

Table of contents

Foreword . . . . . xiii

Signatures . . . . . xv

Abbreviations . . . . . xvii

Editors' note . . . . . xxv

General introduction . . . . . xxix

**Protocol I** . . . . . 3

Table of contents . . . . . 5

Signatures . . . . . 9

Abbreviations . . . . . 11

Title of the Protocol . . . . . 19

Preamble . . . . . 23

Part I . . . . . 31

Article 1 . . . . . 33

Article 2 . . . . . 57

Article 3 . . . . . 65

Article 4 . . . . . 71

Article 5 . . . . . 75

Article 6 . . . . . 91

Article 7 . . . . . 103

Part II . . . . . 107

Section I . . . . . 111

Article 8 . . . . . 113

Article 9 . . . . . 137

Article 10 . . . . . 145

Article 11 . . . . . 149

Article 12 . . . . . 165

Article 13 . . . . . 173



|             |                                                                                        |     |
|-------------|----------------------------------------------------------------------------------------|-----|
| Article 14  | – <i>Limitations on requisition of civilian medical units</i> . . .                    | 181 |
| Article 15  | – <i>Protection of civilian medical and religious personnel</i> . . .                  | 189 |
| Article 16  | – <i>General protection of medical duties</i> . . . . .                                | 197 |
| Article 17  | – <i>Role of the civilian population and of aid societies</i> . . .                    | 209 |
| Article 18  | – <i>Identification</i> . . . . .                                                      | 221 |
| Article 19  | – <i>Neutral and other States not Parties to the conflict</i> . . .                    | 237 |
| Article 20  | – <i>Prohibition of reprisals</i> . . . . .                                            | 241 |
| Section II  | – <i>Medical transportation</i> . . . . .                                              | 245 |
| Article 21  | – <i>Medical vehicles</i> . . . . .                                                    | 249 |
| Article 22  | – <i>Hospital ships and coastal rescue craft</i> . . . . .                             | 253 |
| Article 23  | – <i>Other medical ships and craft</i> . . . . .                                       | 261 |
| Article 24  | – <i>Protection of medical aircraft</i> . . . . .                                      | 279 |
| Article 25  | – <i>Medical aircraft in areas not controlled by an adverse Party</i> . . . . .        | 283 |
| Article 26  | – <i>Medical aircraft in contact or similar zones</i> . . . . .                        | 287 |
| Article 27  | – <i>Medical aircraft in areas controlled by an adverse Party</i> . . .                | 293 |
| Article 28  | – <i>Restrictions on operations of medical aircraft</i> . . . . .                      | 299 |
| Article 29  | – <i>Notifications and agreements concerning medical aircraft</i> . . . . .            | 307 |
| Article 30  | – <i>Landing and inspection of medical aircraft</i> . . . . .                          | 315 |
| Article 31  | – <i>Neutral or other States not Parties to the conflict</i> . . . .                   | 325 |
| Section III | – <i>Missing and dead persons</i> . . . . .                                            | 339 |
| Article 32  | – <i>General principle</i> . . . . .                                                   | 343 |
| Article 33  | – <i>Missing persons</i> . . . . .                                                     | 349 |
| Article 34  | – <i>Remains of deceased</i> . . . . .                                                 | 365 |
| Part III    | – <i>Methods and means of warfare – Combatant and prisoner-of-war status</i> . . . . . | 381 |
| Section I   | – <i>Methods and means of warfare</i> . . . . .                                        | 387 |
| Article 35  | – <i>Basic rules</i> . . . . .                                                         | 389 |
| Article 36  | – <i>New weapons</i> . . . . .                                                         | 421 |
| Article 37  | – <i>Prohibition of perfidy</i> . . . . .                                              | 429 |
| Article 38  | – <i>Recognized emblems</i> . . . . .                                                  | 445 |
| Article 39  | – <i>Emblems of nationality</i> . . . . .                                              | 461 |
| Article 40  | – <i>Quarter</i> . . . . .                                                             | 473 |
| Article 41  | – <i>Safeguard of an enemy hors de combat</i> . . . . .                                | 479 |
| Article 42  | – <i>Occupants of aircraft</i> . . . . .                                               | 493 |
| Section II  | – <i>Combatant and prisoner-of-war status</i> . . . . .                                | 503 |
| Article 43  | – <i>Armed forces</i> . . . . .                                                        | 505 |
| Article 44  | – <i>Combatants and prisoners of war</i> . . . . .                                     | 519 |
| Article 45  | – <i>Protection of persons who have taken part in hostilities</i> . . . . .            | 543 |
| Article 46  | – <i>Spies</i> . . . . .                                                               | 561 |
| Article 47  | – <i>Mercenaries</i> . . . . .                                                         | 571 |



