



# Geneva Conventions and United Nations Personnel (Protocols) Act 2009

## 2009 CHAPTER 6

### 1 Amendments of the Geneva Conventions Act 1957

- (1) The Geneva Conventions Act 1957 (c. 52) is amended as follows.
- (2) In section 1 (grave breaches of Conventions and protocols), in subsection (1), for “or the first protocol” substitute “, the first protocol or the third protocol”.
- (3) In subsection (1A) of that section, after paragraph (b) insert “; and
  - (c) a grave breach of the third protocol is anything which for the purposes of Article 6 of the protocol constitutes the perfidious use of the emblem specified in section 6(1)(f) of this Act”.
- (4) In section 6 (use of the Red Cross and other emblems), in subsection (1), after paragraph (e) insert “;
  - (f) the emblem of a red frame in the shape of a square on edge on a white ground, conforming to the illustration in Article 1 of the Annex to the third protocol (and whether or not incorporating another emblem, or a combination of emblems, in accordance with Article 3 of the protocol), or the designation “Red Crystal” or “third Protocol emblem””.
- (5) After subsection (4A) of that section, insert—
  - “(4B) Subsection (4) of this section shall apply in relation to a design or wording reproducing or resembling the emblem or a designation specified in paragraph (f) of subsection (1) of this section as it applies to designs or wording reproducing or resembling an emblem or designation specified in paragraph (b) or (c) of that subsection.
  - (4C) But subsection (4) of this section shall not apply by virtue of subsection (4B) of this section where the use of the design or wording concerned is such as would appear, in time of armed conflict, to confer the protection of the

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*Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions and United Nations Personnel (Protocols) Act 2009, Section 1. (See end of Document for details)*

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scheduled conventions and, where applicable, the first protocol and the second protocol.

(4D) For the purposes of subsection (4B) of this section references in subsection (4) of this section to the passing of this Act shall be construed as references to the passing of the Geneva Conventions and United Nations Personnel (Protocols) Act 2009.”

(6) In section 6A (regulations), in subsection (1)(b), for “or the second protocol” substitute “, the second protocol or the third protocol”.

(7) In section 7 (interpretation), at the end of subsection (1) add “;

“the third protocol” means the Protocol, additional to the Geneva Conventions of 12 August 1949, relating to the Adoption of an Additional Distinctive Emblem (Protocol III) done on 8 December 2005, the text of which is set out in Schedule 7”.

(8) After Schedule 6 (which sets out the text of the second protocol), insert the Schedule 7 contained in the Schedule to this Act (which sets out the text of the third protocol).

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**Modifications etc. (not altering text)**

**C1** S. 1 extended (Guernsey) (with modifications) (15.1.2011) by [The Geneva Conventions Act \(Guernsey\) Order 2010 \(S.I. 2010/2965\)](#), arts. 1, 3, **Sch. 1**

**C2** S. 1 extended (with modifications) (coming into force in accordance with art. 1) by [The Geneva Conventions Act \(Jersey\) Order 2012 \(S.I. 2012/2589\)](#), arts. 1, 2, **Sch.**

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**Commencement Information**

**I1** S. 1 in force at 5.4.2010 by [S.I. 2009/2892](#), **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Geneva Conventions and United Nations Personnel (Protocols) Act 2009, Section 1.