other Party, as authorized by this Article.

(b) The declarations referred to above shall be deposited with the depositary, which shall transmit copies thereof to the High Contracting Parties.

(c) The Commission shall be competent to:

- (i) Enquire into any facts alleged to be a grave breach as defined in the Conventions and this Protocol or other serious violation of the Conventions or of this Protocol;
- (ii) Facilitate, through its good offices, the restoration of an attitude of respect for the Conventions and this Protocol.

(d) In other situations, the Commission shall institute an enquiry at the request of a Party to the conflict only with the consent of the other Party or Parties concerned.

(e) Subject to the foregoing provisions of this paragraph, the provisions of Article 52 of the First Convention, Article 53 of the Second Convention, Article 132 of the Third Convention and Article 149 of the Fourth Convention shall continue to apply to any alleged violation of the Conventions and shall extend to any alleged violation of this Protocol.

3. (a) Unless otherwise agreed by the Parties concerned, all enquiries shall be undertaken by a Chamber consisting of seven members appointed as follows:

- (i) Five members of the Commission, not nationals of any Party to the conflict, appointed by the President of the Commission on the basis of equitable representation of the geographical areas, after consultation with the Parties to the conflict;
- (ii) Two *ad hoc* members, not nationals of any Party to the conflict, one to be appointed by each side.

(b) Upon receipt of the request for an enquiry, the President of the Commission shall specify an appropriate time-limit for setting up a Chamber. If any *ad hoc* member has not been appointed within the time-limit, the President shall immediately appoint such additional member or members of the Commission as may be necessary to complete the membership of the Chamber.

4. (a) The Chamber set up under paragraph 3 to undertake an enquiry shall invite the Parties to the conflict to assist it and to present evidence. The Chamber may

also seek such other evidence as it deems appropriate and may carry out an investigation of the situation *in loco*.

(b) All evidence shall be fully disclosed to the Parties, which shall have the right to comment on it to the Commission.

(c) Each Party shall have the right to challenge such evidence.

5. (a) The Commission shall submit to the Parties a report on the findings of fact of the Chamber, with such recommendations as it may deem appropriate.

(b) If the Chamber is unable to secure sufficient evidence for factual and impartial findings, the Commission shall state the reasons for that inability.

(c) The Commission shall not report its findings publicly, unless all the Parties to the conflict have requested the Commission to do so.

6. The Commission shall establish its own rules, including rules for the presidency of the Commission and the presidency of the Chamber. Those rules shall ensure that the functions of the President of the Commission are exercised at all times and that, in the case of an enquiry, they are exercised by a person who is not a national of a Party to the conflict.

7. The administrative expenses of the Commission shall be met by contributions from the High Contracting Parties which made declarations under paragraph 2, and by voluntary contributions. The Party or Parties to the conflict requesting an enquiry shall advance the necessary funds for expenses incurred by a Chamber and shall be reimbursed by the Party or Parties against which the allegations are made to the extent of fifty per cent of the costs of the Chamber. Where there are counter-allegations before the Chamber each side shall advance fifty per cent of the necessary funds.

*Article 91. RESPONSIBILITY.* A Party to the conflict which violates the provisions of the Conventions or of this Protocol shall, if the case demands, be liable to pay compensation. It shall be responsible for all acts committed by persons forming part of its armed forces.

## PART VI

### FINAL PROVISIONS

*Article 92. SIGNATURE.* This Protocol shall be open for signature by the Parties to the Conventions six months after the signing of the Final Act and will remain open for a period of twelve months.

*Article 93. RATIFICATION.* This Protocol shall be ratified as soon as possible. The instruments of ratification shall be deposited with the Swiss Federal Council, depositary of the Conventions.

*Article 94. ACCESSION.* This Protocol shall be open for accession by any Party to the Conventions which has not signed it. The instruments of accession shall be deposited with the depositary.

*Article 95. ENTRY INTO FORCE.* 1. This Protocol shall enter into force six months after two instruments of ratification or accession have been deposited.

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

*Article 96. TREATY RELATIONS UPON ENTRY INTO FORCE OF THIS PROTOCOL.* 1. When the Parties to the Conventions are also Parties to this Protocol, the Conventions shall apply as supplemented by this Protocol.

2. When one of the Parties to the conflict is not bound by this Protocol, the Parties to the Protocol shall remain bound by it in their mutual relations. They shall furthermore be bound by this Protocol in relation to each of the Parties which are not bound by it, if the latter accepts and applies the [provisions] thereof.

3. The authority representing a people engaged against a High Contracting Party in an armed conflict of the type referred to in Article 1, paragraph 4, may undertake to apply the Conventions and this Protocol in relation to that conflict by means of a unilateral declaration addressed to the depositary. Such declaration shall, upon its receipt by the depositary, have in relation to that conflict the following effects:

- (a) The Conventions and this Protocol are brought into force for the said authority as a Party to the conflict with immediate effect;
- (b) The said authority assumes the same rights and obligations as those which have been assumed by a High Contracting Party to the Conventions and this Protocol; and
- (c) The Conventions and this Protocol are equally binding upon all Parties to the conflict.

*Article 97. AMENDMENT.* 1. Any High Contracting Party may propose amendments to this Protocol. The text of any proposed amendment shall be communicated to the depositary, which shall decide, after consultation with all the High Contracting Parties and the International Committee of the Red Cross, whether a conference should be convened to consider the proposed amendment.

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

*Article 98. REVISION OF ANNEX I.* 1. Not later than four years after the entry into force of this Protocol and thereafter at intervals of not less than four years, the International Committee of the Red Cross shall consult the High Contracting Parties concerning Annex I to this Protocol and, if it considers it necessary, may propose a meeting of technical experts to review Annex I and to propose such amendments to it as may appear to be desirable. Unless, within six months of the communication of a proposal for such a meeting to the High Contracting Parties, one third of them object, the International Committee of the Red Cross shall convene the meeting, inviting also observers of appropriate international organizations. Such a meeting shall also be convened by the International Committee of the Red Cross at any time at the request of one third of the High Contracting Parties.

2. The depositary shall convene a conference of the High Contracting Parties and the Parties to the Conventions to consider amendments proposed by the meeting of technical experts if, after that meeting, the International Committee of the Red Cross or one third of the High Contracting Parties so request.

3. Amendments to Annex I may be adopted at such a conference by a two-thirds majority of the High Contracting Parties present and voting.

4. The depositary shall communicate any amendment so adopted to the High Contracting Parties and to the Parties to the Conventions. The amendment shall be

considered to have been accepted at the end of a period of one year after it has been so communicated, unless within that period a declaration of non-acceptance of the amendment has been communicated to the depositary by not less than one third of the High Contracting Parties.

5. An amendment considered to have been accepted in accordance with paragraph 4 shall enter into force three months after its acceptance for all High Contracting Parties other than those which have made a declaration of non-acceptance in accordance with that paragraph. Any Party making such a declaration may at any time withdraw it and the amendment shall then enter into force for that Party three months thereafter.

6. The depositary shall notify the High Contracting Parties and the Parties to the Conventions of the entry into force of any amendment, of the Parties bound thereby, of the date of its entry into force in relation to each Party, of declarations of non-acceptance made in accordance with paragraph 4, and of withdrawals of such declarations.

*Article 99. DENUNCIATION.* 1. In case a High Contracting Party should denounce this Protocol, the denunciation shall only take effect one year after receipt of the instrument of denunciation. If, however, on the expiry of that year the denouncing Party is engaged in one of the situations referred to in Article 1, the denunciation shall not take effect before the end of the armed conflict or occupation and not, in any case, before operations connected with the final release, repatriation or re-establishment of the persons protected by the Conventions or this Protocol have been terminated.

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

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

4. Any denunciation under paragraph 1 shall not affect the obligations already incurred, by reason of the armed conflict, under this Protocol by such denouncing Party in respect of any act committed before this denunciation becomes effective.

*Article 100. NOTIFICATIONS.* The depositary shall inform the High Contracting Parties as well as the Parties to the Conventions, whether or not they are signatories of this Protocol, of:

- (a) Signatures affixed to this Protocol and the deposit of instruments of ratification and accession under Articles 93 and 94;
- (b) The date of entry into force of this Protocol under Article 95;
- (c) Communications and declarations received under Articles 84, 90 and 97;
- (d) Declarations received under Article 96, paragraph 3, which shall be communicated by the quickest methods; and
- (e) Denunciations under Article 99.

*Article 101. REGISTRATION* 1. After its entry into force, this Protocol shall be transmitted by the depositary to the Secretariat of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

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

*Article 102.* AUTHENTIC TEXTS. The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the depositary, which shall transmit certified true copies thereof to all the Parties to the Conventions.

## A N N E X I

### REGULATIONS CONCERNING IDENTIFICATION

#### CHAPTER I. IDENTITY CARDS

*Article 1.* IDENTITY CARD FOR PERMANENT CIVILIAN MEDICAL AND RELIGIOUS PERSONNEL. 1. The identity card for permanent civilian medical and religious personnel referred to in Article 18, paragraph 3, of the Protocol should:

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



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

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

*Article 2.* IDENTITY CARD FOR TEMPORARY CIVILIAN MEDICAL AND RELIGIOUS PERSONNEL. 1. The identity card for temporary civilian medical and religious personnel should, whenever possible, be similar to that provided for in Article 1 of these Regulations. The Parties to the conflict may be guided by the model shown in Figure 1.

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

FRONT

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

REVERSE SIDE

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

Fig. 1. MODEL OF IDENTITY CARD  
(format: 74 mm × 105 mm)

## CHAPTER II. THE DISTINCTIVE EMBLEM

*Article 3. SHAPE AND NATURE.* 1. The distinctive emblem (red on a white ground) shall be as large as appropriate under the circumstances. For the shapes of the cross, the crescent or the lion and sun, the High Contracting Parties may be guided by the models shown in Figure 2.

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



*Fig 2. DISTINCTIVE EMBLEMS IN RED ON A WHITE GROUND*

*Article 4. USE.* 1. The distinctive emblem shall, whenever possible, be displayed on a flat surface or on flags visible from as many directions and from as far away as possible.

2. Subject to the instructions of the competent authority, medical and religious personnel carrying out their duties in the battle area shall, as far as possible, wear headgear and clothing bearing the distinctive emblem.

## CHAPTER III. DISTINCTIVE SIGNALS

*Article 5. OPTIONAL USE.* 1. Subject to the provisions of Article 6 of these Regulations, the signals specified in this Chapter for exclusive use by medical units and transports shall not be used for any other purpose. The use of all signals referred to in this Chapter is optional.

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

*Article 6. LIGHT SIGNAL.* 1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates:

- Green boundary:  $y = 0.065 + 0.805x$
- White boundary:  $y = 0.400 - x$
- Purple boundary:  $x = 0.133 + 0.600y$

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



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

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

*Article 7. RADIO SIGNAL.* 1. The radio signal shall consist of a radiotelephonic or radiotelegraphic message preceded by a distinctive priority signal to be designated and approved by a World Administrative Radio Conference of the International Telecommunication Union. It shall be transmitted three times before the call sign of the medical transport involved. This message shall be transmitted in English at appropriate on a frequency or frequencies specified pursuant to paragraph 3. The use of the priority signal shall be restricted exclusively to medical units and transports.

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

- (a) Call sign of the medical transport;
- (b) Position of the medical transport;
- (c) Number and type of medical transports;
- (d) Intended route;
- (e) Estimated time *en route* and of departure and arrival, as appropriate;
- (f) Any other information such as flight altitude, radio frequencies guarded, languages and secondary surveillance radar modes and codes.

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

*Article 8. ELECTRONIC IDENTIFICATION.* 1. The Secondary Surveillance Radar (SSR) system, as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944,<sup>2</sup> as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.

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

#### CHAPTER IV. COMMUNICATIONS

*Article 9. RADIOCOMMUNICATIONS.* The priority signal provided for in Article 7 of these Regulations may precede appropriate radiocommunications by medical units and transports in the application of the procedures carried out under Articles 22, 23, 25, 26, 27, 28, 29, 30 and 31 of the Protocol.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1209, No. I-19497.

<sup>2</sup> *Ibid.*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217, and vol. 1008, p. 213.

*Article 10.* USE OF INTERNATIONAL CODES. Medical units and transports may also use the codes and signals laid down by the International Telecommunication Union, the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization. These codes and signals shall be used in accordance with the standards, practices and procedures established by these Organizations.

*Article 11.* OTHER MEANS OF COMMUNICATION. When two-way radiocommunication is not possible, the signals provided for in the International Code of Signals adopted by the Inter-Governmental Maritime Consultative Organization or in the appropriate Annex to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used.

*Article 12.* FLIGHT PLANS. The agreements and notifications relating to flight plans provided for in Article 29 of the Protocol shall as far as possible be formulated in accordance with procedures laid down by the International Civil Aviation Organization.

*Article 13.* SIGNALS AND PROCEDURES FOR THE INTERCEPTION OF MEDICAL AIRCRAFT. If an intercepting aircraft is used to verify the identity of a medical aircraft in flight or to require it to land in accordance with Articles 30 and 31 of the Protocol, the standard visual and radio interception procedures prescribed by Annex 2 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, should be used by the intercepting and the medical aircraft.



#### CHAPTER V. CIVIL DEFENCE

*Article 14.* IDENTITY CARD. 1. The identity card of the civil defence personnel provided for in Article 66, paragraph 3, of the Protocol is governed by the relevant provisions of Article 1 of these Regulations.

2. The identity card for civil defence personnel may follow the model shown in Figure 3.

3. If civil defence personnel are permitted to carry light individual weapons, an entry to that effect should be made on the card mentioned.

