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CONVENTION FOR THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR

PREAMBLE

The High Contracting Parties, conscious of their obligation to come to an agreement in order to protect civilian populations from the horrors of war, undertake to respect the principles of human rights which constitute the safeguard of civilisation and, in particular, to apply, at any time and in all places, the rules given hereunder:

(1) *Individuals shall be protected against any violence to their life and limb.*

(2) *The taking of hostages is prohibited.*

(3) *Executions may be carried out only if prior judgment has been passed by a regularly constituted court, furnished with the judicial safeguards that civilised peoples recognize to be indispensable.*

(4) *Torture of any kind is strictly prohibited.*

These rules, which constitute the basis of universal human law, shall be respected without prejudice to the special stipulations provided for in the present Convention in favour of protected persons.

PART I
GENERAL PROVISIONS

ARTICLE I

Respect of the Convention The High Contracting Parties undertake ¹ to respect and to ensure respect for the present Convention in all circumstances.

ARTICLE 2

Application of the Convention In addition to the stipulations which shall be implemented in peace time, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.

The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

If one of the Powers in conflict is not party to the present Convention, the Powers who are party thereto shall notwithstanding be bound by it in their mutual relations.

In all cases of armed conflict not of an international character ² which may occur in the territory of one or more of the High Contracting Parties, each of the *Parties to the conflict* shall be bound to implement the provisions of the present Convention, *subject to the adverse party likewise acting in obedience thereto*. The Convention shall be applicable in these circumstances, whatever the legal status of the Parties to the conflict and without prejudice thereto.

ARTICLE 3

Definition of protected persons Persons protected under the present Convention are those who, at a given moment and in whatever manner, find themselves, in the case of a conflict or occupation, in the hands of a Power of which they are not nationals; furthermore, in case of a conflict not international in character, the nationals of the country where the conflict takes place *and who are not covered by other international conventions*, are likewise protected by the present Convention.

¹ The words "in the name of their peoples" have been deleted.

² The words "especially cases of civil war, colonial conflicts or wars of religion" have been deleted.

The provisions of Part II are, however, wider in application, as defined in Article 11.

Persons such as prisoners of war, the sick and wounded, the members of medical personnel, who are the subject of other international conventions, remain protected by the said conventions.

ARTICLE 4

The present Convention shall apply from the outset of any conflict covered by Article 2. The application thereof shall cease on the close of hostilities or of occupation, except as regards protected persons whose release, repatriation or re-establishment may take place subsequently and who, until such operations are terminated, shall continue to benefit by the present Convention.

Beginning and end of application

ARTICLE 5

Besides the agreements expressly provided for in Articles 12, 33, 52, 85, 97, 98, 121 and 122, the Parties to the conflict may conclude special agreements for all matters concerning which they may deem it suitable to make separate provision. Such agreements shall in no case adversely affect the situation of protected persons, as defined in the present Convention, nor restrict the rights which it confers upon them.

Special agreements

Protected persons shall benefit by the agreements that concern them as long as the Convention is applicable to them, except for express stipulations to the contrary in the aforementioned or in subsequent agreements, or except also for more favourable measures taken with respect to them by one or the other of the Parties to the conflict.

ARTICLE 6

Protected persons may in no circumstances¹ renounce in part or in entirety the rights secured to them by the present Convention and by the special agreements referred to in the foregoing Article, if such there be.

Acquired rights

ARTICLE 7

The present Convention shall be applied with the co-operation and under the supervision of the Protecting Powers responsible

Protecting Powers

¹ The words "be induced by constraint, or by any other means of coercion" have been deleted.

for safeguarding the interests of the Parties to the conflict. To that effect, the Protecting Powers may, apart from their diplomatic staff, appoint delegates from amongst their own nationals or the nationals of other neutral Powers. Such delegates shall be subject to approval by the Power near which they will carry out their duties. *The said Power may only refuse its approval if serious grounds are adduced.*

The Parties to the conflict shall, to as great a degree as possible, facilitate the task of the representatives or delegates of the Protecting Powers.

ARTICLE 8

Activity of the
International
Committee of
the Red Cross

The provisions of the present Convention constitute no obstacle to the humanitarian activity which the International Committee of the Red Cross may undertake for the protection of civilian persons and for the relief to be given them, with the consent of the interested Parties to the conflict.

ARTICLE 9

Substitutes for
Protecting
Powers

The Contracting Parties may at any time agree to entrust to a body which offers all guarantees of impartiality and efficacy, the duties imposed upon the Protecting Powers by the present Convention.

Furthermore, if persons protected by the present Convention do not profit or cease to profit by the activity of a Protecting Power, or of the above-mentioned body, the Party to the conflict in whose power they are shall be under the obligation to make up for this lack of protection by requesting either a neutral State or an impartial humanitarian body, such as the International Committee of the Red Cross, to assume in their behalf the duties imposed on the Protecting Powers by the present Convention.

Whenever in the present Convention mention is made of a Protecting Power, such mention shall also designate substitute bodies in the sense of the present Article.

ARTICLE 10

Procedure of
conciliation

In cases where they deem it advisable in the interest of protected persons, particularly in cases of disagreement between the Parties to the conflict as to the application of the provisions of the present Convention, the Protecting Powers shall lend their good offices with a view to facilitating such application.

To that effect, each of the Protecting Powers may, at the invitation of one Party, or by its own motion, propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for protected persons, in suitably chosen neutral territory, if circumstances permit. The Parties to the conflict shall be bound to give effect to the proposals made to them in this respect. The Protecting Powers may, if necessary, propose for approval by the Parties to the conflict a person belonging to a neutral Power, or delegated by the International Committee of the Red Cross, who shall be called upon to participate in such a meeting.

PART II

GENERAL PROTECTION OF POPULATIONS AGAINST CERTAIN CONSEQUENCES OF WAR ¹

ARTICLE II

The provisions of Part II cover the whole of the population of the countries in conflict, irrespective of race, nationality, religion, political opinions or any other distinction based on similar criteria, and are intended to attenuate ² the sufferings caused by war.

Field of
application
of Part II

ARTICLE I2

In time of peace already, the Contracting Parties and, in case of conflict, the Parties thereto, shall endeavour to set up in their own territory, and, if the need arises, in occupied areas, hospital and safety zones and localities so organized as to protect from the effects of war the wounded and sick, children under fifteen, expectant mothers, mothers of children under seven, persons over sixty-five and the personnel entrusted with the organization and administration of such zones and localities, and with the care of the persons assembled therein.

Hospital and
safety zones
and localities

¹ The Sub-commission instructed to study this Convention recommended that Part II should be placed at the end of the Convention, in order to clarify its lay-out. This recommendation was not examined by the Commission, doubtless owing to an oversight.

² The words "as far as possible" have been deleted.

Upon the outbreak and during the course of hostilities, the Parties concerned shall agree on mutual recognition of the zones and localities they have set up, and may, for this purpose, implement the provisions of the Draft Agreement annexed to the present Convention, with such amendments as they may consider necessary.

The Protecting Powers and the International Committee of the Red Cross shall lend their good offices in order to facilitate the institution and recognition of these hospital and security zones and localities.

ARTICLE 12 (b)

Neutralized zones

Any Party to the conflict may, either direct or through some humanitarian organization, propose to the adverse Party to establish, in the regions where fighting is taking place, neutralized zones intended to shelter from the effects of war the following persons, without distinction:

- (a) *Wounded and sick combatants or non-combatants.*
- (b) *Persons taking no active part in the fighting, as for example the personnel responsible for the administration, supervision and food-supply of the said zones.*

When the Parties concerned have agreed upon the geographical position, administration and food-supply of the proposed neutralized zone, a written agreement shall be concluded and signed by the representatives of the Parties to the conflict. The agreement shall fix the date from, and the period during which the said zone shall remain in force.

ARTICLE 13

Wounded and sick I. General protection

The Parties to the conflict shall, so far as possible, ensure medical care and hospital treatment to civilians; they shall allow medical personnel of all categories to carry out their duties. The wounded and sick shall be the object of particular protection and respect.

As far as military considerations allow, every Party to the conflict shall facilitate the measures taken to search for the killed and wounded, to assist the shipwrecked and other persons exposed to grave danger, and to protect them against pillage and ill-treatment.

ARTICLE 14

II. Evacuation

The Parties to the conflict shall endeavour to conclude local agreements for the removal from besieged or encircled areas of

wounded and sick, *infirm and aged persons*, children and maternity cases, and for the passage of medical personnel and equipment intended for such areas.

ARTICLE 15

Civilian hospitals, recognized as such by the State and organized on a permanent basis to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be attacked, but shall at all times be respected and protected by the Parties to the conflict.

The recognition of such establishment by the State shall be certified by a document delivered to each of them. In view of the danger incurred by hospitals being close to military objectives, the responsible authorities shall ensure that such hospitals are situated as far as possible from the said objectives.

III. Protection of hospitals

ARTICLE 16

The protection to which civilian hospitals are entitled cannot lapse unless they are used to commit acts harmful to the enemy, and only after due warning which is unheeded. In any case, a sufficient period shall be allowed for the removal of the wounded and sick.

The fact that sick or wounded members of the armed forces are nursed in these hospitals, and the presence of portable arms and ammunition taken from such combatants and which have not yet been handed to the proper service, shall not be considered as acts harmful to the enemy.

IV. Lapse of protection of hospitals

ARTICLE 17

Civilian hospitals in enemy or occupied territory may pursue their activities and shall be protected against pillage.

In cases of urgent necessity, however, the military authorities governing the territory where such hospitals are situated may employ them for the care of civil or military wounded and sick, on condition of having previously ensured the care of the sick and wounded accommodated therein.

The material and stores of civilian hospitals cannot be requisitioned and diverted from their *normal* purpose, so long as they are necessary for the wounded and sick.

V. Protection of hospitals in enemy or occupied territory

ARTICLE 18

VI. Hospital personnel Register of wounded and sick

Members of the personnel of civilian hospitals shall be respected and protected by the Parties to the conflict. The said personnel shall carry identity cards certifying their status, provided with the photograph and fingerprints of the holder, and embossed with the stamp of the responsible authority.

Personnel exclusively engaged in collecting, transporting and caring for wounded and sick civilians, the infirm and maternity cases, likewise medical personnel exclusively engaged in the administration of the hospitals provided for in Article 15, shall when carrying out their duties, wear on the left arm a water-resistant armlet bearing the emblem provided for in Article 19 of the Convention of 1929, delivered by the State and the National Red Cross Society.

The management of every civilian hospital shall be at all times in possession of an up-to-date list of members of the personnel ¹.

ARTICLE 19

VII. Marking

Civilian hospitals shall be marked by means of the emblem of the red cross (red crescent, red lion and sun) on a white ground, with the permission of the State and of the National Red Cross Society ².

