

Medical Dept.

EXTRAORDINARY



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GOVERNMENT NOTICES.

DEPARTMENT OF DEFENCE.

No. R. 749.

3 May 1968.

GENEVA CONVENTION FOR THE AMELIORATION OF THE CONDITION OF THE WOUNDED AND SICK IN ARMED FORCES IN THE FIELD OF AUGUST 12, 1949

The undersigned Plenipotentiaries of the Governments represented at the Diplomatic Conference held at Geneva from April 21 to August 12, 1949, for the purpose of revising the Geneva Convention for the Relief of the Wounded and Sick in Armies in the Field of July 27, 1929, have agreed as follows:

CHAPTER I.

GENERAL PROVISIONS.

ARTICLE 1.

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

ARTICLE 2.

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

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

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof.

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN VERDEDIGING.

No. R. 749.

3 Mei 1968.

DIE GENEEFSE KONVENSIE VAN 12 AUGUSTUS 1949 VIR DIE VERLIGTING VAN DIE TOESTAND VAN GEWONDES EN SIEKES VAN DIE GEWAPENDE MAGTE TE VELDE.

Die ondergetekendes, Gevolmagtigdes van die Regerings verteenwoordig in die Diplomatieke Konferensie wat van 21 April tot 12 Augustus 1949 in Genève gehou is met die doel om 27 Julie 1929 se Geneefse Konvensie vir die Verligting van Gewondes en Siekes in Leërs te Velde te hersien, het soos volg ooreengekom:

HOOFSTUK I.

ALGEMENE BEPALINGS.

ARTIKEL 1.

Die Hoë Kontrakterende Partye verbind hulle om die huidige Konvensie onder alle omstandighede te eerbiedig en te verseker dat dit geëerbiedig word.

ARTIKEL 2.

Benewens die bepalings waarvan daar in vredestryd uitvoering gegee moet word, is die huidige Konvensie van toepassing op alle gevalle waar daar oorlog verklaar is of waar 'n ander wapenbotsing ontstaan tussen twee of meer van die Hoë Kontrakterende Partye, selfs as een van hulle nie die staat van oorlog erken nie.

Die Konvensie is ook van toepassing op alle gevalle van gedeeltelike of algehele besetting van die gebied van 'n Hoë Kontrakterende Party, selfs as daar geen gewapende weerstand teen genoemde besitting is nie.

Selfs waar een van die Moondhede wat in die botsing betrokke is, nie 'n party by die huidige Konvensie is nie, bly die Moondhede wat partye daarby is, nog in hul onderlinge verhoudings daardeur gebind. Daarbenewens is hulle ten opsigte van genoemde Moondheid deur die Konvensie gebind as laasgenoemde Moondheid die bepalings daarvan aanvaar en toepas.

ARTICLE 3.

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

ARTICLE 4.

Neutral Powers shall apply by analogy the provisions of the present Convention to the wounded and sick, and to members of the medical personnel and to chaplains of the armed forces of the Parties to the conflict, received or interned in their territory, as well as to dead persons found.

ARTICLE 5.

For the protected persons who have fallen into the hands of the enemy, the present Convention shall apply until their final repatriation.

ARTICLE 6.

In addition to the agreements expressly provided for in Articles 10, 15, 23, 28, 31, 36, 37 and 52, the High Contracting Parties may conclude other special agreements for all matters concerning which they may deem it suitable to make separate provision. No special agreement shall adversely affect the situation of the wounded and sick, of members of the medical personnel or of chaplains, as defined by the present Convention, nor restrict the rights which it confers upon them.

ARTIKEL 3.

Ingeval 'n wapenbotsing wat nie van 'n internasionale aard is nie, in die gebied van een van die Hoë Kontrakterende Partye voorkom, is elke Party by die Botsing daartoe verbind om, as 'n minimum, die volgende bepalings toe te pas:

(1) Persone wat nie aktief aan die vyandelikhede deelneem nie, met inbegrip van lede van gewapende magte wat hulle wapens neergelê het en dié wat weens siekte, wonde, aanhouding of enige ander oorsaak, *hors de combat* is, moet onder alle omstandighede menslik behandel word sonder enige ongunstige verskille wat op ras, kleur, godsdiens of geloof, geslag, geboorte of rykdom of enige ander soortgelyke kriteriums gegrond is.

Met hierdie doel voor oë word ondergenoemde dade te eniger tyd, wanneer ook al, en op enige plek, waar ook al, ten opsigte van bogenoemde persone verbied en bly dit verbode:

(a) Geweldpleging wat lewens en persone raak, in die besonder alle soorte moord, verminking, wrede behandeling en marteling;

(b) die neem van gyselaars;

(c) skending van persoonlike waardigheid, in die besonder vernederende en waardigheidskendende behandeling;

(d) die oplegging van straf en die uitvoering van teregstellings sonder dat 'n behoorlik saamgestelde hof, wat al dié regterlike waarborge verskaf wat deur beskaafde nasies as onmisbaar erken word, vooraf uitspraak gegee het.

(2) Gewondes en siekes moet versamel en versorg word.

'n Onpartydige humanitêre liggaam, soos die Internasionale Komitee van die Rooikruis, kan sy dienste aan die Partye by die botsing aanbied.

Die Partye by die botsing moet verder poog om deur middel van spesiale ooreenkomste al die ander bepalings van die huidige Konvensie of 'n deel daarvan in werking te stel.

Die regstatus van die Partye by die botsing word nie deur die toepassing van die voorafgaande bepalings geraak nie.

ARTIKEL 4.

Neutrale moondhede moet die bepalings van die huidige Konvensie na analogie toepas op die gewondes en siekes en op lede van die mediese personeel en veldpredikers van die gewapende magte van die Partye by die botsing wat in hul grondgebiede ontvang of geïnterneer word, asook op dooies wat gevind word.

ARTIKEL 5.

Die huidige Konvensie is tot hul uiteindelijke repatriëring van toepassing op beskermde persone wat in die hande van die vyand geval het.

ARTIKEL 6.

Benewens die ooreenkomste waarvoor daar uitdruklik voorsiening gemaak word in artikels 10, 15, 23, 28, 31, 36, 37 en 52, kan die Hoë Kontrakterende Partye ander spesiale ooreenkomste aangaan oor alle sake waarvoor daar, na hul mening, afsonderlik voorsiening gemaak moet word. Geen spesiale ooreenkoms mag die posisie van gewondes en siekes of lede van die mediese personeel of veldpredikers, soos in die huidige Konvensie omskryf, benadeel of die regte wat die huidige Konvensie aan hulle verleë, inkort nie.

Wounded and sick, as well as medical personnel and chaplains, shall continue to have the benefit of such agreements as long as the Convention is applicable to them, except where express provisions to the contrary are contained in the aforesaid or in subsequent agreements, or where more favourable measures have been taken with regard to them by one or other of the Parties to the conflict.

ARTICLE 7.

Wounded and sick, as well as members of the medical personnel and chaplains, may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention, and by special agreements referred to in the foregoing Article, if such there be.

ARTICLE 8.

The present Convention shall be applied with the co-operation and under the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties to the conflict. For this purpose, the Protecting Powers may appoint, apart from their diplomatic or consular staff, delegates from amongst their own nationals or the nationals of other neutral Powers. The said delegates shall be subject to the approval of the Power with which they are to carry out their duties.

The Parties to the conflict shall facilitate to the greatest extent possible, the task of the representatives or delegates of the Protecting Powers.

The representatives or delegates of the Protecting Powers shall not in any case exceed their mission under the present Convention. They shall, in particular, take account of the imperative necessities of security of the State wherein they carry out their duties. Their activities shall only be restricted as an exceptional and temporary measure when this is rendered necessary by imperative military necessities.

ARTICLE 9.

The provisions of the present Convention constitute no obstacle to the humanitarian activities which the International Committee of the Red Cross or any other impartial humanitarian organization may, subject to the consent of the Parties to the conflict concerned, undertake for the protection of wounded and sick, medical personnel and chaplains, and for their relief.

ARTICLE 10.

The High Contracting Parties may at any time agree to entrust to an organization which offers all guarantees of impartiality and efficacy the duties incumbent on the Protecting Powers by virtue of the present Convention.

When wounded and sick, or medical personnel and chaplains do not benefit or cease to benefit, no matter for what reason, by the activities of a Protecting Power or of an organization provided for in the first paragraph above, the Detaining Power shall request a neutral State, or such an organization, to undertake the functions performed under the present Convention by a Protecting Power designated by the Parties to a conflict.

If protection cannot be arranged accordingly, the Detaining Power shall request or shall accept, subject to the provisions of this Article, the offer of the services of a

Gewondes en siekes, asook mediese personeel en veldpredikers, moet steeds, terwyl die huidige Konvensie op hulle van toepassing is, die voordele van sodanige ooreenkomste geniet, behalwe ingeval uitdruklike andersluidende bepalings in die voormelde of latere ooreenkomste vervat is, of gunstiger maatreëls ten aansien van hulle deur die een of ander van die Partye by die botsing getref word.

ARTIKEL 7.

Gewondes en siekes, asook lede van die mediese personeel en veldpredikers, mag onder geen omstandighede gedeeltelik of geheel en al van die regte wat vir hulle verkry is deur die huidige Konvensie en die spesiale ooreenkomste bedoel in die voorafgaande artikel, as daar sodanige ooreenkomste bestaan, afstand doen nie.

ARTIKEL 8.

Die huidige Konvensie word toegepas met die samewerking en onder die toesig van die Beskermende Moondhede, wie se plig dit is om die belange van die Partye by die botsing te beskerm. Vir hierdie doel kan die Beskermende Moondhede, benewens hul diplomatieke of konsulêre personeel afgevaardigdes uit die geledere van hul eie burgers of die burgers van ander neutrale Moondhede aanstel. Genoemde afgevaardigdes is onderworpe aan goedkeuring van die Moondheid by wie hulle hul pligte moet uitvoer.

Die Partye by die botsing moet die taak van die verteenwoordigers of afgevaardigdes van die Beskermende Moondhede vergemaklik in die grootste mate wat vir hulle moontlik is.

Die verteenwoordigers of afgevaardigdes van die Beskermende Moondhede mag in geen geval die bevoegdheid verbonde aan hul sending kragtens die huidige Konvensie, te buite gaan nie. Hulle moet in die besonder die veiligheidsvereistes wat gebiedend noodsaaklik is vir die staat waarin hulle hul pligte uitvoer in ag neem. Hulle werksaamhede mag slegs as 'n buitengewone en tydelike maatregel beperk word wanneer dringende militêre noodsaaklikhede dit gebiedend maak.

ARTIKEL 9.

Die bepalings van die huidige Konvensie belemmer nie die humanitêre bedrywighede wat die Internasionale Komitee van die Rooikruis of enige ander onpartydige humanitêre organisasie, behoudens die toestemming van die Partye by die botsing, vir die beskerming en noodleniging van gewondes en siekes, mediese personeel en veldpredikers mag onderneem nie.

ARTIKEL 10.

Die Hoë Kontrakterende Partye kan te eniger tyd daarmee instem om aan 'n organisasie wat alle onpartydighede- en doeltreffendheidswaarborgs bied, dié pligte toe te vertrou wat uit hoofde van die huidige Konvensie op die Beskermende Moondheid rus.

Wanneer gewondes en siekes of mediese personeel en veldpredikers, om enige rede, van watter aard ook al, nie by die werksaamhede van 'n Beskermende Moondheid of 'n organisasie waarvoor daar in die eerste paragraaf hierbo voorsiening gemaak word, baat nie of nie meer daarby baat nie, moet die Aanhoudingsmoondheid 'n neutrale Staat of sodanige organisasie versoek om die funksies oor te neem wat kragtens die huidige Konvensie deur 'n Beskermende Moondheid, aangewys deur die Partye by 'n botsing, uitgeoefen word.

Indien beskerming nie dienooreenkomstig gereël kan word nie, moet die Aanhoudingsmoondheid, behoudens die bepalings van hierdie Artikel, die dienste wat 'n huma-

humanitarian organization, such as the International Committee of the Red Cross, to assume the humanitarian functions performed by Protecting Powers under the present Convention.

Any neutral Power, or any organization invited by the Power concerned or offering itself for these purposes, shall be required to act with a sense of responsibility towards the Party to the conflict on which persons protected by the present Convention depend, and shall be required to furnish sufficient assurances that it is in a position to undertake the appropriate functions and to discharge them impartially.

No derogation from the preceding provisions shall be made by special agreements between Powers one of which is restricted, even temporarily, in its freedom to negotiate with the other Power or its allies by reason of military events, more particularly where the whole, or a substantial part, of the territory of the said Power is occupied.

Whenever, in the present Convention, mention is made of a Protecting Power, such mention also applies to substitute organizations in the sense of the present Article.

ARTICLE 11.

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

For this purpose, each of the Protecting Powers may, either at the invitation of one Party or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, in particular of the authorities responsible for the wounded and sick, members of medical personnel and chaplains, possibly on neutral territory suitably chosen. The Parties to the conflict shall be bound to give effect to the proposals made to them for this purpose. The Protecting Powers may, if necessary, propose for approval by the Parties to the conflict, a person belonging to a neutral Power or delegated by the International Committee of the Red Cross, who shall be invited to take part in such a meeting.

CHAPTER II.

WOUNDED AND SICK.

ARTICLE 12.

Members of the armed forces and other persons mentioned in the following Article, who are wounded or sick, shall be respected and protected in all circumstances.

They shall be treated humanely and cared for by the Party to the conflict in whose power they may be, without any adverse distinction founded on sex, race, nationality, religion, political opinions, or any other similar criteria. Any attempts upon their lives, or violence to their persons, shall be strictly prohibited; in particular they shall not be murdered or exterminated, subjected to torture or to biological experiments; they shall not wilfully be left without medical assistance and care, nor shall conditions exposing them to contagion or infection be created.

nitêre organisasie soos die Internasionale Komitee van die Rooikruis aanbied, naamlik om die humanitêre funksies te aanvaar wat die Beskermende Moondhede kragtens die huidige Konvensie verrig, aanneem of daarom vra.

Enige neutrale Moondheid of enige organisasie wat deur die betrokke Moondheid gevra word of wat homself vir dié doel aanbied, moet met 'n verantwoordelike sin optree teenoor dié Party by die botsing van wie die persone wat deur die huidige Konvensie beskerm word, afhanklik is, en sodanige neutrale Moondheid of organisasie moet voldoende versekering gee dat hy daartoe in staat is om die betrokke funksies te onderneem en om dit op 'n onpartydige wyse uit te oefen.

Daar mag nie by wyse van spesiale ooreenkomste tussen Moondhede waarvan die een selfs tydelik vanweë militêre gebeurtenisse en veral vanweë die besetting van sy hele gebied of 'n groot deel daarvan, in sy vryheid om met die ander Moondheid of sy bondgenote te onderhandel, gestrem is, afbreuk aan die voorafgaande bepalings gedoen word nie.

Waar daar in die huidige Konvensie melding gemaak word van 'n Beskermende Moondheid, sluit sodanige melding ook plaasvervangende organisasies in soos in die huidige artikel bedoel.

ARTIKEL 11.

In gevalle waar die Beskermende Moondhede dit in die belang van beskermende persone raadsaam ag, veral in gevalle van geskille tussen die Partye by die botsing oor die toepassing of uitleg van die bepalings van die huidige Konvensie, moet sodanige Beskermende Moondhede hul vriendskaplike bemiddeling aanbied met die oog op die bylegging van die geskil.

Vir hierdie doel kan elkeen van die Beskermende Moondhede of op uitnodiging van een Party of uit eie beweging aan die Partye by die botsing voorstel dat daar 'n vergadering van hulle verteenwoordigers—veral van die owerhede wat vir gesondes en siekes, mediese personeel en veldpredikers verantwoordelik is, gehou word—waar moontlik in 'n neutrale gebied wat geskik is. Die Partye by die botsing is daartoe verbind om uitvoering te gee aan die voorstelle wat vir hierdie doel aan hulle gedoen word. Die Beskermende Moondhede kan, indien nodig, vir die goedkeuring van die Partye by die botsing 'n persoon voorstel wat tot 'n neutrale Moondheid behoort of deur die Internasionale Komitee van die Rooikruis aangewys is, en sodanige persoon moet dan uitgenooi word om aan sodanige vergadering deel te neem.

HOOFSTUK II.

GEWONDES EN SIEKES.

ARTIKEL 12.

Lede van die gewapende magte en ander persone wat in die volgende artikel genoem word en gewond of siek is, moet onder alle omstandighede gerespekteer en beskerm word.

Hulle moet deur die Party by die botsing in wie se mag hulle is, menslik behandel en versorg word, sonder nadelige onderskeid op grond van geslag, ras, nasionaliteit, godsdienst, politieke sienswyse of ander soortgelyke maatskappye. Aanslae op hul lewens of geweldpleging teen hul persone is streng verbode. Hulle mag veral nie vermoor of verdag, gemartel of aan biologiese proefnemings onderwerp word nie; hulle mag nie met opset sonder mediese hulp en versorging gelaat word nie; ook mag geen toestande geskep word wat hulle aan besmetting of infeksie blootstel nie.

Only urgent medical reasons will authorize priority in the order of treatment to be administered.

Women shall be treated with all consideration due to their sex.

The Party to the conflict which is compelled to abandon wounded or sick to the enemy shall, as far as military considerations permit, leave with them a part of its medical personnel and material to assist in their care.

ARTICLE 13.

The present Convention shall apply to the wounded and sick belonging to the following categories:

(1) Members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces.

(2) Members of other militias and members of other volunteers corps, including those of organized resistance movements, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied, provided that such militias or volunteer corps, including such organized resistance movements, fulfil the following conditions:

(a) That of being commanded by a person responsible for his subordinates;

(b) that of having a fixed distinctive sign recognizable at a distance;

(c) that of carrying arms openly;

(d) that of conducting their operations in accordance with the laws and customs of war.

(3) Members of regular armed forces who profess allegiance to a Government or an authority not recognized by the Detaining Power.

(4) Persons who accompany the armed forces without actually being members thereof, such as civil members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization from the armed forces which they accompany.

(5) Members of crews, including masters, pilots and apprentices, of the merchant marine and the crews of civil aircraft of the Parties to the conflict, who do not benefit by more favourable treatment under any other provisions in international law.

(6) Inhabitants of a non-occupied territory who, on the approach of the enemy, spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war.

ARTICLE 14.

Subject to the provisions of Article 12, the wounded and sick of a belligerent who fall into enemy hands shall be prisoners of war, and the provisions of international law concerning prisoners of war shall apply to them.

ARTICLE 15.

At all times, and particularly after an engagement, Parties to the conflict shall, without delay, take all possible measures to search for and collect the wounded and sick, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead and prevent their being despoiled.

Slegs om dringende mediese redes mag voorkeur in die volgorde van behandeling verleen word.

Vrouens moet behandel word met al die konsiderasie wat hul geslag toekom.

Die Partye by die botsing wat genoodsaak word om gewondes of siekes aan die vyand oor te laat, moet vir sover militêre oorwegings dit toelaat, 'n deel van sy mediese personeel en materiaal by hulle agterlaat om met hul versorging te help.

ARTIKEL 13.

Die huidige konvensie is van toepassing op gewondes en siekes wat onder die volgende kategorieë val:—

(1) Lede van die gewapende magte van 'n Party by die botsing, asook lede van die milisiemagte of vrywilligerkorpse wat deel uitmaak van sodanige gewapende magte.

(2) Lede van ander milisiemagte en lede van ander vrywilligerkorpse, insluitende dié van georganiseerde weerstandsbewegings, wat aan 'n Party by die botsing behoort en binne of buite hul eie grondgebied opereer, selfs al is dié gebied beset, mits sodanige milisiemagte of vrywilligerkorpse, met inbegrip van sodanige georganiseerde weerstandsbewegings, aan die volgende voorwaardes voldoen:

(a) Hulle moet onder die bevel staan van iemand wat vir sy ondergeskiktes verantwoordelik is;

(b) hulle moet 'n vaste kenteken hê wat op 'n afstand herkenbaar is;

(c) hulle moet openlik wapens dra;

(d) hulle moet hul operasies ooreenkomstig die oorlogsreg en -gebruik uitvoer.

(3) Lede van gereelde gewapende magte wat trou betuig aan 'n regering of 'n owerheid wat nie deur die Aanhoudingsmoondheid erken word nie.

(4) Persone wat die gewapende magte vergesel maar nie in werklikheid lede daarvan is nie, soos burgerlike lede van militêre vliegtuigbemanning, oorlogskorrespondente, voorraadleweransiers, lede van arbeidseenhede of van dienste wat vir die welsyn van die gewapende magte verantwoordelik is, mits hulle daartoe gemagtig is deur die gewapende magte wat hulle vergesel.

(5) Lede van bemanning, met inbegrip van gesagvoerders, loodse en vakleerlinge van die handelsvloot en die bemanning van burgerlike lugvaartuie van die Partye by die botsing wat nie in gunstiger behandeling ingevolge ander bepalings van die volkereg deel nie.

(6) Inwoners van 'n nie-besette grondgebied wat by die nadering van die vyand spontaan die wapens opneem om teen die invallende vyand weerstad te bied sonder dat daar tyd was om hulle in gereelde gewapende eenhede te organiseer, mits hulle openlik wapens dra en die oorlogsreg en gebruike nakom.

ARTIKEL 14.

Behoudens die bepalings van artikel 12 is gewondes en siekes van 'n oorlogvoerende wat in die hande van die vyand val, krygsgevangenes, en die volkereg se bepalings ten opsigte van krygsgevangenes is op hulle van toepassing.

ARTIKEL 15.

Die Partye by die botsing moet te alle tye, veral na 'n geveg, sonder versuim alle moontlike maatreëls tref om gewondes en siekes op te spoor en bymekaar te maak, om hulle teen berowing en mishandeling te beskerm, om te verseker dat hulle voldoende versorg word en om gesneuweldes op te spoor en te voorkom dat hulle geplunder word.

Whenever circumstances permit, an armistice or a suspension of fire shall be arranged, or local arrangements made, to permit the removal, exchange and transport of the wounded left on the battlefield.

Likewise, local arrangements may be concluded between Parties to the conflict for the removal or exchange of wounded and sick from a besieged or encircled area, and for the passage of medical and religious personnel and equipment on their way to that area.

ARTICLE 16.

Parties to the conflict shall record as soon as possible, in respect of each wounded, sick or dead person of the adverse Party falling into their hands, any particulars which may assist in his identification.

These records should if possible include:

- (a) Designation of the Power on which he depends;
- (b) army, regimental, personal or serial number;
- (c) surname;
- (d) first name or names;
- (e) date of birth;
- (f) any other particulars shown on his identity card or disc;
- (g) date and place of capture or death;
- (h) particulars concerning wounds or illness, or cause of death.

As soon as possible the above-mentioned information shall be forwarded to the Information Bureau described in Article 122 of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949, which shall transmit this information to the Power on which these persons depend through the intermediary of the Protecting Power and of the Central Prisoners of War Agency.

Parties to the conflict shall prepare and forward to each other through the same bureau, certificates of death or duly authenticated lists of the dead. They shall likewise collect and forward through the same bureau one half of a double identity disc, last wills or other documents of importance to the next of kin, money and in general all articles of an intrinsic or sentimental value, which are found on the dead. These articles, together with unidentified articles, shall be sent in sealed packets, accompanied by statements giving all particulars necessary for the identification of the deceased owners, as well as by a complete list of the contents of the parcel.

ARTICLE 17.

Parties to the conflict shall ensure that burial or cremation of the dead, carried out individually as far as circumstances permit, is preceded by a careful examination, if possible by a medical examination, of the bodies, with a view to confirming death, establishing identity and enabling a report to be made. One half of the double identity disc, or the identity disc itself if it is a single disc, should remain on the body.

Bodies shall not be cremated except for imperative reasons of hygiene or for motives based on the religion of the deceased. In case of cremation, the circumstances and reasons for cremation shall be stated in detail in the death certificate or on the authenticated list of the dead.

Wanneer omstandighede dit toelaat, moet 'n wapenstilstand of staakvuur gereël of plaaslike reëlins getref word sodat die gewondes wat op die slagveld gelaat is, verwyder, uitgeruil en vervoer kan word.

Insgelyks kan plaaslike reëlins tussen die Partye by die botsing getref word vir die verwydering of uitruiing van gewondes en siekes uit 'n beleërde of omsingelde gebied en vir die deurloping van mediese en geestelike personeel en uitrusting onderweg na daardie gebied.

ARTIKEL 16.

Partye by die botsing moet so spoedig doenlik ten opsigte van elke gewonde, sieke of oorledene van die teenparty wat in hul hande val, besonderhede opteken wat by die identifikasie van sodanige persoon nuttig kan wees.

Hierdie rekords moet, indien moontlik, die volgende besonderhede bevat:

- (a) Die naam van die moontheid van wie hy afhanklik is;
- (b) leer-, regiments-, persoonlike of volgnommer;
- (c) familienaam;
- (d) voornaam of -name;
- (e) geboortedatum;
- (f) enige ander besonderhede wat op sy identifikasiekaart of -plaatjie voorkom;
- (g) datum en plek van gevangeneeming of dood;
- (h) besonderhede van wonde of siekte, of oorsaak van dood.

Bovermelde inligting moet so spoedig moontlik deurgestuur word aan die Inligtingsburo beskryf in artikel 122 van 12 Augustus 1949 se Geneefse Konvensie met betrekking tot die Behandeling van Krygsgevangenes, en genoemde buro moet hierdie inligting deur bemiddeling van die Beskermende Moontheid en die Sentrale Agentskap vir Krygsgevangenes deurstuur aan die moontheid van wie hierdie persone afhanklik is.

Partye by die botsing moet sterftesertifikate of behoorlik gewaarmerkte lyste van die dooies opstel en deur bemiddeling van dieselfde buro aan mekaar stuur. Insgelyks moet hulle die een helfte van dubbele identifikasieplaatjies, testamente of ander dokumente van belang vir die naasbestaandes, geld, en in die algemeen alle artikels van intrinsieke of sentimentele waarde wat by die oorledenes gevind word, deur bemiddeling van dieselfde buro aanstuur. Hierdie artikels, tesame met ongeïdentifiseerde artikels, moet in verseelde pakkette aangestuur word en moet vergesel gaan van opgawes van alle nodige besonderhede vir die identifisering van die oorlede eienaars, asook van 'n volledige uiteensetting van die inhoud van die pakket.

ARTIKEL 17.

Partye by die botsing moet toesien dat die begrawing of verassing van dooies, wat, vir sover omstandighede dit toelaat, afsonderlik moet geskied, deur 'n noukeurige, indien moontlik geneeskundige ondersoek van die lyke voorafgegaan word ten einde die dood te bevestig, identiteit vas te stel, en die opstel van 'n verslag moontlik te maak. Die een helfte van 'n dubbele identifikasieplaatjie of, as die identifikasieplaatjie uit 'n enkele stuk bestaan, die hele plaatjie moet aan die liggaam gelaat word.

Behalwe om gebiedende gesondheidsredes of weens die geloof van die oorledene, mag liggame nie veras word nie. Waar verassing plaasvind, moet die omstandighede en redes vir verassing volledig op die sterftesertifikaat of die gewaarmerkte sterftelyste vermeld word.

They shall further ensure that the dead are honourably interred, if possible according to the rites of the religion to which they belonged, that their graves are respected, grouped if possible according to the nationality of the deceased, properly maintained and marked so that they may always be found. For this purpose, they shall organize at the commencement of hostilities an Official Graves Registration Service, to allow subsequent exhumations and to ensure the identification of bodies, whatever the site of the graves, and the possible transportation to the home country. These provisions shall likewise apply to the ashes, which shall be kept by the Graves Registration Service until proper disposal thereof in accordance with the wishes of the home country.

As soon as circumstances permit, and at latest at the end of hostilities, these Services shall exchange, through the Information Bureau mentioned in the second paragraph of Article 16, lists showing the exact location and markings of the graves, together with particulars of the dead interred therein.

ARTICLE 18.

The military authorities may appeal to the charity of the inhabitants voluntarily to collect and care for, under their direction, the wounded and sick, granting persons who have responded to this appeal the necessary protection and facilities. Should the adverse Party take or retake control of the area, he shall likewise grant these persons the same protection and the same facilities.

The military authorities shall permit the inhabitants and relief societies, even in invaded or occupied areas, spontaneously to collect and care for wounded or sick of whatever nationality. The civilian population shall respect these wounded and sick, and in particular abstain from offering them violence.

No one may ever be molested or convicted for having nursed the wounded or sick.