FRONT

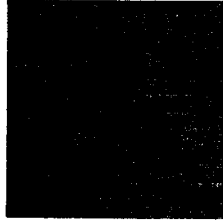
	(space reserved for the name of the country and authority issuing this card)	
<b>IDENTITY CARD</b> for civil defence personnel		
Name . . . . .		
Date of birth (or age) . . . . .		
Identity No. (if any) . . . . .		
The holder of this card is protected by the Geneva Conventions of 12 August 1949 and by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

REVERSE SIDE

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

Fig. 3. MODEL OF IDENTITY CARD FOR CIVIL DEFENCE PERSONNEL  
(format: 74 mm × 105 mm)

*Article 15.* INTERNATIONAL DISTINCTIVE SIGN. 1. The international distinctive sign of civil defence provided for in Article 66, paragraph 4, of the Protocol is an equilateral blue triangle on an orange ground. A model is shown in Figure 4:



*Fig. 4.* BLUE TRIANGLE ON AN ORANGE GROUND

2. It is recommended that:

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

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

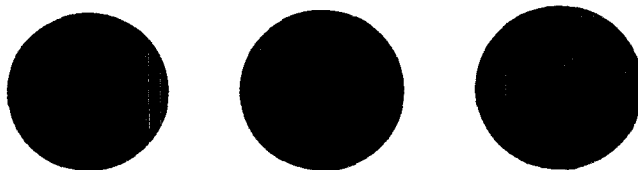
#### CHAPTER VI. WORKS AND INSTALLATIONS CONTAINING DANGEROUS FORCES

*Article 16.* INTERNATIONAL SPECIAL SIGN. 1. The international special sign for works and installations containing dangerous forces, as provided for in Article 56, paragraph 7, of the Protocol, shall be a group of three bright orange circles of equal size, placed on the same axis, the distance between each circle being one radius, in accordance with Figure 5 illustrated below.

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

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

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



*Fig. 5.* INTERNATIONAL SPECIAL SIGN FOR WORKS AND INSTALLATIONS  
CONTAINING DANGEROUS FORCES

## ANNEX II

## IDENTITY CARD FOR JOURNALISTS ON DANGEROUS PROFESSIONAL MISSIONS

## FRONT

## NOTICE

This identity card is issued to journalists on dangerous professional missions in areas of armed conflicts. The holder is entitled to be treated as a civilian under the Geneva Conventions of 12 August 1949, and their Additional Protocol I. The card must be carried at all times by the bearer. If he is detained, he shall at once hand it to the Detaining Authorities, to assist in his identification.

## لمحظة

تصرف هذه البطاقة للمحترفين الكثرين بمهمات مهنية خطيرة في مناطق النزاعات المسلحة ويحق لمالئها أن يعامل معاملة الشخصا المدني وفقا لاتفاقيات جنيف والبروتوكول الإضافي الأول. ويجب أن يحتفظ صاحب البطاقة بها دائما وإذا اعتقل يجب أن يسلمها فوراً إلى سلطة الاعتقال لتساعد على تحديده هويته.

## NOTA

La presente tarjeta de identidad se expide a los periodistas en misión profesional peligrosa en zonas de conflictos armados. Su titular tiene derecho a ser tratado como persona civil conforme a los Convenios de Ginebra del 12 de agosto de 1949 y su Protocolo adicional I. El titular debe llevar la tarjeta consigo, en todo momento. En caso de ser detenido, la entregará inmediatamente a las autoridades que lo detengan a fin de facilitar su identificación.

## AVIS

La présente carte d'identité est délivrée aux journalistes en mission professionnelle périlleuse dans des zones de conflit armé. Le porteur a le droit d'être traité comme une personne civile aux termes des Conventions de Genève du 12 août 1949, et de leur Protocole additionnel I. La carte doit être portée en tout temps par son titulaire. Si celui-ci est arrêté, il la remettra immédiatement aux autorités qui le retiennent afin qu'elles puissent l'identifier.

## ПРИМЕЧАНИЕ

Настоящее удостоверение выдается журналистам, находящимся в опасных профессиональных командировках в районах вооруженного конфликта. Его обладатель имеет право на обращение с ним как с гражданским лицом в соответствии с Женевскими Конвенциями от 12 августа 1949 г. и Дополнительным Протоколом I к ним. Владелец настоящего удостоверения должен постоянно иметь его при себе. В случае задержания он немедленно вручает его задерживающим властям для содействия установлению его личности.

(Name of country issuing this card)

( اسم القطر الصادر لهذه البطاقة )

(Nombre del país que expide esta tarjeta)

(Nom du pays qui a délivré cette carte)

(Название страны, выдавшей настоящее удостоверение)

IDENTITY CARD FOR JOURNALISTS

ON DANGEROUS PROFESSIONAL MISSIONS

بطاقة الهوية الخاصة بالصحفيين

المكثرين بمهمات مهنية خطيرة

TARJETA DE IDENTIDAD DE PERIODISTA

EN MISION PELIGROSA

CARTE D'IDENTITE DE JOURNALISTE

EN MISSION PERILLEUSE

УДОСТОВЕРЕНИЕ ЖУРНАЛИСТА,

НАХОДЯЩЕГОСЯ В ОПАСНОЙ КОМАНДИРОВКЕ

REVERSE SIDE

issued by (competent authority) (صدرت من السلطة المختصة) E expedida por (autoridad competente) Délivrée par (autorité compétente) Выдано (компетентными властями)	Height الطول Estatura Tallie Poca Weight الوزن Peso Poids Bco	Eyes العيان Ojos Yeux Глаза Hair الشعر Cabello Cheveux Волосы
Photograph of bearer صورة حامل البطاقة Fotografía del titular Photographie du porteur Фотопортрет предъявителя Place of birth المكان Lugar Mecro Date التاريخ Fecha Date Data (Official seal imprint) (الختم الرسمي)	Blood type نمط الدم Grupo sanguíneo Groupe sanguin Religion (optional) الديانة (اختياري) Religion (optativo) Religion (facultatif) Религия (факкультативно) Fingerprints (optional) الخطابرة (اختياري) Huellas dactilares (optativo) Emprentas digitales (facultatif) Отпечатки пальцев (факкультативно)	Rh factor عامل التجلط Factor Rh Facteur Rh Rh- фактор
(Sello oficial) (Timbre de l'autorité délivrant la carte) (Официальный печат) (Firma del titular) (توقيع صاحب البطاقة) (Подпись владельца)	Religion (optional) الديانة (اختياري) Religion (optativo) Religion (facultatif) Религия (факкультативно) Fingerprints (optional) الخطابرة (اختياري) Huellas dactilares (optativo) Emprentas digitales (facultatif) Отпечатки пальцев (факкультативно)	
Name الاسم Apellidos Nom Имя First name الأول Nombre Prénoms Имя, Отчество Place & date of birth مكان وتاريخ الميلاد Lugar y fecha de nacimiento Lieu & date de naissance Дата и место рождения Correspondent of مستعمل Correspondant de Корреспондент Specific occupation المهنة المحددة Categoría profesional Catégorie professionnelle Prof. специальность Valid for يشتري العمل بها Válido por Durée de validité Действительно	(Left forefinger) (السبابة اليسرى) (Dedo índice izquierdo) (Index gauche) (Левый указательный палец) (Right forefinger) (السبابة اليمنى) (Dedo índice derecho) (Index droit) (Правый указательный палец) Special marks of identification المعلومات المميزة لتحديد الهوية Señas particulares Signes particuliers Особые признаки	





## الملحق رقم ٢

## بطاقة الهوية الخاصة بالصحفيين المكلفين بمهمات مهنية خطيرة

## ملحق

بطاقة الهوية الخاصة بالصحفيين المكلفين بمهمات مهنية خطيرة  
الوجه الأمامي

This identity card is issued to journalists on dangerous professional missions in areas of armed conflict. The holder is entitled to be treated as a civilian under the Geneva Conventions of 12 August 1949, and their Additional Protocol I. The card must be carried at all times by the bearer. If he is detained, he shall at once hand it to the Detaining Authorities, to assist in his identification.

## ملحوظة

تمررت هذه البطاقة للصحفيين المكلفين بمهمات مهنية خطيرة في مناطق المنازعات المسلحة ويحق لأصحابها أن يعامل معاملة المتحارب المدني وفقاً لاتفاقيات جنيف والبروتوكول الإضافي لعام 1949 و بروتوكولها الإضافي الأول. ويجب أن يحفظ صاحب البطاقة بها دوماً وإذا احتل يجب أن يسلّمها فوراً إلى سلطة الاعتقال لتساعد على تحديده هويته.

## NOTA

La presente tarjeta de identidad se expide a los periodistas en misión profesional peligrosa en zonas de conflictos armados. Su titular tiene derecho a ser tratado como persona civil conforme a los Convenios de Ginebra del 12 de agosto de 1949 y su Protocolo adicional I. El titular debe llevar la tarjeta consigo, en todo momento. En caso de ser detenido, la entregará inmediatamente a las autoridades que lo detengan a fin de facilitar su identificación.

## AVIS

La présente carte d'identité est délivrée aux journalistes en mission professionnelle périlleuse dans des zones de conflit armé. Le porteur a le droit d'être traité comme une personne civile aux termes des Conventions de Genève du 12 août 1949, et de leur Protocole additionnel I. La carte doit être portée en tout temps par son titulaire. Si celui-ci est arrêté, il la remettra immédiatement aux autorités qui le détiennent afin qu'elles puissent l'identifier.

## ПРИМЕЧАНИЕ

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(Name of country issuing this card)  
(اسم القطر الصادر لهذه البطاقة)

(Nombre del país que expide esta tarjeta)  
(Nom du pays qui a délivré cette carte)

(Название страны, выдавшей настоящее удостоверение)<sup>1</sup>

IDENTITY CARD FOR JOURNALISTS

ON DANGEROUS PROFESSIONAL MISSIONS

بطاقة الهوية الخاصة بالصحفيين

المكلفين بمهمات مهنية خطيرة

TARJETA DE IDENTIDAD DE PERIODISTA

EN MISION PELIGROSA

CARTE D'IDENTITE DE JOURNALISTE

EN MISSION PERILLEUSE

УДОСТОВЕРЕНИЕ ЖУРНАЛИСТА,

НАХОДЯЩЕГОСЯ В ОПАСНОЙ КОМАНДИРОВКЕ

<sup>1</sup> The corrections between brackets were communicated to the States Parties to the Geneva Conventions of 12 August 1949 by the Government of Switzerland on 12 June 1978 and effected by a procès-verbal of rectification dated 6 November 1978. (Information supplied by the Government of Switzerland.) — Les corrections entre crochets avaient été communiquées aux Etats parties aux Conventions de Genève du 12 août 1949 par le Gouvernement suisse le 12 juin 1978 et avaient été effectuées par un procès-verbal de rectification daté du 6 novembre 1978. (Renseignements fournis par le Gouvernement suisse.)

## ADDITIONAL PROTOCOL I

اللاحق (البروتوكول) الاضافي الاول

第一附加议定书

PROTOCOLO ADICIONAL I

PROTOCOLE ADDITIONNEL I

ДОПОЛНИТЕЛЬНЫЙ ПРОТОКОЛ I

For the Republic of Afghanistan

عن جمهورية أفغانستان

阿富汗共和国代表

Por la República del Afganistán

Pour la République d'Afghanistan

От имени Республики Афганистан

For the Republic of South Africa

عن جمهورية أفريقيا الجنوبية

南非共和国代表

Por la República de Sudáfrica

Pour la République sud-africaine

От имени Южно-Африканской Республики

For the People's Socialist Republic of Albania

عن جمهورية البانيا الاشتراكية الشعبية

阿尔巴尼亚社会主义人民共和国代表

Por la República Socialista Popular de Albania

Pour la République socialiste populaire d'Albanie

От имени Народной Республики Албании

For the People's Democratic Republic of Algeria

عن جمهورية الجزائر الشعبية الديمقراطية

阿尔及利亚民主人民共和国代表

Por la República Argelina Democrática y Popular

Pour la République algérienne démocratique et populaire

От имени Алжирской Народной Демократической Республики

For the Federal Republic of Germany

عن جمهورية ألمانيا الاتحادية

德意志联邦共和国代表

Por la República Federal de Alemania

Pour la République fédérale d'Allemagne

От имени Федеративной Республики Германия

[ULRICH LEBSANFT]<sup>1,2</sup>

23-12-1977

For the Kingdom of Saudi Arabia

عن المملكة العربية السعودية

沙特阿拉伯王国代表

Por el Reino de Arabia Saudita

Pour le Royaume d'Arabie Saoudite

От имени Королевства Саудовской Аравии

For the Argentine Republic

عن جمهورية الأرجنتين

阿根廷共和国代表

Por la República Argentina

Pour la République argentine

От имени Аргентинской Республики

<sup>1</sup> Names of signatories appearing between brackets were not legible and have been supplied by the Government of Switzerland — Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Gouvernement suisse.

<sup>2</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.

For the Commonwealth of Australia

عن عضو كومون ويلث اوسترااليا

澳大利亚联邦代表

Por el Commonwealth de Australia

Pour le Commonwealth d'Australie

От имени Австралийского Союза

[MICHAEL GEORGE HARRISON SMITH]<sup>1</sup>

Seventh of December 1978<sup>2</sup>

For the Republic of Austria

عن جمهورية النمسا

奥地利共和国代表

Por la República de Austria

Pour la République d'Autriche

От имени Австрийской Республики

[HANS THALBERG]

For the Commonwealth of the Bahamas

عن عضو الكومن ويلث الباهاماس

巴哈马联邦代表

Por el Commonwealth de las Bahamas

Pour le Commonwealth des Bahamas

От имени Содружества Багамских Островов

For the State of Bahrain

عن دولة البحرين

巴林国代表

Por el Estado de Bahrein

Pour l'Etat de Bahreïn

От имени Государства Бахрейн

<sup>1</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.

<sup>2</sup> 7 décembre 1978.

For the People's Republic of Bangladesh

عن جمهورية بنغلاديش الشعبية

孟加拉人民共和国代表

Por la República Popular de Bangladesh

Pour la République populaire du Bangladesh

От имени Народной Республики Бангладеш

For Barbados

عن بربادوس

巴巴多斯代表

Por Barbados

Pour la Barbade

От имени Барбадоса

For the Kingdom of Belgium

عن مملكة بلجيكا

比利时王国代表

Por el Reino de Bélgica

Pour le Royaume de Belgique

От имени Королевства Бельгии

[G. PUTTEVILS]

Sous réserve de ratification<sup>1</sup>

For the People's Republic of Benin

عن جمهورية بنين الشعبية

贝宁人民共和国代表

Por la República Popular de Benin

Pour la République populaire du Bénin

От имени Народной Республики Бенин

<sup>1</sup> Subject to ratification.