The Parties to the conflict shall, in so far as military considerations permit, take the necessary steps to make the distinctive emblems indicating civilian hospitals clearly visible to the enemy land, air and naval forces, in order to obviate the possibility of any hostile action.

ARTICLE 19 (b)

Hospital transports

Transports conveying wounded and sick civilians, the infirm and maternity cases shall be respected and protected in the same manner as the hospitals provided for in Article 15, and shall be marked by means of the emblem of the red cross (red crescent, red lion and sun) on a white ground,

Any such transports of vehicles falling into the power of the adverse party shall be subject to the laws of war, on condition that the capturing belligerent on all occasions takes charge of the wounded and sick who are conveyed therein.

¹ The remainder of the paragraph "and of patients..." has been deleted.

² The words "subject to the consent of the responsible authorities" have been deleted.

ARTICLE 20

The Contracting Parties shall allow the free passage of all consignments of medical and hospital stores intended for *civilians* of another Contracting Party, even if the latter is their adversary.

Dispatch of medicaments, foodstuffs and tonics

They shall likewise permit the free passage of all shipments of foodstuffs, clothing and tonics intended for children under fifteen and expectant mothers. The Power which allows the passage of foodstuffs, clothing and tonics may make such permission conditional to the fact that the distribution to the persons benefited thereby is made under the supervision of the Protecting Powers, and that the persons benefited perform no work of a military¹ character.

Such shipments shall be forwarded as rapidly as possible *and may be checked by the Power which permits such consignment*

ARTICLE 21

The Parties to the conflict shall take the necessary measures to ensure that children under fifteen who are orphaned or separated from their parents as a result of the war, are not left to their own resources, and that their maintenance and education are *facilitated* in all circumstances.

Special measures in behalf of children

The Parties shall facilitate the accommodation of such children in a neutral country, for the duration of the conflict.

They shall furthermore ensure that all children under fifteen can be identified at any time, in particular by the wearing of identity discs.

ARTICLE 22

All persons in the territory of a Party to the conflict, or in a territory occupied by it, shall be enabled to give news of a strictly personal nature to members of their families, wherever they may be, and to receive news from them. This correspondence shall be forwarded as rapidly as possible.

Right to family news

If, as a result of circumstances, it becomes difficult or impossible to exchange family correspondence by the ordinary post, the States concerned shall apply to a neutral intermediary, such as the Central Agency provided for in Article 124, and shall decide in consultation with it how to ensure the fulfilment of their obligations under the best possible conditions, *in particular with the co-operation of the National Red Cross Societies.*

If the Parties to the conflict deem necessary to restrict family correspondence, such restrictions shall be confined to the

¹ The words " or civilian " have been deleted.

compulsory use of standard forms containing twenty-five freely chosen words, and to the dispatch of only one of these forms a month.

ARTICLE 23

Dispersed
families

The Parties to the conflict shall facilitate enquiries made by members of families dispersed owing to the war, with the object of renewing contact with one another and of meeting, if possible. They shall encourage, in particular, the work of agencies engaged on this task.

PART III

STATUS AND TREATMENT OF PROTECTED PERSONS

SECTION I

Provisions common to the Territories of the Parties to the conflict, and to Occupied Territories

ARTICLE 24

Particular risks

No protected person may at any time be sent to, or detained in areas which are particularly exposed, nor may his or her presence be used to render certain points or areas immune from military operations.

ARTICLE 25

Treatment
I. General
remarks

Protected persons are entitled, in all circumstances, to respect for their persons and their honour. They shall at times be humanely treated and protected, particularly against acts of violence or intimidation, against insults and public curiosity.

Without prejudice to the provisions relative to their state of health, age and sex, all protected persons shall be treated alike by the Party to the conflict in whose power they are, without any difference founded on race, religious belief or political opinions, or any other distinction based on similar criteria.

ARTICLE 26

II.
Responsibilities

The Party to the conflict in whose hands protected persons may be, is responsible for the treatment granted to them, irres-

pective of any individual responsibility that may rest in this matter on officials, law officers, members of the armed or police forces, or on any other person.

ARTICLE 27

Women shall be specially protected against any attacks on their honour or dignity.

Children under fifteen shall in all circumstances enjoy preferential treatment, particularly as regards food, medical care and protection against the effects of war.

Expectant mothers and mothers of children under seven shall also enjoy such preferential treatment.

III. Women and children

ARTICLE 28

Protected persons shall have every facility for making application to the Protecting Powers, the International Committee of the Red Cross, the National Red Cross Society of the country where they may be, as also to any body that might assist them.

These several bodies shall be granted by the authorities, to that purpose, all facilities within the bounds set by military considerations.

In addition to the visits of the delegates of the Protecting Powers and of the International Committee of the Red Cross, provided for by Article 126, the Detaining or Occupying Powers may allow the representatives of other bodies to visit the protected persons to whom they may desire to give spiritual aid or material relief.

Application to Protecting Powers and relief organizations

ARTICLE 29

No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties.

Torture and corporal punishments are prohibited.

Prohibition of torture, duress and corporal punishment

ARTICLE 30

No protected person may be punished for an offence he or she has not personally committed. Collective penalties are prohibited.

Measures of reprisal against protected persons or their property are prohibited. Any destruction of personal or real property which is not made absolutely necessary by military operations, is prohibited, as are likewise all measures of intimidation or terrorism.

Individual responsibility, collective penalties, reprisals

ARTICLE 31

Hostages The taking of hostages is prohibited.

SECTION II

Aliens in the Territory of a Party to the conflict

ARTICLE 32

Repatriation
and detention

All aliens, whether of enemy nationality or not, of uncertain nationality or stateless, who may desire to leave the territory at the outset of, or during a conflict, shall be entitled to do so, subject to the provisions of the following paragraph. They may provide themselves with the necessary funds for their journey and take with them their effects and articles of personal use ¹.

Only persons whose departure the Detaining Power may reasonably oppose on urgent grounds of security, may be refused permission to leave.

Such refusal shall be decided on only after regular proceedings before a special tribunal for aliens, before which the persons concerned may freely plead their case.

If the tribunal decides that the protected person shall not be allowed to leave, it shall also decide whether he or she shall be left at liberty, placed in assigned residence or interned, in conformity with Articles 38, 39 and 40. If the person concerned has been placed in assigned residence or interned, the tribunal shall periodically, and at least twice yearly, review his or her case, with a view to the favourable amendment of the initial decision, if circumstances permit.

The representatives of the Protecting Power shall be entitled to attend the hearing of the case, unless the proceedings must exceptionally be held secret for reasons of state security. The Detaining Power shall in such cases notify the Protecting Power.

In any case, the decision of the tribunal shall be communicated with all speed to the Protecting Power, together with the grounds adduced.

ARTICLE 33

Methods of
repatriation

Repatriations shall be carried out in satisfactory conditions as regards security, hygiene, healthfulness and food.

¹ The clause " No person shall be repatriated against his will " has been deleted.

The practical details of such repatriations may, if necessary, be settled by particular agreements between the Parties to the conflict.

ARTICLE 34

Protected persons who, at the outset of the conflict, are confined pending trial, or serving a sentence involving loss of liberty, shall not be subjected to more stringent conditions owing to the outbreak of hostilities.

As soon as they are released they may ask to leave the territory, in conformity with the foregoing Articles.

Detained persons

ARTICLE 35

The situation of protected persons shall continue to be governed, in principle, by the provisions relating to the treatment of aliens in time of peace, subject to such measures of control or security as may be ordered with respect to them, as a result of the war. They shall be enabled to receive the individual or collective relief that may be sent them.

Persons not repatriated.
I. General remarks

ARTICLE 36

Protected persons who, as a result of the war, have lost their gainful employment, shall be granted the opportunity to meet the cost of their maintenance, either by finding paid employment under the provisions of Article 37, or by receiving allowances from the Power in whose hands they may be. Protected persons may in any case receive allowances from their home country, the Protecting Powers, or the relief societies referred to in Article 28.

II. Means of existence

ARTICLE 37

Protected persons may only be required to do work which is normally necessary for the feeding, sheltering, clothing, transportation and health of human beings, but they not be employed in work that is moreover of value in assisting the conduct of active military operations.

III. Labour

If the above provisions are infringed, the protected persons shall be allowed to exercise their right of complaint, in conformity with Article 28¹.

¹ This Article replaces a much more detailed draft submitted by the International Committee.

ARTICLE 38

IV. Assigned residence. Internment

If the Power in whose hands protected persons may be considers that the measures of control referred to in Article 35 are inadequate, it may have recourse only to assigned residence and, by way of exception, to internment, in conformity with the provisions of Articles 39 and 40.

ARTICLE 39

V. Reasons for internment. Voluntary internment

The internment of protected persons in fenced camps may not be ordered unless the security of the Detaining Power imperatively demands.

Should any person, acting through the representatives of the Protecting Power, voluntarily ask to be interned because his or her situation renders that course necessary, the said person shall be interned by the Power in whose hands he or she may be.

ARTICLE 40

VI. Procedure of internment

Decisions regarding the internment of protected persons, and any subsequent decisions leading to a change of their status, shall be made according to regular procedure, to include the right of the protected persons to appeal, in conformity with Article 32, to the special tribunal for aliens.

In any case, the decisions made by the Detaining Power shall be speedily brought to the knowledge of the Protecting Power.

ARTICLE 41

VII. Transfers to another Power

Protected persons may not be transferred *against their will* to a Power which is not party to the Convention.

This provision shall in no way constitute an obstacle to the repatriation of protected persons, or to their return to their country of residence *after the cessation of hostilities or of occupation.*

If they are transferred to a Power which is party to the Convention, the responsibility for the application of the Convention shall rest conjointly on the Power which transfers and the Power which receives them.

During hostilities or occupation, no protected person shall be transferred to a country where he or she may have reason to fear persecution for his or her political opinions or religious beliefs.

ARTICLE 42

If not rescinded previously, restrictive measures taken in respect of protected persons shall cease as rapidly as possible after the close of hostilities.

End of restrictive measures

SECTION III

Occupied Territories

ARTICLE 43

Protected persons who may find themselves in occupied territories cannot in any case or in any manner whatsoever be deprived of the benefit of the present Convention, either by virtue of changes introduced as the result of the occupation into the institutions or government of the said territories, or of arrangements which may be concluded between the authorities of the occupied territories and the occupying Power.

Inviolable rights

ARTICLE 44

Persons who are not nationals of the Power whose territory is occupied, may avail themselves of the provisions of Article 32, in order to secure permission to leave the territory.

Special cases of repatriation

ARTICLE 45

Deportations or transfers *against their will* of protected persons out of occupied territory are prohibited, whether such deportations or transfers are individual or collective, and regardless of their motive.