The provisions of the present Article do not relieve the occupying Power of its obligation to give both physical and moral care to the wounded and sick.

CHAPTER III.

MEDICAL UNITS AND ESTABLISHMENTS.

ARTICLE 19.

Fixed establishments and mobile medical units of the Medical Service may in no circumstances be attacked, but shall at all times be respected and protected by the Parties to the conflict. Should they fall into the hands of the adverse Party, their personnel shall be free to pursue their duties, as long as the capturing Power has not itself ensured the necessary care of the wounded and sick found in such establishments and units.

The responsible authorities shall ensure that the said medical establishments and units are, as far as possible, situated in such a manner that attacks against military objectives cannot imperil their safety.

ARTICLE 20.

Hospital ships entitled to the protection of the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of August 12, 1949, shall not be attacked from the land.

Hulle moet verder seker maak dat die dooies eervol begrawe word, indien moontlik volgens die gebruik van die kerk waaraan hulle behoort het, en dat hulle grafte geëerbiedig, indien moontlik volgens die nasionaliteit van die oorledenes gegroep, behoorlik onderhou en gemerk word sodat hulle altyd gevind kan word. Vir dié doel moet hulle by die aanvang van vyandelikhede 'n amptelike Grafregistrasiediens organiseer sodat latere opgrawings kan plaasvind, stoflike oorskot geïdentifiseer kan word ongeag waar die grafte lê, en die vervoer van sodanige oorskot na die tuisland moontlik te maak. Die bepalings is insgelyks van toepassing op die asse, wat deur die Grafregistrasiediens gehou moet word totdat behoorlik volgens die begeerte van die tuisland daarvoor beskik kan word.

Sodra omstandighede dit toelaat, en uiterlik aan die einde van vyandelikhede, moet hierdie dienste deur bemiddeling van die Inligtingsburo genoem in die tweede paragraaf van artikel 16 lyste uitwissel waarin die juiste ligging en merke van die grafte, asook besonderhede van die dooies wat daarin begrawe is, vermeld word.

ARTIKEL 18.

Die militêre owerhede kan op die barmhartigheid van die inwoners 'n beroep doen om onder hulle leiding vrywillig die gewondes en siekes bymekaar te maak en te versorg, en kan aan persone wat aan die beroep gehoor gegee het, die nodige beskerming en geriewe verleen. Indien die teenparty die gebied onder sy beheer of weer onder sy beheer neem, moet hy hierdie persone insgelyks dieselfde beskerming en geriewe verleen.

Die militêre owerhede moet toelaat dat die inwoners en onderstandsvereniginge, selfs in gebiede wat binnegeval of beset is, uit eie beweging gewondes of siekes van watter nasionaliteit ook al versamel en versorg. Die burgerlike bevolking moet hierdie gewondes en siekes respekteer en hulle veral geen geweld aandoen nie.

Niemand mag ooit gemolesteer of veroordeel word omdat hy gewondes of siekes verpleeg het nie.

Die bepalings van hierdie artikel onthef nie die besettingsmoondheid van sy verpligting om die gewondes en siekes liggaamlik asook geestelik te versorg nie.

HOOFSTUK III.

MEDIESE EENHEDE EN INRIGTINGS.

ARTIKEL 19.

Vaste inrigtings en mobiele mediese eenhede van die Mediese Diens mag onder geen omstandighede aangeval word nie, maar moet te alle tye deur die Partye by die botsing in ag geneem en beskerm word. Indien hulle in die hande van die teenparty val, moet die personeel toegelaat word om met hulle dienste voort te gaan solank die gevangene moondheid nie self vir die nodige versorging verseker het van gewondes en siekes wat in sulke inrigtings en eenhede gevind is nie.

Die verantwoordelike owerhede moet verseker dat vermelde mediese inrigtings en eenhede sover moontlik só geleë is dat aanvalle op militêre doelwitte nie hul veiligheid in gevaar stel nie.

ARTIKEL 20.

Hospitaalskepe wat tot die beskerming van 12 Augustus 1949 se Geneefse Konvensie vir die Verligting van die Toestand van Gewondes, Siekes en Skipbreukelinge van Gewapende Magte ter See geregtig is, mag nie van die land af aangeval word nie.

ARTICLE 21.

The protection to which fixed establishments and mobile medical units of the Medical Service are entitled shall not cease unless they are used to commit, outside their humanitarian duties, acts harmful to the enemy. Protection may, however, cease only after a due warning has been given, naming, in all appropriate cases, a reasonable time limit, and after such warning has remained unheeded.

ARTICLE 22.

The following conditions shall not be considered as depriving a medical unit or establishment of the protection guaranteed by Article 19:

- (1) That the personnel of the unit or establishment are armed, and that they use the arms in their own defence, or in that of the wounded and sick in their charge.
- (2) That in the absence of armed orderlies, the unit or establishment is protected by a picket or by sentries or by an escort.
- (3) That small arms and ammunition taken from the wounded and sick and not yet handed to the proper service, are found in the unit or establishment.
- (4) That personnel and material of the veterinary service are found in the unit or establishment, without forming an integral part thereof.
- (5) That the humanitarian activities of medical units and establishments or of their personnel extend to the care of civilian wounded or sick.

ARTICLE 23.

In time of peace, the High Contracting Parties and, after the outbreak of hostilities, the Parties thereto, may establish in their own territory and, if the need arises, in occupied areas, hospital zones and localities so organized as to protect the wounded and sick from the effects of war, as well as the personnel entrusted with the organization and administration of these zones and localities and with the care of the persons therein assembled.

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

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

CHAPTER IV.

PERSONNEL.

ARTICLE 24.

Medical personnel exclusively engaged in the search for, or the collection, transport or treatment of the wounded or sick, or in the prevention of disease, staff exclusively engaged in the administration of medical units and establishments, as well as chaplains attached to the armed forces, shall be respected and protected in all circumstances.

ARTIKEL 21.

Die beskerming waartoe vaste inrigtings en mobiele mediese eenhede van die Mediese Diens geregtig is, mag nie gestaak word nie, tensy hulle buite die bestek van hul menslike pligte tot benadeling van die vyand gebruik word. Beskerming kan egter alleen gestaak word nadat behoorlike waarskuwing, met vermelding van 'n redelike tydperk in toepaslike gevalle, gegee en die waarskuwing steeds verontagsaam is.

ARTIKEL 22.

Die volgende omstandighede word nie geag 'n mediese eenheid of inrigting die beskerming te laat verbeur wat by artikel 19 gewaarborg word nie:

- (1) Die feit dat die personeel van die eenheid of inrigting gewapen is en hul wapens vir eie verdediging, of vir die verdediging van die gewondes en siekes onder hul sorg gebruik;
- (2) Die feit dat die eenheid of inrigting by ontstentenis van gewapende ordonnansie deur 'n brandwag of skildwagte of 'n eskort beskerm word;
- (3) Die feit dat handvuurwapens en ammunisie wat van gewondes en siekes weggeneem en nog nie aan die gepaste diens oorhandig is nie, by die eenheid of inrigting gevind word;
- (4) Die feit dat personeel en materiaal van die veeartsnydiens by die eenheid of inrigting gevind word sonder om 'n integreerende deel daarvan uit te maak;
- (5) Die feit dat die barmhartigheidsdienste van mediese eenhede en inrigtings of hul personeel ook die versorging van burgerlike gewondes of siekes insluit.

ARTIKEL 23.

In vrede tyd kan die Hoë Kontrakterende Partye en na die uitbreek van vyandelikhede, kan die deelnemende partye op hul eie grondgebied en, indien dit nodig word, in besette gebiede hospitaalsones en -buurte instel wat so georganiseer is dat die gewondes, en siekes, asook die personeel belas met die organisasie en administrasie van dié sones en buurte en die versorging van die persone wat daarin byeen is, teen die uitwerking van oorlog beskerm word.

Die betrokke partye kan by die uitbreek en in die loop van vyandelikhede, ooreenkomste aangaan oor die onderlinge erkenning van die hospitaalsones en -buurte wat deur hulle ingestel is of word. Vir dié doel kan hulle aan die bepalings van die konsepooreenkoms. wat by die huidige Konvensie aangeheg is, gewysig soos hulle nodig ag, uitvoering gee.

Die Beskermende Moondhede en die Internasionale Komitee van die Rooikruis word gevra om die instelling en erkenning van hierdie hospitaalsones en -buurte te help vergemaklik.

HOOFSTUK IV.

PERSONEEL.

ARTIKEL 24.

Mediese personeel wat uitsluitlik te doen het met die soek na of bymekaarmaak, vervoer of behandeling van die siekes of gewondes, of die voorkoming van siektes en personeel wat uitsluitlik te doen het met die administrasie van mediese eenhede en inrigtings, asook veldpredikers verbonde aan die gewapende magte, moet onder alle omstandighede gerespekteer en beskerm word.

ARTICLE 25.

Members of the armed forces specially trained for employment, should the need arise, as hospital orderlies, nurses or auxiliary stretcher-bearers, in the search for or the collection, transport or treatment of the wounded and sick shall likewise be respected and protected if they are carrying out these duties at the time when they come into contact with the enemy or fall into his hands.

ARTICLE 26.

The staff of National Red Cross Societies and that of other Voluntary Aid Societies, duly recognized and authorized by their Governments, who may be employed on the same duties as the personnel named in Article 24, are placed on the same footing as the personnel named in the said Article, provided that the staff of such societies are subject to military laws and regulations.

Each High Contracting Party shall notify to the other, either in time of peace, or at the commencement of or during hostilities, but in any case before actually employing them, the names of the societies which it has authorized, under its responsibility, to render assistance to the regular medical service of its armed forces.

ARTICLE 27.

A recognized Society of a neutral country can only lend the assistance of its medical personnel and units to a Party to the conflict with the previous consent of its own Government and the authorization of the Party to the conflict concerned. That personnel and those units shall be placed under the control of that Party to the conflict.

The neutral Government shall notify this consent to the adversary of the State which accepts such assistance. The Party to the conflict who accepts such assistance is bound to notify the adverse Party thereof before making any use of it.

In no circumstances shall this assistance be considered as interference in the conflict.

The members of the personnel named in the first paragraph shall be duly furnished with the identity cards provided for in Article 40 before leaving the neutral country to which they belong.

ARTICLE 28.

Personnel designated in Articles 24 and 26 who fall into the hands of the adverse Party, shall be retained only in so far as the state of health, the spiritual needs and the number of prisoners of war require.

Personnel thus retained shall not be deemed prisoners of war. Nevertheless they shall at least benefit by all the provisions of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949. Within the framework of the military laws and regulations of the Detaining Power, and under the authority of its competent service, they shall continue to carry out, in accordance with their professional ethics, their medical and spiritual duties on behalf of prisoners of war, preferably those of the armed forces to which they themselves belong. They shall further enjoy the following facilities for carrying out their medical or spiritual duties:

(a) They shall be authorized to visit periodically the prisoners of war in labour units or hospitals outside the camp. The Detaining Power shall put at their disposal the means of transport required.

(b) In each camp the senior medical officer of the highest rank shall be responsible to the military authorities of the camp for the professional activity of the

ARTIKEL 25.

Lede van die gewapende magte wat spesiaal opgelei is om, indien nodig, by die soek na of die bymekaarmaak, vervoer of behandeling van die gewondes en siekes as hospitaalordonnanse, verpleërs of hulpbaardraers te dien, moet insgelyks gerespekteer en beskerm word indien hulle met hierdie werk besig is wanneer hulle met die vyand in aanraking kom of in sy hande val.

ARTIKEL 26.

Die personeel van die nasionale Rooikruisvereniginge en van ander vrywillige hulpvereniginge wat behoorlik deur hul regerings erken en gemagtig is en straks dieselfde werk verrig as die personeel in artikel 24 genoem, word op gelyke voet met laasgenoemde personeel gestel, mits die personeel van sodanige vereniginge aan militêre wette en regulasies onderworpe is.

Elke Hoë Kontrakterende party moet die ander in vredestyd of by die aanvang van of gedurende vyand-likhede, maar in elke geval voordat werklik van vereniginge gebruik gemaak word, in kennis stel van die name van die vereniginge wat hy gemagtig het om vir sy verantwoordelikheid aan die gereelde mediese diens van sy gewapende magte bystand te verleen.

ARTIKEL 27.

'n Erkende vereniging van 'n neutrale land kan die hulp van sy mediese personeel en eenhede alleen met die voorafgaande toestemming van sy eie regering en die magtiging van die betrokke Party by die botsing aan sodanige botsende party verleen. Daardie personeel en daardie eenhede moet onder die beheer van dié party by die botsing gestel word.

Die neutrale regering moet die teenparty van die staat wat sodanige hulp aanvaar, van die toestemming in kennis stel. Die botsende party, wat sodanige hulp aanvaar, moet, voordat hy daarvan gebruik maak, die teenparty daarvan in kennis stel.

Hierdie hulp mag in geen geval as bemoeiing in die stryd beskou word nie.

Voor hulle vertrek uit die neutrale land waaraan hulle behoort, moet die lede van die personeel in die eerste paragraaf genoem, behoorlik voorsien word van die identifikasiekaartjies soos in artikel 40 bepaal.

ARTIKEL 28.

Die personeel genoem in artikels 24 en 26 wat in die hande van die teenparty val, mag slegs aangehou word vir sover die gesondheidstoestand, die geestelike behoeftes en die getal krygsgevangenes dit vereis.

Personeel wat aldus aangehou word, word nie as krygsgevangenes beskou nie. Nietemin moet hulle minstens al die voordele van die bepalings van 12 Augustus 1949 se Geneefse Konvensie met betrekking tot die Behandeling van Krygsgevangenes geniet. Binne die raamwerk van die militêre reg en regulasies van die Aanhoudingsmoondheid en onder die gesag van sy bevoegde diens moet hulle voortgaan om hulle mediese en geestelike pligte ten behoeve van krygsgevangenes, liefs ten opsigte van die gewapende magte waaraan hulle self behoort, ooreenkomstig hul professionele gedragkode te vervul. Hulle moet verder vir die uitvoering van hul mediese of geestelike pligte die volgende voorregte geniet:

(a) Hulle moet van tyd tot tyd toegelaat word om die krygsgevangenes in arbeidseenhede of hospitale buite die kamp te besoek. Die Aanhoudingsmoondheid moet die nodige vervoermiddele tot hul beskikking stel.

(b) In elke kamp is die senior mediese offisier met die hoogste rang aan die militêre owerhede van die kamp verantwoordelik vir die professionele werk van die

retained medical personnel. For this purpose, from the outbreak of hostilities, the Parties to the conflict shall agree regarding the corresponding seniority of the ranks of their medical personnel, including those of the societies designated in Article 26. In all questions arising out of their duties, this medical officer, and the chaplains, shall have direct access to the military and medical authorities of the camp who shall grant them the facilities they may require for correspondence relating to these questions.

(c) Although retained personnel in a camp shall be subject to its internal discipline, they shall not, however, be required to perform any work outside their medical or religious duties.

During hostilities the Parties to the conflict shall make arrangements for relieving where possible retained personnel, and shall settle the procedure of such relief.

None of the preceding provisions shall relieve the Detaining Power of the obligations imposed upon it with regard to the medical and spiritual welfare of the prisoners of war.

ARTICLE 29.

Members of the personnel designated in Article 25 who have fallen into the hands of the enemy, shall be prisoners of war, but shall be employed on their medical duties in so far as the need arises.

ARTICLE 30.

Personnel whose retention is not indispensable by virtue of the provisions of Article 28 shall be returned to the Party to the conflict to whom they belong, as soon as a road is open for their return and military requirements permit.

Pending their return, they shall not be deemed prisoners of war. Nevertheless they shall at least benefit by all the provisions of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949. They shall continue to fulfil their duties under the orders of the adverse Party and shall preferably be engaged in the care of the wounded and sick of the Party to the conflict to which they themselves belong.

On their departure, they shall take with them the effects, personal belongings, valuables and instruments belonging to them.

ARTICLE 31.

The selection of personnel for return under Article 30 shall be made irrespective of any consideration of race, religion or political opinion, but preferably according to the chronological order of their capture and their state of health.

As from the outbreak of hostilities, Parties to the conflict may determine by special agreement the percentage of personnel to be retained, in proportion to the number of prisoners and the distribution of the said personnel in the camps.

ARTICLE 32.

Persons designated in Article 27 who have fallen into the hands of the adverse Party may not be detained.

Unless otherwise agreed, they shall have permission to return to their country, or if this is not possible, to the territory of the Party to the conflict in whose service they were, as soon as a route for their return is open and military considerations permit.

mediese personeel wat aangehou word. Vir dié doel moet die Party by die botsing vanaf die uitbreek van vyandelikhede ooreenkom aangaande die ooreenstemmende senioriteit van die range van hul mediese personeel, insluitende dié van die verenigings in artikel 26 genoem. In alle kwessies wat uit hul pligte voortspruit, het hierdie mediese offisier, en die veldpredikers, regstreekse toegang tot die militêre en mediese owerhede van die kamp, wat aan hulle die fasiliteite moet verleen om oor hierdie kwessies briewe te wissel.

(c) Hoewel personeel wat in 'n kamp aangehou word, aan die kamp se interne dissipline onderworpe is, mag hulle egter nie opdrag gegee word om ander werk as hul mediese of geestelike werk te verrig nie.

Gedurende vyandelikhede moet die Partye by die botsing reëlings tref om aangehoue personeel waar moontlik, af te los, en die prosedure van sodanige aflossing vasstel.

Geeneen van die voorafgaande bepalings onthef die Aanhoudingsmoondheid van die verpligtings wat hom in verband met die mediese en geestelike welsyn van krygsgevangenes opgelê is nie.

ARTIKEL 29.

Lede van die personeel wat in artikel 25 genoem word en in die hande van die vyand geval het, is krygsgevangenes, maar moet vir hul mediese werk gebruik word vir sover dit nodig is

ARTIKEL 30.

Personeel wie se aanhouding ingevolge die bepalings van artikel 28 nie noodsaaklik is nie, moet na die Party by die botsing aan wie hulle behoort, teruggestuur word sodra daar 'n pad vir hulle terugsending oop is en militêre vereistes dit toelaat.

Hangende hulle terugsending mag hulle nie as krygsgevangenes beskou word nie. Nietemin moet hulle minstens al die voordele van die bepalings van 12 Augustus 1949 se Geneefse Konvensie met betrekking tot die Behandeling van Krygsgevangenes geniet. Hulle moet onder bevel van die teenparty met die verrigting van hul werk voortgaan en moet liefds gebruik word vir die versorging van die gewondes en siekes van die Party by die botsing waaraan hulle self behoort.

By hulle vertrek moet hul die eiendom, persoonlike besittings, waardevolle artikels en instrumente saamneem wat aan hul'e behoort.

ARTIKEL 31.

Die keuring van personeel vir terugsending ingevolge artikel 30 moet sonder inagneming van ras, geloof of politieke sienswyse maar liefds met inagneming van die chronologiese volgorde van hul gevangeneeming en hul gesondheidstoestand geskied.

Die Partye by die botsing kan vanaf die uitbreek van vyandelikhede by spesiale ooreenkoms bepaal watter persentasie personeel in verhouding tot die getal gevangenes aangehou en hoe genoemde personeel in die kamp verdeel moet word.

ARTIKEL 32.

Persone wat in artikel 27 genoem word wat in die hande van die teenparty geval het, mag nie aangehou word nie.

Tensy anders ooreenkom, moet hulle toegelaat word om na hul land of, as dit nie moontlik is nie, na die grondgebied van die Party by die botsing in wie se diens hulle was, terug te keer sodra daar 'n roete vir hulle terugkeer oop is en militêre oorwegings dit toelaat.

Pending their release, they shall continue their work under the direction of the adverse Party; they shall preferably be engaged in the care of the wounded and sick of the Party to the conflict in whose service they were.

On their departure, they shall take with them their effects, personal articles and valuables and the instruments, arms and if possible the means of transport belonging to them.

The Parties to the conflict shall secure to this personnel, while in their power, the same food, lodging, allowances and pay as are granted to the corresponding personnel of their armed forces. The food shall in any case be sufficient as regards quantity, quality and variety to keep the said personnel in a normal state of health.

CHAPTER V.

BUILDINGS AND MATERIAL.

ARTICLE 33.

The material of mobile medical units of the armed forces which fall into the hands of the enemy, shall be reserved for the care of wounded and sick.

The buildings, material and stores of fixed medical establishments of the armed forces shall remain subject to the laws of war, but may not be diverted from their purpose as long as they are required for the care of wounded and sick. Nevertheless, the commanders of forces in the field may make use of them, in case of urgent military necessity, provided that they make previous arrangements for the welfare of the wounded and sick who are nursed in them.

The material and stores defined in the present Article shall not be intentionally destroyed.

ARTICLE 34.

The real and personal property of aid societies which are admitted to the privileges of the Convention shall be regarded as private property.

The right of requisition recognized for belligerents by the laws and customs of war shall not be exercised except in case of urgent necessity, and only after the welfare of the wounded and sick has been ensured.

CHAPTER VI.

MEDICAL TRANSPORTS.

ARTICLE 35.

Transports of wounded and sick or of medical equipment shall be respected and protected in the same way as mobile medical units.

Should such transports or vehicles fall into the hands of the adverse Party, they shall be subject to the laws of war, on condition that the Party to the conflict who captures them shall in all cases ensure the care of the wounded and sick they contain.

The civilian personnel and all means of transport obtained by requisition shall be subject to the general rules of international law.

ARTICLE 36.

Medical aircraft, that is to say, aircraft exclusively employed for the removal of wounded and sick and for the transport of medical personnel and equipment, shall

Hangende hulle terugsending, moet hulle onder bevel van die teenpartye met hulle werk voortgaan en hulle moet liefes gebruik word vir die versorging van die gewondes en siekes van die Party by die botsing in wie se diens hulle was.

By hulle vertrek moet hulle hul eiendom, persoonlike besittings en waardevolle artikels en die instrumente, wapens en indien moontlik, die vervoermiddels wat aan hulle behoort, met hulle saamneem.

Die Partye by die botsing moet vir hierdie personeel, terwyl hulle in hul mag is, dieselfde voedsel, huisvesting, toelaes en soldy verseker as wat aan die ooreenstemmende personeel van hulle gewapende magte toegestaan word. Die voedsel moet in elk geval wat betref hoeveelheid, gehalte en verskeidenheid voldoende wees om genoemde personeel normaal gesond te hou.

HOOFSTUK V.

GEBOU EN MATERIAAL.

ARTIKEL 33.

Die materiaal van mobiele mediese eenhede van die gewapende magte wat in die hande van die vyand val, moet vir die versorging van gewondes en siekes uitgehou word.

Die geboue, materiaal en voorrade van vaste mediese inrigtings van die gewapende magte is aan die oorlogsreg onderworpe, maar mag vir geen ander doel gebruik word solank hulle vir die versorging van gewondes en siekes nodig is nie. Nietemin mag die bevelvoerders van magte te velde, in die geval van dringende militêre noodsaaklikheid daarvan gebruik maak, mits hulle vooraf reëlings tref vir die welsyn van die gewondes en siekes wat daarin verpleeg word.

Die materiaal en voorrade vermeld in hierdie artikel mag nie opsetlik vernietig word nie.

ARTIKEL 34.

Die vaste en persoonlike eiendom van bystandsvereenigings wat tot die voorregte van die Konvensie toegelaat word, moet as private eiendom beskou word.

Daar mag nie van die reg om te kommandeer, wat deur die oorlogsreg en -gebruike vir oorlogsvoerendes erken word, gebruik gemaak word nie, behalwe in geval van dringende noodsaaklikheid en selfs dan mag dit alleen uitgeoefen word nadat die welsyn van gewondes en siekes verseker is.

HOOFSTUK VI.

MEDIESE VERVOERMIDDELS.

ARTIKEL 35.

Vervoermiddels met gewondes en siekes of mediese uitrusting moet net soos mobiele mediese eenhede gerespekteer en beskerm word.

Indien sodanige vervoermiddels of voertuie in die hande van die teenpartye val, is hulle aan die oorlogsreg onderworpe, op voorwaarde dat die Party by die botsing in wie se hande hulle val, altyd die versorging moet verseker van die gewondes en siekes wat daarin is.

Die burgerlike personeel en alle vervoermiddels wat deur kommandering verkry is, is aan die algemene reëls van die volkereg onderworpe.

ARTIKEL 36.

Mediese vliegtuie, dit wil sê vliegtuie wat uitsluitlik gebruik word vir die verwydering van gewondes en siekes en die vervoer van mediese personeel en uitrusting, mag nie aangeval word nie, maar moet deur die oorlog-

not be attacked, but shall be respected by the belligerents, while flying at heights, times and on routes specifically agreed upon between the belligerents concerned.

They shall bear, clearly marked, the distinctive emblem prescribed in Article 38, together with their national colours, on their lower, upper and lateral surfaces. They shall be provided with any other markings or means of identification that may be agreed upon between the belligerents upon the outbreak or during the course of hostilities.

Unless agreed otherwise, flights over enemy or enemy-occupied territory are prohibited.

Medical aircraft shall obey every summons to land. In the event of a landing thus imposed, the aircraft with its occupants may continue its flight after examination, if any.

In the event of an involuntary landing in enemy or enemy-occupied territory, the wounded and sick, as well as the crew of the aircraft shall be prisoners of war. The medical personnel shall be treated according to Article 24 and the Articles following.

ARTICLE 37.

Subject to the provisions of the second paragraph, medical aircraft of Parties to the conflict may fly over the territory of neutral Powers, land on it in case of necessity, or use it as a port of call. They shall give the neutral Powers previous notice of their passage over the said territory and obey all summons to alight, on land or water. They will be immune from attack only when flying on routes, at heights and at times specifically agreed upon between the Parties to the conflict and the neutral Power concerned.

The neutral Powers may, however, place conditions or restrictions on the passage or landing of medical aircraft on their territory. Such possible conditions or restrictions shall be applied equally to all Parties to the conflict.

Unless agreed otherwise between the neutral Power and the Parties to the conflict, the wounded and sick who are disembarked, with the consent of the local authorities, on neutral territory by medical aircraft, shall be detained by the neutral Power, where so required by international law, in such a manner that they cannot again take part in operations of war. The cost of their accommodation and internment shall be borne by the power on which they depend.

CHAPTER VII.

THE DISTINCTIVE EMBLEM.

ARTICLE 38.

As a compliment to Switzerland, the heraldic emblem of the red cross on a white ground, formed by reversing the Federal colours, is retained as the emblem and distinctive sign of the Medical Service of armed forces.

Nevertheless, in the case of countries which already use as emblem, in place of the red cross, the red crescent or the red lion and sun on a white ground, those emblems are also recognized by the terms of the present Convention.

ARTICLE 39.

Under the direction of the competent military authority, the emblem shall be displayed on the flags, armlets and on all equipment employed in the Medical Service.

voerendes gerespekteer word terwyl hulle op hoogtes en tye en langs roetes vlieg waaroor spesiaal deur die betrokke oorlogsvoerendes ooreengekom is.

Die onderskeidingsembleem voorgeskryf in artikel 38, tesame met hul nasionale kleure, moet duidelik op hul onder-, bo- en syvlakke aangebring wees. Hulle moet voorsien word van ander merke of identifikasie-middels waaroor die oorlogsvoerendes by die uitbreek van of gedurende vyandelikhede ooreenkom.

Tensy anders ooreengekom, is dit verbode om oor die gebied van die vyand of oor gebiede beset deur die vyand te vlieg.

Mediese vliegtuie moet aan elke bevel gehoorsaam om op land neer te stryk. As 'n vliegtuig aldus moet neerstryk, kan hy na ondersoek, as ondersoek plaasvind, sy vlug met sy insittendes voortset.

In die geval van 'n onvrywillige landing in gebied van of beset deur die vyand, word die gewondes en siekes, asook die bemanning van die vliegtuig, krygsgevangenes. Die geneeskundige personeel moet ooreenkomstig artikel 24 en die daaropvolgende artikels behandel word.

ARTIKEL 37.

Behoudens die bepalinge van die tweede paragraaf kan mediese vliegtuie van Partye by die botsing oor die grondgebied van neutrale moondhede vlieg, desnoods daar land of dit as 'n aanloophawe gebruik. Hulle moet die neutrale moondhede vooraf in kennis stel dat hulle oor genoemde gebied gaan vlieg, en moet elke bevel gehoorsaam om op land of water neer te stryk. Hulle is slegs teen aanvalle gevrywaar wanneer hulle vlieg langs roetes en op hoogtes en tye waaroor die Partye by die botsing en die betrokke neutrale moondheid uitdruklik ooreengekom het.