For the Republic of Bolivia

عن جمهورية بوليفيا

玻利维亚共和国代表

Por la República de Bolivia

Pour la République de Bolivie

От имени Республики Боливия

For the Republic of Botswana

عن جمهورية بوتسوانا

博茨瓦纳共和国代表

Por la República de Botswana

Pour la République du Botswana

От имени Республики Ботсвана

For the Federative Republic of Brazil

عن جمهورية البرازيل الاتحادية

巴西联邦共和国代表

Por la República Federativa del Brasil

Pour la République fédérative du Brésil

От имени Федеративной Республики Бразилии

For the People's Republic of Bulgaria

عن جمهورية بلغاريا الشعبية

保加利亚人民共和国代表

Por la República Popular de Bulgaria

Pour la République populaire de Bulgarie

От имени Народной Республики Болгарии

[CHRISTO DARENKOV]

11-XII-1978

For the Republic of Burundi

عن جمهورية بوروندي

布隆迪共和国代表

Por la República de Burundi

Pour la République du Burundi

От имени Республики Бурунди

For Canada

عن كندا

加拿大代表

Por el Canadá

Pour le Canada

От имени Канады

[PIERRE DUMAS]<sup>1</sup>

For the Republic of Chile

عن جمهورية شيلي

智利共和国代表

Por la República de Chile

Pour la République du Chili

От имени Республики Чили

[JUAN HUTT GUNTER]

For the People's Republic of China

عن جمهورية الصين الشعبية

中华人民共和国代表

Por la República Popular de China

Pour la République populaire de Chine

От имени Китайской Народной Республики

For the Republic of Cyprus

عن جمهورية قبرص

塞浦路斯共和国代表

Por la República de Chipre

Pour la République de Chypre

От имени Республики Кипр

[TASSOS PANAYIDES]

12 July 1978<sup>2</sup>

<sup>1</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.

<sup>2</sup> 12 juillet 1978.

For the Republic of Colombia

عن جمهورية كولومبيا

哥伦比亚共和国代表

Por la República de Colombia

Pour la République de Colombie

От имени Республики Колумбия

For the People's Republic of the Congo

عن جمهورية الكونغو الشعبية

刚果人民共和国代表

Por la República Popular del Congo

Pour la République populaire du Congo

От имени Народной Республики Конго

For the Republic of Costa Rica

عن جمهورية كوستاريكا

哥斯达黎加共和国代表

Por la República de Costa Rica

Pour la République du Costa Rica

От имени Республики Коста-Рика

For the Republic of the Ivory Coast

عن جمهورية ساحل العاج

象牙海岸共和国代表

Por la República de la Costa de Marfil

Pour la République de Côte d'Ivoire

От имени Республики Берег Слоновой Кости

[THEODORE DE MEL]

For the Republic of Cuba

عن جمهورية كوبا

古巴共和国代表

Por la República de Cuba

Pour la République de Cuba

От имени Республики Куба



For the Kingdom of Denmark

عن ملكة الدانمارك

丹麦王国代表

Por el Reino de Dinamarca

Pour le Royaume du Danemark

От имени Королевства Дании

[AXEL SERUP]

For the Arab Republic of Egypt

عن جمهورية العربية

阿拉伯埃及共和国代表

Por la República Árabe de Egipto

Pour la République arabe d'Égypte

От имени Арабской Республики Египет

[ABDULLAH ALI EL-ERIAN]

Sous réserve de ratification<sup>1</sup>

For the Republic of El Salvador

عن جمهورية السلفادور

萨尔瓦多共和国代表

Por la República de El Salvador

Pour la République d'El Salvador

От имени Республики Сальвадор

[NICOLÁS RIGOBERTO MONGE LÓPEZ]

For the United Arab Emirates

عن الامارات العربية المتحدة

阿拉伯联合酋长国代表

Por los Emiratos Arabes Unidos

Pour les Emirats arabes unis

От имени Объединенных Арабских Эмиратов

<sup>1</sup> Subject to ratification.

For the Central African Empire

عن امبراطورية أفريقيا الوسطى

中非帝国代表

Por el Imperio Centraafricano

Pour l'Empire centrafricain

От имени Центральноафриканской Империи

For the Republic of Ecuador

عن جمهورية الايكوادور

厄瓜多尔共和国代表

Por la República del Ecuador

Pour la République de l'Equateur

От имени Республики Эквадор

[RODRIGO VALDEZ BAQUERO]

For the Spanish State

عن دولة اسبانيا

西班牙国代表

Por el Estado Español

Pour l'Etat Espagnol

От имени Испанского Государства

[NICOLÁS MARTÍN ALONSO]<sup>1</sup>

7 novembre 1978<sup>2</sup>

For the United States of America

عن الولايات المتحدة الامريكىة

美利坚合众国代表

Por los Estados Unidos de América

Pour les Etats-Unis d'Amérique

От имени Соединенных Штатов Америки

[MARVIN L. WARNER]<sup>1</sup>

<sup>1</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.

<sup>2</sup> 7 November 1978.

For Ethiopia

عن اثيوبيا

埃塞俄比亚代表

Por Etiopia

Pour l'Éthiopie

От имени Эфиопии

For Fiji

عن فيجي

斐济代表

Por Fiji

Pour Fidji

От имени Островов Фиджи

For the Republic of Finland

عن جمهورية فنلندا

芬兰共和国代表

Por la República de Finlandia

Pour la République de Finlande

От имени Финляндской Республики

[JOEL TOIVOLA]

For the French Republic

عن الجمهورية الفرنسية

法兰西共和国代表

Por la República Francesa

Pour la République française

От имени Французской Республики

For the Gabonese Republic

عن جمهورية الغابون

加蓬共和国代表

Por la República Gabonesa

Pour la République gabonaise

От имени Габонской Республики

For the Republic of the Gambia

عن جمهورية غامبيا

冈比亚共和国代表

Por la República de Gambia

Pour la République de Gambie

От имени Республики Гамбия

For the Republic of Ghana

عن جمهورية غانا

加纳共和国代表

Por la República de Ghana

Pour la République du Ghana

От имени Республики Гана

[JONAS KWAMI DOTSE FOLI]

For the Hellenic Republic

عن جمهورية اليونان

希腊共和国代表

Por la República Helénica

Pour la République hellénique

От имени Эллинской Республики

[EUSTACHE KALAMIDAS]<sup>1</sup>

Le 22 mars 1978<sup>2</sup>

For the Republic of Guatemala

عن جمهورية غواتيمالا

危地马拉共和国代表

Por la República de Guatemala

Pour la République du Guatemala

От имени Республики Гватемала

[GUSTAVO SANTISO GÁLVEZ]

<sup>1</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.

<sup>2</sup> 22 March 1978.

For the Republic of Guinea-Bissau

عن جمهورية غينيا بيساو

几内亚比绍共和国代表

Por la República de Guinea-Bissau

Pour la République de Guinée-Bissau

От имени Республики Гвинея-Бисау

For the Republic of Guyana

عن جمهورية غويانا

圭亚那共和国代表

Por la República de Guyana

Pour la République de Guyane

От имени Республики Гвиана

For the Republic of Haiti

عن جمهورية هايتي

海地共和国代表

Por la República de Haïti

Pour la République d'Haïti

От имени Республики Гаити

For the Republic of the Upper Volta

عن جمهورية فولتا العليا

上沃尔特共和国代表

Por la República del Alto Volta

Pour la République de Haute-Volta

От имени Республики Верхняя Вольта

[TIÉMOKO MARC GARANGO]

11 janvier 1978<sup>1</sup>

<sup>1</sup> 11 January 1978.

For the Republic of Honduras

عن جمهورية هندوراس

洪都拉斯共和国代表

Por la República de Honduras

Pour la République du Honduras

От имени Республики Гондурас

[ANTONIO COLLART VALLE]

For the Hungarian People's Republic

عن جمهورية الجرس الشعبية

匈牙利人民共和国代表

Por la República Popular Húngara

Pour la République populaire hongroise

От имени Венгерской Народной Республики

[GYÖRGY ZÁGOR]

For the Republic of India

عن جمهورية الهند

印度共和国代表

Por la República de la India

Pour la République de l'Inde

От имени Республики Индия

For the Republic of Indonesia

عن جمهورية أندونيسيا

印度尼西亚共和国代表

Por la República de Indonesia

Pour la République d'Indonésie

От имени Республики Индонезия

For the Republic of Iraq

عن جمهورية العراق

伊拉克共和国代表

Por la República del Iraq

Pour la République d'Irak

От имени Иракской Республики

For the Empire of Iran

عن امپراطورية ايران

伊朗帝国代表

Por el Imperio del Irán

Pour l'Empire d'Iran

От имени Иранской Империи

[ASSADOLAH FAHIMI]

For Ireland

عن ايرلندا

爱尔兰代表

Por Irlanda

Pour l'Irlande

От имени Ирландии

[BRENDAN T. NOLAN]

For the Republic of Iceland

عن جمهورية ايسلندا

冰岛共和国代表

Por la República de Islandia

Pour la République d'Islande

От имени Республики Исландия

[HARALDUR KRÖYER]

For the State of Israel

عن دولة اسرائيل

以色列国代表

Por el Estado de Israel

Pour l'Etat d'Israël

От имени Государства Израиль

For the Italian Republic

عن الجمهورية الإيطالية

意大利共和国代表

Por la República Italiana

Pour la République italienne

От имени Итальянской Республики

[NICOLO DI BERNARDO]<sup>1</sup>

For the Socialist People's Libyan Arab Jamahiriya

عن الجماهيرية العربية الليبية الشعبية الاشتراكية

阿拉伯利比亚人民社会主义民众国代表

Por la Jamahiriya Arabe Libia Popular y Socialista

Pour la Jamahiriya arabe libyenne populaire et socialiste

От имени Ливийской Арабской Народно-Демократической Республики

For Jamaica

عن جامايكا

牙买加代表

Por Jamaica

Pour la Jamaïque

От имени Ямайки

For Japan

عن اليابان

日本代表

Por el Japón

Pour le Japon

От имени Японии

<sup>1</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.



For the Hashemite Kingdom of Jordan

عن المملكة الاردنية الهاشمية

哈希姆约旦王国代表

Por el Reino Hachemita de Jordania

Pour le Royaume hachémite de Jordanie

От имени Хашемитского Королевства Иордании

[MUTASIM BILBEISI]

For Democratic Kampuchea

عن كمبوتشيا الديمقراطية

民主柬埔寨代表

Por Kampuchea Democrática

Pour le Kampuchea Démocratique

От имени Демократической Кампучии

For the Republic of Kenya

عن جمهورية كينيا

肯尼亚共和国代表

Por la República de Kenya

Pour la République du Kenya

От имени Республики Кения

For the State of Kuwait

عن دولة الكويت

科威特国代表

Por el Estado de Kuwait

Pour l'Etat du Koweït

От имени Государства Кувейт

For the Kingdom of Lesotho

عن مملكة ليسوتو

莱索托王国代表

Por el Reino de Lesotho

Pour le Royaume du Lesotho

От имени Королевства Лесото

For the Lebanese Republic

عن الجمهورية اللبنانية

黎巴嫩共和国代表

Por la República Libanesa

Pour la République libanaise

От имени Ливанской Республики

For the Republic of Liberia

عن جمهورية ليبيريا

利比里亚共和国代表

Por la República de Liberia

Pour la République du Libéria

От имени Республики Либерия

For the Principality of Liechtenstein

عن إمارة ليختنشتاين

列支敦士登公国代表

Por el Principado de Liechtenstein

Pour la Principauté de Liechtenstein

От имени Княжества Лихтенштейн

[PRINCE NICOLAS DE LIECHTENSTEIN]

For the Grand Duchy of Luxembourg

عن دوقية لوكسمبورج الكبرى

卢森堡大公国代表

Por el Gran Ducado de Luxemburgo

Pour le Grand-Duché de Luxembourg

От имени Великого Герцогства Люксембург

[JEAN RETTEL]

Sous réserve de ratification<sup>1</sup>

<sup>1</sup> Subject to ratification.

For the Democratic Republic of Madagascar

عن جمهورية مدغشقر الديمقراطية

马达加斯加民主共和国代表

Por la República Democrática de Madagascar

Pour la République démocratique de Madagascar

От имени Малагасийской Демократической Республики

[JEAN JACQUES MAURICE]

Treize octobre 1978<sup>1</sup>

For Malaysia

عن ماليزيا

马来西亚代表

Por Malasia

Pour la Malaisie

От имени Малайзии

For the Republic of Malawi

عن جمهورية مالاوي

马拉维共和国代表

Por la República de Malawi

Pour la République du Malawi

От имени Республики Малави

For the Republic of Mali

عن جمهورية مالي

马里共和国代表

Por la República de Malí

Pour la République du Mali

От имени Республики Мали

<sup>1</sup> 13 October 1978.

For the Republic of Malta

عن جمهورية مالطة

马耳他共和国代表

Por la República de Malta

Pour la République de Malte

От имени Республики Мальта

For the Kingdom of Morocco

عن المملكة المغربية

摩洛哥王国代表

Por el Reino de Marruecos

Pour le Royaume du Maroc

От имени Королевства Марокко

[MOHAMED BENNANI SMIRES]

For Mauritius

عن موريشيوس

毛里求斯代表

Por Mauricio

Pour Maurice

От имени Маврикия

For the Islamic Republic of Mauritania

عن جمهورية موريتانيا الإسلامية

毛里塔尼亚伊斯兰共和国代表

Por la República Islámica de Mauritania

Pour la République islamique de Mauritanie

От имени Исламской Республики Мавритания

For the United Mexican States

عن الولايات المتحدة المكسيكية

墨西哥合众国代表

Por los Estados Unidos Mexicanos

Pour les Etats-Unis du Mexique

От имени Мексиканских Соединенных Штатов

For the Principality of Monaco

عن امارة موناكو

摩纳哥公国代表

Por el Principado de Mónaco

Pour la Principauté de Monaco

От имени Княжества Монако

For the Mongolian People's Republic

عن جمهورية منغوليا الشعبية

蒙古人民共和国代表

Por la República Popular Mongola

Pour la République populaire mongole

От имени Монгольской Народной Республики

[DUGERSURENGIIN ERDEMBILEG]

For the Kingdom of Nepal

عن مملكة النيبال

尼泊尔王国代表

Por el Reino de Nepal

Pour le Royaume du Népal

От имени Королевства Непал

For the Republic of Nicaragua

عن جمهورية نيكاراغوا

尼加拉瓜共和国代表

Por la República de Nicaragua

Pour la République du Nicaragua

От имени Республики Никарагуа

[GASTÓN CAJINA MEJICANO]

For the Republic of the Niger

عن جمهورية النيجر

尼日尔共和国代表

Por la República del Níger

Pour la République du Niger

От имени Республики Нигер

[AMADOU SEYDOU]

16 juin 1978<sup>1</sup>

For the Federal Republic of Nigeria

عن جمهورية نيجر الاتحادية

尼日利亚联邦共和国代表

Por la República Federal de Nigeria

Pour la République fédérale du Nigéria

От имени Федеративной Республики Нигерия

For the Kingdom of Norway

عن ملكة النرويج

挪威王国代表

Por el Reino de Noruega

Pour le Royaume de Norvège

От имени Королевства Норвегии

[EINAR-FREDRIK OFSTAD]

For New Zealand

عن نيوزيلندا

新西兰代表

Por Nueva Zelandia

Pour la Nouvelle-Zélande

От имени Новой Зеландии

[BASIL FRANKLIN BOLT]

27 November 1978<sup>2</sup>

<sup>1</sup> 16 June 1978.