Deportations.
Transfers.
Evacuations

The occupying Power shall not undertake total or partial evacuation of a given area, unless the security of the population or imperative military considerations demand. Such evacuations may not involve displacements outside the bounds of the occupied territory, except in cases of physical necessity.

The occupying Power shall not carry out such transfers and evacuations unless it has ensured proper accommodation to receive the protected persons. Such removals shall be effected in satisfactory conditions of hygiene, healthfulness, security and nutrition. Members of the same family shall not be separated.

The Protecting Power shall be informed of any proposed transfers and evacuations. It may supervise the preparations and the conditions in which such operations are carried out.

The occupying Power shall not deport or transfer parts of its own civil population into the territory it occupies.

ARTICLE 46

Children The occupying Power shall, with the co-operation of the national and local authorities, *facilitate* the proper working of all institutions devoted to the care of children.

The occupying Power shall take all necessary steps to allow identification of children and registration of their parentage. It may not, in any case, change their personal status, nor enlist them in formations or organizations subordinate to it.

Children who are orphaned or separated from their parents as a result of war, and who cannot be handed over to the care of near relatives, shall be entrusted to institutions for children, where their education shall be ensured as far as possible by persons of their own nationality *and religion*.

ARTICLE 47

Enlistment. The occupying Power may not compel protected persons to
Labour serve in its combatant or auxiliary forces. No propaganda which aims at securing voluntary enlistment is permitted.

The occupying Power may not compel protected persons to work unless they are over eighteen years of age, and only to ensure the proper functioning of public utility services, *such as water, gas, electricity, transport, public health and other similar services*. It may not, however, compel requisitioned protected persons to employ forcible means to ensure the security of the installations where they are performing compulsory labour.

The work shall be carried out only in the occupied territory where the requisitioned persons may be. Every requisitioned person shall, so far as possible, be kept in his usual place of employment. Workers shall be paid a fair wage and the work shall be proportionate to their physical and intellectual capacities. The work shall be neither unhealthy, nor dangerous.

In any case, requisition of labour shall only be of a temporary nature, and shall in no case lead to the mobilization of workers for the duration of hostilities.

ARTICLE 48

No contract, agreement or regulation shall impair the right of every worker, whether voluntary or not, and wherever he may be, to apply to the representatives of the Protecting Power, in order to request the said Power's intervention.

Protection of
workers

Artificially created unemployment, and all planned schemes for restricting the opportunities offered to workers in an occupied territory, in order to induce them to work for the occupying Power, are prohibited.

ARTICLE 49

The occupying Power is bound to assure the food supply of the civilian population. *If international standards of nutrition have been established, they shall be applied.*

Food supplies.
Relief
consignments

The occupying Power shall, in particular, import the necessary foodstuffs and products, if the resources of the occupied territory are inadequate to ensure such subsistence ; it may not commandeer or use for its own purposes, in particular for the occupation forces or administration personnel, foodstuffs or products available in the occupied territory, unless the subsistence of the civilian population is sufficiently provided for.

The Protecting Powers shall, at any time, be at liberty to verify the state of the food supply in occupied territories.

If the whole or part of the population of an occupied territory is inadequately supplied, the occupying Power shall agree to relief schemes in behalf of the said population, and shall facilitate them by all the means at its disposal.

Such schemes, which may be undertaken either by States or by impartial humanitarian bodies such as the International Committee of the Red Cross, shall consist, in particular, of shipments of foodstuffs, tonics and clothing.

All Contracting Parties shall permit the free passage of these shipments and shall guarantee their protection.

ARTICLE 50

The occupying Power is bound to ensure and maintain, with the co-operation of national and local authorities, public health and hygiene in the occupied territories. The said Power must, in particular, continue to apply or introduce health or prophylactic measures proper to combat the spread of conta-

Hygiene and
public health

gious diseases or epidemics, *facilitate* the proper working of hospital establishments and dispensaries, the adequate supply of medicaments, vaccines, serums, dressings and medical stores, in the occupied territory.

The occupying Power shall accept consignments of such articles from abroad, and facilitate their allocation in occupied territories.

ARTICLE 51

Relief
consignments
I. Obligations of
the occupying
Power

Relief consignments shall in no way relieve the occupying Power of its responsibility to ensure the subsistence and hygiene of the occupied territories.

The occupying Power may neither requisition relief consignments, nor divert them in any way from their destination.

ARTICLE 52

II. Collective
relief

The distribution of the relief consignments referred to in the foregoing Articles shall be carried out with the co-operation and under the supervision of the Protecting Powers, or of other neutral Powers. This duty may also be *undertaken* by an existing humanitarian body, such as the International Committee of the Red Cross, or by an agency specially set up for that purpose.

Such consignments shall be exempt from all charges, such as customs dues and registration fees, transit or import dues, and others. The occupying Power shall transport them rapidly and free of charge in the territories which it governs.

ARTICLE 53

III. Individual
relief

Furthermore, subject to imperative reasons of security which the occupying Power may advance, protected persons in occupied territories shall receive the individual relief supplies that may be sent them.

ARTICLE 54

National Red
Cross and other
relief societies

In occupied territories, recognized National Red Cross Societies shall be able to pursue their activities in accordance with Red Cross principles, as defined by the International Red Cross Conferences.

The occupying Power may not require any changes in the personnel or structure of these Societies, which would prejudice the aforesaid activities.

*The other relief societies shall be permitted to continue their humanitarian activities under similar conditions, provided that they refrain from any act harmful to the occupying Power*¹.

ARTICLE 55

The penal laws of the occupied Power shall remain in force and the tribunals thereof shall continue to function in respect of all offences covered by the said laws.

Penal laws.
I. General remarks

The occupying Power may, however, subject the population of the occupied territory to provisions intended to assure the security of the members and property of the forces or administration of the occupying Power, and likewise of the establishments used by the said forces and administration.

ARTICLE 56

The penal provisions enacted by the occupying Power shall not come into force before they have been brought to the knowledge of the inhabitants, in their own language.

II. Publication

ARTICLE 57

In case of a breach of the penal provisions published by it by virtue of Article 55, paragraph 2, the occupying Power may hand over the accused to its regular, *non-political* military or civil courts, on condition that the said courts sit in occupied territory. Courts of appeal are not subject to the obligation of sitting in occupied territory.

III. Competent tribunals

ARTICLE 58

The courts shall apply solely the provisions published prior to the offence, and which are in conformity with the general principles of law, in particular the principle that the penalty

IV. Applicable provisions

¹ The text submitted by the International Committee ran as follows :

“ National Red Cross Societies and other Relief Societies which, prior to occupation, have likewise been recognized by the State whose territory is occupied, shall be allowed to pursue their activities without hindrance during occupation, and no changes shall be made by the occupying Power in their structure or managing staff.”

shall be proportionate to the offence. They shall take into consideration the fact that the accused owes no duty of allegiance to the occupying Power.

ARTICLE 59

V. Penalties

Protected persons who commit an offence intended to harm *the occupying Power*, but which does not constitute an attempt on the life or limb of members of the occupying forces or administration, nor a grave collective danger, nor seriously damage the property of *the occupying Power* or the installations used by it, are liable to internment, according to Part III, Section IV, as the only penalty depriving them of liberty.

The courts of the occupying Power shall not pass the death sentence on a protected person unless he is guilty of an offence which was punishable by the death penalty under the law of the occupied Power at the outbreak of hostilities.

The death penalty may not be pronounced against a protected person unless the attention of the Court has been particularly called to the fact that the accused, not being a national of the occupying Power, is not bound to it by any duty of allegiance and is in its power by reason of circumstances independent of his will.

The three preceding paragraphs do not apply to the case of a protected person who is guilty of espionage to the detriment of the occupying Power.

The death penalty may not be pronounced against a protected person under eighteen years of age for any offence whatsoever.

ARTICLE 60

VI. Breaches committed before occupation Penal procedure.

Protected persons shall not be arrested, prosecuted or convicted by the occupying Power for acts committed or for opinions expressed before the occupation, or during a temporary interruption thereof, with the exception of breaches of the laws and customs of war.

Nationals of the occupying Power who, before the outbreak of hostilities, have sought refuge in the territory of the occupied State *from the consequences of an offence committed outside the occupied territory*, shall not be arrested, prosecuted, convicted or deported out of the occupied territory *for that offence, unless according to the law of the occupied State, the said offence would have justified extradition in time of peace.*

ARTICLE 61

No conviction shall be pronounced except after a regular trial.

I. General remarks

Accused persons who are prosecuted by the occupying Power shall be promptly informed, in a language they understand, of the particulars of the charge preferred against them. They shall be brought to trial as rapidly as possible. The Protecting Power shall be immediately informed of all proceedings instituted by the occupying Power against protected persons, and shall be enabled, at any time, to obtain information regarding the state of such proceedings.

ARTICLE 62

Accused persons shall have the right to be assisted by qualified counsel of their own choice, who shall be able to visit them freely and shall enjoy every facility for preparing the defence.

II. Right to defence

Failing a choice by the accused, the Protecting Power may provide them with counsel.

Accused persons may, if they desire, be assisted by an interpreter, both during preliminary investigation and during the hearing in court.

ARTICLE 63

Accused persons shall have the right to adduce all evidence necessary to their defence and may, in particular, call witnesses.

III. Means of defence

Convicted persons shall have the right of appeal provided for by the laws applied by the court.

ARTICLE 64

The representatives of the Protecting Power shall have the right to attend the sessions of any court judging a protected person, unless the hearing has, exceptionally, to be secret in the interests of the safety of the occupying Power, which shall then notify the Protecting Power.

IV. Assistance by the Protecting Power

Any judgments pronounced shall be communicated, with the relevant grounds, as rapidly as possible to the Protecting Power, and shall contain, if the case arises, the name of the place where sentence is to be served. Judgments shall not be enforced until the expiration of the period allowed for appeal; the said period shall not run until notification of judgment to the Protecting Power has been made.

ARTICLE 65

V. Death sentence

No death sentence shall be carried out before the expiration of a period of six months at least from the notification of judgment to the Protecting Power.

In no case shall persons condemned to death be deprived of the right of petition for pardon or reprieve.

ARTICLE 66

Treatment of detainees

Protected persons who are indicted or convicted by the courts of the occupying Power shall be kept apart from other detainees and shall enjoy conditions of food and hygiene sufficient to keep them in good health, and similar at least to those obtaining in penitentiaries in the occupied territory. Proper regard shall be paid to the special treatment due to minors.

Such protected persons shall have the right to be visited by delegates of the Protecting Power and of the International Committee of the Red Cross, in conformity with the provisions of Article 126.

Detained protected persons shall have the right to receive at least one relief parcel a month.

ARTICLE 67

Handing over of detainees at the close of occupation

Protected persons indicted or convicted by the courts in occupied territory, shall in no case be taken outside the said territory, but shall be handed over, at the close of occupation to the authorities of the liberated territory, together with the relevant records.