Die neutrale moondhede kan egter voorwaardes of beperkings opleë met betrekking tot die oortog van mediese vliegtuie oor, of die landing daarvan op hul gebied. Sodanige moontlike voorwaardes en beperkings moet in gelyke mate vir alle Partye by die botsing geld.

Tensy anders deur die neutrale moondheid en die Partye by die botsing ooreengekom is, moet die neutrale moondheid, waar die volkereg dit vereis, die gewondes en siekes wat met die toestemming van die plaaslike owerhede deur mediese vliegtuie op neutrale gebied afgelaai word, op so 'n wyse aanhou dat hulle nie weer aan krygsverrigtings kan deelneem nie. Die koste van hul huisvesting en internering moet gedra word deur die moondheid van wie hulle afhanklik is.

HOOFSTUK VII.

DIE ONDERSKEIDINGSEMBLEEM.

ARTIKEL 38.

As kompliment aan Switserland word die heraldiese embleem van die rooi kruis op 'n wit veld, gevorm deur die verwisseling van die federale kleure, as die embleem en onderskeidende teken van die mediese diens van gewapende magte behou.

In die geval van lande wat, in plaas van die rooi kruis, reeds die rooi halfmaan of die rooi leeu en son op 'n wit veld as embleem gebruik, word dié embleem nietemin ook deur die bepalinge van die huidige konvensie erken.

ARTIKEL 39.

In opdrag van die bevoegde militêre owerheid moet die embleem op die vlage en armbande en op alle uitrusting van die Geneeskundige Diens vertoon word.

ARTICLE 40.

The personnel designated in Article 24 and in Articles 26 and 27 shall wear, affixed to the left arm, a water-resistant armlet bearing the distinctive emblem, issued and stamped by the military authority.

Such personnel, in addition to wearing the identity disc mentioned in Article 16, shall also carry a special identity card bearing the distinctive emblem. This card shall be water-resistant and of such size that it can be carried in the pocket. It shall be worded in the national language, shall mention at least the surname and first names, the date of birth, the rank and the service number of the bearer, and shall state in what capacity he is entitled to the protection of the present Convention. The card shall bear the photograph of the owner and also either his signature or his finger-prints or both. It shall be embossed with the stamp of the military authority.

The identity card shall be uniform throughout the same armed forces and, as far as possible, of a similar type in the armed forces of the High Contracting Parties. The Parties to the conflict may be guided by the model which is annexed, by way of example, to the present Convention. They shall inform each other, at the outbreak of hostilities, of the model they are using. Identity cards should be made out, if possible, at least in duplicate, one copy being kept by the home country.

In no circumstances may the said personnel be deprived of their insignia or identity cards nor of the right to wear the armlet. In case of loss, they shall be entitled to receive duplicates of the cards and to have the insignia replaced.

ARTICLE 41.

The personnel designated in Article 25 shall wear, but only while carrying out medical duties, a white armlet bearing in its centre the distinctive sign in miniature; the armlet shall be issued and stamped by the military authority.

Military identity documents to be carried by this type of personnel shall specify what special training they have received, the temporary character of the duties they are engaged upon, and their authority for wearing the armlet.

ARTICLE 42.

The distinctive flag of the Convention shall be hoisted only over such medical units and establishments as are entitled to be respected under the Convention, and only with the consent of the military authorities.

In mobile units, as in fixed establishments, it may be accompanied by the national flag of the Party to the conflict to which the unit or establishment belongs.

Nevertheless, medical units which have fallen into the hands of the enemy shall not fly any flag other than that of the Convention.

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

ARTICLE 43.

The medical units belonging to neutral countries, which may have been authorized to lend their services to a belligerent under the conditions laid down in Article 27, shall

ARTIKEL 40.

Die personeel genoem in artikel 24 en in artikels 26 en 27 moet aan die linkerarm 'n waterbestande band dra waarop die onderskeidingsembleem verskyn en wat deur die militêre owerheid uitgereik en gestempel is.

Sodanige personeel moet, benewens die identifikasieplaatjie waarvan in artikel 16 melding gemaak word, ook 'n spesiale identifikasiekaartjie met die onderskeidingsembleem daarop dra. Die kaartjie moet teen water bestand en van so 'n grootte wees, dat hy in die sak gedra kan word. Hy moet in die landstaal bewoord wees, minstens die van en voorname, die geboortedatum, die rang en die diensnommer van die draer verstrek en meld in watter hoedanigheid hy tot die beskerming van die huidige konvensie geregtig is. Die kaart moet 'n portret van die eienaar, asook sy handtekening en/of vingerafdrukke, ophê. Die reliëfstempel van die militêre owerheid moet daarop voorkom.

Die identifikasiekaartjie moet vir dieselfde gewapende magte eenvormig en vir sover moontlik in die gewapende magte van die Hoë Kontrakterende partye van eenereise tipe wees. Die model wat as voorbeeld in die vorm van 'n bylae aan die huidige Konvensie geheg word, kan deur die Partye by die botsing tot leidraad dien. Hulle moet mekaar by die uitbreek van vyandelikhede in kennis stel van die model wat hulle gebruik. Identifikasiekaartjies moet, indien moontlik, minstens in tweevoud ingevul word en die een eksemplaar moet deur die tuisland gehou word.

Genoemde personeel mag onder geen omstandighede hul kentekens of identifikasiekaartjies ontnem of die reg ontsê word om die armband te dra nie. As hierdie dinge wegraak, is hulle daartoe geregtig om duplikate van die kaartjies te ontvang en om kentekens te laat vervang.

ARTIKEL 41.

Die personeel in artikel 25 genoem, moet 'n wit armband met die kenteken in die middel in klein formaat daarop dra en wel alleen terwyl hulle mediese pligte vervul. Sodanige armband moet deur die militêre owerheid uitgereik en gestempel word.

In die militêre identiteitsdokumente wat deur hierdie klas personeel gedra moet word, moet besonderhede vermeld word van die spesiale opleiding wat hulle ontvang het, die tydelike aard van die werk wat hulle verrig, en die magtiging wat aan hulle verleen is om die armband te dra.

ARTIKEL 42.

Die onderskeidende vlag van die konvensie mag slegs oor mediese eenhede en inrigtings wat ingevolge die konvensie gerespekteer moet word en met toestemming van die militêre owerheid gehys word.

By mobiele eenhede, asook by vaste inrigtings kan die landsvlag van die Party by die botsing waaraan die eenheid of inrigting behoort, saam met daardie vlag wapper.

Nietemin mag mediese eenhede wat in die hande van die vyand geval het, geen ander vlag as dié van die konvensie voer nie.

Ten einde die moontlikheid van vyandelike optrede te voorkom, moet Partye by die botsing vir sover militêre omstandighede dit toelaat, die nodige stappe doen om die onderskeidingsembleme wat mediese eenhede en inrigtings aandui, vir die land-, lug- en seemagte van die vyand duidelik sigbaar te maak.

ARTIKEL 43.

Die mediese eenhede wat aan neutrale lande behoort en magtiging ontvang het om hulle dienste ingevolge die voorwaardes gestel in artikel 27 aan 'n oorlogvoerende te verleen, moet oral waar laasgenoemde gebruik maak

fly, along with the flag of the Convention, the national flag of that belligerent, wherever the latter makes use of the faculty conferred on him by Article 42.

Subject to orders to the contrary by the responsible military authorities, they may, on all occasions, fly their national flag, even if they fall into the hands of the adverse Party.

ARTICLE 44.

With the exception of the cases mentioned in the following paragraphs of the present Article, the emblem of the Red Cross on a white ground and the words "Red Cross", or "Geneva Cross" may not be employed, either in time of peace or in time of war except to indicate or to protect the medical units and establishments, the personnel and material protected by the present Convention and other Conventions dealing with similar matters. The same shall apply to the emblems mentioned in Article 38, second paragraph, in respect of the countries which use them. The National Red Cross Societies and other Societies designated in Article 26 shall have the right to use the distinctive emblem conferring the protection of the Convention only within the framework of the present paragraph.

Furthermore, National Red Cross (Red Crescent, Red Lion and Sun) Societies may, in time of peace, in accordance with their national legislation, make use of the name and emblem of the Red Cross for their other activities which are in conformity with the principles laid down by the International Red Cross Conferences. When those activities are carried out in time of war, the conditions for the use of the emblem shall be such that it cannot be considered as conferring the protection of the Convention; the emblem shall be comparatively small in size and may not be placed on armlets or on the roofs of buildings.

The International Red Cross organizations and their duly authorized personnel shall be permitted to make use, at all times, of the emblem of the Red Cross on a white ground.

As an exceptional measure, in conformity with national legislation and with the express permission of one of the National Red Cross (Red Crescent, Red Lion and Sun) Societies, the emblem of the Convention may be employed in time of peace to identify vehicles used as ambulances and to mark the position of aid stations exclusively assigned to the purpose of giving free treatment to the wounded or sick.

CHAPTER VIII.

EXECUTION OF THE CONVENTION.

ARTICLE 45.

Each Party to the conflict, acting through its commanders-in-chief, shall ensure the detailed execution of the preceding Articles and provide for unforeseen cases, in conformity with the general principles of the present Convention.

ARTICLE 46.

Reprisals against the wounded, sick, personnel, buildings or equipment protected by the Convention are prohibited.

ARTICLE 47.

The High Contracting Parties undertake, in time of peace as in time of war, to disseminate the text of the present Convention as widely as possible in their respective countries, and, in particular, to include the study thereof in their programmes of military and, if

van die vergunning hom by artikel 42 verleen word, sodanige oorlogvoerende se landsvlag saam met die vlag van die konvensie voer.

Behoudens andersluidende bevels van die verantwoordelike militêre gesag kan hulle hul landsvlag by alle geleenthede voer, selfs al val hulle in die hande van die teenparty.

ARTIKEL 44.

Met uitsondering van die gevalle in die volgende paragrawe van hierdie artikel vermeld, mag die embleem van die rooi kruis op 'n wit veld en die woorde „Rooikruis“, of „Geneefse Kruis“ nóg in vredes- nóg in oorlogstyd anders gebruik word as om die mediese eenhede en inrigtings, die personeel en materiaal wat by die huidige konvensie en ander konvensies aangaande soortgelyke aangeleenthede beskerm word, aan te dui of te beskerm. Waar lande gebruik maak van die embleme genoem in die tweede paragraaf van artikel 38, geld dieselfde vir sodanige embleme. Die nasionale Rooikruisverenigings en ander verenigings in artikel 26 genoem, kan die onderskeidingsembleem waarby die beskerming van die konvensie verleen word, slegs binne die raamwerk van die huidige paragraaf gebruik.

Daarbenewens kan nasionale Rooikruis- (Rooihalfmaan- Rooileeu- en -son-) verenigings in vreedstyd ooreenkomstig hulle nasionale wetgewing van die naam en embleem van die Rooikruis gebruik maak vir hulle ander werksaamhede wat in ooreenstemming is met die beginsels soos deur die Internasionale Rooikruiskonferensies bepaal. Wanneer daardie werksaamhede in oorlogstyd uitgevoer word, is die voorwaardes vir die gebruik van die embleem sodanig dat dit nie geag kan word die beskerming van die konvensie te verleen nie; die embleem moet betreklik klein wees en mag nie op armbande of op dakke van geboue aangebring word nie.

Die internasionale Rooikruisorganisasies en hulle behoorlik gemagtigde personeel mag te alle tye die embleem van die Rooikruis op 'n wit veld gebruik.

As buitengewone maatregel, in ooreenstemming met nasionale wetgewing en met die uitdruklike toestemming van een van die nasionale Rooikruis- (Rooihalfmaan-, Rooileeu- en -son-) verenigings, kan die embleem van die konvensie in vreedstyd gebruik word vir die identifisering van voertuie wat as ambulans gebruik word en vir die aanduiding van die posities van hulpstasies wat uitsluitlik gebruik word om gewondes en siekes kosteloos te behandel.

HOOFSTUK VIII.

UITVOERING VAN DIE KONVENSIE.

ARTIKEL 45.

Elke Party by die botsing moet deur bemiddeling van sy opperbevelhebbers daarvoor sorg dat die bepalings van die voorgaande artikels volledig uitgevoer word en ooreenkomstig die algemene beginsels van die huidige Konvensie vir onvoorsiene gevalle voorsiening maak.

ARTIKEL 46.

Weerwraak teen die gewondes, siekes, personeel, geboue of uitrusting wat deur die Konvensie beskerm word, is verbode.

ARTIKEL 47.

Die Hoë Kontrakterende Partye verbind hulle om sowel in vredes- as in oorlogstyd die teks van die huidige Konvensie sover moontlik in hulle onderskeie lande bekend te maak en in die besonder om die bestudering daarvan in hul militêre en, indien moontlik, burgerlike leerplanne

possible, civil instruction, so that the principles thereof may become known to the entire population, in particular to the armed fighting forces, the medical personnel and the chaplains.

ARTICLE 48.

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

CHAPTER IX.

REPRESSION OF ABUSES AND INFRACTIONS.

ARTICLE 49.

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defence, which shall not be less favourable than those provided by Article 105 and those following of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949.

ARTICLE 50.

Grave breaches to which the preceding Article relates shall be those involving any of the following acts if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

ARTICLE 51.

No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding Article.

in te sluit sodat die hele bevolking met die beginsels daarvan vertrouwd kan raak, in die besonder die gewapende vegtende magte, die mediese personeel en die veldpredikers.

ARTIKEL 48.

Die Hoë Kontrakterende Partye moet die amptelike vertaling van die huidige Konvensie en ook die wette en regulasies wat hulle mag aanneem ten einde die toepassing daarvan te verseker, deur tussenkoms van die Switserse Federale Raad en, gedurende vyandelikhede, deur tussenkoms van die Beskermende Moondhede aan mekaar stuur.

HOOFTUK IX.

ONDERDRUKKING VAN SKENDINGS EN OORTREDINGS.

ARTIKEL 49.

Die Hoë Kontrakterende Partye verbind hulle om dié wetgewing af te kondig wat nodig is om voorsiening te maak vir die oplegging van doeltreffende straf aan persone wat enigeen van die ernstige oortredings van die huidige Konvensie, soos in die eersvolgende artikel omskryf, begaan of opdrag gee dat sodanige oortredings begaan word.

Elke Hoë Kontrakterende Party is verplig om persone wat, na beweer word, sodanige ernstige oortredings begaan het of opdrag gegee het dat dit begaan word, op te spoor en sodanige persone, sonder inagneming van hul nasionaliteit, voor sy eie hof te daag. Elke Hoë Kontrakterende Party kan ook, indien hy dit verkies, en ooreenkomstig die bepalings van sy eie wetgewing, sodanige persone aan 'n ander betrokke Hoë Kontrakterende Party oorhandig vir verhoor mits sodanige Hoë Kontrakterende Party *prima facie* 'n saak teen sodanige persoon of persone het.

Elke Hoë Kontrakterende Party moet dié maatreëls tref wat nodig is vir die onderdrukking van alle ander dade as die ernstige oortredings wat in die eersvolgende artikel omskryf word, wat strydig met die bepalings van die huidige Konvensie is.

Onder alle omstandighede moet die beskuldigde persone die waarborge van behoorlike verhoor en verweer geniet, wat nie minder gunstig mag wees nie as dié voorgeskryf by artikel 105 en dié ooreenkomstig die Geneefse Konvensie betreffende die Behandeling van Krygsgevangenes, gedateer 12 Augustus 1949.

ARTIKEL 50.

Die ernstige oortredings wat in die voorafgaande artikel bedoel word, is dié waarby enigeen van die volgende dade betrokke is indien dit gepleeg word teen persone of eiendom wat deur die huidige Konvensie beskerm word: Opsetlike doodslag, marteling of onmenslike behandeling, met inbegrip van biologiese eksperimente, die opsetlike veroorsaking van groot lyding of ernstige liggaamlike besering of benadeling van die gesondheid en die vernietiging en toeëiening van eiendom op 'n uitgebreide skaal wat nie deur militêre noodsaaklikheid geregverdig word nie en wat onwettiglik en roekeloos uitgevoer word.

ARTIKEL 51.

Geen Hoë Kontrakterende Party word toegelaat om homself of 'n ander Hoë Kontrakterende Party te onthef van enige aanspreeklikheid wat hy of 'n ander Hoë Kontrakterende Party ten opsigte van die oortredings genoem in die voorafgaande artikel, opgeloopt het nie.

ARTICLE 52.

At the request of a Party to the conflict, an enquiry shall be instituted, in a manner to be decided between the interested Parties, concerning any alleged violation of the Convention.

If agreement has not been reached concerning the procedure for the enquiry, the Parties should agree on the choice of an umpire who will decide upon the procedure to be followed.

Once the violation has been established, the Parties to the conflict shall put an end to it and shall repress it with the least possible delay.

ARTICLE 53.

The use by individuals, societies, firms or companies either public or private, other than those entitled thereto under the present Convention, of the emblem or the designation "Red Cross" or "Geneva Cross", or any sign or designation constituting an imitation thereof, whatever the object of such use, and irrespective of the date of its adoption, shall be prohibited at all times.

By reason of the tribute paid to Switzerland by the adoption of the reversed Federal colours, and of the confusion which may arise between the arms of Switzerland and the distinctive emblem of the Convention, the use by private individuals, societies or firms, of the arms of the Swiss Confederation, or of marks constituting an imitation thereof, whether as trade-marks or commercial marks, or as parts of such marks, or for a purpose contrary to commercial honesty, or in circumstances capable of wounding Swiss national sentiment, shall be prohibited at all times.

Nevertheless, such High Contracting Parties as were not party to the Geneva Convention of July 27, 1929, may grant to prior users of the emblems, designations, signs or marks designated in the first paragraph, a time limit not to exceed three years from the coming into force of the present Convention to discontinue such use, provided that the said use shall not be such as would appear, in time of war, to confer the protection of the Convention.

The prohibition laid down in the first paragraph of the present Article shall also apply, without effect on any rights acquired through prior use, to the emblems and marks mentioned in the second paragraph of Article 38.

ARTICLE 54.

The High Contracting Parties shall, if their legislation is not already adequate, take measures necessary for the prevention and repression, at all times, of the abuses referred to under Article 53.

FINAL PROVISIONS.

ARTICLE 55.

The present Convention is established in English and in French. Both texts are equally authentic.

The Swiss Federal Council shall arrange for official translations of the Convention to be made in the Russian and Spanish languages.

ARTICLE 56.

The present Convention, which bears the date of this day, is open to signature until February 12, 1950, in the name of the Powers represented at the Conference which opened at Geneva on April 21, 1949; furthermore, by Powers not represented at that Conference, but which are parties to the Geneva Conventions of 1864, 1906 or 1929 for the Relief of the Wounded and Sick in Armies in the Field.

ARTIKEL 52.

Op versoek van 'n Party by die botsing, moet daar op 'n manier waaroor die belanghebbende Partye moet besluit, ondersoek ingestel word in verband met enige beweerde skending van die Konvensie.

Indien daar nie oor die prosedure vir die ondersoek ooreengekom kan word nie, moet die Partye ooreenkom oor die keuse van 'n skeidsregter wat dan sal besluit oor die prosedure wat gevolg moet word.

Sodra daar bewys van die skending gelewer is, moet die Partye by die botsing met so min versuim as moontlik 'n einde daaraan maak en dit onderdruk.

ARTIKEL 53.

Ongeag die datum van sy aanvaarding mag die embleem of die naam "Rooikruis" of "Geneefse Kruis" of 'n teken of naam wat 'n nabootsing daarvan is, nooit deur ander individue vereniginge, firmas of openbare of private maatskappye as dié wat ingevolge die huidige Konvensie daartoe geregtig is, vir enige oogmerk, wat ook al gebruik word nie.

Uit hoofde van die verering van Switserland deur die aanname van die verwisselde Federale kleure en met die oog op die verwarring wat daar mag ontstaan tussen die wapenskild van Switserland en die onderskeidings-embleem van die Konvensie, mag die wapenskild van die Switserse Konfederasie of tekens wat 'n nabootsing daarvan is, nooit gebruik word as handelsmerke of dele daarvan of vir doeleindes wat strydig is met handelseerlikheid of onder omstandighede wat vir die Switserse nasionale gevoel kwetsend mag wees nie.

Nietemin kan daardie Hoë Kontrakterende Partye wat nie by die Geneefse Konvensie van 27 Julie 1929 partye was nie, aan vorige gebruikers van die embleme, name, tekens of merke genoem in die eerste paragraaf 'n tydperk van hoogstens drie jaar vanaf die inwerkingtreding van die huidige Konvensie toestaan om sodanige gebruik te staak, op voorwaarde dat genoemde gebruik nie sodanig is dat dit in oorlogstyd die skyn sou gee dat die beskerming van die Konvensie verleen word nie.

Sonder dat dit regte raak wat deur vorige gebruik verkry is, is die verbod soos in die eerste paragraaf van hierdie artikel bepaal, ook van toepassing op die embleme en merke wat in die tweede paragraaf van artikel 38 genoem word.

ARTIKEL 54.

Die Hoë Kontrakterende Partye moet, as hulle wetgewing nie reeds toereikend is nie, dadelik die nodige maatreëls tref om te alle tye die misbruike genoem in artikel 53 te voorkom en te onderdruk.

SLOTBEPALINGS.

ARTIKEL 55.

Die huidige Konvensie word in Engels en in Frans aangegaan. Beide tekste is ewe outentiek.

Die Switserse Federale Raad moet reël vir amptelike vertalings van die Konvensie in die Russiese en die Spaanse Taal.

ARTIKEL 56.

Die huidige Konvensie, wat vandag se datum dra, is tot 12 Februarie 1950 beskikbaar vir ondertekening in die naam van die Moondhede wat verteenwoordig is in die konferensie wat op 21 April 1949 in Genève geopen is; daARBENWENS deur moondhede wat nie op daardie konferensie verteenwoordig was nie, maar wat partye is by die Geneefse Konvensie van 1864, 1906 of 1929 vir die verligting van gewondes en siekes van leërs te velde.

ARTICLE 57.

The present Convention shall be ratified as soon as possible and the ratifications shall be deposited at Berne.

A record shall be drawn up of the deposit of each instrument of ratification and certified copies of this record shall be transmitted by the Swiss Federal Council to all the Powers in whose name the Convention has been signed, or whose accession has been notified.

ARTICLE 58.

The present Convention shall come into force six months after not less than two instruments of ratification have been deposited.

Thereafter, it shall come into force for each High Contracting Party six months after the deposit of the instrument of ratification.

ARTICLE 59.

The present Convention replaces Conventions of August 22, 1864, July 6, 1906, and July 27, 1929, in relations between the High Contracting Parties.

ARTICLE 60.

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

ARTICLE 61.

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

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

ARTICLE 62.

The situations provided for in Articles 2 and 3 shall give immediate effect to ratifications deposited and accessions notified by the Parties to the conflict before or after the beginning of hostilities or occupation. The Swiss Federal Council shall communicate by the quickest method any ratifications or accessions received from Parties to the conflict.

ARTICLE 63.

Each of the High Contracting Parties shall be at liberty to denounce the present Convention.

The denunciation shall be notified in writing to the Swiss Federal Council, which shall transmit it to the Governments of all the High Contracting Parties.

The denunciation shall take effect one year after the notification thereof has been made to the Swiss Federal Council. However, a denunciation of which notification has been made at a time when the denouncing Power is involved in a conflict shall not take effect until peace has been concluded, and until after operations connected with the release and repatriation of the persons protected by the present Convention have been terminated.

The denunciation shall have effect only in respect of the denouncing Power. It shall in no way impair the obligations which the Parties to the conflict shall remain bound to fulfil by virtue of the principles of the law of nations,

ARTIKEL 57.

Die huidige Konvensie moet sodra moontlik bekragtig word, en die bekragtignings moet te Berne gedeponeer word.

Daar moet 'n register opgestel word van die deponering van elke bekragtigningsdokument en gesertifiseerde kopieë van hierdie register moet deur die Switserse Federale Raad gestuur word aan al die Moondhede in wie se naam die Konvensie onderteken is of van wie se toetred tot die Konvensie daar kennis gegee is.

ARTIKEL 58.

Die huidige Konvensie tree in werking ses maande nadat minstens twee bekragtigningsdokumente gedeponeer is.

Daarna word dit vir elke Hoë Kontrakterende Party van krag ses maande na die deponering van die bekragtigningsdokument.

ARTIKEL 59.

Betreffende die betrekkinge tussen die Hoë Kontrakterende Partye word die Konvensies van 22 Augustus 1864, 6 Julie 1906 en 27 Julie 1929 deur die huidige Konvensie vervang.

ARTIKEL 60.

Vanaf die datum waarop die huidige Konvensie in werking tree, staan dit enige Moondheid in wie se naam die huidige Konvensie nie onderteken is nie, vry om tot hierdie Konvensie toe te tree.

ARTIKEL 61.

Toetredings moet skriftelik aan die Switserse Federale Raad bekendgemaak word en tree in werking ses maande na die datum waarop dit ontvang is.

Die Switserse Federale Raad moet al die Moondhede in wie se naam die Konvensie onderteken is of van wie se toetred daar kennis gegee is, van sodanige toetred verwittig.

ARTIKEL 62.

Die toestande wat in artikels 2 en 3 bedoel word, maak die bekragtignings wat gedeponeer en die toetredings waarvan die Partye by die botsing kennis gegee het voor of na die begin van vyandelikhede of besetting, onmiddellik van krag. Die Switserse Federale Raad moet op die vinnigste manier kennis gee van alle bekragtignings of toetredings wat van die Partye by die botsing ontvang word.

ARTIKEL 63.

Dit staan elkeen van die Hoë Kontrakterende Partye vry om die huidige Konvensie op te sê.

Daar moet skriftelik van die opsegging kennis gegee word aan die Switserse Federale Raad, wat dit aan die Regerings van al die Hoë Kontrakterende Partye moet deurstuur.

Die opsegging word van krag een jaar nadat kennis daarvan aan die Switserse Federale Raad gegee is. 'n Opsegging waarvan daar egter kennis gegee is terwyl die opseggende Moondheid in 'n botsing betrokke is, word nie van krag nie totdat daar vrede gesluit is en totdat die werksaamhede in verband met die vrylating en repatriasie van die persone wat deur die huidige Konvensie beskerm word, beëindig is.

Die opsegging is slegs ten opsigte van die opseggende Moondheid van krag. Dit verswak geensins die verpligtings wat die Partye by die botsing steeds moet nakom uit hoofde van die beginsels van die Volkereg soos dit

as they result from the usages established among civilized peoples, from the laws of humanity and the dictates of the public conscience.

ARTICLE 64.

The Swiss Federal Council shall register the present Convention with the Secretariat of the United Nations. The Swiss Federal Council shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to the present Convention.

IN WITNESS WHEREOF the undersigned, having deposited their respective full powers, have signed the present Convention.

DONE at Geneva this twelfth day of August, 1949, in the English and French languages. The original shall be deposited in the Archives of the Swiss Confederation. The Swiss Federal Council shall transmit certified copies thereof to each of the signatory and acceding States.

(The signatures of the Plenipotentiaries follow.)

ANNEX I.

DRAFT AGREEMENT RELATING TO HOSPITAL ZONES AND LOCALITIES.

ARTICLE 1.

Hospital zones shall be strictly reserved for the persons named in Article 23 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, and for the personnel entrusted with the organization and administration of these zones and localities and with the care of the persons therein assembled.

Nevertheless, persons whose permanent residence is within such zones shall have the right to stay there.

ARTICLE 2.

No persons residing, in whatever capacity, in a hospital zone shall perform any work, either within or without the zone, directly connected with military operations or the production of war material.

ARTICLE 3.

The Power establishing a hospital zone shall take all necessary measures to prohibit access to all persons who have no right of residence or entry therein.

ARTICLE 4.

Hospital zones shall fulfil the following conditions:

(a) They shall comprise only a small part of the territory governed by the Power which has established them.

(b) They shall be thinly populated in relation to the possibilities of accommodation.

(c) They shall be far removed and free from all military objectives, or large industrial or administrative establishments.

(d) They shall not be situated in areas which, according to every probability, may become important for the conduct of the war.

ARTICLE 5.

Hospital zones shall be subject to the following obligations:

(a) The lines of communication and means of transport which they possess shall not be used for the transport of military personnel or material, even in transit.

(b) They shall in no case be defended by military means.

voortvloei uit die gevestigde gebruike onder beskaafde volke, uit die wette van die mensheid en die stem van die openbare gewete nie.

ARTIKEL 64.