|             |                                                                                                                                                              |     |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Part IV     | – <i>Civilian population</i> . . . . .                                                                                                                       | 583 |
| Section I   | – <i>General protection against effects of hostilities</i> . . . . .                                                                                         | 585 |
| Article 48  | – <i>Basic rule</i> . . . . .                                                                                                                                | 597 |
| Article 49  | – <i>Definition of attacks and scope of application</i> . . . . .                                                                                            | 601 |
| Article 50  | – <i>Definition of civilians and civilian population</i> . . . . .                                                                                           | 609 |
| Article 51  | – <i>Protection of the civilian population</i> . . . . .                                                                                                     | 613 |
| Article 52  | – <i>General protection of civilian objects</i> . . . . .                                                                                                    | 629 |
| Article 53  | – <i>Protection of cultural objects and of places of worship</i> .                                                                                           | 639 |
| Article 54  | – <i>Protection of objects indispensable to the survival of the civilian population</i> . . . . .                                                            | 651 |
| Article 55  | – <i>Protection of the natural environment</i> . . . . .                                                                                                     | 661 |
| Article 56  | – <i>Protection of works and installations containing dangerous forces</i> . . . . .                                                                         | 665 |
| Article 57  | – <i>Precautions in attack</i> . . . . .                                                                                                                     | 677 |
| Article 58  | – <i>Precautions against the effects of attacks</i> . . . . .                                                                                                | 691 |
| Chapter V   | – <i>Localities and zones under special protection</i> . . . . .                                                                                             | 697 |
| Article 59  | – <i>Non-defended localities</i> . . . . .                                                                                                                   | 699 |
| Article 60  | – <i>Demilitarized zones</i> . . . . .                                                                                                                       | 707 |
| Chapter VI  | – <i>Civil defence</i> . . . . .                                                                                                                             | 713 |
| Article 61  | – <i>Definitions and scope</i> . . . . .                                                                                                                     | 717 |
| Article 62  | – <i>General protection</i> . . . . .                                                                                                                        | 737 |
| Article 63  | – <i>Civil defence in occupied territories</i> . . . . .                                                                                                     | 745 |
| Article 64  | – <i>Civilian civil defence organizations of neutral or other States not Parties to the conflict and international co-ordinating organizations</i> . . . . . | 759 |
| Article 65  | – <i>Cessation of protection</i> . . . . .                                                                                                                   | 769 |
| Article 66  | – <i>Identification</i> . . . . .                                                                                                                            | 779 |
| Article 67  | – <i>Members of the armed forces and military units assigned to civil defence organizations</i> . . . . .                                                    | 791 |
| Section II  | – <i>Relief in favour of the civilian population</i> . . . . .                                                                                               | 805 |
| Article 68  | – <i>Field of application</i> . . . . .                                                                                                                      | 809 |
| Article 69  | – <i>Basic needs in occupied territories</i> . . . . .                                                                                                       | 811 |
| Article 70  | – <i>Relief actions</i> . . . . .                                                                                                                            | 815 |
| Article 71  | – <i>Personnel participating in relief actions</i> . . . . .                                                                                                 | 831 |
| Section III | – <i>Treatment of persons in the power of a Party to the conflict</i> . . . . .                                                                              | 837 |
| Chapter I   | – <i>Field of application and protection of persons and objects</i> . . . . .                                                                                | 839 |
| Article 72  | – <i>Field of application</i> . . . . .                                                                                                                      | 841 |
| Article 73  | – <i>Refugees and stateless persons</i> . . . . .                                                                                                            | 845 |
| Article 74  | – <i>Reunion of dispersed families</i> . . . . .                                                                                                             | 857 |
| Article 75  | – <i>Fundamental guarantees</i> . . . . .                                                                                                                    | 861 |
| Article 76  | – <i>Protection of women</i> . . . . .                                                                                                                       | 891 |
| Article 77  | – <i>Protection of children</i> . . . . .                                                                                                                    | 897 |