ARTICLE 68

Security measures

If the occupying Power deems necessary, for imperative reasons of security, to take safety measures with respect to persons against whom no specific charge can be preferred, the said Power may at most subject them, *as an exceptional measure*, to assigned residence or, *in especially serious cases*, to internment.

SECTION IV

Regulations for the Treatment of Internees

CHAPTER I

General Provisions

ARTICLE 69

The Parties to the conflict may not intern protected persons except in the cases provided for in Articles 32, 38, 39, 59 and 68.

Cases of internment and applicable regulations

ARTICLE 70

Internees shall retain their full civil capacity and shall exercise their attendant rights, as far as may be compatible with their internment.

Civil capacity

ARTICLE 71

The Parties to the conflict who intern protected persons shall be bound to provide for their free maintenance, and to grant them the medical attention required by their state of health.

Maintenance

No deduction shall be made for the repayment of these costs from the allowances, salaries or credits due to the internees.

ARTICLE 72

The Detaining Power shall assemble the internees so far as possible in camps or camp compounds according to their nationality, language and customs.

Assembling of internees

Furthermore, members of the same family, and in particular parents and children, shall be lodged in the same camp throughout the duration of their internment. Internees may request that their children who are left at liberty shall be interned with them. So far as possible, specially arranged camps for family units shall be reserved for members of such units. They may not be separated, except temporarily for reasons of employment.

CHAPTER 2

Places of Internment

ARTICLE 73

Location of
camps

Detaining Powers shall give the enemy Powers, through the medium of the Protecting Powers, *all useful information* regarding the geographical location of places of internment.

Places of internment shall be indicated in the day-time by the letters "IC", placed so as to be clearly visible from the air. The Detaining Powers may, however, agree upon any other system of marking.

ARTICLE 74

Separate places
of internment

Places of internment for protected persons shall be distinct from places of internment for prisoners of war, and from places where persons deprived of liberty for any other reason are confined.

ARTICLE 75

Quarters,
hygiene

The Detaining Power is bound to take all necessary and possible measures to ensure that protected persons shall, from the outset of their internment, be accommodated in buildings or quarters which afford all possible safeguards as regards hygiene and healthfulness, and efficient protection against the rigours of the climate and the effects of the war. In no case shall places of internment be located in unhealthy areas, or in districts the climate of which is injurious for the internees.

The premises shall be fully protected from dampness, adequately heated and lighted, in particular between dusk and lights out. The sleeping quarters shall be sufficiently roomy and well ventilated, and the internees shall have suitable bedding and sufficient blankets, account being taken of the climate and the age, sex, and state of health of the internees.

Internees shall have for their use, day and night, sanitary conveniences which conform to the rules of hygiene, and are constantly maintained in a state of cleanliness. They shall be provided daily with sufficient water for their personal toilet and

for washing their underwear. Showers or baths shall also be available. Internees shall be provided periodically with sufficient quantities of soap. The necessary time shall be set aside for washing and cleaning.

ARTICLE 76

Canteens shall be installed in all places of internment, where internees may procure ordinary articles and soap at the local market prices.

Canteens

The profits made by canteens for camp administrations shall be used for the benefit of the internees ; a special fund shall be created for that purpose. The internee committee shall have the right to check the management of the canteens and of the said fund.

When a place of internment is closed down, the profits of canteens shall be employed for the benefit of internees of the same nationality as those who have contributed to the constitution of the fund. In case of a general release, the said profits shall be kept by the Detaining Power, subject to any agreement to the contrary between the Powers concerned.

ARTICLE 77

Internees shall have shelters against air bombardments and other hazards of war, to the same extent as the local civilian population. In the case of alarms, they shall be permitted to enter such shelters as soon as possible, except those internees engaged in the defence of their quarters against the aforesaid hazards. Any other protective measure taken in favour of the population shall also apply to them.

Shelters,
measures of
protection

All precautions must be taken in places of internment against the danger of fire.

CHAPTER 3

Food and Clothing

ARTICLE 78

Food rations for internees shall be sufficient in quantity, quality, and variety to keep internees in a good state of health. Account shall also be taken of the habitual diet of the internees. *International standards bearing on nutrition that may be adopted shall be applied to internees.*

Food

Internees shall also be given the means for preparing themselves any additional food in their possession.

Sufficient drinking water shall be supplied to internees. The use of tobacco shall be permitted.

Internees who work shall receive additional rations proportionate to the kind of labour which they perform.

Expectant and nursing mothers and their children shall be given additional food, proportionate to their physiological needs.

ARTICLE 79

Clothing

When arrested, internees shall be given all facilities to provide themselves with the necessary clothing, footwear and change of underwear, and later on, to procure further supplies, if required. Should the internees not have sufficient clothing and cannot procure any, it shall be provided free of charge by the Detaining Power.

The clothing supplied by the Detaining Power to internees and the outward markings placed on their own clothes, shall not be ignominious nor expose them to ridicule.

Workers shall receive suitable working kit, whenever the kind of labour requires.

CHAPTER 4

Hygiene and Medical Attention

ARTICLE 80

Medical attention

Every place of internment shall have an adequate infirmary, under the direction of a qualified doctor, where internees may have the attention they require, as well as appropriate diet. Isolation wards shall, if necessary, be set aside for cases of contagious disease.

Internees suffering from serious disease, or whose condition necessitates special treatment, a surgical operation or hospital care, must be admitted to any institution where such treatment can be given *and shall receive care not inferior to that provided for the population.*

Internees shall have the attention preferably of medical personnel of their own nationality.

Internees may not be prevented from presenting themselves to the medical authorities for examination. The detaining authorities shall, upon request, issue to every internee having undergone treatment an official certificate indicating the nature of his illness or injury, and the duration and kind of treatment given. A duplicate of this certificate shall be forwarded to the Central Agency provided for in Article 124.

The costs of treatment, including those of any apparatus necessary for the maintenance of internees in good health, particularly dentures and other prostheses, and spectacles, shall be borne by the Detaining Power.

ARTICLE 81

Medical inspections of internees shall be made at least once a month. Their purpose shall be, in particular, to supervise the general state of health, nutrition and cleanliness of internees, and to detect contagious diseases, especially tuberculosis, malaria and venereal complaints. Such examinations shall include, if possible, periodical radioscopic examination and the checking of weight of each internee.

Medical
inspections

CHAPTER 5

Religion, Intellectual and Physical Activities

ARTICLE 82

Internees shall enjoy complete liberty in the exercise of their religious duties, including attendance at the services of their faith, on the sole condition that they comply with the measures of order prescribed by the detaining authorities. The Detaining Power shall provide them with adequate premises.

Ministers of religion who are interned shall, whatever their religious denomination, be allowed to minister freely to the members of their community. For that purpose, the Detaining Power shall ensure their equitable allocation amongst the various places of internment. They shall enjoy all facilities for moving about ¹ from one camp to another.

Religion

¹ The words " in case of need " have been deleted.

If there is no minister of the internees' faith, the Detaining Power shall allow religious assistance to be given by a minister of the same denomination, or failing such a minister, by a minister of a similar denomination, if such a course is feasible from a sectarian point of view.

Ministers of religion shall be at liberty to correspond on matters concerning their ministry with the ecclesiastical authorities in the country of detention.

Furthermore, duly mandated representatives of religious organizations, who have been chosen by agreement between the Detaining and the Protecting Powers, preferably amongst the nationals of neutral countries, may, subject to the approval of the Detaining Power, visit the internees and provide for their religious needs.

In the officials reports sent to the Governments on the condition of internees, explicit mention shall be made of the religious assistance by which they benefit.

ARTICLE 83

Recreation,
instruction,
sports and games

While respecting the individual liberty of every internee, the Detaining Power shall encourage the practice of intellectual, educational, and recreational pursuits, sports and games amongst internees, and shall take the measures necessary to ensure the exercise thereof, in particular by providing suitable premises.

Internees shall have opportunities for taking physical exercise and being out of doors. Open spaces shall be provided for the purpose in all places of internment.

All possible facilities shall be granted to internees to continue their studies, or to take up new subjects.

Special play-grounds shall be set aside for children and young people. The latter's education shall be ensured; they shall be allowed to attend schools, either within the place of internment or outside.

ARTICLE 84

Labour

The Detaining Power shall not employ internees as workers, unless they so desire.

After a working period of three months, internees shall be free to give up work at any moment, subject to eight days notice.

These provisions constitute no obstacle to the right of the Detaining Power to employ medical practitioners, or persons of equivalent status and members of the medical service in their professional capacity and in behalf of their interned compatriots.

nor to the right of the Detaining Power to employ internees for administrative and maintenance work in places of internment. Internees may also be detailed for work in the kitchens and for other domestic tasks.

Wages, insurance and all other working conditions shall be determined by agreements between the internees, the employers and the Detaining Power. Internees permanently detailed for the administration, kitchen, maintenance and medical services shall be paid fair wages by the Detaining Power, and shall be insured against accidents.

The Detaining Power shall take entire responsibility for working conditions and the payment of wages.

ARTICLE 85

All labour detachments shall be subordinate to a camp. The authorities and the camp commandant shall be responsible for the observance in the labour detachment of the provisions of the present Convention. The commandant shall keep an up-to-date list of the labour detachments subordinate to him, and shall communicate it to the delegates of the Protecting Power, of the International Committee of the Red Cross and of other humanitarian organizations who are authorized to visit the camp.

Labour
detachments

CHAPTER 6

Personal Property and Financial Resources

ARTICLE 86

Internees shall remain in possession of all personal effects and personal articles. Monies, cheques, bonds, etc., and valuables in their possession may not be taken from them except by the order of an officer, or of a civilian official of equivalent status. Detailed receipts shall be given therefor.

Valuables and
personal effects

The amounts shall be paid into the account of every internee, as provided for in Article 87. Such amounts may not be converted into any other currency without the owner's consent.

Articles of a personal or sentimental value may not be taken away.

*On release or repatriation, internees shall be given all articles, monies or other valuables taken from them during internment and shall receive in currency the balance of any credit to their accounts kept in conformity with Articles 87, with the exception of any articles or amounts to be held by the Detaining Power by virtue of the alien enemy property laws in force under public international law. If internee property is withheld under the alien enemy property laws of the Detaining Power, the owners shall receive detailed certificates*¹.

Family or identity documents in the possession of internees may not be taken away without a receipt given. At no time shall internees be left without identity documents. If they have none, they shall be given special documents issued by the detaining authorities, to serve as identity papers until the end of their internment.

Internees may keep on their persons a certain amount of money, in cash or in the shape of purchase coupons, to enable them to buy foodstuffs, tobacco and toilet requisites.