Die Switserse Federale Raad moet die huidige Konvensie by die Sekretariaat van die Verenigde Nasies registreer. Die Switserse Federale Raad moet die Sekretariaat van die Verenigde Nasies ook verwittig van alle bekrachtigings, toetredings en opsegings wat hy ten opsigte van die huidige Konvensie ontvang.

TEN BEWYSE WAARVAN die ondergetekendes, na deponering van hul onderskeie volmagte, die huidige Konvensie onderteken het.

ALDUS GEDOEN te Genève op hede die twaalfde dag van Augustus 1949 in die Engelse en die Franse taal. Die oorspronklike moet in die argief van die Switserse Konfederasie gedeponeer word. Die Switserse Federale Raad moet gesertifiseerde kopieë daarvan stuur aan elke Staat wat die Konvensie onderteken en daartoe toetree.

(Hierna volg die handtekening van die Gemagtigdes.)

BYLAE I.

KONSEPOOREENKOMS TEN OPSIGTE VAN HOSPITAALSONES EN -BUURTE.

ARTIKEL 1.

Hospitaalsones moet streng gereserveer word vir die persone genoem in artikel 23 van 12 Augustus 1949 se Geneefse Konvensie vir die Verligting van die Toestand van die Gewondes en Siekes van Gewapende Magte te Velde, en vir die personeel wat belas is met die organisasie en administrasie van daardie sones en -buurte en die versorging van persone wat daarin byeengebring is.

Nietemin het persone wat permanent in sodanige sones woonagtig is, die reg om daarin te bly.

ARTIKEL 2.

Niemand wat in watter hoedanigheid ook al in 'n hospitaalsone woonagtig is, mag binne of buite die sone werk verrig wat regstreeks met militêre operasies of die produksie van oorlogsmateriaal in verband staan nie.

ARTIKEL 3.

Die Moondheid wat 'n hospitaalsone instel, moet al die nodige maatreëls tref om die toegang te verbied van almal wat nie die reg het om in sodanige sone te woon of dit binne te gaan nie.

ARTIKEL 4.

Hospitaalsones moet—

(a) slegs 'n klein gedeelte uitmaak van die grondgebied onder die bestuur van die Moondheid wat hulle ingestel het;

(b) in verhouding tot die huisvestingsmoontlikhede dun bevolk wees;

(c) ver van en sonder militêre doelwitte of groot nywerheids- of administratiewe inrigtings wees;

(d) nie in gebiede wees wat na alle waarskynlikheid, vir die oorlogsvoering belangrik sal word nie.

ARTIKEL 5.

Hospitaalsones is onderworpe aan die volgende verpligtings:

(a) Die verbindingslyne en vervoermiddels van die sones mag nie vir die vervoer van militêre personeel of materiaal of selfs vir die deurvoer daarvan gebruik word nie.

(b) Hulle mag in geen geval militêr verdedig word nie.

ARTICLE 6.

Hospital zones shall be marked by means of red crosses (red crescents, red lions and suns) on a white background placed on the outer precincts and on the buildings. They may be similarly marked at night by means of appropriate illumination.

ARTICLE 7.

The Powers shall communicate to all the High Contracting Parties in peacetime or on the outbreak of hostilities, a list of the hospital zones in the territories governed by them. They shall also give notice of any new zones set up during hostilities.

As soon as the adverse Party has received the above-mentioned notification, the zone shall be regularly constituted.

If, however, the adverse Party considers that the conditions of the present agreement have not been fulfilled, it may refuse to recognize the zone by giving immediate notice thereof to the Party responsible for the said zone, or may make its recognition of such zone dependent upon the institution of the control provided for in Article 8.

ARTICLE 8.

Any Power having recognized one or several hospital zones instituted by the adverse Party shall be entitled to demand control by one or more Special Commissions, for the purpose of ascertaining if the zones fulfill the conditions and obligations stipulated in the present agreement.

For this purpose, the members of the Special Commissions shall at all times have free access to the various zones and may even reside there permanently. They shall be given all facilities for their duties of inspection.

ARTICLE 9.

Should the Special Commissions note any facts which they consider contrary to the stipulations of the present agreement, they shall at once draw the attention of the Power governing the said zone to these facts, and shall fix a time limit of five days within which the matter should be rectified. They shall duly notify the Power who has recognized the zone.

If, when the time limit has expired, the Power governing the zone has not complied with the warning, the adverse Party may declare that it is no longer bound by the present agreement in respect of the said zone.

ARTICLE 10.

Any Power setting up one or more hospital zones and localities, and the adverse Parties to whom their existence has been notified, shall nominate or have nominated by neutral Powers, the persons who shall be members of the Special Commissions mentioned in Articles 8 and 9.

ARTICLE 11.

In no circumstances may hospital zones be the object of attack. They shall be protected and respected at all times by the Parties to the conflict.

ARTICLE 12.

In the case of occupation of a territory, the hospital zones therein shall continue to be respected and utilized as such.

Their purpose may, however, be modified by the Occupying Power, on condition that all measures are taken to ensure the safety of the persons accommodated.

ARTIKEL 6.

Hospitaalsones moet met rooi kruise (rooi halfmane, rooi leus en sonne) op 'n wit veld op die grense en op geboue aangedui word. Hulle kan op soortgelyke wyse gedurende die nag deur middel van geskikte verligting aangedui word.

ARTIKEL 7.

Die Moondhede moet in vrede tyd of by die uitbreek van vyandelikhede aan al die Hoë Kontrakterende Partye 'n lys stuur van die hospitaalsones in die grondgebied onder hul bestuur. Hulle moet ook kennis gee van nuwe sones wat gedurende vyandelikhede ingestel word.

Sodra die teenparty bovermelde kennisgewing ontvang het, is die sone wettig ingestel.

As die teenparty egter van mening is dat daar nie aan die voorwaardes van die huidige ooreenkoms voldoen is nie, kan hy, deur die Party wat vir die sone verantwoordelik is, onmiddellik daarvan in kennis te stel, weier om die genoemde sone te erken, of anders kan hy die erkenning van sodanige sone onderworpe maak aan die instelling van die beheer waarvoor daar in artikel 8 voorsiening gemaak word.

ARTIKEL 8.

'n Moondheid wat erkenning verleen het aan een of meer hospitaalsones wat deur die teenparty ingestel is, kan eis dat een of meer spesiale kommissies beheer daarvoor uitoefen ten einde vas te stel of die sones die voorwaardes en verpligtings nakom wat in die huidige ooreenkoms beding word.

Te dien einde kan die lede van die spesiale kommissies te alle tye die verskillende sones vryelik binnegaan en selfs permanent daar woon. In verband met hul inspeksiedienste moet alle fasiliteite aan hulle verleen word.

ARTIKEL 9.

As die spesiale kommissies feite opmerk wat na hul mening strydig is met die bepalinge van die huidige ooreenkoms, moet hulle dadelik die aandag van die Moondheid wat die sone beheer, op daardie feite vestig en sodanige Moondheid vyf dae tyd gee om die saak in die reine te bring. Hulle moet die Moondheid wat die sone erken het, behoortlik daarvan verwittig.

As die Moondheid wat die sone beheer, nie binne die bepaalde tydperk aan die waarskuwing gehoor gegee het nie, kan die teenparty verklaar dat hy hom nie meer ten opsigte van genoemde sone deur die huidige ooreenkoms gebonde ag nie.

ARTIKEL 10.

'n Moondheid wat een of meer hospitaalsones en -buurte ingestel het en die teenpartye wat van bestaan in kennis gestel is, moet die persone wat lede moet wees van die spesiale kommissies vermeld in artikels 8 en 9 genoem, moet ageer, benoem of deur neutrale moondhede laat benoem.

ARTIKEL 11.

Hospitaalsones mag onder geen omstandighede die doelwit van 'n aanval wees nie. Hulle moet te alle tye deur die Party by die botsing beskerm en geëerbiedig word.

ARTIKEL 12.

Waar 'n gebied beset word, moet die hospitaalsones daarin nog steeds as sodanig geëerbiedig en gebruik word.

Hul doel kan egter deur die Besettingsmoondheid gewysig word op voorwaarde dat alles in die werk gestel word om die veiligheid te verseker van die persone wat daarin gehuisves is.

ARTICLE 13.

The present agreement shall also apply to localities which the Powers may utilize for the same purposes as hospital zones.

ARTIKEL 13.

Die huidige ooreenkoms is ook van toepassing op buurte wat die Moondhede vir dieselfde doel as hospitaalsones gebruik.

ANNEX II.

Front

	(Space reserved for the name of the country and military authority issuing this card)	
IDENTITY CARD		
for members of medical and religious personnel attached to the armed forces		
Surname.....		
First names.....		
Date of Birth.....		
Rank.....		
Army Number.....		
The bearer of this card is protected by the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of August 12, 1949, in his capacity as		
Date of Issue		Number of Card

Reverse Side

Photo of bearer Embossed stamp of military authority issuing card	Signature of bearer or fingerprints or both	
Height	Eyes	Hair
Other distinguishing marks.....		

BYLAE II.

Voorkant

	(Ruimte vir die naam van die land en militêre owerheid wat hierdie kaart uitreik)	
IDENTIFIKASIEKAART		
Vir lede van die mediese en godsdienstige personeel verbonde aan die gewapende magte		
Van.....		
Voorname.....		
Geboortedatum.....		
Rang.....		
Leërnommer.....		
Die houer van hierdie kaart word ingevolge 12 Augustus 1949 se Geneefse Konvensie vir die Verligting van die Toestand van Gewondes en Siekes van Gewapende Magte te Velde, in sy hoedanigheid van		
Datum van uitreiking		Kaartnommer

Agterkant

Portret van houer Reliëfstempel van die militêre owerheid wat die kaart uitreik	Handtekening en/of vingerafdrukke van houer	
Lengte	Oë	Hare
Ander onderskeidingsmerke.....		

No. R. 750.

3 May 1968.

GENEVA CONVENTION FOR THE AMELIORATION OF THE CONDITION OF WOUNDED, SICK AND SHIPWRECKED MEMBERS OF ARMED FORCES AT SEA OF AUGUST 12, 1949.

The undersigned Plenipotentiaries of the Governments represented at the Diplomatic Conference held at Geneva from April 21 to August 12, 1949, for the purpose of revising the Xth Hague Convention of October 18, 1907, for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention of 1906, have agreed as follows:

CHAPTER I.

GENERAL PROVISIONS.

ARTICLE 1.

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

ARTICLE 2.

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

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

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof.

ARTICLE 3.

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular, humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

No. R. 750.

3 Mei 1968.

DIE GENEEFSE KONVENSIE VAN 12 AUGUSTUS 1949 VIR DIE VERLIGTING VAN DIE TOESTAND VAN GEWONDE, SIEK EN SKIPBREUKELING-LEDE VAN GEWAPENDE MAGTE TER SEE.

Die ondergetekendes, Gevolmagtigdes van die Regerings verteenwoordig in die Diplomatieke Konferensie wat van 21 April tot 12 Augustus 1949 in Genève gehou is met die doel om 18 Oktober 1907 se Tiende Haagse Konvensie vir die aanpassing van See-oorlog van die Beginsels van die Geneefse Konvensie van 1906 te hersien, het soos volg ooreengekom:

HOOFTUK I.

ALGEMENE BEPALINGS.

ARTIKEL 1.

Die Hoë Kontrakterende Partye verbind hulle om die huidige Konvensie onder alle omstandighede te eerbiedig en te verseker dat dit geëerbiedig word.

ARTIKEL 2.

Benewens die bepalings waarvan daar in vredestryd uitvoering gegee moet word, is die huidige Konvensie van toepassing op alle gevalle waar daar oorlog verklaar is of waar 'n ander wapenbotsing ontstaan tussen twee of meer van die Hoë Kontrakterende Partye, selfs as een van hulle nie die staat van oorlog erken nie.

Die Konvensie is ook van toepassing op alle gevalle van gedeeltelike of algehele besetting van die gebied van 'n Hoë Kontrakterende Party, selfs as daar geen gewapende weerstand teen genoemde besetting is nie.

Selfs waar een van die Moondhede wat in die botsing betrokke is, nie 'n party by die huidige Konvensie is nie, bly die Moondhede wat partye daarby is, nog in hul onderlinge verhoudings daardeur gebind. Daarbenewens is hulle ten opsigte van genoemde Moondheid deur die Konvensie gebind as laasgenoemde Moondheid die bepalings daarvan aanvaar en toepas.

ARTIKEL 3.

Ingeval 'n wapenbotsing wat nie van 'n internasionale aard is nie, in die gebied van een van die Hoë Kontrakterende Partye voorkom, is elke Party by die Botsing daartoe verbind om, as 'n minimum, die volgende bepalings toe te pas:

(1) Persone wat nie aktief aan die vyandelikhede deelneem nie, met inbegrip van lede van gewapende magte wat hulle wapens neergelê het en dié wat weens siekte, wonde, aanhouding of enige ander oorsaak, *hors de combat* is, moet onder alle omstandighede menslik behandel word sonder enige ongunstige verskille wat op ras, kleur, godsdiens of geloof, geslag, geboorte of rykdom of enige ander soortgelyke kriteria's gegrond is.

Met hierdie doel voor oë word ondergenoemde dade te eniger tyd, wanneer ook al, en op enige plek, waar ook al, ten opsigte van bogenoemde persone verbied en bly dit verbode:

(a) Geweldpleging wat lewens en persone raak, in die besonder alle soorte moord, verminking, wrede behandeling en marteling;

(b) die neem van gyselaars;

(c) skending van persoonlike waardigheid, in die besonder vernederende en waardigheidskendende behandeling;

(d) die oplegging van straf en die uitvoering van teregstellings sonder dat 'n behoorlik saamgestelde hof, wat al dié regterlike waarborge verskaf wat deur beskaafde nasies as onmisbaar erken word, vooraf uitspraak gegee het.

(2) The wounded, sick and shipwrecked shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

ARTICLE 4.

In case of hostilities between land and naval forces of Parties to the conflict, the provisions of the present Convention shall apply only to forces on board ship.

Forces put ashore shall immediately become subject to the provisions of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949.

ARTICLE 5.

Neutral Powers shall apply by analogy the provisions of the present Convention to the wounded, sick and shipwrecked, and to members of the medical personnel and to chaplains of the armed forces of the Parties to the conflict received or interned in their territory as well as to dead persons found.

ARTICLE 6.

In addition to the agreements expressly provided for in Articles 10, 18, 31, 38, 39, 40, 43 and 53, the High Contracting Parties may conclude other special agreements for all matters concerning which they may deem it suitable to make separate provision. No special agreement shall adversely affect the situation of wounded, sick and shipwrecked persons, of members of the medical personnel or of chaplains, as defined by the present Convention, nor restrict the rights which it confers upon them.

Wounded, sick and shipwrecked persons, as well as medical personnel and chaplains, shall continue to have the benefit of such agreements as long as the Convention is applicable to them, except where express provisions to the contrary are contained in the aforesaid or in subsequent agreements, or where more favourable measures have been taken with regard to them by one or other of the Parties to the conflict.

ARTICLE 7.

Wounded sick and shipwrecked persons, as well as members of the medical personnel and chaplains, may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention, and by the special agreements referred to in the foregoing Article, if such there be.

ARTICLE 8.

The present Convention shall be applied with the co-operation and under the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties to the conflict. For this purpose, the Protecting Powers may appoint, apart from their diplomatic or consular staff, delegates from amongst their own nationals or the nationals of other neutral Powers. The said delegates shall be subject to the approval of the Power with which they are to carry out their duties.

(2) Gewondes en siekes moet versamel en versorg word.

'n Onpartydige humanitêre liggaam, soos die Internasionale Komitee van die Rooikruis, kan sy dienste aan die Partye by die botsing aanbied.

Die Partye by die botsing moet verder poog om deur middel van spesiale ooreenkomste al die ander bepalings van die huidige Konvensie of 'n deel daarvan in werking te stel.

Die regstatus van die Partye by die botsing word nie deur die toepassing van die voorafgaande bepalings geraak nie.

ARTIKEL 4.

In die geval van vyandelikhede tussen land- en see-magte van botsende partye geld die bepalings van die huidige Konvensie slegs ten opsigte van magte aan boord van 'n skip.

Die bepalings van 12 Augustus 1949 se Geneefse Konvensie vir die Verligting van die Toestand van Gewondes en Siekes van Gewapende Magte te Velde word onmiddellik van toepassing op magte wat aan wal gesit word.

ARTIKEL 5.

Neutrale moondhede moet die bepalings van die huidige Konvensie na analogie toepas op die gewondes, siekes en skipbreukelinge en lede van die mediese personeel en veldpredikers van die gewapende magte van die botsende partye wat in hul grondgebiede ontvang of geïnterneer word, asook op dooies wat gevind word.

ARTIKEL 6.

Benewens die ooreenkomste waarvoor daar uitdruklik voorsiening gemaak word in artikels 10, 18, 31, 38, 39, 40, 43 en 53, kan die Hoë Kontrakterende Partye ander spesiale ooreenkomste aangaan oor alle sake waarvoor daar, na hul mening, afsonderlik voorsiening gemaak moet word. Geen spesiale ooreenkoms mag die posisie van gewondes, siekes en skipbreukelinge, of lede van die mediese personeel of veldpredikers, soos in die huidige Konvensie omskryf, benadeel of die regte wat die huidige Konvensie aan hulle verleen, inkort nie.

Gewondes, siekes en skipbreukelinge, asook mediese personeel en veldpredikers, moet steeds, terwyl die huidige Konvensie op hulle van toepassing is, die voordele van sodanige ooreenkomste geniet, behalwe ingeval uitdruklike andersluidende bepalings in die voormelde of latere ooreenkomste vervat is, of gunstiger maatreëls ten aansien van hulle deur een of ander van die botsende partye getref word.

ARTIKEL 7.

Gewondes, siekes en skipbreukelinge asook lede van die mediese personeel en veldpredikers, mag onder geen omstandighede gedeeltelik of geheel en al van die regte wat vir hulle verkry is deur die huidige Konvensie en die spesiale ooreenkomste bedoel in die voorafgaande artikel, as daar sodanige ooreenkomste bestaan, afstand doen nie.

ARTIKEL 8.

Die huidige Konvensie word toegepas met die samewerking en onder die toesig van die Beskermende Moondhede, wie se plig dit is om die belange van die partye by die botsing te beskerm. Vir hierdie doel kan die Beskermende Moondhede, benewens hul diplomatieke of konsulêre personeel afgevaardigdes uit die geledere van hul eie burgers of die burgers van ander neutrale Moondhede aanstel. Genoemde afgevaardigdes is onderworpe aan goedkeuring van die Moondheid by wie hulle hul pligte moet uitvoer.

The Parties to the conflict shall facilitate to the greatest extent possible the task of the representatives or delegates of the Protecting Powers.

The representatives or delegates of the Protecting Powers shall not in any case exceed their mission under the present Convention. They shall, in particular, take account of the imperative necessities of security of the State wherein they carry out their duties. Their activities shall only be restricted as an exceptional and temporary measure when this is rendered necessary by imperative military necessities.

ARTICLE 9.

The provisions of the present Convention constitute no obstacle to the humanitarian activities which the International Committee of the Red Cross or any other impartial humanitarian organization may, subject to the consent of the Parties to the conflict concerned, undertake for the protection of wounded sick and shipwrecked persons, medical personnel and chaplains, and for their relief.

ARTICLE 10.

The High Contracting Parties may at any time agree to entrust to an organization which offers all guarantees of impartiality and efficacy the duties incumbent on the Protecting Powers by virtue of the present Convention.

When wounded, sick and shipwrecked, or medical personnel and chaplains do not benefit or cease to benefit, no matter for what reason, by the activities of a Protecting Power or of an organization provided for in the first paragraph above, the Detaining Power shall request a neutral State, or such an organization, to undertake the functions performed under the present Convention by a Protecting Power designated by the Parties to a conflict.

If protection cannot be arranged accordingly, the Detaining Power shall request or shall accept, subject to the provisions of this Article, the offer of the services of a humanitarian organization, such as the International Committee of the Red Cross, to assume the humanitarian functions performed by Protecting Powers under the present Convention.

Any neutral Power, or any organization invited by the Power concerned or offering itself for these purposes, shall be required to act with a sense of responsibility towards the Party to the conflict on which persons protected by the present Convention depend, and shall be required to furnish sufficient assurances that it is in a position to undertake the appropriate functions and to discharge them impartially.

No derogation from the preceding provisions shall be made by special agreements between Powers one of which is restricted, even temporarily, in its freedom to negotiate with the other Power or its allies by reason of military events, more particularly where the whole, or a substantial part, of the territory of the said Power is occupied.

Whenever, in the present Convention, mention is made of a Protecting Power, such mention also applies to substitute organizations in the sense of the present Article.

Die Partye by die botsing moet die taak van die verteenwoordigers of afgevaardigdes van die Beskermende Moondhede vergemaklik in die grootste mate wat vir hulle moontlik is.

Die verteenwoordigers of afgevaardigdes van die Beskermende Moondhede mag in geen geval die bevoegdheid verbonde aan hul sending kragtens die huidige Konvensie, te buite gaan nie. Hulle moet in die besonder die veiligheidsvereistes wat gebiedend noodsaaklik is vir die staat waarin hulle hul pligte uitvoer in ag neem. Hulle werksaamhede mag slegs as 'n buitengewone en tydelike maatreef beperk word wanneer dringende militêre noodsaaklikhede dit gebiedend maak.

ARTIKEL 9.

Die bepalings van die huidige Konvensie belemmer nie die humanitêre bedrywighede wat die Internasionale Komitee van die Rooikruis of enige ander onpartydige humanitêre organisasie, behoudens die toestemming van die Partye by die botsing, vir die beskerming en noodleniging van gewondes, siekes en skipbreukelingde, mediese personeel en veldpredikers mag onderneem nie.

ARTIKEL 10.

Die Hoë Kontrakterende Partye kan te eniger tyd daarmee instem om aan 'n organisasie wat alle onpartydighede- en doeltreffendheidswaarborgs bied, dié pligte toe te vertrou wat uit hoofde van die huidige Konvensie op die Beskermende Moondheid rus.

Wanneer gewondes, siekes en skipbreukelinge, of mediese personeel en veldpredikers, om enige rede, van watter aard ook al, nie by die werksaamhede van 'n Beskermende Moondheid of 'n organisasie waarvoor daar in die eerste paragraaf hierbo voorsiening gemaak word, baat nie of nie meer daarby baat nie, moet die Aanhoudingsmoondheid 'n neutrale Staat of sodanige organisasie versoek om die funksies oor te neem wat kragtens die huidige Konvensie deur 'n Beskermende Moondheid, aangewys deur die Partye by 'n botsing, uitgeoefen word.

Indien beskerming nie dienooreenkomstig gereël kan word nie, moet die Aanhoudingsmoondheid, behoudens die bepalings van hierdie Artikel, die dienste van 'n humanitêre organisasie soos die Internasionale Komitee van die Rooikruis aanbied, naamlik om die humanitêre funksies te aanvaar wat die Beskermende Moondhede kragtens die huidige Konvensie verrig, aanneem of daarom vra.

Enige neutrale Moondheid of enige organisasie wat deur die betrokke Moondheid gevra word of wat homself vir dié doel aanbied, moet met 'n verantwoordelike sin optree teenoor dié Party by die botsing van wie die persone wat deur die huidige Konvensie beskerm word, afhanklik is, en sodanige neutrale Moondheid of organisasie moet voldoende versekering gee dat hy daartoe in staat is om die betrokke funksies te onderneem en om dit op 'n onpartydige wyse uit te oefen.

Daar mag nie by wyse van spesiale ooreenkomste tussen Moondhede waarvan die een selfs tydelik vanweë militêre gebeurtenisse en veral vanweë die besetting van sy hele gebied of 'n groot deel daarvan, in sy vryheid om met die ander Moondheid of sy bondgenote te onderhandel, gestrem is, afbreuk aan die voorafgaande bepalings gedoen word nie.

Waar daar in die huidige Konvensie melding gemaak word van 'n Beskermende Moondheid, sluit sodanige melding ook plaasvervangende organisasies in soos in die huidige artikel bedoel.

ARTICLE 11.

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

For this purpose, each of the Protecting Powers may, either at the invitation of one Party or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, in particular of the authorities responsible for the wounded, sick and shipwrecked, medical personnel and chaplains, possibly on neutral territory suitably chosen. The Parties to the conflict shall be bound to give effect to the proposals made to them for this purpose. The Protecting Powers may, if necessary, propose for approval by the Parties to the conflict, a person belonging to a neutral Power or delegated by the International Committee of the Red Cross, who shall be invited to take part in such a meeting.

CHAPTER II.

WOUNDED, SICK AND SHIPWRECKED.

ARTICLE 12.

Members of the armed forces and other persons mentioned in the following Article, who are at sea and who are wounded, sick or shipwrecked, shall be respected and protected in all circumstances, it being understood that the term "shipwreck" means shipwreck from any cause and includes forced landings at sea by or from aircraft.

Such persons shall be treated humanely and cared for by the Parties to the conflict in whose power they may be, without any adverse distinction founded on sex, race, nationality, religion, political opinions, or any other similar criteria. Any attempts upon their lives, or violence to their persons, shall be strictly prohibited; in particular, they shall not be murdered or exterminated, subjected to torture or to biological experiments; they shall not wilfully be left without medical assistance and care, nor shall conditions exposing them to contagion or infection be created.

Only urgent medical reasons will authorize priority in the order of treatment to be administered.

Women shall be treated with all consideration due to their sex.

ARTICLE 13.

The present Convention shall apply to the wounded, sick and shipwrecked at sea belonging to the following categories:

(1) Members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces.

(2) Members of other militias and members of other volunteer corps, including those of organized resistance movements, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied provided that such militias or volunteer corps, including such organized resistance movements, fulfil the following conditions:

(a) that of being commanded by a person responsible for his subordinates;

ARTIKEL 11.

In gevalle waar die Beskermende Moondhede dit in die belang van beskermende persone raadsaam ag, veral in gevalle van geskille tussen die Partye by die botsing oor die toepassing of uitleg van die bepalinge van die huidige Konvensie, moet sodanige Beskermende Moondhede hul vriendskaplike bemiddeling aanbied met die oog op die bylegging van die geskil.

Vir hierdie doel kan elkeen van die Beskermende Moondhede of op uitnodiging van een Party of uit eie beweging aan die Partye by die botsing voorstel dat daar 'n vergadering van hulle verteenwoordigers—veral van die owerhede wat vir gewondes, siekes en skipbreukelinge mediese personeel en veldpredikers verantwoordelik is, gehou word—waar moontlik in 'n neutrale gebied wat geskik is. Die PARTYE by die botsing is daartoe verbind om uitvoering te gee aan die voorstelle wat vir hierdie doel aan hulle gedoen word. Die Beskermende Moondhede kan, indien nodig, vir die goedkeuring van die Partye by die botsing 'n persoon voorstel wat tot 'n neutrale Moondheid behoort of deur die Internasionale Komitee van die Rooikruis aangewys is, en sodanige persoon moet dan uitgenooi word om aan sodanige vergadering deel te neem.

HOOFSTUK II.

GEWONDEN EN SIEKES.

ARTIKEL 12.

Lede van die gewapende magte en ander persone genoem in die volgende artikel, wat op see en gewond, siek of skipbreukelinge is, moet onder alle omstandighede gerespekteer en beskerm word; met dien verstande dat die uitdrukking "skipbreuk", skipbreuk weens watter oorsaak ook al beteken en noodlandings op see deur of uit vliegtuie insluit.

Die Partye by die botsing in wie se mag sodanige persone is, moet hulle menslik behandel en versorg sonder om 'n nadelige onderskeid op grond van geslag, ras, nasionaliteit, godsdiens, politieke sienswyse of ander soortgelyke maatstawwe te maak. Aanslae op hul lewens of geweldpleging teen hul persone is streng verbode. Hulle mag veral nie vermoor, verdelg, gemartel of aan biologiese proefnemings onderwerp word nie; hulle mag nie met opset sonder geneeskundige hulp en versorging gelaat word nie, ook mag geen toestande geskep word wat hulle aan besmetting of infeksie blootstel nie.

Slegs om dringende geneeskundige redes mag voorkeur in die volgorde van behandeling verleen word.

Vrouens moet behandel word met al die konsiderasie wat hul geslag toekom.

ARTIKEL 13.

Die huidige Konvensie is van toepassing op die gewondes, siekes en skipbreukelinge op see wat onder die volgende kategorieë val:

(1) Lede van die gewapende magte van 'n Party by die botsing, asook lede van milisiemagte of vrywilligerkorpse wat 'n deel van sodanige gewapende magte uitmaak.