<sup>2</sup> 27 novembre 1978.

For the Sultanate of Oman

عن سلطنة عمان

阿曼苏丹国代表

Por la Sultanía de Omán

Pour le Sultanat d'Oman

От имени Султаната Оман

For the Republic of Uganda

عن جمهورية أوغندا

乌干达共和国代表

Por la República de Uganda

Pour la République de l'Ouganda

От имени Республики Уганда

For the Islamic Republic of Pakistan

عن جمهورية الباكستان الإسلامية

巴基斯坦伊斯兰共和国代表

Por la República Islámica del Pakistán

Pour la République islamique du Pakistan

От имени Республики Пакистан

[M. YUSUF BUCH]

For the Republic of Panama

عن جمهورية بنما

巴拿马共和国代表

Por la República de Panamá

Pour la République du Panama

От имени Республики Панама

[AQUILINO VILLAMONTE]

For Papua New Guinea

عن بابواغينيا الجديدة

巴布亚新几内亚代表

Por Papua Nueva Guinea

Pour la Papouasie-Nouvelle-Guinée

От имени Папуа-Новая Гвинея

For the Republic of Paraguay

عن جمهورية باراغواي

巴拉圭共和国代表

Por la República del Paraguay

Pour la République du Paraguay

От имени Республики Парагвай

For the Kingdom of the Netherlands

عن مملكة هولندا

荷兰王国代表

Por el Reino de los Países Bajos

Pour le Royaume des Pays-Bas

От имени Королевства Нидерландов

[W. H. Baron COLLOT D'ESCURY]

Sous réserve de ratification<sup>1</sup>

For the Republic of Peru

عن جمهورية بيرو

秘鲁共和国代表

Por la República del Perú

Pour la République du Pérou

От имени Республики Перу

[GORGE NICHOLSON SOLOGUREN]

For the Republic of the Philippines

عن جمهورية الفلبين

菲律宾共和国代表

Por la República de Filipinas

Pour la République des Philippines

От имени Республики Филиппины

[HORTENCIO BRILLANTES]

<sup>1</sup> Subject to ratification.



For the Polish People's Republic

عن جمهورية بولندا الشعبية

波兰人民共和国代表

Por la República Popular Polaca

Pour la République populaire de Pologne

От имени Польской Народной Республики

[BERNARD BOGDANSKI]

For the Portuguese Republic

عن جمهورية البرتغال

葡萄牙共和国代表

Por la República Portuguesa

Pour la République portugaise

От имени Португальской Республики

[EDUARDO MANUEL FERNANDES BUGALHO]<sup>1</sup>

For the State of Qatar

عن دولة قطر

卡塔尔国代表

Por el Estado de Qatar

Pour l'Etat du Qatar

От имени Государства Катар

For the Syrian Arab Republic

عن الجمهورية العربية السورية

阿拉伯叙利亚共和国代表

Por la República Árabe Siria

Pour la République arabe syrienne

От имени Сирийской Арабской Республики

<sup>1</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.

For the Republic of Korea

عن جمهورية كوريا

大韩民国代表

Por la República de Corea

Pour la République de Corée

От имени Корейской Республики

[BYUNG KYU CHUN]

7 December 1978<sup>1</sup>

For the German Democratic Republic

عن جمهورية ألمانيا الديمقراطية

德意志民主共和国代表

Por la República Democrática Alemana

Pour la République démocratique allemande

От имени Германской Демократической Республики

[GÜNTHER ULLRICH]

For the Lao People's Democratic Republic

عن جمهورية اللاو الديمقراطية

老挝人民民主共和国代表

Por la República Democrática Popular Lao

Pour la République démocratique populaire lao

От имени Лаосской Народно-Демократической Республики

[PHANTHONG PHOMMANAXAY]

18-4-78

For the Dominican Republic

عن جمهورية الدومينيكان

多米尼加共和国代表

Por la República Dominicana

Pour la République Dominicaine

От имени Доминиканской Республики

<sup>1</sup> 7 décembre 1978.

For the Democratic People's Republic of Korea

عن جمهورية كوريا الديمقراطية الشعبية

朝鮮民主主義人民共和國代表

Por la República Popular Democrática de Corea

Pour la République populaire démocratique de Corée

От имени Корейской Народно-Демократической Республики

For the Byelorussian Soviet Socialist Republic

عن جمهورية بيلوروسيا السوفيتية الاشتراكية

白俄罗斯苏维埃社会主义共和国代表

Por la República Socialista Soviética de Bielorrusia

Pour la République socialiste soviétique de Biélorussie

От имени Белорусской Советской Социалистической Республики

[VADIM IVANOVITCH LOUKIANOVITCH]

For the Ukrainian Soviet Socialist Republic

عن جمهورية أوكرانيا السوفيتية الاشتراكية

乌克兰苏维埃社会主义共和国代表

Por la República Socialista Soviética de Ucrania

Pour la République socialiste soviétique d'Ukraine

От имени Украинской Советской Социалистической Республики

[IVAN FILIMONOVITCH GRICHTCHENKO]

For the United Republic of Tanzania

عن جمهورية تانزانيا المتحدة

坦桑尼亚联合共和国代表

Por la República Unida de Tanzania

Pour la République-Unie de Tanzanie

От имени Объединенной Республики Танзания

For the United Republic of Cameroon

عن جمهورية الكاميرون المتحدة

喀麦隆联合共和国代表

Por la República Unida del Camerún

Pour la République-Unie du Cameroun

От имени Объединенной Республики Камерун

For the Socialist Republic of Romania

عن جمهورية رومانيا الاشتراكية

罗马尼亚社会主义共和国代表

Por la República Socialista de Rumania

Pour la République socialiste de Roumanie

От имени Социалистической Республики Румыния

[DAN ENACHESCU]

Le 28 mars 1978<sup>1</sup>

For the United Kingdom of Great Britain and Northern Ireland

عن المملكة المتحدة لبريطانيا العظمى وايرلندا الشمالية

大不列颠及北爱尔兰联合王国代表

Por el Reino Unido de Gran Bretaña e Irlanda del Norte

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord

От имени Соединенного Королевства Великобритании и Северной Ирландии

[PATRICK ARTHUR GRIER]<sup>2</sup>

For the Rwandese Republic

عن جمهورية رواندا

卢旺达共和国代表

Por la República Rwandesa

Pour la République rwandaise

От имени Республики Руанда

For the Republic of San Marino

عن جمهورية سان مارينو

圣马力诺共和国代表

Por la República de San Marino

Pour la République de Saint-Marin

От имени Республики Сан-Марино

[MARIO PINCI]

22 juin 1978<sup>3</sup>

<sup>1</sup> 28 March 1978.

<sup>2</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.

<sup>3</sup> 22 June 1978.

For the Holy See

عن الكرسي الرسولي

教廷代表

Por la Santa Sede

Pour le Saint-Siège

От имени Святейшего Престола

[AMBROGIO MARCHIONI]

For the Democratic Republic of Sao Tome and Principe

عن جمهورية ساوتومي وبرانسيب الديمقراطية

圣多美和普林西比民主共和国代表

Por la República Democrática de Santo Tomé y Príncipe

Pour la République démocratique de Sao Tomé-et-Príncipe

От имени Демократической Республики Сан-Томе и Принсипи

For the Republic of Senegal

عن جمهورية السنغال

塞内加尔共和国代表

Por la República del Senegal

Pour la République du Sénégal

От имени Республики Сенегал

[AMADOU MACTAR CISSE]

For the Republic of Sierra Leone

عن جمهورية سيراليون

塞拉利昂共和国代表

Por la República de Sierra Leona

Pour la République de Sierra Leone

От имени Республики Сьерра-Леоне

For the Republic of Singapore

عن جمهورية سنغابور

新加坡共和国代表

Por la República de Singapur

Pour la République de Singapour

От имени Республики Сингапур

For the Somali Democratic Republic

عن جمهورية الصومال الديمقراطية

索马里民主共和国代表

Por la República Democrática Somalí

Pour la République démocratique somalie

От имени Сомалийской Демократической Республики

For the Kingdom of Swaziland

عن مملكة سوازيلاند

斯威士兰王国代表

Por el Reino de Swazilandia

Pour le Royaume du Souaziland

От имени Королевства Свазиленд

For the Democratic Republic of the Sudan

عن جمهورية السودان الديمقراطية

苏丹民主共和国代表

Por la República Democrática del Sudán

Pour la République démocratique du Soudan

От имени Демократической Республики Судан

For the Republic of Sri Lanka

عن جمهورية سرى لنكا

斯里兰卡共和国代表

Por la República de Sri Lanka

Pour la République de Sri Lanka

От имени Республики Шри Ланка

For the Kingdom of Sweden

عن مملكة السويد

瑞典王国代表

Por el Reino de Suecia

Pour le Royaume de Suède

От имени Королевства Швеции

[HANS BLIX]

For the Swiss Confederation

عن الاتحاد السويسري

瑞士联邦代表

Por la Confederación Suiza

Pour la Confédération suisse

От имени Швейцарской Конфедерации

[PIERRE GRABER]<sup>1</sup>

For the Republic of Surinam

عن جمهورية سورينام

苏里南共和国代表

Por la República de Surinam

Pour la République du Surinam

От имени Республики Суринам

For the Republic of Chad

عن جمهورية التشاد

乍得共和国代表

Por la República del Chad

Pour la République du Tchad

От имени Республики Чад

For the Czechoslovak Socialist Republic

عن جمهورية تشيكوسلوفاكيا الاشتراكية

捷克斯洛伐克社会主义共和国代表

Por la República Socialista Checoslovaca

Pour la République socialiste tchécoslovaque

От имени Чехословацкой Социалистической Республики

[MIROSLAV MOC]

6-12-78<sup>2</sup>

<sup>1</sup> For the text of the declarations and reservations made upon signature, see p. 429 of this volume — Pour le texte des déclarations et réserves faites lors de la signature, voir p. 429 du présent volume.

<sup>2</sup> 6 December 1978 — 6 décembre 1978.

For the Kingdom of Thailand

عن مملكة تايلاند

泰国王国代表

Por el Reino de Tailandia

Pour le Royaume de Thaïlande

От имени Королевства Таиланд

For the Togolese Republic

عن جمهورية الطوغو

多哥共和国代表

Por la República Togolesa

Pour la République togolaise

От имени Тоголезской Республики

[ASSIONGBON AGBENOU]

For the Republic of Trinidad and Tobago

عن جمهورية ترينيداد وتوباغو

特立尼达和多巴哥共和国代表

Por la República de Trinidad y Tabago

Pour la République de Trinité-et-Tobago

От имени Республики Тринидад и Тобаго

For the Republic of Tunisia

عن الجمهورية التونسية

突尼斯共和国代表

Por la República de Túnez

Pour la République tunisienne

От имени Тунисской Республики

[TAOUFIK SMIDA]

For the Republic of Turkey

عن جمهورية تركيا

土耳其共和国代表

Por la República de Turquía

Pour la République turque

От имени Турецкой Республики



For the Union of Soviet Socialist Republics

عن اتحاد الجمهوريات الاشتراكية

苏维埃社会主义共和国联盟代表

Por la Unión de Repúblicas Socialistas Soviéticas

Pour l'Union des Républiques socialistes soviétiques

От имени Союза Советских Социалистических Республик

[VLADIMIR SERGUÉEVITCH LAVROV]

For the Eastern Republic of Uruguay

عن جمهورية أوروغواي الشرقية

乌拉圭东岸共和国代表

Por la República Oriental del Uruguay

Pour la République orientale de l'Uruguay

От имени Восточной Республики Уругвай

For the Republic of Venezuela

عن جمهورية فنزويلا

委内瑞拉共和国代表

Por la República de Venezuela

Pour la République du Venezuela

От имени Республики Венесуэла

For the Socialist Republic of Viet Nam

عن جمهورية فيتنام الاشتراكية

越南社会主义共和国代表

Por la República Socialista de Viet Nam

Pour la République socialiste du Viet Nam

От имени Социалистической Республики Вьетнам

[NGUYEN VAN LUU]

For the Yemen Arab Republic

عن جمهورية اليمن العربية

阿拉伯也门共和国代表

Por la República Árabe del Yemen

Pour la République arabe du Yémen

От имени Йеменской Арабской Республики

[HUSSINE M. ALMAGBALY]

14-2-1978

For the People's Democratic Republic of Yemen

عن جمهورية اليمن الشعبية الديمقراطية

也门民主人民共和国

Por la República Democrática Popular del Yemen

Pour la République démocratique populaire du Yémen

От имени Народно-Демократической Республики Йемен

For the Socialist Federal Republic of Yugoslavia

عن جمهورية يوغوسلافيا الاتحادية الاشتراكية

南斯拉夫社会主义联邦共和国代表

Por la República Federativa Socialista de Yugoslavia

Pour la République fédérative socialiste de Yougoslavie

От имени Социалистической Федеративной Республики Югославия

[ELHAMI NIMANI]

For the Republic of Zaire

عن جمهورية زائير

扎伊尔共和国代表

Por la República del Zaire

Pour la République du Zaïre

От имени Республики Заир

For the Republic of Zambia

عن جمهورية زامبيا

赞比亚共和国代表

Por la República de Zambia

Pour la République de Zambie

От имени Республики Замбия

DECLARATIONS AND RESERVA-  
TIONS MADE UPON SIGNATURE

## AUSTRALIA

DÉCLARATIONS ET RÉSERVES  
FAITES LORS DE LA SIGNATURE

## AUSTRALIE

[TRANSDUCTION — TRANSLATION]

“The Australian Embassy wishes to advise the Federal Political Department that the Australian Government is undertaking careful study of the interpretation of the provisions of Protocol I and their implications for the legitimate conduct of national defence and reserves the right to make declarations and reservations upon ratification.”

L’Ambassade australienne a l’honneur d’informer le Département politique fédéral que son gouvernement procède à une étude attentive de l’interprétation des dispositions du Protocole I et de leurs implications pour l’exercice légitime de la défense nationale et qu’il se réserve le droit de faire des déclarations et de formuler des réserves au moment de sa ratification.