|                                                             |                                                                                                 |      |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------|------|
| Article 78                                                  | – <i>Evacuation of children</i> . . . . .                                                       | 907  |
| Article 79                                                  | – <i>Measures of protection for journalists</i> . . . . .                                       | 917  |
| Part V                                                      | – <i>Execution of the Conventions and of this Protocol</i> . .                                  | 925  |
| Section I                                                   | – <i>General provisions</i> . . . . .                                                           | 927  |
| Article 80                                                  | – <i>Measures for execution</i> . . . . .                                                       | 929  |
| Article 81                                                  | – <i>Activities of the Red Cross and other humanitarian or-</i><br><i>ganizations</i> . . . . . | 935  |
| Article 82                                                  | – <i>Legal advisers in armed forces</i> . . . . .                                               | 947  |
| Article 83                                                  | – <i>Dissemination</i> . . . . .                                                                | 959  |
| Article 84                                                  | – <i>Rules of application</i> . . . . .                                                         | 969  |
| Section II                                                  | – <i>Repression of breaches of the Conventions and of this</i><br><i>Protocol</i> . . . . .     | 973  |
| Article 85                                                  | – <i>Repression of breaches of this Protocol</i> . . . . .                                      | 989  |
| Article 86                                                  | – <i>Failure to act</i> . . . . .                                                               | 1005 |
| Article 87                                                  | – <i>Duty of commanders</i> . . . . .                                                           | 1017 |
| Article 88                                                  | – <i>Mutual assistance in criminal matters</i> . . . . .                                        | 1025 |
| Article 89                                                  | – <i>Co-operation</i> . . . . .                                                                 | 1031 |
| Article 90                                                  | – <i>International Fact-Finding Commission</i> . . . . .                                        | 1037 |
| Article 91                                                  | – <i>Responsibility</i> . . . . .                                                               | 1053 |
| Part VI                                                     | – <i>Final provisions</i> . . . . .                                                             | 1059 |
| Article 92                                                  | – <i>Signature</i> . . . . .                                                                    | 1067 |
| Article 93                                                  | – <i>Ratification</i> . . . . .                                                                 | 1071 |
| Article 94                                                  | – <i>Accession</i> . . . . .                                                                    | 1075 |
| Article 95                                                  | – <i>Entry into force</i> . . . . .                                                             | 1079 |
| Article 96                                                  | – <i>Treaty relations upon entry into force of this Protocol</i>                                | 1083 |
| Article 97                                                  | – <i>Amendment</i> . . . . .                                                                    | 1093 |
| Article 98                                                  | – <i>Revision of Annex I</i> . . . . .                                                          | 1099 |
| Article 99                                                  | – <i>Denunciation</i> . . . . .                                                                 | 1107 |
| Article 100                                                 | – <i>Notifications</i> . . . . .                                                                | 1113 |
| Article 101                                                 | – <i>Registration</i> . . . . .                                                                 | 1117 |
| Article 102                                                 | – <i>Authentic texts</i> . . . . .                                                              | 1119 |
| <b>Annex I</b>                                              |                                                                                                 | 1125 |
| Table of contents . . . . .                                 |                                                                                                 | 1127 |
| Abbreviations . . . . .                                     |                                                                                                 | 1129 |
| General introduction to the Commentary on Annex I . . . . . |                                                                                                 | 1137 |



|                                                                     |                                                                                         |          |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------|
| Chapter I                                                           | – <i>Identity cards</i> . . . . .                                                       | 1151     |
| Article 1                                                           | – <i>Identity card for permanent civilian medical and religious personnel</i> . . . . . | 1153     |
| Article 2                                                           | – <i>Identity card for temporary civilian medical and religious personnel</i> . . . . . | 1161     |
| Chapter II                                                          | – <i>The distinctive emblem</i> . . . . .                                               | 1167     |
| Article 3                                                           | – <i>Shape and nature</i> . . . . .                                                     | 1173     |
| Article 4                                                           | – <i>Use</i> . . . . .                                                                  | 1179     |
| Chapter III                                                         | – <i>Distinctive signals</i> . . . . .                                                  | 1185     |
| Article 5                                                           | – <i>Optional use</i> . . . . .                                                         | 1199     |
| Article 6                                                           | – <i>Light signal</i> . . . . .                                                         | 1205     |
| Article 7                                                           | – <i>Radio signal</i> . . . . .                                                         | 1215     |
| Article 8                                                           | – <i>Electronic identification</i> . . . . .                                            | 1247     |
| Chapter IV                                                          | – <i>Communications</i> . . . . .                                                       | 1257     |
| Article 9                                                           | – <i>Radiocommunications</i> . . . . .                                                  | 1261     |
| Article 10                                                          | – <i>Use of international codes</i> . . . . .                                           | 1265     |
| Article 11                                                          | – <i>Other means of communication</i> . . . . .                                         | 1269     |
| Article 12                                                          | – <i>Flight plans</i> . . . . .                                                         | 1273     |
| Article 13                                                          | – <i>Signals and procedures for the interception of medical aircraft</i> . . . . .      | 1279     |
| Chapter V                                                           | – <i>Civil defence</i> . . . . .                                                        | 1283     |
| Article 14                                                          | – <i>Identity card</i> . . . . .                                                        | 1285     |
| Article 15                                                          | – <i>International distinctive sign</i> . . . . .                                       | 1289     |
| Chapter VI                                                          | – <i>Works and installations containing dangerous forces</i> . . . . .                  | 1295     |
| Article 16                                                          | – <i>International special sign</i> . . . . .                                           | 1295     |
| <br><b>Annex II</b>                                                 |                                                                                         | <br>1301 |
| <br><b>Protocol II</b>                                              |                                                                                         | <br>1307 |
| Table of contents . . . . .                                         |                                                                                         | 1309     |
| Abbreviations . . . . .                                             |                                                                                         | 1311     |
| <br>General introduction to the Commentary on Protocol II . . . . . |                                                                                         | <br>1319 |
| Preamble . . . . .                                                  |                                                                                         | 1337     |
| <br>Part I                                                          | – <i>Scope of this Protocol</i> . . . . .                                               | <br>1343 |
| Article 1                                                           | – <i>Material field of application</i> . . . . .                                        | 1347     |
| Article 2                                                           | – <i>Personal field of application</i> . . . . .                                        | 1357     |
| Article 3                                                           | – <i>Non-intervention</i> . . . . .                                                     | 1361     |