ARTICLE 87

Financial
resources and
individual
accounts

All internees shall receive regular allowances, sufficient to enable them to purchase goods and articles, such as tobacco, toilet requisites, etc. Such allowances shall take the form of credits or purchase coupons, and shall be paid to all internees, regardless whether they perform labour or not.

Furthermore, internees may receive allowances from their Home Power, the Protecting Powers, the bodies which may assist them, or their next of kin. *The amount of the allowances granted by the Home Power shall, however, be identical for all internees belonging to the same category.*

The Detaining Power shall open a regular account for every internee, to which shall be credited the sums taken from him, the allowances named in the present Article, the wages earned and the remittances received. Internees shall be granted all facilities to make remittances to their families and to other dependents. They may draw from their accounts the amounts necessary for their personal expenses, within the limits fixed by the Detaining Power. A statement of accounts shall

¹ The wording submitted by the International Committee ran as follows :

“At the time of release or repatriation, internees shall receive in currency the amount of their credit balances. The Detaining Power shall also hand back to them all articles, bonds, valuables, etc., which may have been taken from them.”

be furnished to the Protecting Power, on request, and shall accompany the internee in case of transfer.

CHAPTER 7

Administration and Discipline

ARTICLE 88

Every place of internment shall be put under the authority of a responsible officer, chosen from amongst the regular military forces or the regular civil administration of the Detaining Power. The officer in charge of the place of internment *must have in his possession* a copy of the present Convention, in his own language, and shall be responsible for its application. The supervising personnel shall be instructed in the provisions of the present Convention *and of the regulations adopted to ensure its application*.

Camp
administration

The text of the present Convention shall be posted inside the place of internment, in the language of the internees, or be in the possession of the internee committee.

Regulations, orders, notices and publications of every kind shall be issued to the internees and posted inside the places of internment, in a language which the internees understand.

Every order and command addressed to internees individually must likewise be given in a language which they understand.

ARTICLE 89

The disciplinary regime in places of internment shall be consistent with humanitarian principles, and shall in no circumstances include regulations imposing on internees any physical exertion dangerous to their health, or involving physical or moral victimization. Identification by tattooing or imprinting signs and markings on the body, is prohibited.

General
discipline

In particular, prolonged standing and roll-calls, punishment drill, military drill and manoeuvres, *or the reduction of food rations*, are prohibited.

ARTICLE 90

Internees shall have the right to make known to the authorities in whose power they are, their requests with regard to the conditions of internment to which they are subjected.

Complaints
and requests

They shall also have the right to apply without restriction through the internee committee, or if they consider it necessary direct to the representatives of the Protecting Powers, in order to indicate to them any points on which they may have complaints to make with regard to the conditions of internment.

Such petitions and complaints shall be transmitted forthwith *and without alteration*. Even if they are recognized to be unfounded, they may not occasion any punishment.

Periodic reports on the situation in places of internment and the needs of the internees may be sent by the internee committees to the representatives of the Protecting Powers.

ARTICLE 91

I. Composition

In every place of internment, the internees shall freely elect *by secret ballot* every six months, the members of a committee empowered to represent them before the Detaining and the Protecting Powers, the International Committee of the Red Cross and any other body which may assist them. The members of the committee shall be eligible for re-election.

Such elections shall be subject to the approval of the detaining Authorities. The reasons for any refusal shall be communicated to the Protecting Powers concerned.

ARTICLE 92

II. Duties

The committees shall contribute to the physical, spiritual and intellectual well-being of the internees.

In case the internees decide, in particular, to organize a system of mutual assistance amongst themselves, this organization would be within the competence of the committees, in addition to the special duties entrusted to them by other provisions of the present Convention.

ARTICLE 93

III. Prerogatives

Members of committees shall not be required to perform any other work, if the accomplishment of their duties is rendered more difficult thereby.

Members of committees may appoint from amongst the internees such assistants as they may require. All material facilities shall be granted them, particularly a certain freedom of movement necessary for the accomplishment of their duties (visit to labour detachments, receipt of supplies, etc.).

All facilities shall likewise be accorded to committee members for communication by post and telegraph with the detaining Authorities, the Protecting Powers, the International Committee of the Red Cross and their delegates, and with the bodies which give assistance to internees. Committee members in labour detachments shall enjoy the same facilities for communication with the committee in the principal camp. Such communication shall not be limited, nor considered as forming a part of the quota mentioned in Article 96.

Committee members who are transferred shall be allowed a reasonable time to acquaint their successors with current affairs ¹.

CHAPTER 8

Relations with the Exterior

ARTICLE 94

Immediately upon interning protected persons, the Detaining Power shall inform them and their Home Power, either direct or through the Protecting Power, of the measures taken for executing the provisions of the present Chapter. The Detaining Power shall likewise inform the parties concerned of any subsequent modifications of such measures.

Notification of
measures taken

ARTICLE 95

Immediately upon arrest, or not more than one week after arrival in a place of internment, likewise in case of sickness or transfer to hospital or to another place of internment, every internee shall be enabled to write direct to his family, on the one hand, and to the Central Agency provided for by Article 124, on the other, a card similar, if possible, to the model annexed to the present Convention, informing his relatives of his arrest, address and state of health. The said cards shall be forwarded as rapidly as possible and may not be delayed in any manner.

Internments
cards

ARTICLE 96

Internees shall be allowed to send and receive letters and cards. If the Detaining Power deems it necessary to limit the

Correspondence

¹ The clause " Should they be dismissed . . . " has been deleted.

number of letters and cards sent by each internee, the said number shall not be less than two letters and four cards monthly; these shall be drawn up, in so far as possible, according to the models annexed to the present Convention. If limitations must be placed on the correspondence addressed to internees they may be ordered only by the Power of origin, at the possible request of the Detaining Power. Such letters and cards must be conveyed by the most rapid means; they may not be delayed or retained for disciplinary reasons.

Internees who have been without news for a long time, or who are unable to have news from their next of kin, or to give them news by the ordinary postal route, furthermore, those who are separated from home by great distances, shall be permitted to send telegrams, against payment of the charges in the currency at their disposal.

As a general rule, the correspondence of internees shall be written in their native language. The Parties to the conflict may allow correspondence in other languages.

ARTICLE 97

Relief
shipments.
I. General
principles

Internees shall be allowed to receive, by post or by any other means, individual parcels or collective shipments containing in particular foodstuffs, clothing, medicaments and articles of a devotional, educational and recreational character which may meet their needs. Such shipments shall in no way free the Detaining Power from the obligations imposed upon it by virtue of the present Convention.

The only limits which may be placed on these shipments shall be those which are proposed in the interest of the internees themselves by the Protecting Power, the International Committee of the Red Cross, or any other body giving assistance to the internees and which may be responsible for the forwarding of such shipments.

The conditions for the sending of individual parcels and collective shipments shall, if necessary, be the subject of special agreements between the Powers concerned.

ARTICLE 98

II. Collective
relief

In the absence of special agreements between the Powers concerned on the conditions for the receipt and distribution of relief shipments, the rules and regulations concerning collective shipments which are annexed to the present Convention shall be applied.

The special agreements provided for above shall in no case limit the right of internee committees to take possession of collective relief shipments intended for internees, to proceed to their distribution and to dispose of them in the interest of the recipients.

Nor shall such agreements restrict the right of representatives of the Protecting Powers, the International Committee of the Red Cross, or any other body giving assistance to internees and responsible for the forwarding of collective shipments, to supervise their distribution to the recipients.

ARTICLE 99

Internees shall have permission to receive individual parcels of books.

The Protecting Powers and the bodies giving assistance to internees may send single works and collections of books to internee camps, likewise devotional articles, scientific equipment, musical instruments, sports outfits and material allowing the internees to pursue their studies or their artistic activities.

III. Devotional articles, books, etc.

ARTICLE 100

All shipments of relief for internees shall be exempt from import, customs and other dues.

Correspondence, relief shipments and remittances of money addressed to internees or dispatched by them through the post office, either direct or through the Information Bureaux provided for in Article 123 and the Central Information Agency provided for in Article 124, shall be exempt from any postal dues, both in the countries of origin and destination, and in intermediate countries.

Relief shipments intended for internees and which, by reason of their weight or any other cause, cannot be sent through the post office, shall benefit by free transport in all the territory under the control of the Detaining Power. If conveyed by rail, they shall also benefit by free transport in the territories of the other Powers party to the Convention ¹.

The costs incident to the transport of such shipments and which are not covered by the above exemption shall be charged to the senders.

Free postage and transportation

¹ The paragraph beginning : " Individual parcels... " has been deleted.

The High Contracting Parties shall endeavour to reduce, so far as possible, the charges for telegrams sent by internees, or addressed to them.

ARTICLE IOI

Special
transportation

Should military operations prevent the Powers concerned from fulfilling their obligation to assure the transport of the shipments provided for in Articles 95, 96, 97, 99 and 103 of this Chapter, the Protecting Powers concerned, the International Committee of the Red Cross or any other body duly approved by the belligerents may undertake to ensure the conveyance of such shipments by suitable means (railway cars, motor vehicles, vessels or aircraft, etc.). The High Contracting Parties shall endeavour to supply them for that purpose with such means of transport, and shall allow their traffic, in particular by granting them, the necessary safe-conducts.

The said means of transport may also be used to convey :

(a) *the correspondence, lists and reports despatched by the Central Information Agency provided for in Article 124 to the National Bureaux provided for in Article 124, or forwarded by these Bureaux to the said Agency ;*

(b) *the correspondence and reports relating to internees which the Protecting Powers, the International Committee of the Red Cross or any other body assisting the internees, exchange either with their own delegates or with the belligerents ¹.*

The costs occasioned by the use of these means of transportation shall be borne proportionally by the belligerents whose nationals are benefited thereby.

ARTICLE IO2

Censorship and
control

The censoring of correspondence addressed to internees or dispatched by them shall be effected as quickly as possible. Mail shall be censored only by the shipping State and the receiving State, and if possible, once only by each.

The examination of consignments intended for internees shall be carried out in conditions such as will not expose to damage the goods contained therein. It shall be done, if possible,

¹ The foregoing paragraphs replace the first two paragraphs of the draft submitted by the International Committee.

in the presence of the addressee, or of a fellow-internee duly delegated by him. The transmission to internees of light reading matter or educational works shall not be delayed under the pretext of difficulties of censorship.

Any prohibition of correspondence ordered by the Parties to the conflict either for military or political reasons, shall only be temporary and its duration shall be as brief as possible.

ARTICLE 103

The Detaining Powers shall assure all facilities for the transmission, through the Protecting Power or the Central Agency provided for in Article 124, of instruments, papers or documents intended for internees or despatched by them, in particular powers of attorney and wills.