## CANADA

## CANADA

[TRANSLATION — TRANSDUCTION]

Certain provisions (of Protocol I) are drafted in such a way as to give rise to different, or even contradictory, interpretations. My Government does not wish to raise these problems at this time but reserves the right to do so before ratifying the Protocol.

«Certaines dispositions (du Protocole I) sont rédigées de telle sorte qu’elles donnent lieu à des interprétations différentes, ou même contradictoires. Mon Gouvernement ne souhaite pas en ce moment soulever ces problèmes, mais il se réserve le droit de le faire avant la ratification du Protocole.»

GERMANY,  
FEDERAL REPUBLIC OFALLEMAGNE,  
RÉPUBLIQUE FÉDÉRALE D’

[GERMAN TEXT — TEXTE ALLEMAND]

„Die Bundesrepublik Deutschland zeichnet die Protokolle in der Überzeugung, daß damit ein hoher humanitärer Zweck gefördert wird, dem sie sich schon immer in ganz besonderem Maße verpflichtet gefühlt hat. Angesichts der nicht immer eindeutigen Formulierungen des Zusatzprotokolls I bedarf es jedoch sorgfältiger Prüfung, ob und inwieweit dieses Protokoll die Fähigkeit zur individuellen und kollektiven Selbstverteidigung gemäß Artikel 51 der Satzung der Vereinten Nationen einschränkt. Die Bundesregierung muß sich daher vorbehalten, bei einer späteren Ratifikation noch zusätzliche Erklärungen abzugeben, um die völkerrechtlichen Bindungen der Bundesrepublik Deutschland klar zu bestimmen und deutlich zu machen.“

“The Federal Republic of Germany signs the Protocols in the conviction that

«La République fédérale d’Allemagne appose sa signature au bas des Pro-

this will serve a noble humanitarian aim to which it has always felt strongly committed.

“In view of the not always clear wording of the first additional Protocol it is, however, necessary to consider carefully whether and to what extent this Protocol impairs the right of individual or collective self-defense under Article 51 of the Charter of the United Nations. The Government of the Federal Republic of Germany must therefore reserve the right to make additional statements on the occasion of a subsequent ratification in order to define and make clear the commitments of the Federal Republic of Germany under International Law.”

#### GREECE

[TRANSLATION — TRADUCTION]

On this occasion the Hellenic Government wishes to state that it reserves the right to make reservations, if required, according to its constitutional provisions, at the time of deposit of the instrument of ratification.

#### ITALY

[TRANSLATION — TRADUCTION]

The Plenipotentiary of Italy, in signing the Protocols with reservation with respect to ratification, states that because of the various interpretations to which certain textual formulations lend themselves, Italy will avail itself, at the time of deposit of the instruments of ratification, of the option provided for in article 19 of the Vienna Convention on the Law of Treaties of 23 May 1969,<sup>1</sup> on the basis of the general principles of international law.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1155, No. I-18232.

tocoles, convaincue de remplir par là un noble but humanitaire que, de tout temps, elle s'est particulièrement sentie tenue de respecter. Eu égard à la façon parfois peu claire dont est rédigé le texte du Protocole additionnel I, il est toutefois nécessaire d'examiner soigneusement si et dans quelle mesure ce Protocole limite la faculté de légitime défense, individuelle ou collective, visée à l'Article 51 de la Charte des Nations Unies. Le Gouvernement fédéral doit donc se réserver de faire des déclarations supplémentaires, lors d'une ratification ultérieure, pour préciser et mettre en évidence les engagements de droit international de la République fédérale d'Allemagne.»

#### GRÈCE

«A cette occasion, le Gouvernement hellénique désire déclarer qu'il se réserve le droit de formuler, éventuellement, des réserves — selon ses dispositions constitutionnelles — au moment du dépôt de l'instrument de ratification.»

#### ITALIE

«Le Plénipotentiaire d'Italie, en signant les Protocoles avec réserve de ratification, déclare que, en raison des différentes interprétations auxquelles se prêtent certaines formulations des textes, l'Italie se prévaut, au moment du dépôt des instruments de ratification, de la faculté prévue à l'article 19 de la Convention de Vienne sur le droit des traités du 23 mai 1969<sup>1</sup> sur la base des principes généraux du droit international.»

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 1155, n° I-18232.

## PORTUGAL

[TRANSLATION — TRADUCTION]

The Portuguese Government defers until the time of respective ratification the formulation of reservations which it may deem appropriate.

«Le Gouvernement portugais renvoie au moment de la ratification respective la formulation des réserves éventuellement jugées adéquates.»

## SPAIN

[SPANISH TEXT — TEXTE ESPAGNOL]

“España se reserva para el momento de la ratificación de ambos instrumentos el derecho a formular, según la práctica internacionalmente aceptada, las eventuales declaraciones o reservas que pudiera considerar oportunas.”

[TRANSLATION — TRADUCTION]

Spain reserves the right, in accordance with internationally accepted practice, to make whatever declarations and reservations it may feel advisable, upon ratification of the two Acts.

[TRADUCTION<sup>1</sup> — TRANSLATION<sup>2</sup>]

L'Espagne se réserve pour le moment de la ratification des deux Actes le droit d'émettre, selon la pratique internationalement acceptée, les éventuelles déclarations et réserves qu'elle pourrait estimer opportunes.

## SWITZERLAND

[TRANSLATION — TRADUCTION]

*Ad* Protocol I, article 57. The provisions of paragraph 2 of this article create obligations only for commanders from the battalion or group level up and at higher levels.

*Ad* Protocol I, article 58. Since this article contains the phrase “to the maximum extent feasible”, sub-paragraphs (a) and (b) shall be applied subject to the defence requirements of the national territory.

## SUISSE

«*Ad* article 57, Protocole I. Les dispositions du chiffre 2 de cet article ne créent des obligations que pour les commandants dès le niveau du bataillon ou du groupe et aux échelons plus élevés.

«*Ad* article 58, Protocole I. Considérant que cet article contient l'expression «dans toute la mesure de ce qui est pratiquement possible», les alinéas a et b seront appliqués sous réserve des exigences de la défense du territoire national.»

<sup>1</sup> Traduction fournie par le Gouvernement espagnol.

<sup>2</sup> Translation supplied by the Government of Spain.

UNITED KINGDOM OF GREAT  
BRITAIN AND NORTHERN  
IRELAND

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

[TRADUCTION — TRANSLATION]

- “(a) In relation to Article 1, that the term “armed conflict” of itself and in its context implies a certain level of intensity of military operations which must be present before the Conventions or the Protocol are to apply to any given situation, and that this level of intensity cannot be less than that required for the application of Protocol II, by virtue of Article 1 of that Protocol, to internal conflicts;
- “(b) In relation to Articles 41, 57 and 58, that the word “feasible” means that which is practicable or practically possible, taking into account all circumstances at the time including those relevant to the success of military operations;
- “(c) In relation to Article 44, that the situation described in the second sentence of paragraph 3 of the Article can exist only in occupied territory or in armed conflicts covered by paragraph 4 of Article 1, and that the Government of the United Kingdom will interpret the word “deployment” in paragraph 3 (b) of the Article as meaning “any movement towards a place from which an attack is to be launched”;
- “(d) In relation to Articles 51 to 58 inclusive, that military commanders and others responsible for planning, deciding upon or executing attacks necessarily have to reach decisions on the basis of their assessment of the information from all sources which is available to them at the relevant time;
- “(e) In relation to paragraph 5(b) of Article 51 and paragraph (2)(a)(iii) of Article 57, that the military ad-
- a) *Ad* article premier, que l'expression «conflit armé», en soi ou dans son contexte, implique l'existence d'une certaine intensité d'opérations militaires avant que les Conventions ou le Protocole puissent s'appliquer à une situation donnée, et que cette intensité ne peut être moindre que celle qui autorise l'application du Protocole II aux conflits internes, en vertu de l'article premier dudit Protocole II;
- b) *Ad* articles 41, 57 et 58, que le mot «feasible», qui apparaît dans le texte anglais, signifie matériellement ou pratiquement possible, compte tenu de toutes les circonstances du moment, y compris celles qui doivent servir au succès d'opérations militaires;
- c) *Ad* article 44, que la situation décrite dans la seconde phrase du paragraphe 3 de l'article ne peut se présenter qu'en territoire occupé ou lors des conflits armés visés à l'article premier, paragraphe 4, et que le Gouvernement du Royaume-Uni considère que le mot «déploiement», à l'article 44, paragraphe 3, b, s'entend de «tout mouvement en direction d'un lieu d'où doit être lancée une attaque»;
- d) *Ad* articles 51 à 58, que les chefs militaires et autres responsables de la préparation, de la décision ou de l'exécution d'une attaque doivent nécessairement prendre leurs décisions sur la base des informations de toute origine dont ils disposent sur le moment;
- e) *Ad* articles 51, paragraphe 5, b, et 57, paragraphe 2, a, iii, que l'avantage militaire attendu d'une at-

vantage anticipated from an attack is intended to refer to the advantage anticipated from the attack considered as a whole and not only from isolated or particular parts of the attack;

- “(f) In relation to Article 52, that a specific area of land may be a military objective if, because of its location or other reasons specified in the Article, its total or partial destruction, capture or neutralisation in the circumstances ruling at the time offers definite military advantage;
- “(g) In relation to Article 53, that if the objects protected by the Article are unlawfully used for military purposes they will thereby lose protection from attacks directed against such unlawful military uses;
- “(h) In relation to paragraph 3 of Article 96, that only a declaration made by an authority which genuinely fulfils the criteria of paragraph 4 of Article 1 can have the effects stated in paragraph 3 of Article 96, and that, in the light of the negotiating history, it is to be regarded as necessary also that the authority concerned be recognised as such by the appropriate regional intergovernmental organisation;
- “(i) That the new rules introduced by the Protocol are not intended to have any effect on and do not regulate or prohibit the use of nuclear weapons; and
- “(j) That the provisions of the Protocol shall not apply to Southern Rhodesia unless and until the Government of the United Kingdom inform the depositary that they are in a position to ensure that the obligations imposed by the Protocol in respect of that territory can be fully implemented.”

taque s'entend de l'avantage attendu d'une attaque dans son ensemble, et non de parties isolées ou particulières de cette attaque;

- f) *Ad* article 52, qu'un «lieu» peut constituer un objectif militaire si, en raison de son emplacement ou pour d'autres raisons spécifiées dans l'article, sa destruction totale ou partielle, sa capture ou sa neutralisation offre en l'occurrence un avantage militaire bien défini;
- g) *Ad* article 53, que si les biens protégés au titre de l'article sont illégalement utilisés à des fins militaires, ils n'auront plus droit à cette protection contre les attaques ayant pour cible lesdites utilisations militaires illégales;
- h) *Ad* article 96, paragraphe 3, que seule une déclaration émanant d'une autorité qui répond réellement aux critères de l'article premier, paragraphe 4, peut avoir les effets décrits à l'article 96, paragraphe 3, et que, à la lumière des négociations il faut également considérer comme nécessaire que l'autorité en question soit reconnue comme telle par l'organisation intergouvernementale régionale compétente;
- i) Que les nouvelles règles instituées par le Protocole ne visent pas, dans l'esprit des négociateurs, l'utilisation des armes nucléaires, et ne réglementent ni n'interdisent cette utilisation;
- j) Que les dispositions du Protocole ne s'appliqueront pas à la Rhodésie du Sud tant que le Gouvernement du Royaume-Uni n'aura pas informé le dépositaire qu'il est en mesure d'assurer que les obligations imposées par le Protocole en ce qui concerne ce territoire pourront être pleinement respectées.

*UNITED STATES OF AMERICA**ÉTATS-UNIS D'AMÉRIQUE*

[TRADUCTION — TRANSLATION]

“1. It is the understanding of the United States of America that the rules established by this Protocol were not intended to have any effect on and do not regulate or prohibit the use of nuclear weapons.

“2. It is the understanding of the United States of America that the phrase “military deployment preceding the launching of an attack” in Article 44, paragraph 3, means any movement towards a place from which an attack is to be launched.”

1. Les Etats-Unis d'Amérique considèrent que les règles instituées par ce Protocole ne visent pas, dans l'esprit des négociateurs, l'utilisation d'armes nucléaires et ne réglementent ni n'interdisent cette utilisation.

2. Les Etats-Unis d'Amérique considèrent que l'expression «déploiement militaire qui précède le lancement d'une attaque», employée à l'article 44, paragraphe 3, s'entend de tout mouvement en direction d'un lieu d'où doit être lancée une attaque.



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

FINAL ACT

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

- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (I);<sup>1</sup>
- Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (II);<sup>2</sup>
- Geneva Convention relative to the Treatment of Prisoners of War (III);<sup>3</sup>
- Geneva Convention relative to the Protection of Civilian Persons in Time of War (IV).<sup>4</sup>

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

2444 (XXIII)	Respect for human rights in armed conflicts <sup>5</sup>
2597 (XXIV)	Respect for human rights in armed conflicts <sup>6</sup>
2673 (XXV)	Protection of journalists engaged in dangerous missions in areas of armed conflict <sup>7</sup>
2674 (XXV)	Respect for human rights in armed conflicts <sup>8</sup>
2675 (XXV)	Basic principles for the protection of civilian populations in armed conflicts <sup>9</sup>
2676 (XXV)	Respect for human rights in armed conflicts <sup>10</sup>
2677 (XXV)	Respect for human rights in armed conflicts <sup>11</sup>
2852 (XXVI)	Respect for human rights in armed conflicts <sup>12</sup>
2853 (XXVI)	Respect for human rights in armed conflicts <sup>13</sup>

<sup>1</sup> United Nations, *Treaty Series*, vol. 75, p. 31.

<sup>2</sup> *Ibid.*, p. 85.

<sup>3</sup> *Ibid.*, p. 135.

<sup>4</sup> *Ibid.*, p. 287.

<sup>5</sup> United Nations, *Official Records of the General Assembly, Twenty-third Session, Supplement No. 18 (A/7218)*, p. 50.

<sup>6</sup> *Ibid.*, *Twenty-fourth Session, Supplement No. 30 (A/7630)*, p. 62.

<sup>7</sup> *Ibid.*, *Twenty-fifth Session, Supplement No. 28 (A/8028)*, p. 75.

<sup>8</sup> *Ibid.*, p. 75.

<sup>9</sup> *Ibid.*, p. 76.

<sup>10</sup> *Ibid.*, p. 76.

<sup>11</sup> *Ibid.*, p. 77.

<sup>12</sup> *Ibid.*, *Twenty-sixth Session, Supplement No. 29 (A/8429)*, p. 90.

