
Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

SCHEDULES

[^{F2}FIFTH SCHEDULE

PROTOCOL I

Textual Amendments

F2 Fifth and Sixth Schedules inserted (20.7.1998) by [1995 c. 27, s. 6, Sch.](#); [S.I. 1998/1505, art. 2](#)

^{F1}PART IV

CIVILIAN POPULATION

Textual Amendments

F1 Fifth and Sixth Schedules inserted (20.7.1998) by [1995 c. 27, s. 6, Sch.](#); [S.I. 1998/1505, art. 2](#)

^{F3}SECTION I—

GENERAL PROTECTION AGAINST EFFECTS OF HOSTILITIES

Textual Amendments

F3 Fifth and Sixth Schedules inserted (20.7.1998) by [1995 c. 27, s. 6, Sch.](#); [S.I. 1998/1505, art. 2](#)

^{F4}CHAPTER I—

BASIC RULE AND FIELD OF APPLICATION

Textual Amendments

F4 Fifth and Sixth Schedules inserted (20.7.1998) by [1995 c. 27, s. 6, Sch.](#); [S.I. 1998/1505, art. 2](#)

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

^{F5}ARTICLE 48—

BASIC RULE

Textual Amendments

F5 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

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

^{F6}ARTICLE 49—

DEFINITION OF ATTACKS AND SCOPE OF APPLICATION

Textual Amendments

F6 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F71} “ Attacks ” means acts of violence against the adversary, whether in offence or in defence.

Textual Amendments

F7 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F82} The provisions of this Protocol with respect to attacks apply to all attacks in whatever territory conducted, including the national territory belonging to a Party to the conflict but under the control of an adverse Party.

Textual Amendments

F8 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F93} The provisions of this Section apply to any land, air or sea warfare which may affect the civilian population, individual civilians or civilian objects on land. They further apply to all attacks from the sea or from the air against objectives on land but do not otherwise affect the rules of international law applicable in armed conflict at sea or in the air.

Textual Amendments

F9 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F104} The provisions of this Section are additional to the rules concerning humanitarian protection contained in the Fourth Convention, particularly in Part II thereof, and in other international agreements binding upon the High Contracting Parties, as

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well as to other rules of international law relating to the protection of civilians and civilian objects on land, at sea or in the air against the effects of hostilities.

Textual Amendments

F10 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F11 CHAPTER II—

CIVILIANS AND CIVILIAN POPULATION

Textual Amendments

F11 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F12 ARTICLE 50—

DEFINITION OF CIVILIANS AND CIVILIAN POPULATION

Textual Amendments

F12 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F13₁ A civilian is any person who does not belong to one of the categories of persons referred to in Article 4A(1), (2), (3) and (6) of the Third Convention and in Article 43 of this Protocol. In case of doubt whether a person is a civilian, that person shall be considered to be a civilian.

Textual Amendments

F13 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F14₂ The civilian population comprises all persons who are civilians.

Textual Amendments

F14 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F15₃ The presence within the civilian population of individuals who do not come within the definition of civilians does not deprive the population of its civilian character.

Textual Amendments

F15 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

F16 ARTICLE 51—

PROTECTION OF THE CIVILIAN POPULATION

Textual Amendments

F16 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F17¹ The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations. To give effect to this protection, the following rules, which are additional to other applicable rules of international law, shall be observed in all circumstances.

Textual Amendments

F17 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F18² The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

Textual Amendments

F18 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F19³ Civilians shall enjoy the protection afforded by this Section, unless and for such time as they take a direct part in hostilities.

Textual Amendments

F19 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F20⁴ Indiscriminate attacks are prohibited. Indiscriminate attacks are:

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

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

Textual Amendments

F20 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F21⁵ Among others, the following types of attacks are to be considered as indiscriminate:

- (a) an attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects; and

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- (b) an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

Textual Amendments

F21 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F22}6 Attacks against the civilian population or civilians by way of reprisals are prohibited.

Textual Amendments

F22 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F23}7 The presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.

Textual Amendments

F23 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F24}8 Any violation of these prohibitions shall not release the Parties to the conflict from their legal obligations with respect to the civilian population and civilians, including the obligation to take the precautionary measures provided for in Article 57.

Textual Amendments

F24 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F25}**CHAPTER III—**

CIVILIAN OBJECTS

Textual Amendments

F25 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

F26 ARTICLE 52—

GENERAL PROTECTION OF CIVILIAN OBJECTS

Textual Amendments

F26 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F27¹ Civilian objects shall not be the object of attack or of reprisals. Civilian objects are all objects which are not military objectives as defined in paragraph 2.

Textual Amendments

F27 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F28² Attacks shall be limited strictly to military objectives. In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military advantage.

Textual Amendments

F28 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F29³ In case of doubt whether an object which is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling or a school, is being used to make an effective contribution to military action, it shall be presumed not to be so used.