In any case, they shall facilitate for internees the preparation of such documents, in particular by allowing them to consult a lawyer and by arranging, if necessary, for the authentication of their signatures by a responsible official, or by a member of the internee committee.

Drafting and transmission of legal documents

ARTICLE 104

The Detaining Power shall afford internees all facilities compatible with internment conditions, to enable them to manage their property. *The said Power may give them for that purpose permission to leave the camp in urgent cases and if circumstances allow.*

To that effect, internees may appoint an agent to look after their interests, with whom they will be permitted to communicate.

Management of property

ARTICLE 105

No measure of distraint may be taken in occupied territory against internees or their dependents, during the internment of such internees and the month following their return to their domicile. Civil suits in which internees are engaged may, on their request or on that of their agents, be suspended for the duration of the internment.

If an internee in the territory of a Party to the conflict is engaged in a civil suit, the Detaining Power shall, if required to do so by the internee or his agent, advise the tribunal of the detention of the internee, and shall take such other steps as will facilitate justice.

Suspension of suits

ARTICLE 106

Visits Every internee shall be allowed to receive visitors, in particular their near relatives, periodically and as frequently as possible. In urgent cases, and so far as possible, internees shall be permitted to visit their homes, particularly in cases of death or serious illness of relatives.

CHAPTER 9

Penal and Disciplinary Sanctions

ARTICLE 107

General provisions. Applicable legislation Internees who commit offences during internment are subject to the laws of the territory where they are detained, except for the provisions of the present Chapter.

 If general laws, regulations or orders declare acts committed by internees to be punishable, whereas the same acts are not punishable when committed by persons who are not internees, such acts shall entail only disciplinary penalties as punishments.

 No internee may be punished more than once for the same act, or on the same count.

ARTICLE 108

Penalties (The Conference requested the International Committee to submit a new draft of this Article.)¹

¹ The text submitted by the International Committee ran as follows :

 “The courts or authorities shall, to the widest extent possible, take into consideration, in fixing the penalty, the fact that the accused, not being a national of the Detaining Power, is not bound to it by any duty of allegiance, and that he or she is in its power as the result of circumstances independent of his own will. They shall be at liberty to reduce the penalty provided for the violation with which the internee is charged, and shall therefore not be bound, to this effect, to apply the kind of penalty or the minimum penalty prescribed.

 “Imprisonment in premises without daylight, and in a general manner, any form whatsoever of cruelty are forbidden.

 “Internees who have served disciplinary or judicial sentences may not be treated differently from other internees.

 “ The duration of confinement awaiting trial of an internee shall be deducted from any disciplinary or judicial penalty involving deprivation of liberty.”

 “ Internee committees shall be informed of any judicial proceedings against internees whom they represent, and of their results.”

ARTICLE IO9

The disciplinary penalties applicable to internees shall be the following :

Disciplinary
sanctions.
Nature
of penalties

- (1) Fines up to and not exceeding fifty per cent of the *monthly* allowance and wages ;
- (2) Discontinuance of privileges granted over and above the treatment provided for by the present Convention ;
- (3) Fatigue duties ;
- (4) For working internees, additional labour of the same kind as their usual employment and not exceeding two hours daily ;
- (5) Confinement.

In no case shall disciplinary penalties be inhuman, brutal or dangerous for the health of internees. Account shall be taken of the internees' age, sex and state of health.

The duration of any single punishment shall in no case exceed thirty consecutive days. The said maximum of thirty days may not be exceeded, even should the internee, when his case is dealt with, be answerable for several breaches of discipline, whether such breaches are connected or not.

ARTICLE IIO

Internees who are recaptured after having escaped or when attempting to escape, shall be liable only to disciplinary punishment in respect of this act, even if it is a repeated offence.

Escapes

Article 108, paragraph 3 notwithstanding, internees punished as a result of escape or attempt to escape may be subjected to special surveillance, on condition that such surveillance does not affect the state of their health, that it is exercised in a place of internment, and that it does not entail the abolition of any of the safeguards granted by the present Convention.

After an escape or attempt to escape, fellow-internees who aided and abetted the offender shall be liable on this count to disciplinary punishment only.

ARTICLE IIII

Escape, or attempt to escape, even if it is a repeated offence, shall not be deemed an aggravating circumstance, if the internee is given over to the courts in respect of offences committed during his escape.

Connected
offences

The Parties to the conflict shall see that the responsible authorities exercise the greatest leniency in deciding whether an infraction committed by an internee shall be punished by disciplinary or judicial measures, especially in respect of acts committed in connexion with the escape, whether successful or not.

In particular, offences without violence against persons, offences against public property, theft without intention of self-enrichment, the drawing up and use of false papers, shall occasion disciplinary punishment only, provided such violations have been committed with the sole intent of facilitating escape.

ARTICLE II2

Confinement
awaiting trial
(regime,
deduction)

Facts constituting offences against discipline shall be investigated immediately. This rule shall be especially applied in cases of escape or attempt to escape. Recaptured internees shall be handed over to the competent authorities as soon as possible.

In case of offences against discipline, confinement awaiting trial shall for all internees be reduced to an absolute minimum, and shall not exceed fourteen days. Its duration shall in any case be deducted from any sentence of confinement.

The provisions of Articles II4 and II5 shall apply to internees who are under confinement awaiting trial for offences against discipline.

ARTICLE II3

Competent
authorities and
procedure

Excepting the competence of courts and higher authorities, disciplinary punishment may be ordered only by the commandant of the place of internment, or by a responsible officer or official who replaces him, or to whom he has delegated his disciplinary powers.

The decision shall be made in the presence of the internee and of a member of the internee committee. The accused shall be able to use his means of defence.

The period elapsing between the pronouncing of a disciplinary penalty and its execution shall not exceed one month.

When an internee is sentenced to a further disciplinary penalty, a period of three days at least shall elapse between the execution of any two of the punishments, if the duration of one of these is ten days or more.

ARTICLE II4

Premises for
disciplinary
punishments

Internees shall not in any case be transferred to penitentiary establishments (prisons, penitentiaries, convict prisons, etc.) to undergo disciplinary punishment therein.

The premises in which disciplinary punishments are undergone shall conform to sanitary requirements ; they shall in particular be provided with adequate bedding. Internees undergoing punishment shall be enabled to keep themselves in a state of cleanliness.

Men and women shall be confined separately.

ARTICLE 115

Internees given disciplinary punishment shall be allowed to exercise and to stay in the open air at least two hours daily.

Essential
safeguards

They shall be allowed, on their request, to be present at the daily medical inspections. They shall receive the attention which their state of health requires, and if necessary, shall be removed to the camp infirmary or to hospitals.

They shall have permission to read and write, likewise to send and receive letters. Parcels and remittances of money, however, may not be handed to them until the expiration of the sentence ; such consignments shall meanwhile be sent to the internee committee, who will turn over to the infirmary the perishable goods contained in the parcels.

No internee given a disciplinary punishment may be deprived of the benefit of the provisions of Article 96 and 126 of the present Convention.

ARTICLE 116

The provisions of Articles 60 to 67 inclusive shall apply, by analogy, to proceedings against internees who are in the national territory of the Detaining Power.

Judicial
proceedings

CHAPTER 10

Transfers of Internees

ARTICLE 117

Transfers must always be effected humanely. As a general rule, they shall be carried out by rail or other means of transport, and in conditions at least equal to those for the forces of the Detaining Power, in their changes of station. If such removals have to be exceptionally effected on foot, they may not take place unless the internees are in a fit state of health, and may not in any case expose them to excessive fatigue.

Conditions

The Detaining Power shall supply transferred internees with sufficient food and water, and with the necessary medical attention. The Detaining Power shall take all suitable precautions to ensure their safety during transfer, and shall establish before their departure a complete list of all internees transferred.

Sick or wounded internees shall not be removed as long as their recovery may be endangered by the journey, unless their safety imperatively demands.

If the combat zone draws closer to a camp, the internees in the said camp shall not be transferred, unless their removal can be carried out in adequate conditions of safety, or if they are exposed to greater risks by remaining on the spot than by being transferred.

ARTICLE 118

Procedure

In the event of removal, internees shall be officially advised of their departure and of their new postal address. Such notification shall be given in time for them to pack their luggage and inform their next of kin.

They shall be allowed to take with them their personal effects, and the correspondence and parcels which have arrived for them. The weight of such baggage may be limited, if the conditions of removal so require, but in no case to less than twenty-five kilograms per head.

Mail and parcels addressed to their former place of internment shall be forwarded to them without delay.

The commandant of the place of internment shall, if necessary, take in agreement with the internee committee any measures needed to ensure the transport of the internees' community kit and of the luggage the internees are unable to take with them, in consequence of restrictions imposed by virtue of paragraph 2.

CHAPTER II

Deaths

ARTICLE 119

Wills,
death certificates,
burial, cremation

The wills of internees shall be received and drawn up under the same conditions as for the civilian population of the country of internment, *and shall be promptly transmitted to the persons designated by the internee.*

Deaths of internees shall be certified in every case by a doctor, and a death certificate shall be established, showing the causes of death and the conditions under which it occurred.

Failing a certificate issued by the district official registrar, the death certificate shall be made out and signed by the camp commandant.

The detaining authorities shall ensure that internees dying in captivity are honourably buried, if possible according to the rites of the religion to which they belonged, and that their graves are respected, properly maintained, marked in such a way that they can always be recognized, and grouped as far as possible.

Deceased internees shall be buried individually, unless unavoidable circumstances require the use of collective graves. Bodies may be cremated only for imperative reasons of hygiene, *or in consequence of the religion of the deceased, or if he or she has expressed the wish*¹. In case of cremation, mention thereof shall be made on the death certificate of the deceased internee, with indication of the reasons.

ARTICLE 120

Every death or serious injury of an internee caused by a sentry, another internee, or any other person, shall be immediately followed by an official inquiry by the Detaining Power.

Internees killed or injured in special circumstances

A relevant communication shall be sent immediately to the Protecting Power. The testimony of any witnesses shall be taken, and a transcript of the proceedings shall be prepared and forwarded to the said Protecting Power.

If the enquiry indicates the guilt of one or more persons, the Detaining Power shall take all measures for the prosecution of the person or persons responsible.

CHAPTER 12

Release, Repatriation and Accommodation in Neutral Countries

ARTICLE 121

All interned persons shall be released by the Detaining Power as soon as the reasons which necessitated their internment no longer exist.

During hostilities or occupation

¹ The words "for religious motives" have been deleted.

The Parties to the conflict shall, moreover, endeavour, during the course of hostilities, to conclude agreements for the release, repatriation, return to places of residence or accommodation in a neutral country of certain classes of internees, in particular children, wounded and sick and internees who have been detained for a long time.

*Throughout the course of hostilities or occupation, no internee may be removed to a country where he may have reason to fear persecution for his political opinions or religious beliefs*¹.