|            |                                                                                                   |      |
|------------|---------------------------------------------------------------------------------------------------|------|
| Part II    | – <i>Humane treatment</i> . . . . .                                                               | 1365 |
| Article 4  | – <i>Fundamental guarantees</i> . . . . .                                                         | 1367 |
| Article 5  | – <i>Persons whose liberty has been restricted</i> . . . . .                                      | 1383 |
| Article 6  | – <i>Penal prosecutions</i> . . . . .                                                             | 1395 |
| Part III   | – <i>Wounded, sick and shipwrecked</i> . . . . .                                                  | 1403 |
| Article 7  | – <i>Protection and care</i> . . . . .                                                            | 1407 |
| Article 8  | – <i>Search</i> . . . . .                                                                         | 1413 |
| Article 9  | – <i>Protection of medical and religious personnel</i> . . . . .                                  | 1417 |
| Article 10 | – <i>General protection of medical duties</i> . . . . .                                           | 1423 |
| Article 11 | – <i>Protection of medical units and transports</i> . . . . .                                     | 1431 |
| Article 12 | – <i>The distinctive emblem</i> . . . . .                                                         | 1437 |
| Part IV    | – <i>Civilian population</i> . . . . .                                                            | 1443 |
| Article 13 | – <i>Protection of the civilian population</i> . . . . .                                          | 1447 |
| Article 14 | – <i>Protection of objects indispensable to the survival of the civilian population</i> . . . . . | 1455 |
| Article 15 | – <i>Protection of works and installations containing dangerous forces</i> . . . . .              | 1461 |
| Article 16 | – <i>Protection of cultural objects and of places of worship</i> . . . . .                        | 1465 |
| Article 17 | – <i>Prohibition of forced movement of civilians</i> . . . . .                                    | 1471 |
| Article 18 | – <i>Relief societies and relief actions</i> . . . . .                                            | 1475 |
| Part V     | – <i>Final provisions</i> . . . . .                                                               | 1483 |
| Article 19 | – <i>Dissemination</i> . . . . .                                                                  | 1487 |
| Article 20 | – <i>Signature</i> . . . . .                                                                      | 1491 |
| Article 21 | – <i>Ratification</i> . . . . .                                                                   | 1493 |
| Article 22 | – <i>Accession</i> . . . . .                                                                      | 1495 |
| Article 23 | – <i>Entry into force</i> . . . . .                                                               | 1497 |
| Article 24 | – <i>Amendment</i> . . . . .                                                                      | 1499 |
| Article 25 | – <i>Denunciation</i> . . . . .                                                                   | 1501 |
| Article 26 | – <i>Notifications</i> . . . . .                                                                  | 1505 |
| Article 27 | – <i>Registration</i> . . . . .                                                                   | 1507 |
| Article 28 | – <i>Authentic texts</i> . . . . .                                                                | 1509 |

|                                                                               |      |
|-------------------------------------------------------------------------------|------|
| <b>Resolutions adopted at the fourth session of the Diplomatic Conference</b> | 1511 |
| Resolution 17 . . . . .                                                       | 1513 |
| Resolution 18 . . . . .                                                       | 1515 |
| Resolution 19 . . . . .                                                       | 1519 |
| Resolution 20 . . . . .                                                       | 1523 |



|                                                                                                 |          |
|-------------------------------------------------------------------------------------------------|----------|
| Resolution 21 . . . . .                                                                         | 1525     |
| Resolution 22 . . . . .                                                                         | 1527     |
| Resolution 24 . . . . .                                                                         | 1529     |
| Extracts from the final Act . . . . .                                                           | 1531     |
| <br><b>Instruments</b>                                                                          | <br>1533 |
| <br><b>Signatures, ratifications, accessions and successions to the major relevant treaties</b> | <br>1549 |
| <br><b>Resolutions of the Red Cross and of the Diplomatic Conferences</b>                       | <br>1563 |
| <br><b>Resolutions adopted by international bodies</b>                                          | <br>1569 |
| <br><b>Bibliography</b>                                                                         | <br>1579 |
| <br><b>Index</b>                                                                                | <br>1597 |