Textual Amendments

F29 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F30 ARTICLE 53—

PROTECTION OF CULTURAL OBJECTS AND OF PLACES OF WORSHIP

Textual Amendments

F30 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Without prejudice to the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, and of other relevant international instruments, it is prohibited:

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

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

(c) to make such objects the object of reprisals.

^{F31}ARTICLE 54—

PROTECTION OF OBJECTS INDISPENSABLE TO THE SURVIVAL OF THE CIVILIAN POPULATION

Textual Amendments

F31 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, Sch.; S.I. 1998/1505, art. 2

^{F32}₁ Starvation of civilians as a method of warfare is prohibited.

Textual Amendments

F32 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, Sch.; S.I. 1998/1505, art. 2

^{F33}₂ It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.

Textual Amendments

F33 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, Sch.; S.I. 1998/1505, art. 2

^{F34}₃ The prohibitions in paragraph 2 shall not apply to such of the objects covered by it as are used by an adverse Party:

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

Textual Amendments

F34 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, Sch.; S.I. 1998/1505, art. 2

^{F35}₄ These objects shall not be made the object of reprisals.

Textual Amendments

F35 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, Sch.; S.I. 1998/1505, art. 2

^{F36}₅ In recognition of the vital requirements of any Party to the conflict in the defence of its national territory against invasion, derogation from the prohibitions contained

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

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

Textual Amendments

F36 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F37 **ARTICLE 55—**

PROTECTION OF THE NATURAL ENVIRONMENT

Textual Amendments

F37 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F38¹ Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population.

Textual Amendments

F38 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F39² Attacks against the natural environment by way of reprisals are prohibited.

Textual Amendments

F39 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F40 **ARTICLE 56—**

PROTECTION OF WORKS AND INSTALLATIONS CONTAINING DANGEROUS FORCES

Textual Amendments

F40 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F41¹ Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, shall not be made the object of attack, even where these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population. Other military objectives located at or in the vicinity of these works or installations shall not be made the object of attack if such attack may cause the release of dangerous forces from the works or installations and consequent severe losses among the civilian population.

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

Textual Amendments

F41 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F42** The special protection against attack provided by paragraph 1 shall cease:
- (a) for a dam or a dyke only if it is used for other than its normal function and in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support;
 - (b) for a nuclear electrical generating station only if it provides electric power in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support;
 - (c) for other military objectives located at or in the vicinity of these works or installations only if they are used in regular, significant and direct support of military operations and if such attack is the only feasible way to terminate such support.

Textual Amendments

F42 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F43** In all cases, the civilian population and individual civilians shall remain entitled to all the protection accorded them by international law, including the protection of the precautionary measures provided for in Article 57. If the protection ceases and any of the works, installations or military objectives mentioned in paragraph 1 is attacked, all practical precautions shall be taken to avoid the release of the dangerous forces.

Textual Amendments

F43 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F44** It is prohibited to make any of the works, installations or military objectives mentioned in paragraph 1 the object of reprisals.

Textual Amendments

F44 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F45** The Parties to the conflict shall endeavour to avoid locating any military objectives in the vicinity of the works or installations mentioned in paragraph 1. Nevertheless, installations erected for the sole purpose of defending the protected works or installations from attack are permissible and shall not themselves be made the object of attack, provided that they are not used in hostilities except for defensive actions necessary to respond to attacks against the protected works or installations and that their armament is limited to weapons capable only of repelling hostile action against the protected works or installations.

Textual Amendments

F45 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- ^{F46}6 The High Contracting Parties and the Parties to the conflict are urged to conclude further agreements among themselves to provide additional protection for objects containing dangerous forces.

Textual Amendments

F46 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F47}7 In order to facilitate the identification of the objects protected by this Article, the Parties to the conflict may mark them with a special sign consisting of a group of three bright orange circles placed on the same axis, as specified in Article 16 of Annex I to this Protocol. The absence of such marking in no way relieves any Party to the conflict of its obligations under this Article.

Note: the reference in this paragraph to Article 16 of Annex I is to be read as a reference to Article 17 of that Annex, following the entry into force on 1 March 1994 of amendments to Annex I made under Article 98.

Textual Amendments

F47 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F48}**CHAPTER IV—**

PRECAUTIONARY MEASURES

Textual Amendments

F48 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F49}**ARTICLE 57—**

PRECAUTIONS IN ATTACK

Textual Amendments

F49 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F50}1 In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects.

Textual Amendments

F50 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F51}2 With respect to attacks, the following precautions shall be taken:
- (a) those who plan or decide upon an attack shall:

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

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

Textual Amendments

F51 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F52}₃ When a choice is possible between several military objectives for obtaining a similar military advantage, the objective to be selected shall be that the attack on which may be expected to cause the least danger to civilian lives and to civilian objects.

Textual Amendments

F52 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F53}₄ In the conduct of military operations at sea or in the air, each Party to the conflict shall, in conformity with its rights and duties under the rules of international law applicable in armed conflict, take all reasonable precautions to avoid losses of civilian lives and damage to civilian objects.

Textual Amendments

F53 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F54}₅ No provision of this Article may be construed as authorising any attacks against the civilian population, civilians or civilian objects.