<sup>13</sup> *Ibid.*, p. 91.

2854 (XXVI)	Protection of journalists engaged in dangerous missions in areas of armed conflict <sup>1</sup>
3032 (XXVII)	Respect for human rights in armed conflicts <sup>2</sup>
3058 (XXVIII)	Protection of journalists engaged in dangerous missions in areas of armed conflict <sup>3</sup>
3076 (XXVIII)	Napalm and other incendiary weapons and all aspects of their possible use <sup>4</sup>
3102 (XXVIII)	Respect for human rights in armed conflicts <sup>5</sup>
3220 (XXIX)	Assistance and co-operation in accounting for persons who are missing or dead in armed conflicts <sup>6</sup>
3245 (XXIX)	Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflict <sup>7</sup>
3255 (XXIX)	Napalm and other incendiary weapons and all aspects of their possible use <sup>8</sup>
3318 (XXIX)	Declaration on the protection of women and children in emergency and armed conflict <sup>9</sup>
3319 (XXIX)	Respect for human rights in armed conflicts <sup>10</sup>
3464 (XXX)	Napalm and other incendiary weapons and all aspects of their possible use <sup>11</sup>
3500 (XXX)	Respect for human rights in armed conflicts <sup>12</sup>
31/19	Respect for human rights in armed conflicts <sup>13</sup>
31/64	Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons <sup>14</sup>

2. One hundred and twenty-four States were represented at the first session of the Conference, 120 States at the second session, 107 States at the third session and 109 States at the fourth session. Representatives of the following States were present at the Conference:

Afghanistan	Bangladesh
Albania (first session)	Belgium
Algeria	Benin* (first and second sessions)
Argentina	Bolivia
Australia	Botswana (first and second sessions)
Austria	Brazil

\* Formerly Dahomey

<sup>1</sup> United Nations, *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 29 (A/8429)*, p. 92.

<sup>2</sup> *Ibid.*, *Twenty-seventh Session, Supplement No. 30 (A/8730)*, p. 117.

<sup>3</sup> *Ibid.*, *Twenty-eighth Session, Supplement No. 30 (A/9030)*, p. 73.

<sup>4</sup> *Ibid.*, p. 15.

<sup>5</sup> *Ibid.*, p. 141.

<sup>6</sup> *Ibid.*, *Twenty-ninth Session, Supplement No. 31 (A/9631)*, p. 83.

<sup>7</sup> *Ibid.*, p. 86.

<sup>8</sup> *Ibid.*, p. 18.

<sup>9</sup> *Ibid.*, p. 146.

<sup>10</sup> *Ibid.*, p. 147.

<sup>11</sup> *Ibid.*, *Thirtieth Session, Supplement No. 34 (A/10034)*, p. 19.

<sup>12</sup> *Ibid.*, p. 153.

<sup>13</sup> *Ibid.*, *Thirty-first Session, Supplement 39 (A/31/39)*, p. 180.

<sup>14</sup> *Ibid.*, p. 31.

- Bulgaria  
 Burma (first session)  
 Burundi (first and second sessions)  
 Byelorussian Soviet Socialist Republic  
 Canada  
 Cape Verde (fourth session)  
 Central African Empire\*  
 Chad (first and second sessions)  
 Chile  
 China (first session)  
 Colombia  
 Congo (first and second sessions)  
 Costa Rica  
 Cuba  
 Cyprus  
 Czechoslovakia  
 Democratic Kampuchea\*\* (first and second sessions)  
 Democratic People's Republic of Korea  
 Democratic Republic of Viet-Nam (first, second and third sessions)  
 Democratic Yemen (fourth session)  
 Denmark  
 Dominican Republic (first, second and fourth sessions)  
 Ecuador  
 Egypt  
 El Salvador (first and second sessions)  
 Ethiopia (third session)  
 Finland  
 France  
 Gabon (first, second and third sessions)  
 Gambia (first, second and fourth sessions)  
 German Democratic Republic  
 Germany, Federal Republic of  
 Ghana  
 Greece  
 Guatemala  
 Guinea-Bissau (first and second sessions)  
 Haiti (first and second sessions)  
 Holy See  
 Honduras  
 Hungary  
 Iceland  
 India  
 Indonesia  
 Iran  
 Iraq  
 Ireland  
 Israel  
 Italy  
 Ivory Coast  
 Jamaica (third and fourth sessions)  
 Japan  
 Jordan  
 Kenya (first and fourth sessions)  
 Kuwait  
 Lebanon  
 Lesotho (second session)  
 Liberia (first, second and third sessions)  
 Liechtenstein  
 Luxembourg  
 Madagascar  
 Malaysia (first, second and fourth sessions)  
 Mali (first, second and fourth sessions)  
 Malta  
 Mauritania  
 Mauritius  
 Mexico  
 Monaco  
 Mongolia  
 Morocco  
 Mozambique (third and fourth sessions)  
 Netherlands  
 New Zealand  
 Nicaragua  
 Niger (first and second sessions)  
 Nigeria  
 Norway  
 Oman  
 Pakistan  
 Panama  
 Paraguay (first and second sessions)  
 Peru  
 Philippines  
 Poland  
 Portugal  
 Qatar  
 Republic of Guinea (second session)  
 Republic of Korea  
 Republic of South Viet-Nam (third session)  
 Republic of Viet-Nam (first and second sessions)

\* Formerly Central African Republic.

\*\* Formerly Khmer Republic.

Romania	Tunisia
San Marino	Turkey
Saudi Arabia	Uganda
Senegal	Ukrainian Soviet Socialist Republic
Socialist People's Libyan Arab Jama- hiriya*	Union of Soviet Socialist Republics
Socialist Republic of Viet Nam (fourth session)	United Arab Emirates
Somalia (fourth session)	United Kingdom of Great Britain and Northern Ireland
South Africa (first session)	United Republic of Cameroon**
Spain	United Republic of Tanzania
Sri Lanka	United States of America
Sudan	Upper Volta (first, second and third ses- sions)
Swaziland (third and fourth sessions)	Uruguay
Sweden	Venezuela
Switzerland	Yemen
Syrian Arab Republic	Yugoslavia
Thailand	Zaire
Togo (first session)	Zambia (first session)
Trinidad and Tobago (first, second and third sessions)	

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

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

\* Formerly Libyan Arab Republic.

\*\* Formerly Cameroon.

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

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

Working Group for the Development of Humanitarian Law, comprising:

Amnesty International  
Arab Lawyers Union  
Association for the Study of the World Refugee Problem  
Carnegie Endowment for International Peace  
Christian Peace Conference  
Commission of the Churches on International Affairs (World Council of Churches)  
Consultative Council of Jewish Organizations  
Friends World Committee for Consultation  
International Association of Democratic Lawyers  
International Association of Lighthouse Authorities  
International Commission of Jurists  
International Commission on Illumination  
International Confederation of Catholic Charities (Caritas Internationalis)  
International Confederation of former Prisoners of War

International Electro-Technical Commission  
 International Secretariat of Catholic Jurists (Pax Romana)  
 International Union for Child Welfare  
 International Union of Socialist Youth  
 World Confederation of Religions for Peace  
 World Federation of Democratic Youth  
 World Federation of Scientific Workers  
 World Federation of United Nations Associations  
 World Jewish Congress  
 World Muslim Congress  
 World Peace Council  
 World Veterans Federation  
 World Young Women's Christian Association

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

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

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

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

8. The Conference established the following organs:

*General Committee of the Conference:*

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

*Committee I:*

Chairmen: Mr. Edvard Hambro (Norway) (first and second sessions)  
 Mr. Einar-Frederik Ofstad (Norway) (third and fourth sessions)  
 Vice-Chairmen: Mr. B. Akporode Clark (Nigeria)  
 Mr. Konstantin Obradović (Yugoslavia)  
 Rapporteurs: Mr. Miguel Marín Bosch (Mexico) (first session)  
 Mr. Antonio Eusebio de Icaza (Mexico) (second, third and fourth sessions)

*Committee II:*

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

- Vice-Chairmen:** Mr. Osvaldo Salas (Chile) (first, second and fourth sessions)  
 Mr. Carlos Mackenney (Chile) (third session)  
 Mr. Nasim Shah (Pakistan) (first session)  
 Mr. Javed Khan (Pakistan) (first session)  
 Mr. Khalid Saleem (Pakistan) (second and third sessions)  
 Mr. Chaudhri Khurshid Hasan (Pakistan) (fourth session)
- Rapporteurs:** Mr. Djibrilla Maiga (Mali) (first and second sessions)  
 Mr. El Hussein El Hassan (Sudan) (third and fourth sessions)
- Committee III:*
- Chairman:** Mr. Hamed Sultan (Egypt)
- Vice-Chairmen:** Mr. Géza Herczegh (Hungary)  
 Mr. Mangalyn Dugersuren (Mongolia) (first, second and third sessions)  
 Mr. Dugersurengiin Erdembileg (Mongolia) (fourth session)
- Rapporteurs:** Mr. Richard Baxter (United States of America) (first, second and third sessions)  
 Mr. George H. Aldrich (United States of America) (second, third and fourth sessions)
- Ad Hoc Committee of the whole on Conventional Weapons:*
- Chairmen:** Mr. Diego Garcés (Colombia) (first, second and third sessions)  
 Mr. Héctor Charry Samper (Colombia) (fourth session)
- Vice-Chairmen:** Mr. Houchang Amir-Mokri (Iran)  
 Mr. Mustapha Chelbi (Tunisia)  
 Mr. Nkeke Ndonga Mangbau (Zaire) (second session)
- Rapporteurs:** Mr. Frits Kalshoven (Netherlands) (first, second and third sessions)  
 Mr. Robert J. Akkerman (Netherlands) (third session)  
 Mr. John G. Taylor (United Kingdom of Great Britain and Northern Ireland) (fourth session)  
 Mr. Martin R. Eaton (United Kingdom of Great Britain and Northern Ireland) (fourth session)
- Drafting Committee:*
- Chairmen:** Mr. Abu Sayed Chowdhury (Bangladesh) (first and second sessions)  
 Mr. Iqbal Abdul Qarim Al-Fallouji (Iraq) (third and fourth sessions)
- Vice-Chairmen:** Mr. Mario Carías (Honduras) (first, second and third sessions)  
 Mr. Rodrigo Valdez Baquero (Ecuador) (fourth session)  
 Mr. M. Sinkutu Kabuaye (United Republic of Tanzania)
- Members representatives of the following States:**  
 Algeria, Brazil, France, German Democratic Republic, Indonesia, Lebanon, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland
- Ex officio* members under rule 47 of the rules of procedure:  
 The Rapporteurs of the Main Committees

*Credentials Committee:*

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

Members representatives of the following States:

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

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

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

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

*First session*

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

*Second session*

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

*Third session*

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

*Fourth session*

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

the Conference drew up the following instruments:

- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and Annexes I and II;
- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).<sup>1</sup>

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

<sup>1</sup> See p. 609 of this volume.



13. These Additional Protocols, the text of which has been established in Arabic, English, French, Russian and Spanish, are annexed to this Final Act. The Chinese text of the Additional Protocols will be established later.<sup>1</sup>

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

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

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

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

<sup>1</sup> See p. 169 of this volume.

Afghanistan

أفغانستان

阿富汗

Afganistán

Afghanistan

Афганистана

[Dr. MOHAMMED AKRAM]<sup>1</sup>

Algeria

الجزائر

阿尔及利亚

Argelia

Algérie

Алжира

[ABDELOUAHAB ABADA]

Federal Republic of Germany

جمهورية ألمانيا الاتحادية

德意志联邦共和国

República Federal de Alemania

République fédérale d'Allemagne

Федеративной Республики Германии

[Dr. HORST-KRAFT ROBERT]

Angola

أنجولا

安哥拉

Angola

Angola

АНГОЛЫ

<sup>1</sup> Names of signatories appearing between brackets were not legible and have been supplied by the Government of Switzerland — Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Gouvernement suisse.

Saudi Arabia

المملكة العربية السعودية

沙特阿拉伯

Arabia Saudita

Arabie Saoudite

Саудовской Аравии

[ABDEL AZIZ MODARES]

Argentina

أرجنتين

阿根廷

Argentina

Argentine

Аргентины

[GABRIEL O. MARTÍNEZ]

Australia

أستراليا

澳大利亚

Australia

Australie

Австралии

[FRANCIS JOSEPH MAHONY]

Austria

النمسا

奥地利

Austria

Autriche

Австрии

[ERICH KUSSBACH]

Bahrain

البحرين

巴林

Bahrein

Bahrein

Бахрейна

Bangladesh

بنجلاديش

孟加拉国

Bangladesh

Bangladesh

Бангладеш

[S. A. M. S. KIBRIA]

Belgium

بلجيكا

比利时

Belgica

Belgique

Бельгии

[JEAN DE BREUCKER]

Benin

بنين

贝宁

Benin

Bénin

Бенина

Bhutan

بوتان

不丹

Bhután

Bhoutan

Бутана

Bolivia

بوليفيا

玻利维亚

Bolivia

Bolivie

Боливии

[TOMÁS GUILLERMO ELIO]  
Representante Permanente<sup>1</sup>

Brazil

البرازيل

巴西

Brasil

Brésil

Бразилии

[FREDERICO CARLOS CARNAUBA]

Bulgaria

بلغاريا

保加利亚

Bulgaria

Bulgarie

Болгарии

[R. NIKOLOV]

Burundi

بوروندي

布隆迪

Burundi

Burundi

Бурунди

<sup>1</sup> Permanent Representative — Représentant permanent.