ARTICLE 122

After the close
of hostilities

Internment shall cease as soon as possible after the close of hostilities and, in occupied territories, at latest at the close of the occupation.

Internees in the territory of a Party to the conflict against whom penal proceedings are pending for offences not exclusively subject to disciplinary penalties, may be detained until the close of such proceedings and, if circumstances require, until the completion of the penalty. The same shall apply to internees who have been previously sentenced to a punishment depriving them of liberty.

By agreement between the Detaining Power and the Powers concerned, commissions may be set up after the close of hostilities or of the occupation of territories to search for dispersed internees.

SECTION V

Information Bureaux and Central Agency

ARTICLE 123

National Bureaux

Upon the outbreak of a conflict and in all cases of occupation, each of the Parties to the conflict shall institute an official Information Bureau for the protected persons who are in its power.

Within the shortest possible period, each of the Parties to the conflict shall give its Bureau information concerning

¹ The text submitted by the International Committee ran as follows: "No internee may be repatriated, returned to his place of residence or accommodated in a neutral country against his will."

any persons it may have arrested, subjected to assigned residence or interned.

The Bureau shall immediately forward such information by the most rapid means to the Powers of whom the aforesaid persons are nationals, or to the Power in whose territory they resided, through the Protecting Powers, and likewise through the Central Agency provided for in Article 124.

This information shall make it possible quickly to advise the next of kin concerned. The information shall include for each person his or her surname, first name, place and full date of birth, nationality, last domicile, the first name of the father and maiden name of the mother, name and address of the person to be informed, and the address to which correspondence may be sent for the person who is under arrest, in assigned residence or interned.

The Information Bureaux charged with replying to all enquiries about protected persons shall receive from the various departments concerned information respecting transfers, assigned residences, releases, repatriations, escapes, admittances to hospitals and deaths, and shall transmit such information in the manner described in paragraph 3 above.

Likewise, information regarding the state of health of internees who are seriously ill or seriously wounded shall be supplied regularly, every week if possible.

All communications made by the Bureau shall be authenticated by a signature or a seal.

The Information Bureau shall furthermore be charged with collecting all personal valuables left by protected persons designated in this Article, who have been repatriated or released, or who have escaped or died, and shall forward the said valuables to those concerned. Such articles shall be sent by the Bureau in sealed packets.

ARTICLE 124

A Central Information Agency for protected persons, in particular for internees, shall be created in a neutral country. The International Committee of the Red Cross shall, if it deems necessary, propose to the Powers concerned the organization of such an Agency, which may be the same as that provided for in Article 113 of the Convention relative to Prisoners of War.

Central Agency

The function of the Agency shall be to collect all information it may obtain through official or private channels respecting protected persons, and to transmit it by the most rapid means to the countries of origin or of domicile of the persons concerned, *except in cases where such transmissions might be detrimental*

to the persons whom the said information concerns, or to their relatives. It shall receive from the Parties to the conflict all facilities for effecting such transmissions.

The foregoing provisions shall in no way be interpreted as restricting the humanitarian activities of the International Committee of the Red Cross.

ARTICLE 125

Exemption
from charges

The national Information Bureaux and the Central Information Agency shall enjoy free postage for mail, likewise all the exemptions provided for in Article 100, and further, so far as possible, exemption from telegraphic charges, or at least, greatly reduced rates.

PART IV

EXECUTION OF THE CONVENTION

ARTICLE 126

Control

Representatives or delegates of the Protecting Powers shall have permission to go to all places where protected persons may be, particularly to places of internment and detention.

They shall have access to all premises occupied by protected persons and shall be able to interview the latter without witnesses, personally or through an interpreter.

Such visits may not be prohibited except for reasons of imperative military necessity, and only as an exceptional and temporary measure. Their duration and frequency shall not be limited.

Representatives and delegates shall have full liberty to select the places they wish to visit. The detaining or occupying Power, the Protecting Power and ultimately the Power of origin of the persons to be visited, may agree that compatriots of the internees shall be permitted to participate in the visits.

The delegates of the International Committee of the Red Cross shall enjoy the same prerogatives. The appointment of such delegates shall be submitted to the approval of the Power governing the territories where they will carry out their duties ¹.

¹ The paragraph beginning with the words "The Detaining or Occupying Powers..." has been deleted.

ARTICLE 127

The High Contracting Parties shall endeavour, upon the close of hostilities or occupation, to facilitate the return to their domicile, or the settlement in a new residence of all persons who, as the result of war or occupation, are unable to live under normal conditions at the place where they may be.

Return to
domiciles.
Emigration

The High Contracting Parties shall, in particular, ensure that these persons may be able to travel, if they so desire, to other countries and that they are provided for this purpose with passports or equivalent documents.

ARTICLE 128

The High Contracting Parties undertake, in time of peace as in time of war, to disseminate the text of the present Convention as widely as possible in their respective countries and, in particular, to incorporate the study thereof in their programmes of civil and military instruction, so that the principles thereof may become known to the whole of the population.

Dissemination
of the
Convention

Any civilian, military, police or other authorities who, in time of war, assume responsibilities in respect of protected persons must possess the text of the Convention, and be specially instructed as to its provisions.

ARTICLE 129

The High Contracting Parties shall communicate to one another through the Swiss Federal Council and, during hostilities through the Protecting Powers, the official translations of the present Convention, as well as the laws and regulations which they may adopt to ensure the application thereof.

Translations

ARTICLE 130

Within a maximum period of two years, the governments of the High Contracting Parties shall, if their penal laws are inadequate, enact or propose to their legislative assemblies the measures necessary for the repression, in time of war, of all acts contrary to the provisions of the present Convention.

Violation

Each Contracting Party shall be under the obligation to apprehend, regardless of their nationality, the persons accused of acts contrary to the present Convention, and in conformity with its own laws or with the Conventions prohibiting acts that

may be defined as war crimes, to indict such persons before its own tribunals or, *if it prefers*, to hand them over for trial to another Contracting Party.

Final Provisions

ARTICLE 131

Languages The present Convention is established in French and English. Both texts are equally authentic. In case of doubt as to the interpretation of any particular stipulation, the French text shall be considered as authoritative.

ARTICLE 132

Signature The present Convention, which bears the date of this day, is open to signature for a period of six months, that is to say, until the, in the name of the Powers represented at the Conference which opened at on

ARTICLE 133

Ratifications The present Convention shall be ratified as soon as possible. The ratifications shall be deposited at Berne.
A procès-verbal of the deposit of each instrument of ratification shall be drawn up, copy of which, certified to be correct, shall be transmitted by the Swiss Federal Council to the Governments of all countries in whose name the Convention has been signed, or whose accession has been notified.

ARTICLE 134

Effect The present Convention shall come into force after not less than two instruments of ratification have been deposited. Thereafter, it shall come into force for each High Contracting Party after the deposit of the instrument of ratification ¹.

¹ The XVIIth International Red Cross Conference decided to leave to the Diplomatic Conference the care of fixing the periods provided for in this Article, while recommending that they should be as brief as possible. The same remark applies to Article 137.

ARTICLE 135

The present Convention shall replace, in respect of the matters treated therein, the Convention of The Hague relating to the Laws and Customs of War, both as regards that of July 29, 1899, as that of October 18, 1907, in relations between the High Contracting Parties.

Effect on previous Conventions

ARTICLE 136

From the date of its coming into force, the present Convention shall be open to accession duly notified by any Power in whose name this Convention has not been signed.

Accessions

ARTICLE 137

Accessions shall be notified in writing to the Swiss Federal Council, and shall take effect after the date on which they are received.

Notification of accessions

The Swiss Federal Council shall communicate the accessions to the Powers in whose name the Convention has been signed or whose accession has been notified.

ARTICLE 138

The situations provided for in Article 2 shall give immediate effect to ratifications deposited and accessions notified by the Parties to the conflict, before or after the outbreak of hostilities. The Swiss Federal Council shall communicate by the quickest means any ratifications or adhesions received from Parties to the conflict.

Immediate effect

ARTICLE 139

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

Notice of termination

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

Furthermore, this denunciation shall not take effect during a conflict in which the denouncing Power is involved. In such a case, the present Convention shall continue binding beyond the

period of one year, until the conclusion of peace, and in any case until the operations connected with the release and repatriation of the persons protected by the present Convention are terminated. *Lastly, the denunciation shall in no way impair the other obligations, even if similar, by which the denouncing Party is bound under any other rules of international law.*

ARTICLE 140

Transmission
to the
United Nations

*The present Convention shall be forwarded by the Swiss Federal Council to the United Nations Organization, for the purpose of registration*¹. Similarly, ratifications, accessions and notices of termination which are notified to the Swiss Federal Council shall be communicated by them to the United Nations Organization.

Reservations

On the occasion of the XVIIth International Red Cross Conference, reservations were recorded in respect of the following Articles :

GOVERNMENT OF DENMARK :	Articles 3, 25, 29 and 89.
GOVERNMENT OF NORWAY :	Articles 41, 47, 57, 60, 88 and 130.
GOVERNMENT OF TURKEY :	Article 100.
GOVERNMENT OF THE UNITED STATES :	Articles 18, 55 and 80

¹The words "A certified copy of the present Convention shall be deposited in the archives of the United Nations" have been deleted.

THE INTERNATIONAL COMMITTEE IN PALESTINE

Readers of this "Revue" have been regularly informed during the past year of any particular events or striking incidents which have marked the International Committee's activities in Palestine. They have been told of the work done by a small team of doctors and nurses who have participated in many tragic events and whose unflinching endeavours to alleviate distress have sorely taxed their strength and courage.

The most remarkable result of their work and example is the fact that Red Cross principles and methods are gradually becoming familiar to populations to whom they were hitherto unknown. These people have been taught to respect the person of disarmed enemies and to treat them with humanity, in accordance with the provisions of the Geneva Conventions. Both civil and military authorities have by degrees grasped the obligations involved in the application of the Geneva Conventions, and in the promise made in April 1948 to respect the provisions of these agreements. A great educational achievement is shown in the fact that between six and seven thousand persons are now duly assembled in camps, where they receive regular relief and benefit by the basic safeguards granted to prisoners of war. These men are thus protected from arbitrary or unjust treatment which might have placed them in a most critical situation. Furthermore, many thousands of refugees, who had kept strictly aloof from military operations, have received timely assistance, particularly medical attention and sanitation of camps, thanks to the relief schemes carried out by the International Committee — the scope of which could have been far greater, if funds had permitted. Confronted by the situation in Palestine the Committee have once again assumed the duties laid upon them by the Conventions in the field of humanitarian initiative.