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

Textual Amendments

F54 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F55}ARTICLE 58—

PRECAUTIONS AGAINST THE EFFECTS OF ATTACKS

Textual Amendments

F55 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

The Parties to the conflict shall, to the maximum extent feasible:

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

^{F56}CHAPTER V—

LOCALITIES AND ZONES UNDER SPECIAL PROTECTION

Textual Amendments

F56 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F57}ARTICLE 59—

NON-DEFENDED LOCALITIES

Textual Amendments

F57 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F58}1 It is prohibited for the Parties to the conflict to attack, by any means whatsoever, non-defended localities.

Textual Amendments

F58 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- ^{F59}₂ The appropriate authorities of a Party to the conflict may declare as a non-defended locality any inhabited place near or in a zone where armed forces are in contact which is open for occupation by an adverse Party. Such a locality shall fulfil the following conditions:
- (a) all combatants, as well as mobile weapons and mobile military equipment must have been evacuated;
 - (b) no hostile use shall be made of fixed military installations or establishments;
 - (c) no acts of hostility shall be committed by the authorities or by the population; and
 - (d) no activities in support of military operations shall be undertaken.

Textual Amendments

F59 Fifth and Sixth Schedules inserted (20.7.1998) by [1995 c. 27, s. 6, Sch.](#); [S.I. 1998/1505, art. 2](#)

- ^{F60}₃ The presence, in this locality, of persons specially protected under the Conventions and this Protocol, and of police forces retained for the sole purpose of maintaining law and order, is not contrary to the conditions laid down in paragraph 2.

Textual Amendments

F60 Fifth and Sixth Schedules inserted (20.7.1998) by [1995 c. 27, s. 6, Sch.](#); [S.I. 1998/1505, art. 2](#)

- ^{F61}₄ The declaration made under paragraph 2 shall be addressed to the adverse Party and shall define and describe, as precisely as possible, the limits of the non-defended locality. The Party to the conflict to which the declaration is addressed shall acknowledge its receipt and shall treat the locality as a non-defended locality unless the conditions laid down in paragraph 2 are not in fact fulfilled, in which event it shall immediately so inform the Party making the declaration. Even if the conditions laid down in paragraph 2 are not fulfilled, the locality shall continue to enjoy the protection provided by the other provisions of this Protocol and the other rules of international law applicable in armed conflict.

Textual Amendments

F61 Fifth and Sixth Schedules inserted (20.7.1998) by [1995 c. 27, s. 6, Sch.](#); [S.I. 1998/1505, art. 2](#)

- ^{F62}₅ The Parties to the conflict may agree on the establishment of non-defended localities even if such localities do not fulfil the conditions laid down in paragraph 2. The agreement should define and describe, as precisely as possible, the limits of the non-defended locality; if necessary, it may lay down the methods of supervision.

Textual Amendments

F62 Fifth and Sixth Schedules inserted (20.7.1998) by [1995 c. 27, s. 6, Sch.](#); [S.I. 1998/1505, art. 2](#)

- ^{F63}₆ The Party which is in control of a locality governed by such an agreement shall mark it, so far as possible, by such signs as may be agreed upon with the other Party, which shall be displayed where they are clearly visible, especially on its perimeter and limits and on highways.

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

Textual Amendments

F63 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F64}7 A locality loses its status as a non-defended locality when it ceases to fulfil the conditions laid down in paragraph 2 or in the agreement referred to in paragraph 5. In such an eventuality, the locality shall continue to enjoy the protection provided by the other provisions of this Protocol and the other rules of international law applicable in armed conflict.

Textual Amendments

F64 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F65}**ARTICLE 60—**

DEMILITARISED ZONES

Textual Amendments

F65 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F66}1 It is prohibited for the Parties to the conflict to extend their military operations to zones on which they have conferred by agreement the status of demilitarised zone, if such extension is contrary to the terms of this agreement.

Textual Amendments

F66 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F67}2 The agreement shall be an express agreement, may be concluded verbally or in writing, either directly or through a Protecting Power or any impartial humanitarian organisation, and may consist of reciprocal and concordant declarations. The agreement may be concluded in peacetime, as well as after the outbreak of hostilities, and should define and describe, as precisely as possible, the limits of the demilitarised zone and, if necessary, lay down the methods of supervision.

Textual Amendments

F67 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F68}3 The subject of such an agreement shall normally be any zone which fulfils the following conditions:

- (a) all combatants, as well as mobile weapons and mobile military equipment, must have been evacuated;
- (b) no hostile use shall be made of fixed military installations or establishments;
- (c) no acts of hostility shall be committed by the authorities or by the population; and

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

(d) any activity linked to the military effort must have ceased.

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

Textual Amendments

F68 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F69 The presence, in this zone, of persons specially protected under the Conventions and this Protocol, and of police forces retained for the sole purpose of maintaining law and order, is not contrary to the conditions laid down in paragraph 3.