(2) Lede van ander milisiemagte en lede van ander vrywilligerkorpse, met inbegrip van dié van georganiseerde weerstandsbewegings, wat aan 'n Party by die botsing behoort en binne of buite hul eie grondgebied opereer, selfs al is dié gebied beset, mits sodanige milisiemagte of vrywilligerkorpse, met inbegrip van sodanige georganiseerde weerstandsbewegings, aan onderstaande voorwaardes voldoen:

(a) Hulle moet onder die bevel staan van iemand wat vir sy ondergeskiktes verantwoordelik is;

(b) that of having a fixed distinctive sign recognizable at a distance;

(c) that of carrying arms openly;

(d) that of conducting their operations in accordance of the laws and customs of war.

(3) Members of regular armed forces who profess allegiance to a Government or an authority not recognized by the Detaining Power.

(4) Persons who accompany the armed forces without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization from the armed forces which they accompany.

(5) Members of crews, including masters, pilots and apprentices, of the merchant marine and the crews of civil aircraft of the Parties to the conflict, who do not benefit by more favourable treatment under any other provisions of international law.

(6) Inhabitants of a non-occupied territory who, on the approach of the enemy, spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war.

ARTICLE 14.

All warships of a belligerent Party shall have the right to demand that the wounded, sick or shipwrecked on board military hospital ships, and hospital ships belonging to relief societies or to private individuals as well as merchant vessels, yachts and other craft shall be surrendered, whatever their nationality, provided that the wounded and sick are in a fit state to be moved and that the warship can provide adequate facilities for necessary medical treatment.

ARTICLE 15.

If wounded, sick or shipwrecked persons are taken on board a neutral warship or a neutral military aircraft, it shall be ensured, where so required by international law, that they can take no further part in operations of war.

ARTICLE 16.

Subject to the provisions of Article 12, the wounded, sick and shipwrecked of a belligerent who fall into enemy hands shall be prisoners of war, and the provisions of international law concerning prisoners of war shall apply to them. The captor may decide, according to circumstances, whether it is expedient to hold them, or to convey them to a port in the captor's own country, to a neutral port or even to a port in enemy territory. In the last case, prisoners of war thus returned to their home country may not serve for the duration of the war.

ARTICLE 17.

Wounded, sick or shipwrecked persons who are landed in neutral ports with the consent of the local authorities, shall, failing arrangements to the contrary between the neutral and the belligerent Powers, be so guarded by the neutral Power, where so required by international law, that the said persons cannot again take part in operations of war.

The costs of hospital accommodation and internment shall be borne by the Power on whom the wounded, sick or shipwrecked persons depend.

(b) hulle moet 'n vaste kenteken hê wat op 'n afstand herkenbaar is;

(c) hulle moet openlik wapens dra;

(d) hulle moet hul operasies ooreenkomstig die oorlogs-reg en -gebruike uitvoer.

(3) Lede van gereelde gewapende magte wat trou betuig aan 'n regering of 'n owerheid wat nie deur die Aanhoudende Moondheid erken word nie.

(4) Persone wat die gewapende magte vergesel maar nie in werklikheid lede daarvan is nie, soos burgerlike lede van militêre vliegtuigbemannings, oorlogskorrespondente, voorraadleweransiers, lede van arbeidseenhede of van dienste wat verantwoordelik is vir die welsyn van die gewapende magte, mits hulle daartoe gemagtig is deur die gewapende magte wat hulle vergesel.

(5) Lede van bemannings, met inbegrip van gesagvoerders, loodse en vakleerlinge, van die handelsvloot en die bemannings van burgerlike lugvaartuie van die Partye by die botsing wat nie in gunstiger behandeling ingevolge ander bepalinge van die volkereg deel nie.

(6) Inwoners van 'n nie-besette grondgebied wat by die nadering van die vyand spontaan die wapens opneem om teen die invallende magte weerstand te bied sonder dat daar tyd was om hulle in gereelde gewapende eenhede te organiseer, mits hulle openlik wapens dra en die oorlogs-reg en -gebruike eerbiedig.

ARTIKEL 14.

Alle oorlogskepe van 'n oorlogvoerende party het die reg om te eis dat die gewondes, siekes of skipbreukelinge aan boord van militêre hospitaalskepe en hospitaalskepe behorende aan hulpverenigings of private individue asook handelsvaartuie, jage en ander vaartuie ongeag hul nasionaliteit uitgelewer word; met dien verstande dat die gewondes en siekes in 'n geskikte toestand verkeer om verskuif te word en dat die oorlogskip toereikende fasiliteite vir die nodige geneeskundige behandeling kan verskaf.

ARTIKEL 15.

As gewondes, siekes of skipbreukelinge aan boord van 'n neutrale oorlogskip of 'n neutrale militêre vliegtuig geneem word, moet daar verseker word dat, waar die volkereg dit vereis, hulle nie verder aan krygsverrigtings kan deelneem nie.

ARTIKEL 16.

Behoudens die bepalinge van artikel 12 is die gewondes, siekes en skipbreukelinge van 'n oorlogvoerende party wat in die hande van die vyand val, krygsgevangenes en is die bepalinge van die volkereg insake krygsgevangenes op hulle van toepassing. Die gevangener kan na gelang van omstandighede besluit of dit dienstig is om hulle aan te hou of om hulle na 'n hawe in die gevangener se eie land of na 'n neutrale hawe of selfs na 'n hawe binne vyandsgebied te vervoer. In laasgenoemde geval mag krygsgevangenes wat aldus na hul vaderland teruggestuur word, vir die duur van die oorlog nie weer diens doen nie.

ARTIKEL 17.

Gewondes, siekes of skipbreukelinge wat met die toestemming van die plaaslike owerhede in neutrale hawens aan wal gesit word, moet by ontstentenis van ander reëlings tussen die neutrale en die oorlogvoerende moondhede en waar die volkereg dit vereis, op so 'n wyse deur die neutrale moondheid bewaak word, dat genoemde persone nie weer aan krygsverrigtings kan deelneem nie.

Hospitaal- en interneringskoste moet gedra word deur die Moondheid van wie die gewondes, siekes of skipbreukelinge afhanklik is.

ARTICLE 18.

After each engagement, Parties to the conflict shall, without delay, take all possible measures to search for and collect the shipwrecked, wounded and sick, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead and prevent their being despoiled.

Whenever circumstances permit, the Parties to the conflict shall conclude local arrangements for the removal of the wounded and sick by sea from a besieged or encircled area and for the passage of medical and religious personnel and equipment on their way to that area.

ARTICLE 19.

The Parties to the conflict shall record as soon as possible, in respect of each shipwrecked, wounded, sick or dead person of the adverse Party falling into their hands, any particulars which may assist in his identification. These records should if possible include:

- (a) designation of the Power on which he depends;
- (b) army, regimental, personal or serial number;
- (c) surname;
- (d) first name or names;
- (e) date of birth;
- (f) any other particulars shown on his identity card or disc;
- (g) date and place of capture or death;
- (h) particulars concerning wounds or illness, or cause of death.

As soon as possible the above-mentioned information shall be forwarded to the information bureau described in Article 122 of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949, which shall transmit this information to the Power on which these persons depend through the intermediary of the Protecting Power and of the Central Prisoners of War Agency.

Parties to the conflict shall prepare and forward to each other through the same bureau, certificates of death or duly authenticated lists of the dead. They shall likewise collect and forward through the same bureau one half of the double identity disc, or the identity disc itself if it is a single disc, last wills or other documents of importance to the next of kin, money and in general all articles of an intrinsic or sentimental value, which are found on the dead. These articles, together with unidentified articles, shall be sent in sealed packets, accompanied by statements giving all particulars necessary for the identification of the deceased owners, as well as by a complete list of the contents of the parcel.

ARTICLE 20.

Parties to the conflict shall ensure that burial at sea of the dead, carried out individually as far as circumstances permit, is preceded by a careful examination, if possible by a medical examination, of the bodies, with a view to confirming death, establishing identity and enabling a report to be made. Where a double identity disc is used, one half of the disc should remain on the body.

If dead persons are landed, the provisions of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, shall be applicable.

ARTIKEL 18.

Partye by die botsing moet na elke geveg sonder versuim elke moontlike maatreef tref om die skipbreukelinge, gewondes en siekes te soek en aan te keer, hulle teen plundering en mishandeling te beskerm, te verseker dat hulle toereikend versorg word, en die gesneuweldes te soek en te verhoed dat hulle beroof word.

Wanneer die omstandighede dit toelaat, moet die Partye by die botsing plaaslike reëlins tref om die gewondes en siekes per skip uit 'n beleërde of omsingelde gebied te verwyder en om geneeskundige en geestelike personeel en uitrusting op weg na daardie gebied deur te laat.

ARTIKEL 19.

Die Partye by die botsing moet sodra moontlik ten opsigte van elke skipbreukeling, gewonde, sieke of oorledende van die teenparty wat in hul hande geval het, besonderhede aanteken wat by die identifikasie van sodanige persoon van nut kan wees. Hierdie aantekeninge moet indien moontlik ondervermelde inligting insluit:

- (a) Naam van die moondheid van wie hy afhanklik is;
- (b) leër, regiments-, persoonlike of volgnummer;
- (c) familienaam;
- (d) voornaam of -name;
- (e) geboortedatum;
- (f) ander besonderhede wat op sy identifikasiekaartjie of -plaatjie voorkom;
- (g) datum en plek van gevangeneeming of dood;
- (h) besonderhede van wonde of siekte, of oorsaak van dood.

Bovermelde inligting moet sodra moontlik gestuur word na die inligtingsburo wat beskryf word in artikel 122 van 12 Augustus 1949 se Geneefse Konvensie betreffende die Behandeling van Krygsgevangenes. Dié inligtingsburo moet hierdie inligting deur bemiddeling van die beskermende moondheid en van die Sentrale Organisasie vir Krygsgevangenes deurstuur aan die moondheid van wie hierdie persone afhanklik is.

Die Partye by die botsing moet sterftesertifikate of behoorlik gewaarmerkte lyste van die dooies opstel en deur bemiddeling van dieselfde buro aan mekaar stuur. Hulle moet insgelyks die een helfte van die dubbele identifikasiekaartjie of die identifikasieplaatjie self, as dit uit 'n enkele stuk bestaan, testamente of ander dokumente wat vir die naasbestaandes van belang is, geld, en in die algemeen alle artikels van intrinsieke of sentimentele waarde wat by die oorledenes gevind word, deur bemiddeling van hierdie buro versamel en aanstuur. Hierdie artikels, tesame met ongeïdentifiseerde artikels moet in verseelde pakkette aangestuur word en moet vergesel gaan van opgawes van alle nodige besonderhede vir die identifisering van die oorlede eienaars, asook van 'n volledige uiteensetting van die inhoud van die pakket.

ARTIKEL 20.

Partye by die botsing moet toesien dat begrawings ter see, wat, vir sover die omstandighede dit toelaat, afsonderlik moet geskied, deur 'n noukeurige, indien moontlik geneeskundige, ondersoek van die lyke voorafgegaan word ten einde die dood te bevestig, identiteit vas te stel en die opstel van 'n verslag moontlik te maak. In die geval van 'n dubbele identifikasieplaatjie moet een helfte daarvan aan die liggaam gelaat word.

As oorledenes aan wal gebring word, is die bepalings van 12 Augustus 1949 se Geneefse Konvensie vir die Verligting van die Toestand van Gewondes en Siekes van die Gewapende Magte te Velde van toepassing.

ARTICLE 21.

The Parties to the conflict may appeal to the charity of commanders of neutral merchant vessels, yachts or other craft, to take on board and care for wounded, sick or shipwrecked persons, and to collect the dead.

Vessels of any kind responding to this appeal, and those having of their own accord collected wounded, sick or shipwrecked persons, shall enjoy special protection and facilities to carry out such assistance.

They may, in no case, be captured on account of any such transport; but, in the absence of any promise to the contrary, they shall remain liable to capture for any violations of neutrality they may have committed.

CHAPTER III.

HOSPITAL SHIPS.

ARTICLE 22.

Military hospital ships, that is to say, ships built or equipped by the Powers specially and solely with a view to assisting the wounded, sick and shipwrecked, to treating them and to transporting them, may in no circumstances be attacked or captured, but shall at all times be respected and protected, on condition that their names and descriptions have been notified to the Parties to the conflict ten days before those ships are employed.

The characteristics which must appear in the notification shall include registered gross tonnage, the length from stem to stern and the number of masts and funnels.

ARTICLE 23.

Establishments ashore entitled to the protection of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, shall be protected from bombardment or attack from the sea.

ARTICLE 24.

Hospital ships utilized by National Red Cross Societies, by officially recognized relief societies or by private persons shall have the same protection as military hospital ships and shall be exempt from capture, if the Party to the conflict on which they depend has given them an official commission and in so far as the provisions of Article 22 concerning notification have been complied with.

These ships must be provided with certificates from the responsible authorities, stating that the vessels have been under their control while fitting out and on departure.

ARTICLE 25.

Hospital ships utilized by National Red Cross Societies, officially recognized relief societies, or private persons of neutral countries shall have the same protection as military hospital ships and shall be exempt from capture, on condition that they have placed themselves under the control of one of the Parties to the conflict, with the previous consent of their own governments and with the authorization of the Party to the conflict concerned, in so far as the provisions of Article 22 concerning notification have been complied with.

ARTIKEL 21.

Die Partye by die botsing kan 'n beroep op die barmhartigheid van gesagvoerders van neutrale handelskepe, jagte of ander vaartuie doen om gewondes, siekes of skipbreukelinge aan boord te neem en te versorg en die gesneuweldes te versamel.

Vaartuie wat aan hierdie versoek gehoor gee en dié wat uit eie beweging gewondes, siekes of skipbreukelinge versamel het, moet spesiale beskerming en fasiliteite vir die verlening van sodanige hulp geniet.

Daar mag in geen geval vanweë sodanige vervoer beslag op hulle gelê word nie; maar, tensy daar belowe is dat dit nie gedoen sal word nie, kan daar weens enige skendings van die neutraliteit beslag op hulle gelê word.

HOOFSTUK III.

HOSPITAALSKEPE.

ARTIKEL 22.

Militêre hospitaalskepe, dit wil sê skepe deur die moondhede spesiaal en uitsluitlik gebou en uitgerus om gewondes, siekes en skipbreukelinge te help, te behandel en te vervoer, mag onder geen omtandighede aangeval of in beslag geneem word nie, maar moet te alle tye gerespekteer en beskerm word, op voorwaarde dat hul name en beskrywings aan die botsende partye verstrekk word, tien dae voordat van hulle gebruik gemaak word.

Die kennisgewing moet onder meer ondervermelde inligting verstrekk naamlik die geregistreerde bruto tonne-maat, die lengte van voor- tot agterstewe en die getal maste en skoorstene.

ARTIKEL 23.

Inrigtings op land wat geregtig is tot die beskerming wat 12 Augustus 1949 se Geneefse Konvensie vir die Verligting van die Toestand van Gewondes en Siekes van die Gewapende Magte te Velde verleen, moet teen bombardering of aanvalle van die see af beskerm word.

ARTIKEL 24.

Hospitaalskepe wat deur Nasionale Rooikruisverenigings, deur amptelik erkende hulpverenigings of deur private persone gebruik word, moet dieselfde beskerming geniet as militêre hospitaalskepe en is nie aan beslaglegging onderworpe as die Partye by die botsing van wie hulle afhanklik is, aan hulle 'n amptelike opdrag gegee het en die bepalings van artikel 22 betreffende kennisgewing nagekom is nie.

Hierdie vaartuie moet deur die verantwoordelike owerhede voorsien word van sertifikate waarin vermeld word dat die vaartuie onder hul beheer was toe hulle uitgerus is en vertrek het.

ARTIKEL 25.

Behoudens nakoming van artikel 22 se bepalings betreffende kennisgewing moet hospitaalskepe wat deur nasionale Rooikruisverenigings, amptelik erkende hulpverenigings, of private persone van neutrale lande gebruik word, dieselfde beskerming as militêre hospitaalskepe geniet en is hulle nie aan beslaglegging onderworpe nie mits hulle hulself met die voorafgaande toestemming van hul eie regerings en met die magtiging van die betrokke botsende partye onder die beheer van een van die botsende partye gestel het.

ARTICLE 26.

The protection mentioned in Articles 22, 24 and 25 shall apply to hospital ships of any tonnage and to their lifeboats, wherever they are operating. Nevertheless, to ensure the maximum comfort and security, the Parties to the conflict shall endeavour to utilize, for the transport of wounded, sick and shipwrecked over long distances and on the high seas, only hospital ships of over 2,000 tons gross.

ARTICLE 27.

Under the same conditions as those provided for in Articles 22 and 24, small craft employed by the State or by the officially recognized lifeboat institutions for coastal rescue operations, shall also be respected and protected, so far as operational requirements permit.

The same shall apply so far as possible to fixed coastal installations used exclusively by these craft for their humanitarian missions.

ARTICLE 28.

Should fighting occur on board a warship, the sick-bays shall be respected and spared as far as possible. Sick-bays and their equipment shall remain subject to the laws of warfare, but may not be diverted from their purpose so long as they are required for the wounded and sick. Nevertheless, the commander into whose power they have fallen may, after ensuring the proper care of the wounded and sick who are accommodated therein, apply them to other purposes in case of urgent military necessity.

ARTICLE 29.

Any hospital ship in a port which falls into the hands of the enemy shall be authorized to leave the said port.

ARTICLE 30.

The vessels described in Articles 22, 24, 25 and 27 shall afford relief and assistance to the wounded, sick and shipwrecked without distinction of nationality.

The High Contracting Parties undertake not to use these vessels for any military purpose. Such vessels shall in no wise hamper the movements of the combatants.

During and after an engagement, they will act at their own risk.

ARTICLE 31.

The Parties to the conflict shall have the right to control and search the vessels mentioned in Articles 22, 24, 25 and 27. They can refuse assistance from these vessels, order them off, make them take a certain course, control the use of their wireless and other means of communication, and even detain them for a period not exceeding seven days from the time of interception, if the gravity of the circumstances so require.

They may put a commissioner temporarily on board whose sole task shall be to see that orders given in virtue of the provisions of the preceding paragraph are carried out.

As far as possible, the Parties to the conflict shall enter in the log of the hospital ship, in a language he can understand, the orders they have given the captain of the vessel.

Parties to the conflict may, either unilaterally or by particular agreements, put on board their ships neutral observers who shall verify the strict observation of the provisions contained in the present Convention.

ARTIKEL 26.

Die beskerming waarvan in artikels 22, 24 en 25 melding gemaak word, is van toepassing op hospitaalskepe van enige tonnemaat en op hul reddingsbote, waar hulle ook al in diens is. Ten einde die maksimum gerief en veiligheid te verseker, moet die botsende partye nietemin probeer om slegs hospitaalskepe met 'n bruto tonnemaat van meer as 2,000 te gebruik om gewondes, siekes en skipbreukelinge oor lang afstande en op die oop see te vervoer.

ARTIKEL 27.

Op dieselfde voorwaardes as die wat in artikel 22 en 24 bepaal word, en vir sover operasievereistes dit toelaat, moet klein vaartuie wat deur die Staat of deur amptelik erkende reddingsbootinrigtings vir reddingswerk langs die kus gebruik word, ook gerespekteer en beskerm word.

Dieselfde geld sover moontlik ten opsigte van vaste kusinstallasies wat uitsluitlik deur hierdie vaartuie vir hul humanitêre sendings gebruik word.

ARTIKEL 28.

As aan boord van 'n oorlogskip geveg word, moet die siekeboeg sover moontlik gerespekteer en ontsien word. Siekeboeë en die uitrusting daarvan bly onderworpe aan die oorlogsreg, maar mag vir geen ander doel aangewend word solank hulle vir die versorging van gewondes en siekes nodig is nie. Nietemin kan die bevelvoerder in wies mag hulle geval het, hulle in die geval van dringende militêre noodsaaklikheid vir ander doeleindes aanwend nadat voorsiening gemaak is vir die behoorlike versorging van die gewondes en siekes wat daarin gehuisves is.

ARTIKEL 29.

'n Hospitaalskip in 'n hawe wat in die hande van die vyand val, moet gemagtig word om gemelde hawe te verlaat.

ARTIKEL 30.

Die vaartuie wat in artikels 22, 24, 25 en 27 beskryf word, moet aan gewondes, siekes en skipbreukelinge, ongeag hul nasionaliteit, verligting en hulp verleen.

Die Hoë Kontrakterende Partye onderneem om nie hierdie vaartuie vir militêre doeleindes te gebruik nie. Sodanige vaartuie mag op geen wyse die bewegings van die oorlogvoerende partye belemmer nie. Gedurende en na 'n geveg handel hulle op eie risiko.

ARTIKEL 31.

Die Partye by die botsing het die reg om die vaartuie genoem in artikels 22, 24, 25 en 27 te beheer en te deursoek. Hulle kan hulp van hierdie vaartuie weier, hulle beveel om pad te gee of 'n sekere koers in te slaan en die gebruik van hul radio en ander verbindingsmiddels beheer en kan hulle selfs vir 'n tydperk van hoogstens sewe dae na onderskepping aanhou indien die erns van die omstandighede dit vereis.

Hulle kan 'n gevolmagtigde tydelik aan boord plaas met die enkele opdrag om toe te sien dat bevels wat ingevolge die bepalinge van die vorige paragraaf uitgevaardig is, uitgevoer word.

Die Party by die botsing moet die bevels wat hulle aan die kaptein van 'n hospitaalskip gegee het, vir sover moontlik in 'n taal wat hy kan verstaan, in die vaartuig se skeepsjoernaal aanteken.

Partye by die botsing kan of deur eensydige optrede of ingevolge bepaalde ooreenkomste neutrale waarnemers aan boord van hul skepe plaas om te bevestig dat die bepalinge van hierdie konvensie streng nagekom word.

ARTICLE 32.

Vessels described in Articles 22, 24, 25 and 27 are not classed as warships as regards their stay in a neutral port.

ARTICLE 33.

Merchant vessels which have been transformed into hospital ships cannot be put to any other use throughout the duration of hostilities.

ARTICLE 34.

The protection to which hospital ships and sick-bays are entitled shall not cease unless they are used to commit, outside their humanitarian duties, acts harmful to the enemy. Protection may, however, cease only after due warning has been given, naming in all appropriate cases a reasonable time limit, and after such warning has remained unheeded.

In particular, hospital ships may not possess or use a secret code for their wireless or other means of communication.

ARTICLE 35.

The following conditions shall not be considered as depriving hospital ships or sick-bays of vessels of the protection due to them:

(1) The fact that the crews of ships or sick-bays are armed for the maintenance of order, for their own defence or that of the sick and wounded.

(2) The presence on board of apparatus exclusively intended to facilitate navigation or communication.

(3) The discovery on board hospital ships or in sick-bays of portable arms and ammunition taken from the wounded, sick and shipwrecked and not yet handed to the proper service.

(4) The fact that the humanitarian activities of hospital ships and sick-bays of vessels or of the crews extended to the care of wounded, sick or shipwrecked civilians.

(5) The transport of equipment and of personnel intended exclusively for medical duties, over and above the normal requirements.

CHAPTER IV.

PERSONNEL.

ARTICLE 36.

The religious, medical and hospital personnel of hospital ships and their crews shall be respected and protected; they may not be captured during the time they are in the service of the hospital ship, whether or not there are wounded and sick on board.

ARTICLE 37.

The religious, medical and hospital personnel assigned to the medical or spiritual care of the persons designated in Articles 12 and 13 shall, if they fall into the hands of the enemy, be respected and protected; they may continue to carry out their duties as long as this is necessary for the care of the wounded and sick. They shall afterwards be sent back as soon as the Commander-in-Chief, under whose authority they are, considers it practicable. They may take with them, on leaving the ship, their personal property.

ARTIKEL 32.

Vaartuie wat in artikels 22, 24, 25 en 27 beskryf is, word nie met betrekking tot hul verblyf in 'n neutrale hawe as oorlogskepe geklassifiseer nie.

ARTIKEL 33.

Handelsvaartuie wat in hospitaalskepe omgeskep is, mag vir geen ander doel gebruik word solank die vyandelikhede voortduur nie.

ARTIKEL 34.

Die beskerming waartoe hospitaalskepe en siekeboë geregtig is, mag nie gestaak word nie tensy hulle buite die bestek van hul menslike pligte tot benadeling van die vyand gebruik word. Beskerming kan egter alleen gestaak word nadat behoorlike waarskuwing met vermelding van 'n redelike tydperk in toepaslike gevalle gegee en die waarskuwing steeds verontagsaam is.

Hospitaalskepe mag veral nie van 'n geheime kode vir hul radio of ander verbindingsmiddels in besit wees of gebruik maak nie.

ARTIKEL 35.

Die volgende omstandighede word nie geag hospitaalskepe of siekeboë van vaartuie die beskerming te laat verbeur wat hulle toekom nie:

(1) Die feit dat die bemanning van skepe of siekeboë gewapen is vir die handhawing van die orde, vir hul eie verdediging of die verdediging van die siekes en gewondes.

(2) Die aanwesigheid aan boord van apparaat wat uitsluitlik bedoel is om navigasie of kommunikasie te vergemaklik.

(3) Die ontdekking aan boord van hospitaalskepe of in siekeboë van draagbare wapens en ammunisie wat van die gewondes, siekes en skipbreukelinge afgeneem is en nog nie aan die gepaste diens oorhandig is nie.

(4) Die feit dat die humanitêre werkksaamhede van hospitaalskepe en siekeboë van vaartuie of van die bemannings die versorging van burgerlike gewondes, siekes of skipbreukelinge insluit.

(5) die vervoer van meer as die normale kwota uitrustings en personeel wat uitsluitlik vir geneeskundige pligte bedoel is.

HOOFSTUK IV.

PERSONEEL.

ARTIKEL 36.

Die kerklike, geneeskundige en hospitaalpersoneel van hospitaalskepe en hul bemannings moet gerespekteer en beskerm word; hulle mag nie gevange geneem word solank hulle in diens van die hospitaalskip is nie, ongeag of daar gewondes en siekes aan boord is, of nie.

ARTIKEL 37.

Die kerklike, geneeskundige en hospitaalpersoneel aan wie die geneeskundige of geestelike versorging van die persone genoem in artikels 12 en 13 opgedra is, moet as hulle in die hande van die vyand val, gerespekteer en beskerm word; hulle mag hul werk voortsit solank die versorging van die gewondes en siekes dit vereis. Daarna moet hulle teruggestuur word sodra die opperbevelhebber, onder wie se gesag hulle staan, dit doenlik ag. Hulle mag hul persoonlike besittings saamneem, wanneer hulle die skip verlaat.

If, however, it proves necessary to retain some of this personnel owing to the medical or spiritual needs of prisoners of war, everything possible shall be done for their earliest possible landing.

Retained personnel shall be subject, on landing, to the provisions of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949.

CHAPTER V. MEDICAL TRANSPORTS.

ARTICLE 38.

Ships chartered for that purpose shall be authorized to transport equipment exclusively intended for the treatment of wounded and sick members of armed forces or for the prevention of disease, provided that the particulars regarding their voyage have been notified to the adverse Power and approved by the latter. The adverse Power shall preserve the right to board the carrier ships, but not to capture them or seize the equipment carried.

By agreement amongst the Parties to the conflict, neutral observers may be placed on board such ships to verify the equipment carried. For this purpose, free access to the equipment shall be given.

ARTICLE 39.

Medical aircraft, that is to say, aircraft exclusively employed for the removal of the wounded, sick and shipwrecked, and for the transport of medical personnel and equipment, may not be the object of attack, but shall be respected by the Parties to the conflict, while flying at heights, at times and on routes specifically agreed upon between the Parties to the conflict concerned.

They shall be clearly marked with the distinctive emblem prescribed in Article 41, together with their national colours, on their lower, upper and lateral surfaces. They shall be provided with any other markings or means of identification which may be agreed upon between the Parties to the conflict upon the outbreak or during the course of hostilities.

Unless agreed otherwise, flights over enemy or enemy-occupied territory are prohibited.

Medical aircraft shall obey every summons to alight on land or water. In the event of having thus to alight, the aircraft with its occupants may continue its flight after examination, if any.

In the event of alighting involuntarily on land or water in enemy or enemy-occupied territory, the wounded, sick and shipwrecked, as well as the crew of the aircraft shall be prisoners of war. The medical personnel shall be treated according to Articles 36 and 37.

ARTICLE 40.