Canada

كندا

加拿大

Canadá

Canada

Канады

[DAVID MILES MILLER]

Cape Verde

الرأس الأخضر

佛得角

Cabo Verde

Cap-Vert

Островов Зеленого Мыса

[ALIRIO VICENTE SILVA]

Chile

شيلي

智利

Chile

Chili

Чили

[OSVALDO SALAS]

Cyprus

قبرص

塞浦路斯

Chipre

Chypre

Кипра

[STELLA SOULIOTI]

Colombia

كولومبيا

哥伦比亚

Colombia

Colombie

Колумбии

[HÉCTOR CHARRY SAMPER]

Comoros

القمر

科摩罗

Comoras

Comores

Комор

Congo

الكونغو

刚果

Congo

Congo

Конго

Costa Rica

كوستاريكا

哥斯达黎加

Costa Rica

Costa Rica

Коста-Рики

Ivory Coast

ساحل العاج

象牙海岸

Costa de Marfil

Côte d'Ivoire

Берега Слоновой Кости

[AMARA ESSY]

Cuba

كوبا

古巴

Cuba

Cuba

Кубы

Denmark

الدانمرك

丹麦

Dinamarca

Danemark

Дании

[Dr. AXEL SERUP]

Egypt

مصر

埃及

Egipto

Egypte

Египта

[Dr. HAMED SULTAN]

United Arab Emirates

الامارات العربية المتحدة

阿拉伯联合酋长国

Emiratos Arabes Unidos

Emirats arabes unis

Объединенных Арабских Эмиратов

[MOHAMMED HASSAN MUKHTAR]



Central African Empire

إمبراطورية أفريقيا الوسطى

中非帝国

Imperio Centrafricano

Empire centrafricain

Центральноафриканской Империи

[ELYSÉE-LOUISE BAYANGHA]

Ecuador

الإكوادور

厄瓜多尔

Ecuador

Equateur

Эквадора

[RODRIGO VALDEZ BAQUERO]

Spain

إسبانيا

西班牙

España

Espagne

Испания

[RAMÓN ORTI Y FERNÁNDEZ DE SEDANO]

United States of America

الولايات المتحدة الأمريكية

美利坚合众国

Estados Unidos de América

Etats-Unis d'Amérique

Соединенных Штатов Америки

[GEORGE H. ALDRICH]

Ethiopia

أثيوبيا

埃塞俄比亚

Etiopía

Ethiopie

Ефиопии

Finland

فنلندا

芬兰

Finlandia

Finlande

Финляндии

[VOITTO SAARIO]

France

فرنسا

法国

Francia

France

Франции

[JEAN-DOMINIQUE PAOLINI]

Gabon

جابون

加蓬

Gabón

Gabon

Габона

Gambia

جامبيا

冈比亚

Gambia

Gambie

Гамбии

Ghana  
غانا  
加納  
Ghana  
Ghana  
Ганы

[PETER M. AGBEKO]

Greece  
اليونان  
希腊  
Grecia  
Grèce  
Греции

[ANDRÉ METAXAS]

Grenada  
جرانادا  
格林纳达  
Granada  
Grenade  
Гренады

Guatemala  
جواتيمالا  
危地马拉  
Guatemala  
Guatemala  
Гватемалы

[NORMA MITCHELL DE CONTRERAS]

Guinea-Bissau

غينيا بيساو

几内亚比绍

Guinea-Bissau

Guinée-Bissau

Гвинеи-Бисау

Equatorial Guinea

غينيا الاستوائية

赤道几内亚

Guinea Ecuatorial

Guinée équatoriale

Экваториальной Гвинеи

Guyana

جويانا

圭亚那

Guyana

Guyane

Гайаны

Haiti

هايتي

海地

Haití

Haïti

Гаити

Upper Volta

فولتا العليا

上沃尔特

Alto Volta

Haute-Volta

Верхней Вольты

[MANLY SOULEYMANE JOSEPH]

Honduras  
هندوراس  
洪都拉斯  
Honduras  
Honduras  
Гондураса

[JUAN CUEVA-MEMBREÑO]

Hungary  
الجر  
匈牙利  
Hungria  
Hongrie  
Венгрии

[ISTVÁN KIRÁLY]

India  
الهند  
印度  
India  
Inde  
Индии

[C. R. GHAREKHAN]

Indonesia  
اندونيسيا  
印度尼西亚  
Indonesia  
Indonésie  
Индонезии

[ARTATI SUDIRDJO]

Iraq  
العراق  
伊拉克  
Iraq  
Irak  
Ирака

[IQBAL AL-FALLOUJI]

Iran  
ایران  
伊朗  
Irán  
Iran  
Ирана

[HOUCANG AMIR-MOKRI]

Ireland  
أيرلندا  
爱尔兰  
Irlanda  
Irlande  
Ирландии

[SEAN GAYNOR]

Iceland  
أيسلندا  
冰岛  
Islandia  
Islande  
Исландии

Israel  
 اسرائيل  
 以色列  
 Israel  
 Israël  
 Израиля

Italy  
 ايطاليا  
 意大利  
 Italia  
 Italie  
 Италии

[NICOLO DI BERNARDO]

Socialist People's Libyan Arab Jamahiriya  
 الجماهيرية العربية الليبية الشعبية الاشتراكية  
 阿拉伯利比亚人民社会主义民众国  
 Jamahiriya Arabe Libia Populaire y Socialista  
 Jamahiriya arabe libyenne populaire et socialiste  
 Ливийской Арабской Народной Социалистической Республики

[YOUSSEF M. AREBI]

Jamaica  
 جامايكا  
 牙买加  
 Jamaica  
 Jamaïque  
 Ямайки

[H. S. WALKER]

Japan

اليابان

日本

Jarón

Japón

ЯПОНИИ

[TERUYUKI SAWAI]

Jordan

الأردن

約旦

Jordania

Jordanie

Иордании

[WALEED SADI]

Democratic Kampuchea

كمبوتشيا الديمقراطية

民主柬埔寨

Kampuchea Democrática

Kampuchea Démocratique

Демократической Кампучии

Kenya

كينيا

肯尼亚

Kenya

Kenya

Кении

[PETER KIHARA MATHANJUKI]



Kuwait

الكويت

科威特

Kuwait

Koweït

Кувейт

[HASSAN ALI DABBAGH]

Lesotho

ليسوتو

莱索托

Lesotho

Lesotho

Лесото

Lebanon

لبنان

黎巴嫩

Libano

Liban

Ливана

[MAHMOUD BANNA]

Liberia

ليبيريا

利比里亚

Liberia

Libéria

Либерии

Liechtenstein

ليختنباين

列支敦士登

Liechtenstein

Liechtenstein

Лихтенштейна

[NIKOLAUS VON UND ZU LIECHTENSTEIN]

Luxembourg

لكسمبورج

卢森堡

Luxemburgo

Luxembourg

Люксембурга

[JEAN RETTEL]

Madagascar

مدغشقر

马达加斯加

Madagascar

Madagascar

Мадагаскара

[JEAN-JACQUES MAURICE]

Malaysia

ماليزيا

马来西亚

Malasia

Malaisie

Малайзии

Maldives

مالديف

马尔代夫

Maldivas

Maldives

Мальдив

Mali

مالي

马里

Mali

Mali

Мали

[ABDRAMANE DOUMBIA]

Malta

مالطا

马耳他

Malta

Malte

Мальты

[JOSEPH MARMARA]

Morocco

المغرب

摩洛哥

Marruecos

Maroc

Марокко

[ALI SKALLI]

Mauritius

موريشيوس

毛里求斯

Mauricio

Maurice

Маврикия

[JACQUES RÉGIS BOURDET]

Mauritania

موريتانيا

毛里塔尼亚

Mauritania

Mauritanie

Мавритании

[Mme TOCOSSEL SY]

Mexico

المكسيك

墨西哥

México

Mexique

Мексика

[ANTONIO DE ICAZA]

[*Illegible — Illisible*]

Monaco

موناكو

摩纳哥

Mónaco

Monaco

Монако

[JACQUES ROUX]

Mongolia

منغولیا

蒙古

Mongolia

Mongolie

Монголи

[DUGERSURENGIIN ERDEMBILEG]

Mozambique

موزمبيق

莫桑比克

Mozambique

Mozambique

Мозамбика

[MUSSAGY JEICHANDE]

Nepal

نیپال

尼泊尔

Nepal

Népal

Непала

Nicaragua

نيكاراجوا

尼加拉瓜

Nicaragua

Nicaragua

Никарагуа

[GASTÓN CAJINA MEJICANO]

Niger

النيجر

尼日尔

Níger

Niger

Нигера

Nigeria

نيجيريا

尼日利亚

Nigeria

Nigéria

Нигерии

[B. AKPORODE CLARK]

Norway

النرويج

挪威

Noruega

Norvège

Норвегии

[EINAR-FREDRIK OFSTAD]

New Zealand

نيوزيلندا

新西兰

Nueva Zelandia

Nouvelle-Zélande

Новой Зеландии

[R. Q. QUENTEN-BAXTER]

Oman

عمان

阿曼

Omán

Oman

Омана

[NASSER SHERIF MOHAMED JAWAD]

Uganda

أوغندا

乌干达

Uganda

Ouganda

Уганды

[ALOYSIUS RWAKISHAJA KABIRITSI]

Pakistan

الباكستان

巴基斯坦

Pakistán

Pakistan

Пакистана

[MUSHTAQ HUSSAIN]

Panama

بنما

巴拿马

Panamá

Panama

Панамы

[JOSÉ M. ESPINO GONZÁLEZ]

Papua New Guinea

بابواغينيا الجديدة

巴布亚新几内亚

Papua Nueva Guinea

Papouasie-Nouvelle-Guinée

Папуа-Новой Гвинеи

Paraguay

باراجواي

巴拉圭

Paraguay

Paraguay

Парагвая

Netherlands

هولندا

荷兰

Países Bajos

Pays-Bas

Нидерландов

[C. A. VAN DER KLAUW]

Peru

بيرو

秘鲁

Perú

Pérou

Перу

[CARLOS A. HIGUERAS]



Philippines

الفلبين

菲 律 宾

Filipinas

Philippines

Филиппин

[HORTENCIO J. BRILLANTES]

Poland

بولندا

波 兰

Polonia

Pologne

Польша

[JULIUSZ BIALY]

Portugal

البرتغال

葡 萄 牙

Portugal

Portugal

Португалии

[ADRIANO DE CARVALHO]

Qatar

قطر

卡 塔 尔

Qatar

Qatar

Катар

[ABDUL RHAMAN ALATTIYA]

Syrian Arab Republic

الجمهورية العربية السورية

阿拉伯叙利亚共和国

República Árabe Siria

République arabe syrienne

Сирийской Арабской Республики

[DIA ALLAH EL FATTAL]

Republic of Korea

جمهورية كوريا

大韩民国

República de Corea

République de Corée

Корейской Республики

[SHINYONG LHO]

German Democratic Republic

جمهورية ألمانيا الديمقراطية

德意志民主共和国

República Democrática Alemana

République démocratique allemande

Германской Демократической Республики

[GÜNTHER ULLRICH]

Lao People's Democratic Republic

جمهورية لاو الديمقراطية الشعبية

老挝人民民主共和国

República Democrática Popular Lao

République démocratique populaire lao

Лаосской Народной Демократической Республики

Dominican Republic

جمهورية الدومينيكان

多米尼加共和国

República Dominicana

République Dominicaine

Доминиканской Республики

[FABIO ALVAREZ CURIEL]

Democratic People's Republic of Korea

جمهورية كوريا الديمقراطية الشعبية

朝鮮民主主義人民共和國

República Popular Democrática de Corea

République populaire démocratique de Corée

Корейской Народно-Демократической Республики

[HUNG YONG KIM]

Socialist Republic of Viet Nam

جمهورية فيتنام الاشتراكية

越南社会主义共和国

República Socialista de Viet Nam

République socialiste du Viet Nam

Социалистической Республики Вьетнам

[NGUYEN VAN LUU]

Byelorussian Soviet Socialist Republic

جمهورية بيلوروسيا الاشتراكية السوفيتية

白俄罗斯苏维埃社会主义共和国

República Socialista Soviética de Bielorrusia

République socialiste soviétique de Biélorussie

Белорусской Советской Социалистической Республики

[ANATOLI NIKITICH SHELDOV]

Ukrainian Soviet Socialist Republic

جمهورية أوكرانيا الاشتراكية السوفيتية

乌克兰苏维埃社会主义共和国

República Socialista Soviética de Ucrania

République socialiste soviétique d'Ukraine

Украинской Советской Социалистической Республики

[NICOLAI RECHETNIAK]

United Republic of Tanzania

جمهورية تانزانيا المتحدة

坦桑尼亚联合共和国

República Unida de Tanzania

République-Unie de Tanzanie

Объединенной Республики Танзании

[LUKA GODFREY CHANGAE MANG'ENYA]

United Republic of Cameroon

جمهورية الكاميرون المتحدة

喀麦隆联合共和国

República Unida del Camerún

République-Unie du Cameroun

Объединенной Республики Камерун

[RÉMY JEAN MBAYA]

Romania

رومانيا

罗马尼亚

Rumania

Roumanie

Румынии

[MARIN ALEXIE]

United Kingdom of Great Britain and Northern Ireland

المملكة المتحدة لبريطانيا العظمى  
وإيرلندا الشمالية

大不列颠及北爱尔兰联合王国

Reino Unido de Gran Bretaña e Irlanda del Norte

Royaume-Uni de Grande-Bretagne et d'Irlande du Nord

Соединенного Королевства Великобритании и Северной Ирландии

[JOHN REDYERS FREELAND]

Rwanda

رواندا

卢旺达

Rwanda

Rwanda

Руанды

San Marino

سان مارينو

圣马力诺

San Marino

Saint-Marin

Сан-Марино

[GIORDANO BRUNO REFFI]

Holy See

الكرسي البابوي

罗马教廷

Santa Sede

Saint-Siège

Святейшего Престола

[SILVIO LUONI]

Sao Tome and Principe

ساو تومسي وبرانسيب

圣多美和普林西比

Santo Tomé y Príncipe

Sao Tomé-et-Príncipe

Сан-Томе и Принсипи

Senegal

السنغال

塞内加尔

Senegal

Sénégal

Сенегала

Sierra Leone

سيراليون

塞拉利昂

Sierra Leona

Sierra Leone

Сьерра Леоне

Somalia

الصومال

索马里

Somalia

Somalie

Сомали

Swaziland

سوازيلاند

斯威士兰

Swazilandia

Souaziland

Свазиленда

Sudan

السودان

苏丹

Sudán

Soudan

Судана

[EL HUSSEIN EL HASSAN]

Sri Lanka

سرى لنكا

斯里兰卡

Sri Lanka

Sri Lanka

Шри Ланки

[K. K. BRECKENRIDGE]

Sweden

السويد

瑞典

Suecia

Suède

Швеции

[HANS BLIX]

Switzerland

سويسرا

瑞士

Suíza

Suisse

Швейцарии

[RUDOLF BINDSCHEDLER]

Surinam

سورينام

苏里南

Surinam

Surinam

Суринама

Chad

تشاد

乍得

Chad

Tchad

Чада

Czechoslovakia

تشيكوسلوواكيا

捷克斯洛伐克

Checoslovaquia

Tchécoslovaquie

Чехословакии

[MILOSLAV RUZEK ]

Thailand

تايلاند

泰国

Tailandia

Thaïlande

Таиланда

[MANASPAS XUTO]