Textual Amendments

F69 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F70 The Party which is in control of such a zone shall mark it, so far as possible, by such signs as may be agreed upon with the other Party, which shall be displayed where they are clearly visible, especially on its perimeter and limits and on highways.

Textual Amendments

F70 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F71 If the fighting draws near to a demilitarised zone, and if the Parties to the conflict have so agreed, none of them may use the zone for purposes related to the conduct of military operations or unilaterally revoke its status.

Textual Amendments

F71 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F72 If one of the Parties to the conflict commits a material breach of the provisions of paragraphs 3 or 6, the other Party shall be released from its obligations under the agreement conferring upon the zone the status of demilitarised zone. In such an eventuality, the zone loses its status but shall continue to enjoy the protection provided by the other provisions of this Protocol and the other rules of international law applicable in armed conflict.

Textual Amendments

F72 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

^{F73}CHAPTER VI—

CIVIL DEFENCE

Textual Amendments

F73 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F74}ARTICLE 61—

DEFINITIONS AND SCOPE

Textual Amendments

F74 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

For the purposes of this Protocol:

- (a) “ civil defence ” means the performance of some or all of the undermentioned humanitarian tasks intended to protect the civilian population against the dangers, and to help it to recover from the immediate effects, of hostilities or disasters and also to provide the conditions necessary for its survival. These tasks are:
- (i) warning;
 - (ii) evacuation;
 - (iii) management of shelters;
 - (iv) management of blackout measures;
 - (v) rescue;
 - (vi) medical services, including first aid, and religious assistance;
 - (vii) fire-fighting;
 - (viii) detection and marking of danger areas;
 - (ix) decontamination and similar protective measures;
 - (x) provision of emergency accommodation and supplies;
 - (xi) emergency assistance in the restoration and maintenance of order in distressed areas;
 - (xii) emergency repair of indispensable public utilities;
 - (xiii) emergency disposal of the dead;
 - (xiv) assistance in the preservation of objects essential for survival;
 - (xv) complementary activities necessary to carry out any of the tasks mentioned above, including, but not limited to, planning and organisation;
- (b) “ civil defence organisations ” means those establishments and other units which are organised or authorised by the competent authorities of a Party to the conflict to perform any of the tasks mentioned under sub-paragraph (a), and which are assigned and devoted exclusively to such tasks;
- (c) “ personnel ” of civil defence organisations means those persons assigned by a Party to the conflict exclusively to the performance of the tasks mentioned under sub-paragraph (a), including personnel assigned by the competent authority of that Party exclusively to the administration of these organisations;

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- (d) “*matériel*” of civil defence organisations means equipment, supplies and transports used by these organisations for the performance of the tasks mentioned under subparagraph (a).

^{F75}ARTICLE 62—

GENERAL PROTECTION

Textual Amendments

F75 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F76}₁ Civilian civil defence organisations and their personnel shall be respected and protected, subject to the provisions of this Protocol, particularly the provisions of this Section. They shall be entitled to perform their civil defence tasks except in case of imperative military necessity.

Textual Amendments

F76 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F77}₂ The provisions of paragraph 1 shall also apply to civilians who, although not members of civilian civil defence organisations, respond to an appeal from the competent authorities and perform civil defence tasks under their control.

Textual Amendments

F77 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F78}₃ Buildings and *matériel* used for civil defence purposes and shelters provided for the civilian population are covered by Article 52. Objects used for civil defence purposes may not be destroyed or diverted from their proper use except by the Party to which they belong.

Textual Amendments

F78 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F79}ARTICLE 63—

CIVIL DEFENCE IN OCCUPIED TERRITORIES

Textual Amendments

F79 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F80}₁ In occupied territories, civilian civil defence organisations shall receive from the authorities the facilities necessary for the performance of their tasks. In no

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

circumstances shall their personnel be compelled to perform activities which would interfere with the proper performance of these tasks. The Occupying Power shall not change the structure or personnel of such organisations in any way which might jeopardise the efficient performance of their mission. These organisations shall not be required to give priority to the nationals or interests of that Power.

Textual Amendments

F80 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F81}2 The Occupying Power shall not compel, coerce or induce civilian civil defence organisations to perform their tasks in any manner prejudicial to the interests of the civilian population.

Textual Amendments

F81 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F82}3 The Occupying Power may disarm civil defence personnel for reasons of security.

Textual Amendments

F82 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F83}4 The Occupying Power shall neither divert from their proper use nor requisition buildings or *matériel* belonging to or used by civil defence organisations if such diversion or requisition would be harmful to the civilian population.

Textual Amendments

F83 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F84}5 Provided that the general rule in paragraph 4 continues to be observed, the Occupying Power may requisition or divert these resources, subject to the following particular conditions:

- (a) that the buildings or *matériel* are necessary for other needs of the civilian population; and
- (b) that the requisition or diversion continues only while such necessity exists.

Textual Amendments

F84 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F85}6 The Occupying Power shall neither divert nor requisition shelters provided for the use of the civilian population or needed by such population.