Subject to the provisions of the second paragraph, medical aircraft of Parties to the conflict may fly over the territory of neutral Powers, land thereon in case of necessity, or use it as a port of call. They shall give neutral Powers prior notice of their passage over the said territory, and obey every summons to alight, on land or water. They will be immune from attack only when flying on routes, at heights and at times specifically agreed upon between the Parties to the conflict and the neutral Power concerned.

Indien dit egter nodig blyk om sommige van hierdie personeel weens die geneeskundige of geestelike behoeftes van krygsgevangenes te behou, moet alles moontlik gedoen word om hulle so gou moontlik aan wal te laat gaan.

Die bepalings van 12 Augustus 1949 se Geneefse Konvensie vir die Verligting van die Toestand van Gewondes en Siekes van Gewapende Magte te Velde is op behoue personeel van toepassing wanneer hulle aan wal gaan.

HOOFSTUK V.

GENEESKUNDIGE TRANSPORTSKEPE.

ARTIKEL 38.

Skepe wat vir dié doel gehuur is, word gemagtig om uitrusting te vervoer wat uitsluitlik bedoel is vir die behandeling van gewondes en siek lede van gewapende magte of vir die voorkoming van siekte, mits die teenparty oor die besonderhede van hul reis ingelig is en dit goedgekeur het. Die teenparty behou die reg om aan boord van die transportskepe te gaan, maar mag nie beslag lê op hulle of op die uitrusting wat vervoer word nie.

Neutrale waarnemers kan volgens ooreenkoms tussen die botsende partye aan boord van sulke skepe geplaas word om vas te stel watter uitrusting vervoer word. Vir dié doel moet vrye toegang tot die uitrusting verleen word.

ARTIKEL 39.

Mediese vliegtuie, dit wil sê, vliegtuie wat uitsluitlik vir lik vir die verwydering van gewondes, siekes en skipbreukelinge en vir die vervoer van geneeskundige personeel en uitrusting gebruik word, mag nie aangeval word nie, maar moet deur die Partye by die botsing gerespekteer word wanneer hulle op hoogtes, op tye en langs roetes vlieg waarvoor die betrokke botsende partye uitdruklik ooreengekom het.

Die onderskeidingsembleem wat in artikel 41 voorgeskryf word, tesame met hul nasionale kleure, moet duidelik op hul bo-, onder- en syvlakke aangebring wees. Hulle moet voorsien word van ander merke of identifikaasimiddels waarvoor die Partye by die botsing by die uitbreek van of gedurende vyandelikhede ooreenkom.

Tensy daar anders ooreengekom is, is dit verbode om oor die gebied van die vyand of oor gebiede beset deur die vyand te vlieg.

Mediese vliegtuie moet elke bevel gehoorsaam om op land of water neer te stryk. As 'n vliegtuig aldus moet neerstrik kan hy na ondersoek, as ondersoek plaasvind, sy vlug met sy insittendes voortsit.

In die geval van 'n onvrywillige landing op land of water in gebied van, of beset deur die vyand, word die gewondes, siekes en skipbreukelinge, asook die bemanning van die vliegtuig, krygsgevangenes. Die geneeskundige personeel moet ooreenkomstig artikels 36 en 37 behandel word.

ARTIKEL 40.

Behoudens die bepalings van die tweede paragraaf kan mediese vliegtuie van Partye by die botsing oor die grondgebied van neutrale moondhede vlieg, desnoods daar land, of dit as 'n aanloophawe gebruik. Hulle moet die neutrale moondhede vooraf in kennis stel dat hulle oor genoemde gebied gaan vlieg, en moet elke bevel gehoorsaam om op land of water neer te stryk. Hulle is slegs teen aanvalle gevrywaar wanneer hulle vlieg langs roetes en op hoogtes en tye waarvoor die Partye by die botsing en die betrokke neutrale moondheid uitdruklik ooreengekom het.

The neutral Powers may, however, place conditions or restrictions on the passage or landing of medical aircraft on their territory. Such possible conditions or restrictions shall be applied equally to all Parties to the conflict.

Unless otherwise agreed between the neutral Powers and the Parties to the conflict, the wounded, sick or shipwrecked who are disembarked with the consent of the local authorities on neutral territory by medical aircraft shall be detained by the neutral Power, where so required by international law, in such a manner that they cannot again take part in operations of war. The cost of their accommodation and internment shall be borne by the Power on which they depend.

CHAPTER VI.

THE DISTINCTIVE EMBLEM.

ARTICLE 41.

Under the direction of the competent military authority, the emblem of the red cross on a white ground shall be displayed on the flags, armlets and on all equipment employed in the Medical Service.

Nevertheless, in the case of countries which already use as emblem, in place of the red cross, the red crescent or the red lion and sun on a white ground, these emblems are also recognized by the terms of the present Convention.

ARTICLE 42.

The personnel designated in Articles 36 and 37 shall wear, affixed to the left arm, a water-resistant armlet bearing the distinctive emblem, issued and stamped by the military authority.

Such personnel, in addition to wearing the identity disc mentioned in Article 19, shall also carry a special identity card bearing the distinctive emblem. This card shall be water-resistant and of such size that it can be carried in the pocket. It shall be worded in the national language, shall mention at least the surname and first names, the date of birth, the rank and the service number of the bearer, and shall state in what capacity he is entitled to the protection of the present Convention. The card shall bear the photograph of the owner and also either his signature or his fingerprints or both. It shall be embossed with the stamp of the military authority.

The identity card shall be uniform throughout the same armed forces and, as far as possible, of a similar type in the armed forces of the High Contracting Parties. The Parties to the conflict may be guided by the model which is annexed, by way of example, to the present Convention. They shall inform each other, at the outbreak of hostilities, of the model they are using. Identity cards should be made out, if possible, at least in duplicate, one copy being kept by the home country.

In no circumstances may the said personnel be deprived of their insignia or identity cards nor of the right to wear the armlet. In case of loss they shall be entitled to receive duplicates of the cards and to have the insignia replaced.

ARTICLE 43.

Th ships designated in Articles 22, 24, 25 and 27 shall be distinctively marked as follows:

(a) All exterior surfaces shall be white.

Die neutrale moondhede kan egter voorwaardes of beperkings ople met betrekking tot die oortog van mediese vliegtuie oor, of die landing daarvan op hul gebied. Sodanige moontlike voorwaardes of beperkings moet in gelyke mate vir alle partye by die botsing geld.

Tensy anders deur die neutrale moondhede en die botsende partye ooreengekom is, moet die neutrale moondheid, waar die volkereg dit vereis, die gewondes, siekes of skipbreukelinge wat met die toestemming van die plaaslike owerhede deur mediese vliegtuie op neutrale gebied afgelaai word, op so 'n wyse aanhou dat hulle nie weer aan krygsverrigtings kan deelneem nie. Die koste van hul huisvesting en internering moet gedra word deur die moondheid van wie hulle afhanklik is.

HOOFSTUK VI.

DIE ONDERSKEIDINGSEMBLEEM.

ARTIKEL 41.

In opdrag van die bevoegde militêre owerheid moet die embleem van die rooi kruis op 'n wit veld op die vlac en armbande en op alle uitrusting van die Geneeskundige Diens vertoon word.

In die geval van lande wat reeds die rooi halfmaan of die rooi leeu en son op 'n wit veld as embleem in plaas van die rooi kruis gebruik, word eersgenoemde embleme nogtans ook deur die huidige Konvensie erken.

ARTIKEL 42.

Die personeel genoem in artikels 36 en 37 moet aan die linkerarm 'n waterbestande band dra waarop die onderskeidingsembleem verskyn en wat deur die militêre owerheid uitgereik en gestempel is.

Sodanige personeel moet benewens die identifikasieplaatjie waarvan in artikel 19 melding gemaak word, ook 'n spesiale identifikasiekaartjie met die onderskeidingsembleem daarop dra. Dié kaartjie moet teen water bestand en van so 'n grootte wees dat hy in die sak gedra kan word. Hy moet in die landstaal bewoord wees, minstens die van en voorname, die geboortedatum, die rang en die diensnommer van die draer verstrek en meld in watter hoedanigheid hy tot die beskerming van die huidige konvensie geregtig is. Die kaart moet 'n portret van die eienaar, asook sy handtekening en/of vingerafdrukke, ophê. Die reliëfstempel van die militêre owerheid moet daarop voorkom.

Die identifikasiekaartjie moet vir dieselfde gewapende magte eenvormig en vir sover moontlik in die gewapende magte van die Hoë Kontrakterende Partye van eenderse tipe wees. Die model wat as voorbeeld in die vorm van 'n bylae aan die huidige Konvensie geheg word, kan die Partye by die botsing tot leidraad dien. Hulle moet mekaar by die uitbreek van die vyandelikhede in kennis stel van die model wat hulle gebruik. Identifikasiekaartjies moet, indien moontlik minstens in tweevoud ingevul word en die een eksemplaar moet deur die tuisland gehou word.

Genoemde personeel mag onder geen omstandighede hul kentekens of identifikasiekaartjies ontnem of die reg ontse word om die armband te dra nie.

As hierdie dinge wegraak, is hulle daartoe geregtig om duplikate van die kaartjies te ontvang en om kentekens te laat vervang.

ARTIKEL 43.

Die skepe vermeld in artikels 22, 24, 25 en 27 moet duidelik soos volg gemerk word:

(a) Alle buitevlakke moet wit wees.

(b) One or more dark red crosses, as large as possible, shall be painted and displayed on each side of the hull and on the horizontal surfaces, so placed as to afford the greatest possible visibility from the sea and from the air.

All hospital ships shall make themselves known by hoisting their national flag and further, if they belong to a neutral state, the flag of the Party to the conflict whose direction they have accepted. A white flag with a red cross shall be flown at the main mast as high as possible.

Lifeboats of hospital ships, coastal lifeboats and all small craft used by the Medical Service shall be painted white with dark red crosses prominently displayed and shall, in general, comply with the identification system prescribed above for hospital ships.

The above-mentioned ships and craft, which may wish to ensure by night and in times of reduced visibility the protection to which they are entitled, must, subject to the assent of the Party to the conflict under whose power they are, take the necessary measures to render their painting and distinctive emblems sufficiently apparent.

Hospital ships which, in accordance with Article 31, are provisionally detained by the enemy, must haul down the flag of the Party to the conflict in whose service they are or whose direction they have accepted.

Coastal lifeboats, if they continue to operate with the consent of the Occupying Power from a base which is occupied, may be allowed, when away from their base, to continue to fly their own national colours along with a flag carrying a red cross on a white ground, subject to prior notification to all the Parties to the conflict concerned.

All the provisions in this Article relating to the red cross shall apply equally to the other emblems mentioned in Article 41.

Parties to the conflict shall at all times endeavour to conclude mutual agreements in order to use the most modern methods available to facilitate the identification of hospital ships.

ARTICLE 44.

The distinguishing signs referred to in Article 43 can only be used, whether in time of peace or war, for indicating or protecting the ships therein mentioned, except as may be provided in any other international Convention or by agreement between all the Parties to the conflict concerned.

ARTICLE 45.

The High Contracting Parties shall, if their legislation is not already adequate, take the measures necessary for the prevention and repression, at all times, of any abuse of the distinctive signs provided for under Article 43.

CHAPTER VII.

EXECUTION OF THE CONVENTION.

ARTICLE 46.

Each Party to the conflict, acting through its Commanders-in-Chief, shall ensure the detailed execution of the preceding Articles and provide for unforeseen cases, in conformity with the general principles of the present Convention.

(b) Een of meer donkerrooi kruise, so groot as moontlik moet aan weerskante van die romp en op die horisontale vlakke in sodanige posisies gevef en vertoon word dat hy/hulle van die see af en vanuit die lug so sigbaar moontlik is.

Alle hospitaalskepe moet hul identiteit bekend maak deur die hysing van hul nasionale vlag en, indien hulle aan 'n neutrale staat behoort, van die vlag van die Party by die botsing wie se opdrag hulle aanvaar het. 'n Wit vlag met 'n rooi kruis moet so hoog moontlik aan die grootmas gevoer word.

Reddingsbote van hospitaalskepe, kusreddingsbote en alle klein vaartuie wat deur die Geneeskundige Diens gebruik word, moet wit gevef wees en opvallende donkerrooi kruise ophê en moet oor die algemeen voldoen aan die identifikasiesistelsel wat hierbo vir hospitaalskepe voorgeskryf is.

Bogenoemde skepe en vaartuie wat gedurende die nag en in tye wanneer die sigbaarheid swak is, die beskerming wil verseker waartoe hulle geregtig is, moet behoudens die toestemming van die Party by die botsing onder wie se gesag hulle staan, die nodige maatreëls tref om hulle verwerk en onderskeidingsembleme opvallend genoeg te maak.

Hospitaalskepe wat ooreenkomstig artikel 31 voorlopig deur die vyand aangehou word, moet die vlag stryk van die botsende party in wie se diens hulle is of wie se opdrag hulle aanvaar het.

As kusreddingsbote met die toestemming van die besettingsmoondheid hul werksaamhede vanaf 'n besette basis voortsit, kan hulle, wanneer hulle van hul basis af weg is, toegelaat word om hul eie nasionale vlac saam met 'n vlag met 'n rooi kruis op 'n wit agtergrond te voer, mits alle Partye by die botsing vooraf daarvan in kennis gestel is.

Al hierdie artikel se bepalings met betrekking tot die rooi kruis is eweseer van toepassing op die ander embleme wat in artikel 41 genoem word.

Partye by die botsing moet altyd probeer om onderlinge ooreenkomste te sluit ten einde van die modernste beskikbare metodes gebruik te maak om die identifikasie van hospitaalskepe te vergemaklik.

ARTIKEL 44.

Die onderskeidende tekens vermeld in artikel 43 kan behoudens die bepalings van 'n ander internasionale Konvensie of van 'n ooreenkoms tussen al die betrokke Partye by die botsing in vredes- of in oorlogstyd alleen gebruik word vir die aanduiding of beskerming van die skepe wat daarin genoem word.

ARTIKEL 45.

Die Hoë Kontrakterende Partye moet, indien hul wetgewing nie reeds toereikend is nie, die nodige maatreëls tref om die misbruik van die onderskeidende tekens waarvoor in artikel 43 voorsiening gemaak word, te alle tye te voorkom en teë te gaan.

HOOFSTUK VII.

UITVOERING VAN DIE KONVENSIË.

ARTIKEL 46.

Elke Party by die botsing moet deur bemiddeling van sy opperbevelhebbers daarvoor sorg dat die bepalings van die voorgaande artikels volledig uitgevoer word en ooreenkomstig die algemene beginsels van die huidige Konvensie vir onvoorsiene gevalle voorsiening maak.

ARTICLE 47.

Reprisals against the wounded, sick and shipwrecked persons, the personnel, the vessels or the equipment protected by the Convention are prohibited.

ARTICLE 48.

The High Contracting Parties undertake, in time of peace as in time of war, to disseminate the text of the present Convention as widely as possible in their respective countries, and, in particular, to include the study thereof in their programmes of military and, if possible, civil instruction, so that the principles thereof may become known to the entire population, in particular to the armed fighting forces, the medical personnel and the chaplains.

ARTICLE 49.

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

CHAPTER VIII.

REPRESSION OF ABUSES AND INFRACTIONS.

ARTICLE 50.

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defence, which shall not be less favourable than those provided by Article 105 and those following of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949.

ARTICLE 51.

Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment,

ARTIKEL 47.

Weerwraak teen die gewondes, siekes en skipbreukelinge, die personeel, die vaartuie of die uitrusting wat deur die Konvensie beskerm word, is verbode.

ARTIKEL 48.

Die Hoë Kontrakterende Partye verbind hulle om sowel in vredes- as in oorlogstyd die teks van die huidige Konvensie sover moontlik in hul onderskeie lande bekend te maak en in die besonder om die bestudering daarvan in hul militêre en, indien moontlik, burgerlike leerplanne in te sluit sodat die hele bevolking met die beginsels daarvan vertrouwd kan raak, in die besonder die gewapende vegtende magte, die mediese personeel en die veldpredikers.

ARTIKEL 49.

Die Hoë Kontrakterende Partye moet die amptelike vertaling van die huidige Konvensie en ook die wette en regulasies wat hulle mag aanneem ten einde die toepassing daarvan te verseker, deur tussenkoms van die Switserse Federale Raad en, gedurende vyandelikhede, deur tussenkoms van die Beskermende Moondhede aan mekaar stuur.

HOOFSTUK VIII.

ONDERDRUKKING VAN SKENDINGS EN OORTREDINGS.

ARTIKEL 50.

Die Hoë Kontrakterende Partye verbind hulle om dié wetgewing af te kondig wat nodig is om voorsiening te maak vir die oplegging van doeltreffende straf aan persone wat enigeen van die ernstige oortredings van die huidige Konvensie, soos in die eersvolgende artikel omskryf, begaan of opdrag gee dat sodanige oortredings begaan word.

Elke Hoë Kontrakterende Party is verplig om persone wat, na beweer word, sodanige ernstige oortredings begaan het of opdrag gegee het dat dit begaan word, op te spoor en sodanige persone, sonder inagneming van hul nasionaliteit, voor sy eie howe te daag. Elke Hoë Kontrakterende Party kan ook, indien hy dit verkies, en ooreenkomstig die bepalings van sy eie wetgewing, sodanige persone aan 'n ander betrokke Hoë Kontrakterende Party oorhandig vir verhoor mits sodanige Hoë Kontrakterende Party *prima facie* 'n saak teen sodanige persoon of persone het.

Elke Hoë Kontrakterende Party moet dié maatreëls tref wat nodig is vir die onderdrukking van alle ander dade as die ernstige oortredings wat in die eersvolgende artikel omskryf word, wat strydig met die bepalings van die huidige Konvensie is.

Onder alle omstandighede moet die beskuldigde persone die waarborge van behoorlike verhoor en verweer geniet, wat nie minder gunstig mag wees nie as dié voorgeskryf by artikel 105 en dié ooreenkomstig die Geneefse Konvensie betreffende die Behandeling van Krygsgevangenes, gedateer 12 Augustus 1949.

ARTIKEL 51.

Die ernstige oortredings wat in die voorafgaande artikel bedoel word, is dié waarby enigeen van die volgende dade betrokke is indien dit gepleeg word teen persone of eiendom wat deur die huidige Konvensie beskerm word: Opsetlike doodslag, marteling of onmenslike behandeling, met inbegrip van biologiese

including biological experiments, wilfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

ARTICEL 52.

No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding Article.

ARTICLE 53.

At the request of a Party to the conflict, an enquiry shall be instituted, in a manner to be decided between the interested Parties, concerning any alleged violation of the Convention.

If agreement has not been reached concerning the procedure for the enquiry, the Parties should agree on the choice of an umpire, who will decide upon the procedure to be followed.

Once the violation has been established, the Parties to the conflict shall put an end to it and shall repress it with the least possible delay.

FINAL PROVISIONS.

ARTICLE 54.

The present Convention is established in English and in French. Both texts are equally authentic.

The Swiss Federal Council shall arrange for official translations of the Convention to be made in the Russian and Spanish languages.

ARTICLE 55.

The present Convention, which bears the date of this day, is open to signature until February 12, 1950, in the name of the Powers represented at the Conference which opened at Geneva on April 21, 1949; furthermore, by Powers not represented at that Conference, but which are parties to the Xth Hague Convention of October 18, 1907, for the adaptation to Maritime Warfare of the principles of the Geneva Convention of 1906, or to the Geneva Conventions of 1864, 1906 or 1929 for the Relief of the Wounded and Sick in Armies in the Field.

ARTICLE 56.

The present Convention shall be ratified as soon as possible and the ratifications shall be deposited at Berne.

A record shall be drawn up of the deposit of each instrument of ratification and certified copies of this record shall be transmitted by the Swiss Federal Council to all the Powers in whose name the Convention has been signed, or whose accession has been notified.

ARTICLE 57.

The present Convention shall come into force six months after not less than two instruments of ratification have been deposited.

Thereafter, it shall come into force for each High Contracting Party six months after the deposit of the instrument of ratification.

eksperimente, die opsetlike veroorsaking van groot lyding of ernstige liggaamlike besering of benadeling van die gesondheid en die vernietiging en toeëiening van eiendom op 'n uitgebreide skaal wat nie deur militêre noodsaaklikheid geregverdig word nie en wat onwettiglik en roekeloos uitgevoer word.

ARTIKEL 52.

Geen Hoë Kontrakterende Party word toegelaat om homself of 'n ander Hoë Kontrakterende Party te onthef van enige aanspreeklikheid wat hy of 'n ander Hoë Kontrakterende Party ten opsigte van die oortredings genoem in die voorafgaande artikel, opgeloop het nie.

ARTIKEL 53.

Op versoek van 'n Party by die botsing, moet daar op 'n manier waaroor die belanghebbende Partye moet besluit, ondersoek ingestel word in verband met enige beweerde skending van die Konvensie.

Indien daar nie oor die prosedure vir die ondersoek ooreengekom kan word nie, moet die Partye ooreenkom oor die keuse van 'n skeidsregter wat dan sal besluit oor die prosedure wat gevolg moet word.

Sodra daar bewys van die skending gelewer is, moet die Partye by die botsing met so min versuim as moontlik 'n einde daaraan maak en dit onderdruk.

SLOTBEPALINGS.

ARTIKEL 54.

Die huidige Konvensie word in Engels en in Frans aangegaan. Beide tekste is ewe outentiek.

Die Switserse Federale Raad moet reël vir amptelike vertalings van die Konvensie in die Russiese en die Spaanse Taal.

ARTIKEL 55.

Die huidige Konvensie, wat vandag se datum dra, is tot 12 Februarie 1950 beskikbaar vir ondertekening in die naam van die Moondhede wat verteenwoordig is in die konferensie wat op 21 April 1949 in Genève geopen is; daarbenewens deur moondhede wat nie op daardie konferensie verteenwoordig was nie, maar wat partye is by die Tiende Haagse Konvensie van 18 Oktober 1907 vir die aanpassing aan See-oorlog van die beginsels van die Geneefse Konvensie van 1906 of die Geneefse Konvensie van 1864, 1906 of 1929 die Toestand van Gewondes en Siekes van Troepe te Velde.

ARTIKEL 56.

Die huidige Konvensie moet sodra moontlik bekragtig word, en die bekragtighings moet te Berne gedeponeer word.

Daar moet 'n register opgestel word van die deponering van elke bekragtighingsdokument en gesertifiseerde kopieë van hierdie register moet deur die Switserse Federale Raad gestuur word aan al die Moondhede in wie se naam die Konvensie onderteken is of van wie se toetrede tot die Konvensie daar kennis gegee is.

ARTIKEL 57.

Die huidige Konvensie tree in werking ses maande nadat minstens twee bekragtighingsdokumente gedeponeer is.

Daarna word dit vir elke Hoë Kontrakterende Party van krag ses maande na die deponering van die bekragtighingsdokument.

ARTICLE 58.

The present Convention replaces the Xth Hague Convention of October 18, 1907, for the adaptation to Maritime Warfare of the principles of the Geneva Convention of 1906, in relations between the High Contracting Parties.

ARTICLE 59.

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

ARTICLE 60.

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

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

ARTICLE 61.

The situations provided for in Articles 2 and 3 shall give immediate effect to ratifications deposited and accessions notified by the Parties to the conflict before or after the beginning of hostilities or occupation. The Swiss Federal Council shall communicate by the quickest method any ratifications or accessions received from Parties to the conflict.

ARTICLE 62.

Each of the High Contracting Parties shall be at liberty to denounce the present Convention.

The denunciation shall be notified in writing to the Swiss Federal Council, which shall transmit it to the Governments of all the High Contracting Parties.

The denunciation shall take effect one year after the notification thereof has been made to the Swiss Federal Council. However, a denunciation of which notification has been made at a time when the denouncing Power is involved in a conflict shall not take effect until peace has been concluded, and until after operations connected with the release and repatriation of the persons protected by the present Convention have been terminated.

The denunciation shall have effect only in respect of the denouncing Power. It shall in no way impair the obligations which the Parties to the conflict shall remain bound to fulfil by virtue of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity and the dictates of the public conscience.

ARTICLE 63.

The Swiss Federal Council shall register the present Convention with the Secretariat of the United Nations. The Swiss Federal Council shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to the present Convention.

IN WITNESS WHEREOF the undersigned, having deposited their respective full powers, have signed the present Convention.

ARTIKEL 58.

In die betrekkinge tussen die Hoë Kontrakterende Partye word 18 Oktober 1907 se Tiende Haagse Konvensie vir die aanpassing aan See-oorlog van die Beginsels van die Geneefse Konvensie van 1906 deur die huidige Konvensie vervang.

ARTIKEL 59.

Vanaf die datum waarop die huidige Konvensie in werking tree, staan dit enige Moondheid in wie se naam die huidige Konvensie nie onderteken is nie, vry om tot hierdie Konvensie toe te tree.

ARTIKEL 60.

Toetredings moet skriftelik aan die Switserse Federale Raad bekendgemaak word en tree in werking ses maande na die datum waarop dit ontvang is.

Die Switserse Federale Raad moet al die Moondhede in wie se naam die Konvensie onderteken is of van wie se toetrede daar kennis gegee is, van sodanige toetrede verwittig.

ARTIKEL 61.

Die toestande wat in artikels 2 en 3 bedoel word, maak die bekrachtigings wat gedeponeer en die toetredings waarvan die Partye by die botsing kennis gegee het voor of na die begin van vyandelikhede of besetting, onmiddellik van krag. Die Switserse Federale Raad moet op die vinnigste manier kennis gee van alle bekrachtigings of toetredings wat van die Partye by die botsing ontvang word.

ARTIKEL 62.

Dit staan elkeen van die Hoë Kontrakterende Partye vry om die huidige Konvensie op te sê.

Daar moet skriftelik van die opsegging kennis gegee word aan die Switserse Federale Raad, wat dit aan die Regerings van al die Hoë Kontrakterende Partye moet deurstuur.

Die opsegging word van krag een jaar nadat kennis daarvan aan die Switserse Federale Raad gegee is. 'n Opsegging waarvan daar egter kennis gegee is terwyl die opseggende Moondheid in 'n botsing betrokke is, word nie van krag nie totdat daar vrede gesluit is en totdat die werksaamhede in verband met die vrylating en repatriasie van die persone wat deur die huidige Konvensie beskerm word, beëindig is.

Die opsegging is slegs ten opsigte van die opseggende Moondheid van krag. Dit verswak geensins die verpligtings wat die Partye by die botsing steeds moet nakom uit hoofde van die beginsels van die Volkereg soos dit voortvloei uit die gevestigde gebruike onder beskaafde volke, uit die wette van die mensheid en die stem van die openbare gewete nie.

ARTIKEL 63.

Die Switserse Federale Raad moet die huidige Konvensie by die Sekretariaat van die Verenigde Nasies registreer. Die Switserse Federale Raad moet die Sekretariaat van die Verenigde Nasies ook verwittig van alle bekrachtigings, toetredings en opseggings wat hy ten opsigte van die huidige Konvensie ontvang.

TEN BEWYSE WAARVAN die ondergetekendes, na deponering van hul onderskeie volmagte, die huidige Konvensie onderteken het.

DONE at Geneva this twelfth day of August, 1949, in the English and French languages. The original shall be deposited in the Archives of the Swiss Confederation. The Swiss Federal Council shall transmit certified copies thereof to each of the signatory and acceding States.

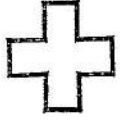
(The signatures of the Plenipotentiaries follow.)

ALDUS GEDOEN te Genève op hede die twaalfde dag van Augustus 1949 in die Engelse en die Franse taal. Die oorspronklike moet in die argief van die Switserse Konfederasie gedeponeer word. Die Switserse Federale Raad moet gesertifiseerde kopieë daarvan stuur aan elke Staat wat die Konvensie onderteken en daartoe toetree.

(Hierna volg die handtekeninge van die Gevolmagtigdes.)

ANNEX.

Front

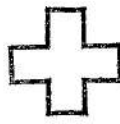
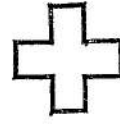
	(Space reserved for the name of the country and military authority issuing this card)	
IDENTITY CARD		
for members of medical and religious personnel attached to the armed forces at sea		
Surname.....		
First names.....		
Date of Birth.....		
Rank.....		
Army Number.....		
The bearer of this card is protected by the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of August 12, 1949, in his capacity as		
Date of Issue.....		Number of Card.....

Reverse Side

Photo of bearer	Signature of bearer or fingerprints or both	
		
Height	Eyes	Hair
Other distinguishing marks.....		
.....		
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.....		