Tunisia

تونس

突尼斯

Túnez

Tunisie

Туниса

[MOHAMED BEN FADHEL]

Turkey

تركيا

土耳其

Turquía

Turquie

Турции

[ERCUMENT YAVUZALP]

Union of Soviet Socialist Republics

اتحاد الجمهوريات الموفيتية الاشتراكية

苏维埃社会主义共和国联盟

Unión de Repúblicas Socialistas Soviéticas

Union des Républiques socialistes soviétiques

Союза Советских Социалистических Республик

[M. G. GRIBANOV]

Uruguay

أورجواي

乌拉圭

Uruguay

Uruguay

Уругвая

[PABLO BOSCH]

Venezuela

فنزويلا

委内瑞拉

Venezuela

Venezuela

Венесуэлы

[DIEGO LUIS CASTELLANOS]

Yemen

اليمن

也门

Yemen

Yémen

Йемена

[AHMED ALHADDAD]

Democratic Yemen

اليمن الديمقراطية

民主也门

Yemen Democrático

Yémen démocratique

Демократического Йемена

[MOHAMED OMER ALKAFF]

Yugoslavia

يوغوسلافيا

南斯拉夫

Yugoslavia

Yougoslavie

Югославии

[VUKO GOZZE-GUČETIĆ]

Zaire

زائير

扎伊尔

Zaire

Zaire

Заира

[A'TSHIABOLA BINTU]

Zambia

زامبيا

赞比亚

Zambia

Zambie

Замбии

*National liberation movements recognized by the Regional Intergovernmental Organizations concerned and invited by the Conference to participate in its work\**

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

本会议邀请参加会议讨论的、经有关区域性政府间组织承认的民族  
解放运动：\*

*Movimientos de liberación nacional reconocidos por las Organizaciones Inter-  
gubernamentales Regionales interesadas e invitados por la Conferencia a participar  
en sus trabajos\**

*Mouvements de libération nationale reconnus par les Organisations intergou-  
vernementales régionales intéressées et invités par la Conférence à participer à ses  
travaux\**

*Национально-освободительные движения, признанные соответствующи-  
ми Региональными межправительственными организациями и пригла-  
шенные Конференцией принять участие в ее работе\**

African National Congress (South Africa) (ANC)

المؤتمر الوطني الإفريقي (أفريقيا الجنوبية) (م و أ)

非洲人国民大会(南非)

African National Congress (Sudáfrica) (ANC)

African National Congress (Afrique du Sud) [ANC]

Африканский национальный конгресс (Южная Африка) (АНК)

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

مع العلم بأن توقيع هذه الحركات لا يخل بالمواقف التي اتخذتها الدول  
المشتركة بخصوص ما اذا كانت تستبر سابقة •

\* 已经达成谅解，这些运动的签字并不损害参加会议各国关于是否构成先例问题的立场。

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

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

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

African National Council of Zimbabwe (Rhodesia) (ANCZ)

الجلسة الوطنية الإفريقي لزمبابوي (م وأز)

津巴布韦非洲人全国委员会(罗得西亚)

African National Council of Zimbabwe (Rhodesia) (ANCZ)

African National Council of Zimbabwe (Rhodésie) [ANCZ]

Африканский национальный совет Зимбабве (Родезия) (АНСЗ)

Palestine Liberation Organization (PLO)

منظمة التحرير الفلسطينية (م ت ف)

巴勒斯坦解放组织

Organización de Liberación de Palestina (OLP)

Organisation de libération de la Palestine (OLP)

Организация освобождения Палестины (ООП)

[DAOUD BARAKAT]

Panafricanist Congress (South Africa) (PAC)

المؤتمر الإفريقي (أفريقيا الجنوبية) (م أ)

泛非洲主义者大会(南非)

Panafricanist Congress (Sudáfrica) (PAC)

Panafricanist Congress (Afrique du Sud) [PAC]

Панафриканский конгресс (Южная Африка) (ПАК)

[EZROM SERAME MOKGAKALA]

South West Africa People's Organization (SWAPO)

منظمة شعب جنوب غرب أفريقيا (سوابو)

西南非洲人民组织

South West Africa People's Organization (SWAPO)

South West Africa People's Organization (SWAPO)

Организация народов Юго-Западной Африки (СВАПО)

[PETER KATJAVIVI]

## RESOLUTIONS ADOPTED AT THE FOURTH SESSION

## CONTENTS

<i>Resolution No.</i>	<i>Title</i>
17 (IV)	Use of certain electronic and visual means of identification by medical aircraft protected under the Geneva Conventions of 1949 and under the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)
18 (IV)	Use of visual signalling for identification of medical transports protected under the Geneva Conventions of 1949 and under the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)
19 (IV)	Use of radiocommunications for announcing and identifying medical transports protected under the Geneva Conventions of 1949 and under the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)
20 (IV)	Protection of cultural property
21 (IV)	Dissemination of knowledge of international humanitarian law applicable in armed conflicts
22 (IV)	Follow-up regarding prohibition or restriction of use of certain conventional weapons
23 (IV)	Report of the Credentials Committee
24 (IV)	Expression of gratitude to the host country

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

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

Considering that:

- (a) In order to avoid their engagement by combatant forces there is an urgent need for both electronic and visual identification of medical aircraft in flight,
- (b) The Secondary Surveillance Radar (SSR) system has the capability of providing unique identification of aircraft and of *en route* flight details,
- (c) The International Civil Aviation Organization is the most appropriate international body to designate SSR modes and codes in the range of circumstances envisaged,
- (d) This Conference has agreed to the use of a flashing blue light as a means of visual identification to be employed only by aircraft exclusively engaged in medical transport,\*

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

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

\* See Annex to this resolution.

- (a) Establish appropriate procedures for the designation, in case of an international armed conflict, of an exclusive SSR mode and code to be employed by medical aircraft concerned; and,
- (b) Note the agreement of this Conference to recognize the flashing blue light as a means of identification of medical aircraft, and provide for that use in the appropriate International Civil Aviation Organization documents;
2. Urges the Governments invited to the present Conference to lend their full co-operation to this endeavour in the consultative processes of the International Civil Aviation Organization.

Fifty-fourth plenary meeting

7 June 1977

## ANNEX

### ARTICLES 6 AND 8 OF THE REGULATIONS CONTAINED IN ANNEX I TO PROTOCOL I

*Article 6. LIGHT SIGNAL.* 1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates:

— Green boundary:  $y = 0.065 + 0.805x$

— White boundary:  $y = 0.400 - x$

— Purple boundary:  $x = 0.133 + 0.600y$

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

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

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

*Article 8. ELECTRONIC IDENTIFICATION* 1. The Secondary Surveillance Radar (SSR) system as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.

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

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

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

Considering that:

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

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

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

- (a) Consider introduction into the appropriate documents, such as the International Code of Signals, the flashing blue light as described in Article 6 of Chapter III of the Regulations contained in Annex I to Protocol I;
- (b) Provide for recognition of the distinctive emblem in the appropriate documents (see Article 3 of Chapter II of the said Regulations);
- (c) Consider the establishment both of unique flag signals and of a flare combination, such as white-red-white, which might be used for additional or alternative visual identification of medical transports;

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

Fifty-fourth plenary meeting  
7 June 1977

## ANNEX

### ARTICLES 3, 6, 10 AND 11 OF THE REGULATIONS CONTAINED IN ANNEX I TO PROTOCOL I

*Article 3. SHAPE AND NATURE.* 1. The distinctive emblem (red on a white ground) shall be as large as appropriate under the circumstances. For the shapes of the cross, the crescent or the lion and sun, the High Contracting Parties may be guided by the models shown in Figure 2.

\* See Annex to this resolution.



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



Fig. 2. DISTINCTIVE EMBLEMS IN RED ON A WHITE GROUND

*Article 6. LIGHT SIGNAL.* 1. The light signal, consisting of a flashing blue light, is established for the use of medical aircraft to signal their identity. No other aircraft shall use this signal. The recommended blue colour is obtained by using, as trichromatic co-ordinates:

- Green boundary:  $y = 0.065 + 0.805x$
- White boundary:  $y = 0.400 - x$
- Purple boundary:  $x = 0.133 + 0.600y$

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

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

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

*Article 10. USE OF INTERNATIONAL CODES.* Medical units and transports may also use the codes and signals laid down by the International Telecommunication Union, the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization. These codes and signals shall be used in accordance with the standards, practices and procedures established by these Organizations.

*Article 11. OTHER MEANS OF COMMUNICATION.* When two-way radiocommunication is not possible, the signals provided for in the International Code of Signals adopted by the Inter-Governmental Maritime Consultative Organization or in the appropriate Annex to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used.

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

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

Considering that:

- (a) It is vital that distinctive and reliable communications be used for identifying, and announcing the movement of, medical transports,
- (b) Adequate and appropriate consideration will be given to communications related to the movement of a medical transport only if it is identified by an internationally recognized priority signal such as “Red Cross”, “Humanity”, “Mercy” or other technically and phonetically recognizable term,
- (c) The wide range of circumstances under which a conflict may occur makes it impossible to select in advance suitable radio frequencies for communications,
- (d) The radio frequencies to be employed for communicating information relative to the identification and movement of medical transports must be made known to all parties who may use medical transports,

Having noted:

- (a) Recommendation No. 2 of the International Telecommunication Union (ITU) Plenipotentiary Conference, 1973, relating to the use of radiocommunications for announcing and identifying hospital ships and medical aircraft protected under the Geneva Conventions of 1949,
- (b) Recommendation No. Mar2-17 of the International Telecommunication Union World Maritime Administrative Radio Conference, Geneva, 1974, relating to the use of radiocommunications for marking, identifying, locating, and communicating with the means of transport protected under the Geneva Conventions of 12 August 1949, concerning the protection of war victims and any additional instruments of those conventions, as well as for ensuring the safety of ships and aircraft of States not Parties to an armed conflict;
- (c) The memorandum by the International Frequency Registration Board (IFRB), a permanent organ of the International Telecommunication Union (ITU), relating to the need for national co-ordination on radiocommunication matters;

Recognizing that:

- (a) The designation and use of frequencies, including the use of distress frequencies, operating procedures in the Mobile Service, the distress, alarm, urgency and safety signals, and the order of priority of communications in the Mobile Service are governed by the Radio Regulations annexed to the International Telecommunication Convention;
- (b) These Regulations may be revised only by a competent ITU World Administrative Radio Conference;
- (c) The next competent World Administrative Radio Conference is planned for 1979 and that written proposals for the revision of the Radio Regulations should be submitted by Governments about one year before the opening of the Conference,

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

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

2. Requests the President of the Conference to transmit this document to all Governments and organizations invited to the present Conference, together with the attachments representing the requirements, both for radio frequencies and for inter-

national recognition of an appropriate priority signal, which must be satisfied in the proceedings of a competent World Administrative Radio Conference,\*

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

Fifty-fourth plenary meeting  
7 June 1977

## ANNEX

### ARTICLES 7, 8 AND 9 OF THE REGULATIONS CONTAINED IN ANNEX I TO PROTOCOL I

*Article 7. RADIO SIGNAL.* 1. The radio signal shall consist of a radiotelephonic or radiotelegraphic message preceded by a distinctive priority signal to be designated and approved by a World Administrative Radio Conference of the International Telecommunication Union. It shall be transmitted three times before the call sign of the medical transport involved. This message shall be transmitted in English at appropriate intervals on a frequency or frequencies specified pursuant to paragraph 3. The use of the priority signal shall be restricted exclusively to medical units and transports.

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

- (a) Call sign of the medical transport;
- (b) Position of the medical transport;
- (c) Number and type of medical transports;
- (d) Intended route;
- (e) Estimated time *en route* and of departure and arrival, as appropriate;
- (f) Any other information such as flight altitude, radio frequencies guarded, languages and secondary surveillance radar modes and codes.

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

*Article 8. ELECTRONIC IDENTIFICATION.* 1. The Secondary Surveillance Radar (SSR) system, as specified in Annex 10 to the Chicago Convention on International Civil Aviation of 7 December 1944, as amended from time to time, may be used to identify and to follow the course of medical aircraft. The SSR mode and code to be reserved for the exclusive use of medical aircraft shall be established by the High Contracting Parties, the Parties to a conflict, or one of the Parties to a conflict, acting in agreement or alone, in accordance with procedures to be recommended by the International Civil Aviation Organization.

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

\* See Annex to this resolution.

*Article 9. RADIOCOMMUNICATIONS.* The priority signal provided for in Article 7 of these Regulations may precede appropriate radiocommunications by medical units and transports in the application of the procedures carried out under Articles 22, 23, 25, 26, 27, 28, 29, 30 and 31 of the Protocol.

#### 20 (IV). PROTECTION OF CULTURAL PROPERTY

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

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

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

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

Fifty-fifth plenary meeting  
7 June 1977

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

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

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

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

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

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

- (a) Encouraging the authorities concerned to plan and give effect, if necessary with the assistance and advice of the International Committee of the Red Cross, to arrangements to teach international humanitarian law, particularly to the armed forces and to appropriate administrative authorities, in a manner suited to national circumstances;
- (b) Undertaking in peacetime the training of suitable persons to teach international humanitarian law and to facilitate the application thereof, in accordance with Articles 6 and 82 of the Protocol Additional to the Geneva Conventions of 12 August

1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I);

- (c) Recommending that the appropriate authorities intensify the teaching of international humanitarian law in universities (faculties of law, political science, medicine, etc.);
  - (d) Recommending to educational authorities the introduction of courses on the principles of international humanitarian law in secondary and similar schools;
3. Urges National Red Cross, Red Crescent and Red Lion and Sun Societies to offer their services to the authorities in their own countries with a view to the effective dissemination of knowledge of international humanitarian law;
4. Invites the International Committee of the Red Cross to participate actively in the effort to disseminate knowledge of international humanitarian law by, *inter alia*:
- (a) Publishing material that will assist in teaching international humanitarian law, and circulating appropriate information for the dissemination of the Geneva Conventions and the Protocols,
  - (b) Organizing, on its own initiative or when requested by Governments or national societies, seminars and courses on international humanitarian law, and co-operating for that purpose with States and appropriate institutions.

Fifty-fifth plenary meeting  
7 June 1977

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Fifty-seventh plenary meeting

9 June 1977

## 23 (IV). REPORT OF THE CREDENTIALS COMMITTEE

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

Approves the report of the Credentials Committee.

Fifty-seventh plenary meeting

9 June 1977

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

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

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

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

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

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

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

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

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

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

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

Fifty-eighth plenary meeting

9 June 1977