Textual Amendments

F85 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

^{F86}ARTICLE 64—

CIVILIAN CIVIL DEFENCE ORGANISATIONS OF NEUTRAL OR OTHER STATES NOT PARTIES TO THE CONFLICT AND INTERNATIONAL CO-ORDINATING ORGANISATIONS

Textual Amendments

F86 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F87}₁ Articles 62, 63, 65 and 66 shall also apply to the personnel and *matériel* of civilian civil defence organisations of neutral or other States not Parties to the conflict which perform civil defence tasks mentioned in Article 61 in the territory of a Party to the conflict, with the consent and under the control of that Party. Notification of such assistance shall be given as soon as possible to any adverse Party concerned. In no circumstances shall this activity be deemed to be an interference in the conflict. This activity should, however, be performed with due regard to the security interests of the Parties to the conflict concerned.

Textual Amendments

F87 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F88}₂ The Parties to the conflict receiving the assistance referred to in paragraph 1 and the High Contracting Parties granting it should facilitate international co-ordination of such civil defence actions when appropriate. In such cases the relevant international organisations are covered by the provisions of this Chapter.

Textual Amendments

F88 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F89}₃ In occupied territories, the Occupying Power may only exclude or restrict the activities of civilian civil defence organisations of neutral or other States not Parties to the conflict and of international co-ordinating organisations if it can ensure the adequate performance of civil defence tasks from its own resources or those of the occupied territory.

Textual Amendments

F89 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F90}ARTICLE 65—

CESSATION OF PROTECTION

Textual Amendments

F90 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- ^{F91}₁ The protection to which civilian civil defence organisations, their personnel, buildings, shelters and *matériel* are entitled shall not cease unless they commit or are used to commit, outside their proper tasks, acts harmful to the enemy. Protection may, however, cease only after a warning has been given setting, whenever appropriate, a reasonable time-limit, and after such warning has remained unheeded.

Textual Amendments

F91 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F92}₂ The following shall not be considered as acts harmful to the enemy:
- (a) that civil defence tasks are carried out under the direction or control of military authorities;
 - (b) that civilian civil defence personnel co-operate with military personnel in the performance of civil defence tasks, or that some military personnel are attached to civilian civil defence organisations;
 - (c) that the performance of civil defence tasks may incidentally benefit military victims, particularly those who are *hors de combat*.

Textual Amendments

F92 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F93}₃ It shall also not be considered as an act harmful to the enemy that civilian civil defence personnel bear light individual weapons for the purpose of maintaining order or for self-defence. However, in areas where land fighting is taking place or is likely to take place, the Parties to the conflict shall undertake the appropriate measures to limit these weapons to handguns, such as pistols or revolvers, in order to assist in distinguishing between civil defence personnel and combatants. Although civil defence personnel bear other light individual weapons in such areas, they shall nevertheless be respected and protected as soon as they have been recognised as such.

Textual Amendments

F93 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F94}₄ The formation of civilian civil defence organisations along military lines, and compulsory service in them, shall also not deprive them of the protection conferred by this Chapter.

Textual Amendments

F94 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

^{F95}ARTICLE 66—

IDENTIFICATION

Textual Amendments

F95 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F96}₁ Each Party to the conflict shall endeavour to ensure that its civil defence organisations, their personnel, buildings and *matériel*, are identifiable while they are exclusively devoted to the performance of civil defence tasks. Shelters provided for the civilian population should be similarly identifiable.

Textual Amendments

F96 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F97}₂ Each Party to the conflict shall also endeavour to adopt and implement methods and procedures which will make it possible to recognise civilian shelters as well as civil defence personnel, buildings and *matériel* on which the international distinctive sign of civil defence is displayed.

Textual Amendments

F97 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F98}₃ In occupied territories and in areas where fighting is taking place or is likely to take place, civilian civil defence personnel should be recognisable by the international distinctive sign of civil defence and by an identity card certifying their status.

Textual Amendments

F98 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F99}₄ The international distinctive sign of civil defence is an equilateral blue triangle on an orange ground when used for the protection of civil defence organisations, their personnel, buildings and *matériel* and for civilian shelters.

Textual Amendments

F99 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F100}₅ In addition to the distinctive sign, Parties to the conflict may agree upon the use of distinctive signals for civil defence identification purposes.

Textual Amendments

F100 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F101}₆ The application of the provisions of paragraphs 1 to 4 is governed by Chapter V of Annex I to this Protocol.

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

Textual Amendments

F101 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F102⁷ In time of peace, the sign described in paragraph 4 may, with the consent of the competent national authorities, be used for civil defence identification purposes.

Textual Amendments

F102 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F103⁸ The High Contracting Parties and the Parties to the conflict shall take the measures necessary to supervise the display of the international distinctive sign of civil defence and to prevent and repress any misuse thereof.

Textual Amendments

F103 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F104⁹ The identification of civil defence medical and religious personnel, medical units and medical transports is also governed by Article 18.