BYLAE.

Voorkant

	(Ruimte vir die naam van die land en militêre owerheid wat hierdie kaart uitreik)	
IDENTIFIKASIEKAART		
vir lede van die mediese en godsdienstige personeel verbonde aan die gewapende magte ter see		
Van.....		
Voornam.....		
Geboortedatum.....		
Rang.....		
Leërnommer.....		
Die houer van hierdie kaart word by 12 Augustus 1949 se Geneefse Konvensie vir die Verligting van die Toestand van Gewonde, Siek en Skipbreukelinge van Gewapende Magte ter See, in sy hoedanigheid van		
Datum van uitreiking.....		Kaartnommer.....

Agterkant

Portret van houer	Handtekening en/of vingerafdrukke van houer	
		
Lengte	Oë	Hare
Ander onderskeidingsmerke.....		
.....		
.....		
.....		
.....		

No. R. 751.

3 May 1968.

GENEVA CONVENTION RELATIVE TO THE
TREATMENT OF PRISONERS OF WAR OF
AUGUST 12, 1949.

The undersigned Plenipotentiaries of the Governments represented at the Diplomatic Conference held at Geneva from April 21 to August 12, 1949, for the purpose of revising the Convention concluded at Geneva on July 27, 1929, relative to the Treatment of Prisoners of War, have agreed as follows:

PART I.

GENERAL PROVISIONS.

ARTICLE 1.

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

ARTICLE 2.

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

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

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof.

ARTICLE 3.

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular, humiliating and degrading treatment;

No. R. 751.

3 Mei 1968.

DIE GENEEFSE KONVENSIE VAN 12 AUGUSTUS
1949 MET BETREKKING TOT DIE BEHANDELING
VAN KRYGSGEVANGENES.

Die ondergetekendes, Gevolmagtigdes van die Regerings verteenwoordig in die Diplomatieke Konferensie wat van 21 April tot 12 Augustus 1949 in Genève gehou is met die doel om 27 Julie 1929 se Geneefse Konvensie met betrekking tot die behandeling van krygsgevangenes te hersien, het soos volg ooreengekom:

DEEL I.

ALGEMENE BEPALINGS.

ARTIKEL 1.

Die Hoë Kontrakterende Partye verbind hulle om die huidige Konvensie onder alle omstandighede te eerbiedig en te verseker dat dit geëerbiedig word.

ARTIKEL 2.

Benewens die bepalinge waarvan daar in vredestryd uitvoering gegee moet word, is die huidige Konvensie van toepassing op alle gevalle waar daar oorlog verklaar is of waar 'n ander wapenbotsing ontstaan tussen twee of meer van die Hoë Kontrakterende Partye, selfs as een van hulle nie die staat van oorlog erken nie.

Die Konvensie is ook van toepassing op alle gevalle van gedeeltelike of algehele besetting van die gebied van 'n Hoë Kontrakterende Party, selfs as daar geen gewapende weerstand teen genoemde besetting is nie.

Selfs waar een van die Moondhede wat in die botsing betrokke is, nie 'n party by die huidige Konvensie is nie, bly die Moondhede wat partye daarby is, nog in hul onderlinge verhoudings daardeur gebind. Daarbenewens is hulle ten opsigte van genoemde Moondheid deur die Konvensie gebind as laasgenoemde Moondheid die bepalinge daarvan aanvaar en toepas.

ARTIKEL 3.

Ingeval 'n wapenbotsing wat nie van 'n internasionale aard is nie, in die gebied van een van die Hoë Kontrakterende Partye voorkom, is elke Party by die Botsing daartoe verbind om, as 'n minimum, die volgende bepalinge toe te pas:

(1) Persone wat nie aktief aan die vyandelikhede deelneem nie, met inbegrip van lede van gewapende magte wat hulle wapens neergelê het en dié wat weens siekte, wonde, aanhouding of enige ander oorsaak, *hors de combat* is, moet onder alle omstandighede menslik behandel word sonder enige ongunstige verskille wat op ras, kleur, godsdienst of geloof, geslag, geboorte of rykdom of enige ander soortgelyke kriteriums gegrond is.

Met hierdie doel voor oë word ondergenoemde dade te eniger tyd, wanneer ook al, en op enige plek, waar ook al, ten opsigte van bogenoemde persone verbied en bly dit verbode:

(a) geweldpleging wat lewens en persone raak, in die besonder alle soorte moord, verminking, wrede behandeling en marteling;

(b) die neem van gyselaars;

(c) skending van persoonlike waardigheid, in die besonder vernederende en waardigheidskendende behandeling;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

ARTICLE 4.

A. Prisoners of war, in the sense of the present Convention, are persons belonging to one of the following categories, who have fallen into the power of the enemy:

(1) Members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces.

(2) Members of other militias and members of other volunteer corps, including those of organized resistance movements, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied, provided that such militias or volunteer corps, including such organized resistance movements, fulfil the following conditions:

(a) That of being commanded by a person responsible for his subordinates;

(b) that of having a fixed distinctive sign recognizable at a distance;

(c) that of carrying arms openly;

(d) that of conducting their operations in accordance with the laws and customs of war.

(3) Members of regular armed forces who profess allegiance to a government or an authority not recognized by the Detaining Power.

(4) Persons who accompany the armed forces without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization from the armed forces which they accompany, who shall provide them for that purpose with an identity card similar to the annexed model.

(5) Members of crews, including masters, pilots and apprentices, of the merchant marine and the crews of civil aircraft of the Parties to the conflict, who do not benefit by more favourable treatment under any other provisions of international law.

(6) Inhabitants of a non-occupied territory, who on the approach of the enemy spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war.

(d) die oplegging van straf en die uitvoering van teregstellings sonder dat 'n behoorlik saamgestelde hof, wat al dié regterlike waarborge verskaf wat deur beskaafde nasies as onmisbaar erken word, vooraf uitspraak gegee het.

(2) Gewondes en siekes moet versamel en versorg word.

'n Onpartydige humanitêre liggaam, soos die Internasionale Komitee van die Rooikruis, kan sy dienste aan die Partye by die botsing aanbied.

Die Partye by die botsing moet verder poog om deur middel van spesiale ooreenkomste al die ander bepalings van die huidige Konvensie of 'n deel daarvan in werking te stel.

Die regstatus van die Partye by die botsing word nie deur die toepassing van die voorafgaande bepalings geraak nie.

ARTIKEL 4.

A. Krygsgevangenes, in die sin van die huidige Konvensie, is persone wat onder een van ondervermelde kategorieë ressorteer en in die vyand se hande geval het:

(1) Lede van die gewapende magte van 'n Party by die botsing, asook lede van die milisiemagte of vrywilligerkorpse wat 'n deel van sodanige gewapende magte uitmaak.

(2) Lede van ander milisiemagte en lede van ander vrywilligerkorpse met inbegrip van dié van georganiseerde weerstandsbewegings wat aan 'n Party by die botsing behoort en binne of buite hul eie grondgebied opereer, selfs al is dié gebied beset, mits sodanige milisiemagte of vrywilligerkorpse, met inbegrip van sodanige georganiseerde weerstandsbewegings, aan onderstaande voorwaardes voldoen:

(a) Hulle moet onder die bevel staan van iemand wat vir sy ondergeskiktes verantwoordelik is;

(b) moet 'n vaste kenteken hê wat op 'n afstand herkenbaar is;

(c) hulle moet openlik wapens dra;

(d) hulle moet hul operasies ooreenkomstig die oorlogsreg en -gebruike uitvoer.

(3) Lede van gereelde gewapende magte wat trou betuig aan 'n regering of owerheid wat nie deur die Aanhoudingsmoondheid erken word nie.

(4) Persone wat die gewapende magte vergesel maar nie in werklikheid lede daarvan is nie, soos burgerlike lede van militêre vliegtuigbemannings, oorlogskorrespondente, voorraadleweransiers, lede van arbeidereenhede of van dienste wat verantwoordelik is vir die welsyn van die gewapende magte, mits hulle daartoe gemagtig is deur die gewapende magte wat hulle vergesel, wat hulle vir dié doel moet voorsien van 'n identifikasiekaart wat met die aangehegte voorbeeld ooreenstem.

(5) Lede van bemannings, met inbegrip van gesagvoerders, loodse en vakleerlinge, van die handelsvloot en die bemannings van burgerlike lugvaartuie van die Partye by die botsing wat nie in gunstiger behandeling ingevolge ander bepalings van die volkereg deel nie.

(6) Bewoners van 'n nie-besette gebied wat by die nadering van die vyand spontaan die wapens opneem om teen die invallende magte weerstand te bied sonder dat daar tyd was om hulle in gereelde gewapende eenhede te organiseer, mits hulle openlik wapens dra en die oorlogsreg en -gebruike eerbiedig.

B. The following shall likewise be treated as prisoners of war under the present Convention:

(1) Persons belonging, or having belonged, to the armed forces of the occupied country, if the occupying Power considers it necessary by reason of such allegiance to intern them, even though it has originally liberated them while hostilities were going on outside the territory it occupies, in particular where such persons have made an unsuccessful attempt to rejoin the armed forces to which they belong and which are engaged in combat, or where they fail to comply with a summons made to them with a view to internment.

(2) The persons belonging to one of the categories enumerated in the present Article, who have been received by neutral or non-belligerent Powers on their territory and whom these Powers are required to intern under international law, without prejudice to any more favourable treatment which these Powers may choose to give and with the exception of Articles 8, 10, 15, 30, fifth paragraph 58-67, 92, 126 and, where diplomatic relations exist between the Parties to the conflict and the neutral or non-belligerent Power concerned, those Articles concerning the Protecting Power. Where such diplomatic relations exist, the Parties to a conflict on whom these persons depend shall be allowed to perform towards them the functions of a Protecting Power as provided in the present Convention, without prejudice to the functions which these Parties normally exercise in conformity with diplomatic and consular usage and treaties.

C. This Article shall in no way affect the status of medical personnel and chaplains as provided for in Article 33 of the present Convention.

ARTICLE 5.

The present Convention shall apply to the persons referred to in Article 4 from the time they fall into the power of the enemy and until their final release and repatriation.

Should any doubt arise as to whether persons, having committed a belligerent act and having fallen into the hands of the enemy, belong to any of the categories enumerated in Article 4, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal.

ARTICLE 6.

In addition to the agreements expressly provided for in Articles 10, 23, 28, 33, 60, 65, 66, 67, 72, 73, 75, 109, 110, 118, 119, 122 and 132, the High Contracting Parties may conclude other special agreements for all matters concerning which they may deem it suitable to make separate provision. No special agreement shall adversely affect the situation of prisoners of war, as defined by the present Convention, nor restrict the rights which it confers upon them.

Prisoners of war shall continue to have the benefit of such agreements as long as the Convention is applicable to them, except where express provisions to the contrary are contained in the aforesaid or in subsequent agreements, or where more favourable measures have been taken with regard to them by one or other of the Parties to the conflict.

B. Insgelyks moet die volgende persone kragtens hierdie Konvensie as krygsgevangenes behandel word:

(1) Persone wat aan die gewapende magte van die besette land behoort of behoort het, indien die besettingsmoondheid dit nodig ag om hulle as gevolg van sodanige trou te interneer, selfs al het hy hulle oorspronklik vrygelaat gedurende vyandelikhede buite die gebied wat deur hom beset is, veral waar sulke persone 'n mislukte poging aangewend het om weer aan te sluit by die gewapende magte waartoe hulle behoort en wat besig is om te veg, of waar hulle versuim om gehoor te gee aan 'n dagvaarding wat met die oog op internering aan hulle beteken is.

(2) Die persone wat onder een van die kategorieë genoem in hierdie artikel ressorteer, deur neutrale of nie-oorlogvoerende moondhede in hul gebied ontvang is en deur hierdie moondhede kragtens die volkereg geïnterneer moet word, sonder om afbreuk te doen aan enige gunstiger behandeling wat hierdie moondhede besluit om te verleen, en met uitsondering van artikels 8, 10, 15, 30, vyfde paragraaf, 58-67, 92, 126 en, waar daar diplomatieke betrekkings tussen die Partye by die botsing en die betrokke neutrale of nie-oorlogvoerende moondheid bestaan, die artikels betreffende die Beskermende Moondheid. Waar daar sulke diplomatieke betrekkings bestaan, moet die Partye by die botsing van wie dié persone afhanklik is, toegelaat word om in die hoedanigheid van 'n beskermende moondheid, soos in hierdie Konvensie bepaal teenoor hulle op te tree, sonder om afbreuk te doen aan die pligte wat hierdie partye gewoonlik ooreenkomstig diplomatieke en konsulêre gebruike en verdrae vervul.

C. Hierdie artikel raak geensins die status van mediese personeel en veldpredikers soos in artikel 33 van die huidige Konvensie bepaal nie.

ARTIKEL 5.

Die huidige Konvensie is op die persone vermeld in artikel 4 van toepassing vanaf die tydstip waarop hulle in die hande van die vyand val totdat hulle uiteindelik vrygelaat en gerepatrieer word.

Indien daar enige twyfel ontstaan of persone wat 'n vyandelike daad gepleeg en in die vyand se hande geval het, onder enige van die kategorieë genoem in artikel 4 ressorteer, moet sulke persone die beskerming van hierdie Konvensie geniet tot tyd en wyl hul status deur 'n bevoegde regbank bepaal is.

ARTIKEL 6.

Benewens die ooreenkomste waarvoor daar uitdruklik voorsiening gemaak word in artikels 10, 23, 28, 33, 60, 65, 66, 67, 72, 73, 75, 109, 110, 118, 119, 122 en 132, kan die Hoë Kontrakterende Partye ander spesiale ooreenkomste aangaan oor alle sake waarvoor daar, na hul mening, afsonderlik voorsiening gemaak moet word. Geen spesiale ooreenkoms mag die posisie van krygsgevangenes soos in die huidige Konvensie omskryf, benadeel of die regte wat die huidige Konvensie aan hulle verleen, inkort nie.

Krygsgevangenes moet steeds, terwyl die huidige Konvensie op hulle van toepassing is, die voordele van sodanige ooreenkomste geniet, behalwe ingeval uitdruklike andersluidende bepalinge in die voormelde of latere ooreenkomste vervat is, of gunstiger maatreëls ten aansien van hulle deur een of ander van die botsende partye getref word.

ARTICLE 7.

Prisoners of war may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention, and by the special agreements referred to in the foregoing Article, if such there be.

ARTICLE 8.

The present Convention shall be applied with the co-operation and under the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties to the conflict. For this purpose, the Protecting Powers may appoint, apart from their diplomatic or consular staff, delegates from amongst their own nationals or the nationals of other neutral Powers. The said delegates shall be subject to the approval of the Power with which they are to carry out their duties.

The Parties to the conflict shall facilitate to the greatest extent possible the task of the representatives or delegates of the Protecting Powers.

The representatives or delegates of the Protecting Powers shall not in any case exceed their mission under the present Convention. They shall, in particular, take account of the imperative necessities of security of the State wherein they carry out their duties.

ARTICLE 9.

The provisions of the present Convention constitute no obstacle to the humanitarian activities which the International Committee of the Red Cross or any other impartial humanitarian organization may, subject to the consent of the Parties to the conflict concerned, undertake for the protection of prisoners of war and for their relief.

ARTICLE 10.

The High Contracting Parties may at any time agree to entrust to an organization which offers all guarantees of impartiality and efficacy the duties incumbent on the Protecting Powers by virtue of the present Convention.

When prisoners of war do not benefit or cease to benefit, no matter for what reason, by the activities of a Protecting Power or of an organization provided for in the first paragraph above, the Detaining Power shall request a neutral State, or such an organization, to undertake the functions performed under the present Convention by a Protecting Power designated by the Parties to a conflict.

If protection cannot be arranged accordingly, the Detaining Power shall request or shall accept, subject to the provisions of this Article, the offer of the services of a humanitarian organization, such as the International Committee of the Red Cross, to assume the humanitarian functions performed by Protecting Powers under the present Convention.

Any neutral Power or any organization invited by the Power concerned or offering itself for these purposes, shall be required to act with a sense of responsibility towards the Party to the conflict on which persons protected by the present Convention depend, and shall be

ARTIKEL 7.

Krygsgevangenes mag onder geen omstandighede gedeeltelik of geheel en al van die regte wat vir hulle verkry is deur die huidige Konvensie en die spesiale ooreenkomste bedoel in die voorafgaande artikel, as daar sodanige ooreenkomste bestaan, afstand doen nie.

ARTIKEL 8.

Die huidige Konvensie word toegepas met die samewerking en onder die toesig van die Beskermende Moondhede, wie se plig dit is om die belange van die partye by die botsing te beskerm. Vir hierdie doel kan die Beskermende Moondhede, benewens hul diplomatieke of konsulêre personeel afgevaardigdes uit die geledere van hul eie burgers of die burgers van ander neutrale Moondhede aanstel. Genoemde afgevaardigdes is onderworpe aan goedkeuring van die Moondheid by wie hulle hul pligte moet uitvoer.

Die Partye by die botsing moet die taak van die verteenwoordigers of afgevaardigdes van die Beskermende Moondhede vergemaklik in die grootste mate wat vir hulle moontlik is.

Die verteenwoordigers of afgevaardigdes van die Beskermende Moondhede mag in geen geval die bevoegdheid verbonde aan hul sending kragtens die huidige Konvensie, te buite gaan nie. Hulle moet in die besonder die veiligheidsvereistes wat gebiedend noodsaaklik is vir die staat waarin hulle hul pligte uitvoer, in ag neem.

ARTIKEL 9.

Die bepalinge van die huidige Konvensie belemmer nie die humanitêre bedrywighede wat die Internasionale Komitee van die Rooikruis of enige ander onpartydige humanitêre organisasie, behoudens die toestemming van die Partye by die botsing, vir die beskerming en noodlening van krygsgevangenes mag onderneem nie.

ARTIKEL 10.

Die Hoë Kontrakterende Partye kan te eniger tyd daarmee instem om aan 'n organisasie wat alle onpartydighede en doeltreffendheidswaarborgs bied, dié pligte toe te vertrou wat uit hoofde van die huidige Konvensie op die Beskermende Moondheid rus.

Wanneer krygsgevangenes, om enige rede, van watter aard ook al, nie by die werksaamhede van 'n Beskermende Moondheid of 'n organisasie waarvoor daar in die eerste paragraaf hierbo voorsiening gemaak word, baat nie of nie meer daarby baat nie, moet die Aanhoudingsmoondheid 'n neutrale Staat of sodanige organisasie versoek om die funksies oor te neem wat kragtens die huidige Konvensie deur 'n Beskermende Moondheid, aangewys deur die Partye by 'n botsing, uitgeoefen word.

Indien beskerming nie dienoreenkomstig gereël kan word nie, moet die Aanhoudingsmoondheid, behoudens die bepalinge van hierdie Artikel, die dienste wat 'n humanitêre organisasie soos die Internasionale Komitee van die Rooikruis aanbied, naamlik om die humanitêre funksies te aanvaar wat die Beskermende Moondhede kragtens die huidige Konvensie verrig, aanneem of daarom vra.

Enige neutrale Moondheid of enige organisasie wat deur die betrokke Moondheid gevra word of wat homself vir dié doel aanbied, moet met 'n verantwoordelike sin optree teenoor dié Party by die botsing van wie die persone wat deur die huidige Konvensie beskerm word, afhanklik is, en sodanige neutrale Moondheid of organi-

required to furnish sufficient assurances that it is in a position to undertake the appropriate functions and to discharge them impartially.

No derogation from the preceding provisions shall be made by special agreements between Powers one of which is restricted, even temporarily, in its freedom to negotiate with the other Power or its allies by reason of military events, more particularly where the whole, or a substantial part, of the territory of the said Power is occupied.

Whenever in the present Convention mention is made of a Protecting Power, such mention applies to substitute organizations in the sense of the present Article.

ARTICLE 11.

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

For this purpose, each of the Protecting Powers may, either at the invitation of one Party or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for prisoners of war, possibly on neutral territory suitably chosen. The Parties to the conflict shall be bound to give effect to the proposals made to them for this purpose. The Protecting Powers may, if necessary, propose for approval by the Parties to the conflict a person belonging to a neutral Power, or delegated by the International Committee of the Red Cross, who shall be invited to take part in such a meeting.

PART II.

GENERAL PROTECTION OF PRISONERS OF WAR.

ARTICLE 12.

Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them.

Prisoners of war may only be transferred by the Detaining Power to a Power which is a party to the Convention and after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the Convention. When prisoners of war are transferred under such circumstances, responsibility for the application of the Convention rests on the Power accepting them while they are in its custody.

Nevertheless, if that Power fails to carry out the provisions of the Convention in any important respect, the Power by whom the prisoners of war were transferred shall, upon being notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the prisoners of war. Such requests must be complied with.

sasie moet voldoende versekering gee dat hy daartoe in staat is om die betrokke funksies te onderneem en om dit op 'n onpartydige wyse uit te oefen.

Daar mag nie by wyse van spesiale ooreenkomste tussen Moondhede waarvan die een selfs tydelik vanweë militêre gebeurtenisse en veral vanweë die besetting van sy hele gebied of 'n groot deel daarvan, in sy vryheid om met die ander Moondheid of sy bondgenote te onderhandel, gestrem is, afbreuk aan die voorafgaande bepalings gedoen word nie.

Waar daar in die huidige Konvensie melding gemaak word van 'n Beskermende Moondheid, sluit sodanige melding ook plaasvervangende organisasies in soos in die huidige artikel bedoel.

ARTIKEL 11.

In gevalle waar die Beskermende Moondhede dit in die belang van beskermende persone raadsaam ag, veral in gevalle van geskille tussen die Partye by die botsing oor die toepassing of uitleg van die bepalings van die huidige Konvensie, moet sodanige Beskermende Moondhede hul vriendskaplike bemiddeling aanbied met die oog op die bylegging van die geskil.

Vir hierdie doel kan elkeen van die Beskermende Moondhede óf op uitnodiging van een Party óf uit eie beweging aan die Partye by die botsing voorstel dat daar 'n vergadering van hulle verteenwoordigers—veral van die owerhede wat vir krygsgevangenes verantwoordelik is, gehou word—waar moontlik in 'n neutrale gebied wat geskik is. Die Partye by die botsing is daartoe verbind om uitvoering te gee aan die voorstelle wat vir hierdie doel aan hulle gedoen word. Die Beskermende Moondhede kan, indien nodig, vir die goedkeuring van die Partye by die botsing 'n persoon voorstel wat tot 'n neutrale Moondheid behoort of deur die Internasionale Komitee van die Rooikruis aangewys is, en sodanige persoon moet dan uitgenooi word om aan sodanige vergadering deel te neem.

DEEL II.

ALGEMENE BESKERMING VAN KRYGSGEVANGENES.

ARTIKEL 12.

Krygsgevangenes is in die mag van die vyandelike moondheid maar nie van die individue of militêre eenhede wat hulle gevange geneem het nie. Afsien van die individuele verantwoordelikhede wat daar kan bestaan, is die Aanhoudingsmoondheid verantwoordelik vir die behandeling wat hulle ontvang.

Krygsgevangenes kan slegs deur die Aanhoudingsmoondheid oorgeplaas word na 'n moondheid wat 'n party by die Konvensie is en wel nadat die Aanhoudingsmoondheid hom daarvan vergewis het dat sodanige moondheid na wie die krygsgevangenes oorgeplaas sal word, bereid en bevoeg is om die Konvensie toe te pas. Wanneer krygsgevangenes onder sulke omstandighede oorgeplaas word, is die moondheid wat hulle aanneem verantwoordelik vir die toepassing van die Konvensie solank hulle in sy bewaring is.

Indien daardie moondheid versuim om die bepalings van die Konvensie in 'n belangrike opsig na te kom, moet die moondheid deur wie die krygsgevangenes oorgeplaas is, eger nadat hy deur die Beskermende Moondheid daarvan in kennis gestel is, doeltreffende maatreëls tref om die toestand te verhelp of anders moet hy versoek dat die krygsgevangenes teruggestuur word. Daar moet aan sulke versoeke voldoen word.

ARTICLE 13.

Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest.

Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

Measures of reprisal against prisoners of war are prohibited.

ARTICLE 14.

Prisoners of war are entitled in all circumstances to respect for their persons and their honour.

Women shall be treated with all the regard due to their sex and shall in all cases benefit by treatment as favourable as that granted to men.

Prisoners of war shall retain the full civil capacity which they enjoyed at the time of their capture. The Detaining Power may not restrict the exercise, either within or without its own territory, of the rights such capacity confers except in so far as the captivity requires.

ARTICLE 15.

The Power detaining prisoners of war shall be bound to provide free of charge for their maintenance and for the medical attention required by their state of health.

ARTICLE 16.

Taking into consideration the provisions of the present Convention relating to rank and sex, and subject to any privileged treatment which may be accorded to them by reason of their state of health, age or professional qualifications, all prisoners of war shall be treated alike by the Detaining Power, without any adverse distinction based on race, nationality, religious belief or political opinions, or any other distinction founded on similar criteria.

PART III.

CAPTIVITY.

SECTION I.

BEGINNING OF CAPTIVITY.

ARTICLE 17.

Every prisoner of war, when questioned on the subject, is bound to give only his surname, first names and rank, date of birth, and army, regimental, personal or serial number, or failing this, equivalent information.

If he wilfully infringes this rule, he may render himself liable to a restriction of the privileges accorded to his rank or status.

ARTIKEL 13.

Krygsgevangenes moet te alle tye met menslikheid behandel word. Enige onwettige handeling of versuim van die kant van die Aanhoudingsmoondheid wat die dood van 'n krygsgevangene in sy bewaring veroorsaak of sodanige krygsgevangene se gesondheid ernstig in gevaar stel, is verbode en sal as 'n ernstige skending van hierdie Konvensie beskou word. In die besonder mag geen krygsgevangene onderwerp word aan liggaamlike verminking of aan enige mediese of wetenskaplike proefnemings wat nie deur die mediese, tandheelkundige of hospitaalbehandeling van die betrokke gevangene geregtig en in sy belang uitgevoer word nie.

Insgelyks moet krygsgevangenes te alle tye beskerm word, vernameelik teen geweldpleging of intimidasie en teen beledigings en openbare nuuskierigheid.

Weerwraakmaatreëls teen krygsgevangenes is verbode.

ARTIKEL 14.

Krygsgevangenes is in alle omstandighede tot eerbiediging van hul persoon en hul eer geregtig.

Vrouens moet behandel word met al die konsiderasie wat hul geslag toekom, en hulle moet in alle gevalle ewe gunstige behandeling as mans geniet.

Krygsgevangenes behou die volle burgerlike bevoegdheid wat hulle ten tyde van hul gevangenneming geniet het. Behalwe vir sover die gevangenskap dit vereis, mag die Aanhoudingsmoondheid nie die uitoefening, binne of buite sy eie gebied, van die regte verleen deur sodanige bevoegdheid inkort nie.

ARTIKEL 15.

Die moondheid wat krygsgevangenes aanhou, is verplig om gratis voorsiening te maak vir hul onderhoud en vir die mediese behandeling wat hul gesondheidstoestand vereis.

ARTIKEL 16.

Met inagneming van die bepalings van die huidige Konvensie betreffende rang en geslag, en behoudens enige bevoorregting wat op grond van hul gesondheidstoestand, ouderdom of professionele kwalifikasies aan hulle verleen word, moet die Aanhoudingsmoondheid alle krygsgevangenes eenders behandel sonder enige ongunstige onderskeid op grond van ras, nasionaliteit, godsdienstige oortuiging of politieke mening of enige ander onderskeid wat op soortgelyke maatstawwe gegrond is.

DEEL III.

GEVANGENSKAP.

AFDELING I.

AANVANG VAN GEVANGENSKAP.

ARTIKEL 17.

Elke krygsgevangene is, wanneer hy daaromtrent ondervra word, slegs verplig om sy van, voorname en rang, geboortedatum en leër-, regiments-, persoonlike of volgnommer of, by ontstentenis daarvan, gelykwaardige inligting te verstrek.

Indien hy hierdie reël opsetlik oortree, kan hy homself blootstel aan 'n inkorting van die voorregte wat aan sy rang of status verleen word.

Each Party to a conflict is required to furnish the persons under its jurisdiction who are liable to become prisoners of war, with an identity card showing the owner's surname, first names, rank, army, regimental, personal or serial number or equivalent information, and date of birth. The identity card may, furthermore, bear the signature or the fingerprints, or both, of the owner, and may bear, as well, any other information the Party to the conflict may wish to add concerning persons belonging to its armed forces. As far as possible the card shall measure 6.5 x 10 cm. and shall be issued in duplicate. The identity card shall be shown by the prisoner of war upon demand, but may in no case be taken away from him.