* * *

During November and December 1948, the Committee's delegation in Palestine embarked on fresh tasks, both general and particular. Reference should first be made to the repatriation of twenty-four disabled Jewish ex-servicemen interned at Mafraq, who were conveyed back to Tel-Aviv after crossing the lines at Latrun. The able-bodied prisoners of war remaining at Mafraq were provided with sleeping bags, taken from the small stock remaining at the Committee's disposal. The gift was much appreciated at this time of the year. Furthermore, acting as a neutral intermediary, the delegation managed to purchase, with funds supplied by the Jewish authorities 650 beds for the prisoners at Mafraq and Damascus. The delegation continues to act as agent for the transmission of mail to the prisoners on both sides ; endeavours are made in particular to speed up the work of the censorship. It has been ascertained that the prisoners on both sides are, generally speaking, in a good state of health ; they are given all essential food rations and are humanely treated. Living conditions are not, however, wholly up to the standard laid down in the Conventions, and it is still difficult to secure complete and exact nominal rolls. Important information, such as changes of camps or addresses and notifications of illness, is still frequently delayed. Regular contacts with the camp leaders elected by the prisoners might be more frequent, but the delegates are often faced by the reluctance of subordinates, who are over-suspicious or unfamiliar with the principles of the Conventions. These men do not fully understand that the Committee's delegates are strictly impartial and neutral, that they work in behalf of the prisoners of both parties and that the value of their activities is enhanced whenever the principle of reciprocity can be adduced, in order to secure improvements for all concerned. The educational side of the delegates' basic work, to which allusion has been made, is to disseminate these basic principles, the practical value of which was fully demonstrated during the recent war.

The Committee achieved an important result by securing the repatriation of disabled prisoners, according to the lines laid down in the Conventions.

The Committee's delegation is also concerned with assisting

the civilian internees (of whom there are only a small number) and the aliens who found themselves in enemy territory at the outbreak of hostilities. Such people are usually interned by the belligerents, particularly if they are of military age. Failing any Convention for the protection of civilians, the International Committee had, in 1939, obtained that this category of persons should enjoy the protection afforded by the Conventions relating to military prisoners of war. In Palestine, the question did not arise, as both parties of their own accord placed such civilians on the same footing as prisoners of war, and treated them accordingly. This applies in particular to the Arabs in Jewish hands.

The Committee's delegates also give their services to the Arab committees which have been formed in territories under the control of the Israeli forces, and act on their behalf when required. The Civilian Message scheme and the tracing system continue to yield good results, and the correspondence handled by the various delegations increases week by week.

* * *

With the winter season, the task of finding and distributing relief supplies for the victims of events in Palestine has become more important, as concerns both prisoners of war and the many refugees driven by military operations from their usual places of residence and scattered over the country. The prisoners of war have received gifts through the Committee's delegations. Allusion has been made to the supplies provided for Jewish prisoners in Arab hands, but the Arabs in Jewish hands have also been cared for, and the delegates were able to hand them parcels sent by next of kin. The regular forwarding of relief supplies still encounters difficulties. Thus, about thirty tons of miscellaneous relief supplies intended for Arab prisoners are stocked in Beirut. It would be fairly easy to convey them by sea to Haifa for distribution in the Jewish zone. Unfortunately, the Arab authorities refuse to allow transport by sea; the supplies thus held up will have to be sent overland, which means passing through the fighting lines —

a risky business, as the delegates well know. Since no other route is available, local agreements have to be made for the exchange of relief trucks. On November 23, fourteen motor-trucks each carrying five tons, were exchanged between the lines, on the proposal of the Committee's delegation and under its supervision. The delegation was also able to send urgently required medical supplies to the Egyptian forces surrounded in the Faluja pocket.

The supply of relief to hospitals has also continued ; steps have been taken for the protection of such establishments in the fighting zone, but this again is a matter of some difficulty. The position of the Jerusalem Government Hospital had for some time caused great anxiety. After being taken under the Committee's protection on the departure of the British forces in May 1948, events occurred which placed this Arab hospital in the Jewish area and later on, in the fighting zone. A most critical situation arose which threatened the hospital's very existence. For several weeks arrangements were discussed for removing the Arab personnel ; the talks were finally concluded and on November 19 the entire staff, taking their personal belongings, left the Jewish area for the Arab zone. The Committee's flag was flown on the building from the outbreak of hostilities and proved an effective safeguard ; the protection of the emblem ensured the perfect safety of the building, together with that of the patients, staff and equipment. Thus, an Arab hospital was able to function in the Jewish zone, and still more remarkable, in the front line, without loss of life, despite the military operations carried on in the immediate vicinity. This remarkable achievement was above all due to the courage and perseverance of three of the International Committee's nurses, Mlles. Weber, Thorin and Giaouque, who managed to keep up the morale of the staff and inmates, and successfully resisted any attempt at interference on the part of the combatants. The evacuation of the building took place in accordance with an agreement proposed and negotiated by the delegation, the Jewish authorities accepting to take over the entire management of the hospital, which remains under the Committee's protection and continues to function under

their auspices. The new administration also undertook to be guided at all times by the counsel and suggestions of the Committee's delegation.

Other hospital centres have the support and material help of the delegation, including the various polyclinics set up in the areas where refugees have been assembled, in particular at Jericho, Beir-Zeit, Ramallah, Rafah and Gaza. With the assistance of several donors, including the Egyptian Government and the American Red Cross, the delegation in Gaza has relieved some 50,000 refugees. By the services of the Committee's delegates and nurses, 3,000 persons receive daily food-rations, chiefly flour, rice and sweetened condensed milk. Clothing, too, is distributed.

The following quotation from a letter sent by one of the nurses shows how greatly this assistance is required and how much remains to be done.

"The distress everywhere is unspeakable; we feel helpless in the midst of so many hungry people. On October 11, we left at 7 a.m. for the refugee camps where I found my patients. I thought I should find conditions distressing, but within certain bounds; in fact, distress here is really unbounded, and we feel as if our efforts were but a drop in the ocean. Extra arms and legs would be necessary to do a little more. There is a shortage of everything. We are given ten or twelve rolls of bandage only for the 120 to 150 patients we handle daily; hardly any ointments, whereas we could use a kilo each morning. How can one treat so many cases of scabies, when even water is lacking? It is really painful to see the children's gums suffering through lack of vitamins. We need fruit, vegetables and vitamins by the ton. What is the use of a piece of bread and a single tomato to fill an empty stomach? These poor women whose only clothing consists of a filthy shawl and an old pair of knickers; their only wealth the precious coins they wear on their foreheads! So many bare feet, with heels raw from too much walking, with swollen and infected toes. All these unfortunates pin their hope on the "little blue ladies" (Red Cross nurses), to whom they can turn for bodily relief. That is a bare outline of a picture in which one point stands out — the cemetery, where every morning fresh palm-leaves mark new graves."

* * *

NEW RELIEF SCHEMES FOR PALESTINE REFUGEES

The constant appeal for help made by the International Committee and the League of Red Cross Societies has fortunately led to new and important developments. At the request of the late Count Bernadotte, their mediator in Palestine, the United Nations had started a limited relief project. On the suggestion of Secretary-General Trygve Lie, the problem was put before the General Assembly in Paris and a new plan was outlined. At the close of October, M. Lie sent two representatives to Geneva to discuss the relief question with the Committee and the League. The Secretary-General proposed to submit to the Assembly the appointment of a United Nations Director for relief to Palestine refugees, who would in turn call upon two or three private organizations, to be responsible for the distribution of relief supplies in the Palestine territory proper and the neighbouring Arab states. M. Lie wished to be informed what the position of the International Red Cross would be, and whether it could be relied upon for this work. Following on these preliminary discussions, the Third Commission of the U. N. proposed to the General Assembly that a grant of 29,500,000 dollars should be voted for relief to some 600,000 Palestine refugees from December 1, 1948, to August 31, 1949. The funds would be subscribed by Governments, whether members or not of the U. N. ; they were to serve for the purchase of food, clothing, blankets, shelters, medicaments and medical equipment, and for transport. Certain Governments would no doubt supply relief in kind.

This extensive scheme was agreed to in principle and a first instalment of five million dollars was placed at the Secretary General's disposal, to allow immediate practical steps. M. Lie then called upon three private organizations—the International Committee of the Red Cross, the League of Red Cross Societies and the American Friends Service Committee to put the plan into action.

The principles governing the Committee's action were embodied in an agreement made on December 16, 1948, with the U. N. Director for Relief in Palestine, Mr. Stanton Griffis,

United States Ambassador in Cairo. Under this agreement, the U. N. act as an ordinary donor, to whom the International Committee undertake to send operational reports and financial statements. The U. N. fully recognise, however, the wholly independent and autonomous character of the International Committee, who will take all responsibility for distributions without being in any way subordinate to the United Nations Organisation. The Committee were particularly anxious that their independent status should be clearly specified, since they wish to maintain their present position of neutral intermediary in the Palestine conflict, particularly as regards prisoners of war,

The three private organizations responsible for the issue of relief to Palestine refugees will each have a separate working area, while their activities will be closely co-ordinated. The Committee will cover (1) the regions under the control of the Jewish forces, and (2) Central Palestine from Jenin to Hebron. The American Friends Service Committee will operate in Southern Palestine (Gaza) and the League of Red Cross Societies will issue relief in Syria, Iraq, Lebanon and Transjordan.

The Committee have appointed M. Alfred Escher to direct their relief action. M. Escher will act as "Commissioner of the International Committee of the Red Cross for Relief to Palestine Refugees". Similar functions will be filled by Mr. H.P.J. van Ketwich Verschuur (former General Director of the Netherlands Red Cross) for the sector covered by the League of Red Cross Societies, and by Mr. Bell, of the Friends Service Committee.

After a week spent in a preliminary survey in Palestine early in December, Mr. Escher drew up plans for practical action. On December 24 a start was made in Beirut, whence 40,000 blankets were dispatched for Palestine refugees. Furthermore, 450 tons of dates taken from the stocks left over from the initial relief scheme started by U. N. were sent to the same destination early in January.

The Committee's organization has two principal centres, (1) Beirut, for relief to the Arab areas in Palestine, and (2) Haifa, for the territory under Jewish control. Teams of workers, chiefly doctors and nurses, have been enlisted; their task will be to ensure the proper distribution of relief in the shape of

food and clothing, and to supervise health conditions among the refugees living in the towns or in assembly centres.

It has been decided to send such teams to Nablus, Ramallah, Jerusalem, Jericho, Bethlehem, Hebron and Nazareth. During January, the entire machinery will be set up locally, and large quantities of flour, rice, dates, blankets and tents will be issued, provided the U. N. project can be realised according to schedule.

In January 1948, the Committee were already making a study of the humanitarian aspect of the Palestine conflict, and had sent out a team for survey and first-aid. They are glad to continue, through the U. N. scheme, helping the chief victims of the Palestine conflict, namely the refugees, while pursuing their customary relief work for prisoners of war.