Textual Amendments

F104 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F105 **ARTICLE 67—**

**MEMBERS OF THE ARMED FORCES AND MILITARY
UNITS ASSIGNED TO CIVIL DEFENCE ORGANISATIONS**

Textual Amendments

F105 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F106¹ Members of the armed forces and military units assigned to civil defence organisations shall be respected and protected, provided that:

- (a) such personnel and such units are permanently assigned and exclusively devoted to the performance of any of the tasks mentioned in Article 61;
- (b) if so assigned, such personnel do not perform any other military duties during the conflict;
- (c) such personnel are clearly distinguishable from the other members of the armed forces by prominently displaying the international distinctive sign of civil defence, which shall be as large as appropriate, and such personnel are provided with the identity card referred to in Chapter V of Annex I to this Protocol certifying their status;

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- (d) such personnel and such units are equipped only with light individual weapons for the purpose of maintaining order or for self-defence. The provisions of Article 65, paragraph 3 shall also apply in this case;
- (e) such personnel do not participate directly in hostilities, and do not commit, or are not used to commit, outside their civil defence tasks, acts harmful to the adverse Party;
- (f) such personnel and such units perform their civil defence tasks only within the national territory of their Party.

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

Textual Amendments

F106 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F107**² Military personnel serving within civil defence organisations shall, if they fall into the power of an adverse Party, be prisoners of war. In occupied territory they may, but only in the interest of the civilian population of that territory, be employed on civil defence tasks in so far as the need arises, provided however that, if such work is dangerous, they volunteer for such tasks.

Textual Amendments

F107 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F108**³ The buildings and major items of equipment and transports of military units assigned to civil defence organisations shall be clearly marked with the international distinctive sign of civil defence. This distinctive sign shall be as large as appropriate.

Textual Amendments

F108 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F109**⁴ The *matériel* and buildings of military units permanently assigned to civil defence organisations and exclusively devoted to the performance of civil defence tasks shall, if they fall into the hands of an adverse Party, remain subject to the laws of war. They may not be diverted from their civil defence purpose so long as they are required for the performance of civil defence tasks, except in case of imperative military necessity, unless previous arrangements have been made for adequate provision for the needs of the civilian population.

Textual Amendments

F109 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

^{F110}SECTION II—

RELIEF IN FAVOUR OF THE CIVILIAN POPULATION

Textual Amendments

F110 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F111}ARTICLE 68—

FIELD OF APPLICATION

Textual Amendments

F111 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

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

^{F112}ARTICLE 69—

BASIC NEEDS IN OCCUPIED TERRITORIES

Textual Amendments

F112 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F113}₁ In addition to the duties specified in Article 55 of the Fourth Convention concerning food and medical supplies, the Occupying Power shall, to the fullest extent of the means available to it and without any adverse distinction, also ensure the provision of clothing, bedding, means of shelter, other supplies essential to the survival of the civilian population of the occupied territory and objects necessary for religious worship.

Textual Amendments

F113 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F114}₂ Relief actions for the benefit of the civilian population of occupied territories are governed by Articles 59, 60, 61, 62, 108, 109, 110 and 111 of the Fourth Convention, and by Article 71 of this Protocol, and shall be implemented without delay.

Textual Amendments

F114 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

^{F115}ARTICLE 70—

RELIEF ACTIONS

Textual Amendments

F115 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F116}₁ If the civilian population of any territory under the control of a Party to the conflict, other than occupied territory, is not adequately provided with the supplies mentioned in Article 69, relief actions which are humanitarian and impartial in character and conducted without any adverse distinction shall be undertaken, subject to the agreement of the Parties concerned in such relief actions. Offers of such relief shall not be regarded as interference in the armed conflict or as unfriendly acts. In the distribution of relief consignments, priority shall be given to those persons, such as children, expectant mothers, maternity cases and nursing mothers, who, under the Fourth Convention or under this Protocol, are to be accorded privileged treatment or special protection.

Textual Amendments

F116 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F117}₂ The Parties to the conflict and each High Contracting Party shall allow and facilitate rapid and unimpeded passage of all relief consignments, equipment and personnel provided in accordance with this Section, even if such assistance is destined for the civilian population of the adverse Party.

Textual Amendments

F117 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F118}₃ The Parties to the conflict and each High Contracting Party which allow the passage of relief consignments, equipment and personnel in accordance with paragraph 2:

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

Textual Amendments

F118 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F119}₄ The Parties to the conflict shall protect relief consignments and facilitate their rapid distribution.

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

Textual Amendments

F119 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F120}₅ The Parties to the conflict and each High Contracting Party concerned shall encourage and facilitate effective international co-ordination of the relief actions referred to in paragraph 1.

Textual Amendments

F120 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F121}**ARTICLE 71—**

PERSONNEL PARTICIPATING IN RELIEF ACTIONS

Textual Amendments

F121 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F122}₁ Where necessary, relief personnel may form part of the assistance provided in any relief action, in particular for the transportation and distribution of relief consignments; the participation of such personnel shall be subject to the approval of the Party in whose territory they will carry out their duties.

Textual Amendments

F122 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F123}₂ Such personnel shall be respected and protected.

Textual Amendments

F123 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F124}₃ Each Party in receipt of relief consignments shall, to the fullest extent practicable, assist the relief personnel referred to in paragraph 1 in carrying out their relief mission. Only in case of imperative military necessity may the activities of the relief personnel be limited or their movements temporarily restricted.

Textual Amendments

F124 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F125}₄ Under no circumstances may relief personnel exceed the terms of their mission under this Protocol. In particular they shall take account of the security requirements of the Party in whose territory they are carrying out their duties. The mission of any of the personnel who do not respect these conditions may be terminated.

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

Textual Amendments

F125 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F126 SECTION III—

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

Textual Amendments

F126 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F127 CHAPTER I—

FIELD OF APPLICATION AND PROTECTION OF PERSONS AND OBJECTS

Textual Amendments

F127 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F128 ARTICLE 72—

FIELD OF APPLICATION

Textual Amendments

F128 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

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

F129 ARTICLE 73—

REFUGEES AND STATELESS PERSONS

Textual Amendments

F129 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

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

F130 ARTICLE 74—

REUNION OF DISPERSED FAMILIES

Textual Amendments

F130 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

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

F131 ARTICLE 75—

FUNDAMENTAL GUARANTEES

Textual Amendments

F131 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F132¹ In so far as they are affected by a situation referred to in Article 1 of this Protocol, persons who are in the power of a Party to the conflict and who do not benefit from more favourable treatment under the Conventions or under this Protocol shall be treated humanely in all circumstances and shall enjoy, as a minimum, the protection provided by this Article without any adverse distinction based upon race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria. Each Party shall respect the person, honour, convictions and religious practices of all such persons.

Textual Amendments

F132 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F133² The following acts are and shall remain prohibited at any time and in any place whatsoever, whether committed by civilian or by military agents:

- (a) violence to the life, health, or physical or mental well-being of persons, in particular:
 - (i) murder;
 - (ii) torture of all kinds, whether physical or mental;
 - (iii) corporal punishment; and

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- (iv) mutilation;
- (b) outrages upon personal dignity, in particular humiliating and degrading treatment, enforced prostitution and any form of indecent assault;
- (c) the taking of hostages;
- (d) collective punishments; and
- (e) threats to commit any of the foregoing acts.

Textual Amendments

F133 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F134** Any person arrested, detained or interned for actions related to the armed conflict shall be informed promptly, in a language he understands, of the reasons why these measures have been taken. Except in cases of arrest or detention for penal offences, such persons shall be released with the minimum delay possible and in any event as soon as the circumstances justifying the arrest, detention or internment have ceased to exist.

Textual Amendments

F134 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F135** No sentence may be passed and no penalty may be executed on a person found guilty of a penal offence related to the armed conflict except pursuant to a conviction pronounced by an impartial and regularly constituted court respecting the generally recognised principles of regular judicial procedure, which include the following:
- (a) the procedure shall provide for an accused to be informed without delay of the particulars of the offence alleged against him and shall afford the accused before and during his trial all necessary rights and means of defence;
 - (b) no one shall be convicted of an offence except on the basis of individual penal responsibility;
 - (c) no one shall be accused or convicted of a criminal offence on account of any act or omission which did not constitute a criminal offence under the national or international law to which he was subject at the time when it was committed; nor shall a heavier penalty be imposed than that which was applicable at the time when the criminal offence was committed; if, after the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby;
 - (d) anyone charged with an offence is presumed innocent until proved guilty according to law;
 - (e) anyone charged with an offence shall have the right to be tried in his presence;
 - (f) no one shall be compelled to testify against himself or to confess guilt;
 - (g) anyone charged with an offence shall have the right to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- (h) no one shall be prosecuted or punished by the same Party for an offence in respect of which a final judgement acquitting or convicting that person has been previously pronounced under the same law and judicial procedure;
- (i) anyone prosecuted for an offence shall have the right to have the judgement pronounced publicly; and
- (j) a convicted person shall be advised on conviction of his judicial and other remedies and of the time-limits within which they may be exercised.

Textual Amendments

F135 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F136** Women whose liberty has been restricted for reasons related to the armed conflict shall be held in quarters separated from men's quarters. They shall be under the immediate supervision of women. Nevertheless, in cases where families are detained or interned, they shall, whenever possible, be held in the same place and accommodated as family units.

Textual Amendments

F136 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F137** Persons who are arrested, detained or interned for reasons related to the armed conflict shall enjoy the protection provided by this Article until their final release, repatriation or re-establishment, even after the end of the armed conflict.

Textual Amendments

F137 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F138** In order to avoid any doubt concerning the prosecution and trial of persons accused of war crimes or crimes against humanity, the following principles shall apply:
- (a) persons who are accused of such crimes should be submitted for the purpose of prosecution and trial in accordance with the applicable rules of international law; and
 - (b) any such persons who do not benefit from more favourable treatment under the Conventions or this Protocol shall be accorded the treatment provided by this Article, whether or not the crimes of which they are accused constitute grave breaches of the Conventions or of this Protocol.

Textual Amendments

F138 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- F139** No provision of this Article may be construed as limiting or infringing any other more favourable provision granting greater protection, under any applicable rules of international law, to persons covered by paragraph 1.

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

Textual Amendments

F139 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F140 CHAPTER II—

MEASURES IN FAVOUR OF WOMEN AND CHILDREN

Textual Amendments

F140 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F141 ARTICLE 76—

PROTECTION OF WOMEN

Textual Amendments

F141 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F142¹ Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault.

Textual Amendments

F142 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F143² Pregnant women and mothers having dependant infants who are arrested, detained or interned for reasons related to the armed conflict, shall have their cases considered with the utmost priority.

Textual Amendments

F143 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F144³ To the maximum extent feasible, the Parties to the conflict shall endeavour to avoid the pronouncement of the death penalty on pregnant women or mothers having dependant infants, for an offence related to the armed conflict. The death penalty for such offences shall not be executed on such women.

Textual Amendments

F144 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

F145 ARTICLE 77—

PROTECTION OF CHILDREN

Textual Amendments

F145 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F146¹ Children shall be the object of special respect and shall be protected against any form of indecent assault. The Parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason.

Textual Amendments

F146 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F147² The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, the Parties to the conflict shall endeavour to give priority to those who are oldest.

Textual Amendments

F147 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F148³ If, in exceptional cases, despite the provisions of paragraph 2, children who have not attained the age of fifteen years take a direct part in hostilities and fall into the power of an adverse Party, they shall continue to benefit from the special protection accorded by this Article, whether or not they are prisoners of war.

Textual Amendments

F148 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F149⁴ If arrested, detained or interned for reasons related to the armed conflict, children shall be held in quarters separate from the quarters of adults, except where families are accommodated as family units as provided in Article 75, paragraph 5.

Textual Amendments

F149 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F150⁵ The death penalty for an offence related to the armed conflict shall not be executed on persons who had not attained the age of eighteen years at the time the offence was committed.

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

Textual Amendments

F150 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F151}ARTICLE 78—

EVACUATION OF CHILDREN

Textual Amendments

F151 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F152}₁ No Party to the conflict shall arrange for the evacuation of children, other than its own nationals, to a foreign country except for a temporary evacuation where compelling reasons of the health or medical treatment of the children or, except in occupied territory, their safety, so require. Where the parents or legal guardians can be found, their written consent to such evacuation is required. If these persons cannot be found, the written consent to such evacuation of the persons who by law or custom are primarily responsible for the care of the children is required. Any such evacuation shall be supervised by the Protecting Power in agreement with the Parties concerned, namely, the Party arranging for the evacuation, the Party receiving the children and any Parties whose nationals are being evacuated. In each case, all Parties to the conflict shall take all feasible precautions to avoid endangering the evacuation.

Textual Amendments

F152 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F153}₂ Whenever an evacuation occurs pursuant to paragraph 1, each child's education, including his religious and moral education as his parents desire, shall be provided while he is away with the greatest possible continuity.

Textual Amendments

F153 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F154}₃ With a view to facilitating the return to their families and country of children evacuated pursuant to this Article, the authorities of the Party arranging for the evacuation and, as appropriate, the authorities of the receiving country shall establish for each child a card with photographs, which they shall send to the Central Tracing Agency of the International Committee of the Red Cross. Each card shall bear, whenever possible, and whenever it involves no risk of harm to the child, the following information:

- (a) surname(s) of the child;
- (b) the child's first name(s);
- (c) the child's sex;
- (d) the place and date of birth (or, if that date is not known, the approximate age);

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- (e) the father's full name;
- (f) the mother's full name and her maiden name;
- (g) the child's next-of-kin;
- (h) the child's nationality;
- (i) the child's native language, and any other languages he speaks;
- (j) the address of the child's family;
- (k) any identification number for the child;
- (l) the child's state of health;
- (m) the child's blood group;
- (n) any distinguishing features;
- (o) the date on which and the place where the child was found;
- (p) the date on which and the place from which the child left the country;
- (q) the child's religion, if any;
- (r) the child's present address in the receiving country;
- (s) should the child die before his return, the date, place and circumstances of death and place of interment.

Textual Amendments

F154 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F155 **CHAPTER III—**

JOURNALISTS

Textual Amendments

F155 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F156 **ARTICLE 79—**

MEASURES OF PROTECTION FOR JOURNALISTS

Textual Amendments

F156 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

F157¹ Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of Article 50, paragraph 1.

Textual Amendments

F157 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV. (See end of Document for details)

- ^{F158}₂ They shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians, and without prejudice to the right of war correspondents accredited to the armed forces to the status provided for in Article 4A(4) of the Third Convention.

Textual Amendments

F158 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F159}₃ They may obtain an identity card similar to the model in Annex II of this Protocol. This card, which shall be issued by the government of the State of which the journalist is a national or in whose territory he resides or in which the news medium employing him is located, shall attest to his status as a journalist.]

Textual Amendments

F159 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Geneva Conventions Act 1957, PART IV.