No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind.

Prisoners of war who, owing to their physical or mental condition, are unable to state their identity, shall be handed over to the medical service. The identity of such prisoners shall be established by all possible means, subject to the provisions of the preceding paragraph.

The questioning of prisoners of war shall be carried out in a language which they understand.

ARTICLE 18.

All effects and articles of personal use, except arms, horses, military equipment and military documents, shall remain in the possession of prisoners of war, likewise their metal helmets and gas masks and like articles issued for personal protection. Effects and articles used for their clothing or feeding shall likewise remain in their possession, even if such effects and articles belong to their regulation military equipment.

At no time should prisoners of war be without identity documents. The Detaining Power shall supply such documents to prisoners of war who possess none.

Badges of rank and nationality, decorations and articles having above all a personal or sentimental value may not be taken from prisoners of war.

Sums of money carried by prisoners of war may not be taken away from them except by order of an officer, and after the amount and particulars of the owner have been recorded in a special register and an itemized receipt has been given, legibly inscribed with the name, rank and unit of the person issuing the said receipt. Sums in the currency of the Detaining Power, or which are changed into such currency at the prisoner's request, shall be placed to the credit of the prisoner's account as provided in Article 64.

The Detaining Power may withdraw articles of value from prisoners of war only for reasons of security; when such articles are withdrawn, the procedure laid down for sums of money impounded shall apply.

Such objects, likewise sums taken away in any currency other than that of the Detaining Power and the conversion of which has not been asked for by the owners, shall be kept in the custody of the Detaining Power and shall be returned in their initial shape to prisoners of war at the end of their captivity.

Elke Party by 'n botsing moet die persone oor wie hy jurisdiksie het en wat krygsgevangenes kan word, voorsien van 'n identifikasiekaart wat die eienaar se familienaam, voorname, rang, leër-, regiments-, persoonlike of volgnummer of gelykwaardige inligting en geboortedatum aangee. Verder kan die identifikasiekaart die eienaar se handtekening en/of vingerafdrukke asook enige ander inligting bevat wat die Party by die botsing met betrekking tot persone behorende aan sy gewapende magte straks wil byvoeg. Indien moontlik moet die kaart 6.5 x 10 cm groot wees en hy moet in tweevoud uitgereik word. Die identifikasiekaart moet deur die krygsgevangene op versoek getoon word maar mag nooit van hom weggeneem word nie.

Geen ligamlike of geestelike marteling of enige ander vorm van dwang mag krygsgevangenes opgelê word met die doel om inligting van enige aard van hulle te verkry nie. Krygsgevangenes wat weier om te antwoord, mag nie gedreig of beledig word of aan enige vorm van onaangename of ongunstige behandeling blootgestel word nie.

Krygsgevangenes wat weens hul liggaamlike of geestelike toestand nie in staat is om hul identiteit te verstrek nie, moet aan die mediese diens oorhandig word. Alle moontlike middels moet aangewend word om die identiteit van sulke gevangenes behoudens die bepalings van bostaande paragraaf vas te stel.

Krygsgevangenes moet ondervra word in 'n taal wat hulle verstaan.

ARTIKEL 18.

Alle besittings en artikels vir persoonlike gebruik, met uitsondering van wapens, perde, militêre uitrusting en militêre dokumente, moet in besit van krygsgevangenes bly, asook hul metaalhelms en gasmaskers en soortgelyke artikels wat vir persoonlike beskerming uitgereik word. Besittings en artikels wat gebruik word om hulle te klee of te voed, moet insgelyks in hul besit bly, selfs al behoort sulke besittings en artikels tot hul voorgeskrewe militêre uitrusting.

Krygsgevangenes moet nooit sonder identifikasiedokumente wees nie. Die Aanhoudingsmoondheid moet sulke dokumente verskaf aan krygsgevangenes wat hulle nie het nie.

Rang- en nasionaliteitskentekens, dekorasies en artikels waaraan bowenal persoonlike of sentimentele waarde geheg word, mag nie van krygsgevangenes weggeneem word nie.

Geld wat krygsgevangenes by hulle het, mag nie anders van hulle weggeneem word as op bevel van 'n offisier en nadat die bedrag en besonderhede betreffende die eienaar in 'n spesiale register opgeteken en 'n gespesifiseerde ontvangsbewys met die naam, rang en eenheid van die uitreiker van genoemde ontvangsbewys leesbaar daarop aangedui, uitgereik is nie. Die krygsgevangene se rekening moet, soos in artikel 64 bepaal, gekrediteer word met bedrae in die geldsoort van die Aanhoudingsmoondheid of wat op versoek van die gevangene in sodanige geld omgesit is.

Die Aanhoudingsmoondheid mag slegs om veiligheidsredes waardevolle artikels van krygsgevangenes wegneem; wanneer sulke artikels weggeneem word, geld die procedure wat bepaal is vir somme geld waarop beslag gelê is.

Sulke voorwerpe asook bedrae wat in 'n ander soort geld as dié van die Aanhoudingsmoondheid weggeneem is en ten opsigte waarvan die eienaars nie om omsetting gevra het nie, moet in die Aanhoudingsmoondheid se bewaring bly en moet na afloop van die gevangenskap in hul oorspronklike vorm aan die krygsgevangenes terugbesorg word.

ARTICLE 19.

Prisoners of war shall be evacuated, as soon as possible after their capture, to camps situated in an area far enough from the combat zone for them to be out of danger.

Only those prisoners of war who, owing to wounds or sickness, would run greater risks by being evacuated than by remaining where they are, may be temporarily kept back in a danger zone.

Prisoners of war shall not be unnecessarily exposed to danger while awaiting evacuation from a fighting zone.

ARTICLE 20.

The evacuation of prisoners of war shall always be effected humanely and in conditions similar to those for the forces of the Detaining Power in their changes of station.

The Detaining Power shall supply prisoners of war who are being evacuated with sufficient food and potable water, and with the necessary clothing and medical attention. The Detaining Power shall take all suitable precautions to ensure their safety during evacuation, and shall establish as soon as possible a list of the prisoners of war who are evacuated.

If prisoners of war must, during evacuation, pass through transit camps, their stay in such camps shall be as brief as possible.

SECTION II.

INTERNMENT OF PRISONERS OF WAR.

CHAPTER I.

GENERAL OBSERVATIONS.

ARTICLE 21.

The Detaining Power may subject prisoners of war to internment. It may impose on them the obligation of not leaving, beyond certain limits, the camp where they are interned, or if the said camp is fenced in, of not going outside its perimeter. Subject to the provisions of the present Convention relative to penal and disciplinary sanctions, prisoners of war may not be held in close confinement except where necessary to safeguard their health and then only during the continuation of the circumstances which make such confinement necessary.

Prisoners of war may be partially or wholly released on parole or promise, in so far as is allowed by the laws of the Power on which they depend. Such measures shall be taken particularly in cases where this may contribute to the improvement of their state of health. No prisoner of war shall be compelled to accept liberty on parole or promise.

Upon the outbreak of hostilities, each Party to the conflict shall notify the adverse Party of the laws and regulations allowing or forbidding its own nationals to accept liberty on parole or promise. Prisoners of war who are paroled or who have given their promise in conformity with the laws and regulations so notified, are bound on their personal honour scrupulously to fulfil, both towards the Power on which they depend and towards the Power which has captured them, the engagements of their paroles or promises. In such cases, the Power on which they depend is bound neither to require nor to accept from them any service incompatible with the parole or promise given.

ARTIKEL 19.

Krygsgevangenes moet so spoedig moontlik na hul gevangeneming ontruim word na kampe wat ver genoeg van die gevegsone geleë is dat hulle buite gevaar kan wees.

Slegs dié krygsgevangenes vir wie dit weens wonde of siekte gevaarliker sou wees om ontruim te word as om te bly waar hulle is; kan tydelik in die gevaarsone agtergehou word.

Terwyl hulle op ontruiming uit 'n gevegsone wag, moet krygsgevangenes nie onnodig aan gevaar blootgestel word nie.

ARTIKEL 20.

Die ontruiming van krygsgevangenes moet altyd geskied op menslike wyse en onder omstandighede soortgelyk aan dié wat vir die magte van die aanhoudingsmoondheid geld wanneer hulle van stelling verwissel.

Die aanhoudingsmoondheid moet aan krygsgevangenes wat ontruim word, genoeg voedsel en drinkbare water en die nodige kleding en geriewe vir mediese behandeling verskaf. Die Aanhoudingsmoondheid moet alle geskikte voorsorgmaatreëls tref om hul veiligheid gedurende ontruiming te verseker, en moet so spoedig moontlik 'n lys opstel van die krygsgevangenes wat ontruim word.

Indien krygsgevangenes gedurende ontruiming in deurgangskampe gehuisves word, moet hul verblyf in sulke kampe so kort moontlik wees.

AFDELING II.

INTERNERING VAN KRYGSGEVANGENES.

HOOFSTUK I.

ALGEMENE OPMERKINGS.

ARTIKEL 21.

Die Aanhoudingsmoondheid kan krygsgevangenes interneer. Hy kan hulle die verpligting op lê om nie verder as sekere perke buite die kamp waarin hulle geïnterneer is, of as genoemde kamp omhein is, om nie buite die grensheining te gaan nie. Behoudens die bepalings van die huidige Konvensie betreffende straf- en dissiplinêre sanksies, mag krygsgevangenes nie skerp ingeperk word nie, tensy dit terwille van hul gesondheid nodig is, en selfs dan mag dit net voortduur gedurende die bestaan van die omstandighede wat sodanige inperking nodig maak.

Krygsgevangenes kan gedeeltelik of geheel en al op parool of erewoord vrygelaat word vir sover dit toegelaat word deur die wette van die moondheid van wie hulle afhanklik is. Sulke maatreëls moet veral getref word in gevalle waar dit tot die verbetering van hul gesondheidstoestand kan bydra. Geen krygsgevangene mag verplig word om vrylating op parool of erewoord te aanvaar nie.

By die uitbreek van vyandelikhede moet elke Party by die botsing die teenparty in kennis stel van die wette en regulasies wat sy eie landsburgers toelaat of verbied om vrylating op parool of erewoord te aanvaar. Krygsgevangenes wat op parool vrygelaat word of hul erewoord gegee het in ooreenstemming met die wette en regulasies waarvan aldus kennis gegee is, is eershalwe verplig om, sowel teenoor die moondheid van wie hulle afhanklik is as teenoor die moondheid wat hulle gevange geneem het, die verpligtinge van hul parool of erewoord stiptelik na te kom. In sulke gevalle is die moondheid van wie hulle afhanklik is, verplig om van hulle nóg diens te eis nóg diens te aanvaar wat met die parool of gegewe erewoord onbestaanbaar is.

ARTICLE 22.

Prisoners of war may be interned only in premises located on land and affording every guarantee of hygiene and healthfulness. Except in particular cases which are justified by the interest of the prisoners themselves, they shall not be interned in penitentiaries.

Prisoners of war interned in unhealthy areas, or where the climate is injurious for them, shall be removed as soon as possible to a more favourable climate.

The Detaining Power shall assemble prisoners of war in camps or camp compounds according to their nationality, language and customs, provided that such prisoners shall not be separated from prisoners of war belonging to the armed forces with which they were serving at the time of their capture, except with their consent.

ARTICLE 23.

No prisoner of war may at any time be sent to, or detained in areas where he may be exposed to the fire of the combat zone, nor may his presence be used to render certain points or areas immune from military operations.

Prisoners of war shall have shelters against air bombardment and other hazards of war, to the same extent as the local civilian population. With the exception of those engaged in the protection of their quarters against the aforesaid hazards, they may enter such shelters as soon as possible after the giving of the alarm. Any other protective measure taken in favour of the population shall also apply to them.

Detaining Powers shall give the Powers concerned, through the intermediary of the Protecting Powers, all useful information regarding the geographical location of prisoner of war camps.

Whenever military considerations permit, prisoner of war camps shall be indicated in the day-time by the letters PW or PG, placed so as to be clearly visible from the air. The Powers concerned may, however, agree upon any other system of marking. Only prisoner of war camps shall be marked as such.

ARTICLE 24.

Transit or screening camps of a permanent kind shall be fitted out under conditions similar to those described in the present Section, and the prisoners therein shall have the same treatment as in other camps.

CHAPTER II.

QUARTERS, FOOD AND CLOTHING OF PRISONERS OF WAR.

ARTICLE 25.

Prisoners of war shall be quartered under conditions as favourable as those for the forces of the Detaining Power who are billeted in the same area. The said conditions shall make allowance for the habits and customs of the prisoners and shall in no case be prejudicial to their health.

The foregoing provisions shall apply in particular to the dormitories of prisoners of war as regards both total surface and minimum cubic space, and the general installations, bedding and blankets.

ARTIKEL 22.

Krygsgevangenes kan slegs geïnterneer word in persele wat op land geleë is en allesins higiëne en gesondheid waarborg. Behalwe in bepaalde gevalle waar die belange van die gevangenes dit self regverdig, mag krygsgevangenes nie in strafgevangenis geïnterneer word nie.

Krygsgevangenes wat geïnterneer is in ongesonde gebiede of in gebiede waar die klimaat vir hulle nadelig is, moet so spoedig moontlik na 'n gunstiger klimaat verwyder word.

Die Aanhoudingsmoondheid moet krygsgevangenes volgens hul nasionaliteit, taal en gewoontes in kampe of kampkampongs vergader word; met dien verstande dat sodanige krygsgevangenes nie sonder hul toestemming geskei moet word van krygsgevangenes behorende aan die gewapende magte saam met wie hulle ten tyde van hul gevangenneming diens gedoen het nie.

ARTIKEL 23.

Geen krygsgevangene mag ooit gestuur word na of gehou word in gebiede waar hy aan die skietery in die gevegsone blootgestel mag wees nie; ook mag daar nie van sy aanwesigheid gebruik gemaak word om militêre verrigtings sekere punte of gebiede teen militêre verrigtings te vrywaar nie.

Krygsgevangenes moet in dieselfde mate as die plaaslike burgerbevolking skuilplekke teen lugbombardement en ander krygsgefare hê. Met uitsondering van dié wat hul kwartiere teen genoemde gevare beskerm, kan hulle so gou moontlik, nadat alarm gemaak is, sulke skuilplekke binnegaan. Enige ander beskermingsmaatreëls wat ten gunste van die bevolking getref word, moet ook op hulle van toepassing wees.

Aanhoudingsmoondhede moet alle nuttige inligting betreffende die geografiese ligging van krygsgevangenekampe deur bemiddeling van die Beskermende Moondhede aan die betrokke moondhede verskaf.

Wanneer militêre oorwegings dit ook al toelaat, moet krygsgevangenekampe bedags aangedui word deur die letters PW of PG, wat só geplaas moet word dat hulle duidelik uit die lug sigbaar is. Die betrokke moondhede kan egter ook oor 'n ander merkstelsel ooreenkom. Slegs krygsgevangenekampe mag as sodanig gemerk word.

ARTIKEL 24.

Deurgangs- of siftingskampe van 'n permanente aard moet ingerig word onder soortgelyke omstandighede as dié wat in hierdie afdeling beskryf word, en die gevangenes daarin moet dieselfde behandeling ontvang as in ander kampe.

HOOFSTUK II.

KWARTIERE, VOEDSEL EN KLEDING VAN KRYGSGEVANGENES.

ARTIKEL 25.

Krygsgevangenes moet in net sulke gunstige omstandighede ingekwartier word as die Aanhoudingsmoondheidse magte wat in dieselfde gebied gehuisves is. By genoemde omstandighede moet rekening gehou word met die gewoontes en gebruike van die gevangenes en mag in geen geval vir hul gesondheid nadelig wees nie.

Die voorgaande bepalings is veral op die slaapsale van krygsgevangenes van toepassing met betrekking tot sowel totale oppervlakte en minimum kubieke inhoud as algemene installasies, beddegoed en komberse.

The premises provided for the use of prisoners of war individually or collectively, shall be entirely protected from dampness and adequately heated and lighted, in particular between dusk and lights out. All precautions must be taken against the danger of fire.

In any camps in which women prisoners of war, as well as men, are accommodated, separate dormitories shall be provided for them.

ARTICLE 26.

The basic daily food rations shall be sufficient in quantity, quality and variety to keep prisoners of war in good health and to prevent loss of weight or the development of nutritional deficiencies. Account shall also be taken of the habitual diet of the prisoners.

The Detaining Power shall supply prisoners of war who work with such additional rations as are necessary for the labour on which they are employed.

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

Prisoners of war shall, as far as possible, be associated with the preparation of their meals; they may be employed for that purpose in the kitchens. Furthermore, they shall be given the means of preparing, themselves, the additional food in their possession.

Adequate premises shall be provided for messing.

Collective disciplinary measures affecting food are prohibited.

ARTICLE 27.

Clothing, underwear and footwear shall be supplied to prisoners of war in sufficient quantities by the Detaining Power, which shall make allowance for the climate of the region where the prisoners are detained. Uniforms of enemy armed forces captured by the Detaining Power should, if suitable for the climate, be made available to clothe prisoners of war.

The regular replacement and repair of the above articles shall be assured by the Detaining Power. In addition, prisoners of war who work shall receive appropriate clothing, wherever the nature of the work demands.

ARTICLE 28.

Canteens shall be installed in all camps, where prisoners of war may procure foodstuffs, soap and tobacco and ordinary articles in daily use. The tariff shall never be in excess of local market prices.

The profits made by camp canteens shall be used for the benefit of the prisoners; a special fund shall be created for this purpose. The prisoners' representative shall have the right to collaborate in the management of the canteen and of this fund.

When a camp is closed down, the credit balance of the special fund shall be handed to an international welfare organization, to be employed for the benefit of prisoners of war of the same nationality as those who have contributed to the fund. In case of a general repatriation, such profits shall be kept by the Detaining Power, subject to any agreement to the contrary between the Powers concerned.

Die persele wat vir die individuele of gesamentlike gebruik van krygsgevangenes verskaf word, moet volkome teen vogtigheid beskerm wees en veral tussen skemertyd en die uitdowing van die ligte, voldoende verwarm en verlig wees. Alle voorsorg moet teen die gevaar van brand getref word.

In kampe waar sowel vroulike as manlike krygsgevangenes gehuisves word, moet afsonderlike slaapsale vir hulle verskaf word.

ARTIKEL 26.

Die basiese daaglikse voedselrantsoene moet, wat hoeveelheid, gehalte en verskeidenheid betref, voldoende wees om krygsgevangenes in 'n goeie gesondheidstoestand te hou en om gewigsverlies of die ontstaan van voedingsgebreksiektes te voorkom. Daar moet ook op die gebruiklike dieet van gevangenes gelet word.

Die Aanhoudingsmoondheid moet werkende krygsgevangenes van sulke bykomende rantsoene voorsien as wat nodig is vir die arbeid wat hulle verrig.

Krygsgevangenes moet van genoeg drinkwater voorsien word. Die gebruik van tabak moet toegelaat word.

Krygsgevangenes moet soveel moontlik aan die voorbereiding van hul maaltye deelneem; hulle kan vir dié doel in die kombuise gebruik word. Verder moet aan hulle die middele verskaf word om die addisionele voedsel in hul besit self te berei.

Daar moet voldoende persele verskaf word om saam te kan eet.

Gesamentlike dissiplinêre maatreëls betreffende voedsel is verbode.

ARTIKEL 27.

Die Aanhoudingsmoondheid moet krygsgevangenes volgens die klimaat van die gebied waarin hulle aangehou word, van voldoende klere, onderklere en skoeisel voorsien. Waar uniforms van vyandelike gewapende magte wat deur die Aanhoudingsmoondheid gebuit is, vir die klimaat geskik is, moet dit as kleding vir krygsgevangenes beskikbaar gestel word.

Die Aanhoudingsmoondheid moet die gereelde vervanging en herstel van bogenoemde goedere verseker. Daarbenewens moet krygsgevangenes wat werk, gepaste klere ontvang waar die aard van die werk dit vereis.

ARTIKEL 28.

In alle kampe moet winkels ingerig word waar die krygsgevangenes eetware, seep en tabak en artikels vir gewone daaglikse gebruik kan aanskaf. Die pryse moet in geen geval hoër as die plaaslike handelspryse wees nie.

Die wins wat die kampwinkel oplewer, moet ten bate van die gevangenes aangewend word; daar moet 'n spesiale fonds vir dié doel ingestel word. Die gevangenes se verteenwoordiger het die reg om 'n aandeel in die bestuur van die winkel en die behartiging van die fonds te hê.

Wanneer 'n kamp gesluit word, moet die kreditsaldo van die spesiale fonds aan 'n internasionale welsynorganisasie oorhandig word om aangewend te word ten bate van krygsgevangenes van dieselfde nasionaliteit as dié wat tot die fonds bygedra het. In die geval van 'n algemene repatriasie moet sodanige wins, behoudens 'n andersluidende ooreenkoms tussen die betrokke moondhede, deur die Aanhoudingsmoondheid behou word.

CHAPTER III.

HYGIENE AND MEDICAL ATTENTION.

ARTICLE 29.

The Detaining Power shall be bound to take all sanitary measures necessary to ensure the cleanliness and healthfulness of camps and to prevent epidemics.

Prisoners of war shall have for their use, day and night, conveniences which conform to the rules of hygiene and are maintained in a constant state of cleanliness. In any camps in which women prisoners of war are accommodated, separate conveniences shall be provided for them.

Also, apart from the baths and showers with which the camps shall be furnished, prisoners of war shall be provided with sufficient water and soap for their personal toilet and for washing their personal laundry; the necessary installations, facilities and time shall be granted them for that purpose.

ARTICLE 30.

Every camp shall have an adequate infirmary where prisoners of war may have the attention they require, as well as appropriate diet. Isolation wards shall, if necessary, be set aside for cases of contagious or mental disease.

Prisoners of war suffering from serious disease, or whose condition necessitates special treatment, a surgical operation or hospital care, must be admitted to any military or civilian medical unit where such treatment can be given, even if their repatriation is contemplated in the near future. Special facilities shall be afforded for the care to be given to the disabled, in particular to the blind, and for their rehabilitation, pending repatriation.

Prisoners of war shall have the attention, preferably, of medical personnel of the Power on which they depend and, if possible, of their nationality.

Prisoners of war may not be prevented from presenting themselves to the medical authorities for examination. The detaining authorities shall, upon request, issue to every prisoner who has undergone treatment, an official certificate indicating the nature of his illness or injury, and the duration and kind of treatment received. A duplicate of this certificate shall be forwarded to the Central Prisoners of War Agency.

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

ARTICLE 31.

Medical inspections of prisoners of war shall be held at least once a month. They shall include the checking and the recording of the weight of each prisoner of war. Their purpose shall be, in particular, to supervise the general state of health, nutrition and cleanliness of prisoners and to detect contagious diseases, especially tuberculosis, malaria and venereal disease. For this purpose the most efficient methods available shall be employed, e.g. periodic mass miniature radiography for the early detection of tuberculosis.

ARTICLE 32.

Prisoners of war who, though not attached to the medical service of their armed forces, are physicians, surgeons, dentists, nurses or medical orderlies, may be required by the Detaining Power to exercise their medical functions

HOOFSTUK III.

HIGIENE EN MEDIESE BEHANDELING.

ARTIKEL 29.

Die Aanhoudingsmoondheid is verplig om alle nodige sanitêre maatreëls te tref om sindelikheid en gesondheid in kampe te verseker en epidemies te voorkom.

Krygsgevangenes moet dag en nag gemakke tot hul beskikking hê wat aan gesondheidsreëls voldoen en pal sindelik gehou word. In kampe waar vroulike krygsgevangenes gehuisves word, moet aparte gemakke vir hulle verskaf word.

Afgesien van die baddens en stortbaddens wat in kampe verskaf moet word, moet krygsgevangenes ook van genoeg water en seep vir hul persoonlike toilet en vir die was van hul persoonlike wasgoed voorsien en die nodige installasies, geriewe en tyd hiervoor toegestaan word.

ARTIKEL 30.

Elke kamp moet 'n toereikende siekehuis hê waar krygsgevangenes die nodige aandag en 'n gepaste dieet kan ontvang. Indien nodig moet afsonderingsale vir persone met besmetlike siektes of vir sielsiekes gereserveer word.

Krygsgevangenes wat aan 'n ernstige siekte ly of wie se toestand spesiale behandeling, 'n chirurgiese operasie of hospitaalversorging vereis, moet opgeneem word in 'n militêre of burgerlike mediese eenheid waar sodanige behandeling gegee kan word, selfs waar daaraan gedink word om hulle in die nabye toekoms te repatrieer. Spesiale fasiliteite moet verskaf word vir die versorging en rehabilitasie van invalides hangende hul repatriasie.

Krygsgevangenes moet by voorkeur behandel word deur mediese personeel van die moondheid van wie hulle afhanklik is en, indien moontlik, van hul eie nasionaliteit. Krygsgevangenes mag nie verhinder word om hulle vir ondersoek by die mediese owerheid aan te meld nie. Die Aanhoudingsowerheid moet op versoek aan elke gevangene wat behandeling ontvang het, 'n amptelike sertifikaat uitreik wat die aard van sy siekte of besering en die duur en aard van die verskafte behandeling vermeld. 'n Duplikaat van hierdie sertifikaat moet aan die Sentrale Buro vir Krygsgevangenes gestuur word.

Die behandelingskoste, met inbegrip van die koste van enige apparaat wat nodig is om krygsgevangenes in goeie gesondheid te hou, veral kunsgebit en ander kunsmatige toestelle en brille, moet deur die Aanhoudingsmoondheid gedra word.

ARTIKEL 31.

Krygsgevangenes moet minstens een keer per maand aan mediese inspeksie onderwerp word. Dit sluit die kontrolering en aantekening van die gewig van elke krygsgevangene in. Die doel hiervan moet veral wees om 'n oog te hou oor die algemene gesondheidstoestand, voeding en persoonlike sindelikheid van gevangenes en om besmetlike siektes, veral tuberkulose, malaria en veneriese siektes, te ontdek. Vir dié doel moet die doeltreffendste beskikbare metodes aangewend word, byvoorbeeld periodieke massaminiatuurradiografie vir die vroegtydige ontdekking van tuberkulose.

ARTIKEL 32.

Waar krygsgevangenes nie aan die mediese diens van hul gewapende magte verbonde is nie maar nogtans geneeshere, chirurgie, tandartse, verpleegsters of mediese ordonnansie is, kan deur die Aanhoudingsmoondheid van

in the interests of prisoners of war dependent on the same Power. In that case they shall continue to be prisoners of war, but shall receive the same treatment as corresponding medical personnel retained by the Detaining Power. They shall be exempted from any other work under Article 49.

CHAPTER IV.

MEDICAL PERSONNEL AND CHAPLAINS RETAINED TO ASSIST PRISONERS OF WAR.

ARTICLE 33.

Members of the medical personnel and chaplains while retained by the Detaining Power with a view to assisting prisoners of war, shall not be considered as prisoners of war. They shall, however, receive as a minimum the benefits and protection of the present Convention, and shall also be granted all facilities necessary to provide for the medical care of, and religious ministrations to prisoners of war.

They shall continue to exercise their medical and spiritual functions for the benefit of prisoners of war, preferably those belonging to the armed forces upon which they depend, within the scope of the military laws and regulations of the Detaining Power and under the control of its competent services, in accordance with their professional etiquette. They shall also benefit by the following facilities in the exercise of their medical or spiritual functions:

(a) They shall be authorized to visit periodically prisoners of war situated in working detachments or in hospitals outside the camp. For this purpose, the Detaining Power shall place at their disposal the necessary means of transport.

(b) The senior medical officer in each camp shall be responsible to the camp military authorities for everything connected with the activities of retained medical personnel. For this purpose, Parties to the conflict shall agree at the outbreak of hostilities on the subject of the corresponding ranks of the medical personnel, including that of societies mentioned in Article 26 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949. This senior medical officer, as well as chaplains, shall have the right to deal with the competent authorities of the camp on all questions relating to their duties. Such authorities shall afford them all necessary facilities for correspondence relating to these questions.

(c) Although they shall be subject to the internal discipline of the camp in which they are retained, such personnel may not be compelled to carry out any work other than that concerned with their medical or religious duties.

During hostilities, the Parties to the conflict shall agree concerning the possible relief of retained personnel and shall settle the procedure to be followed.

None of the preceding provisions shall relieve the Detaining Power of its obligations with regard to prisoners of war from the medical or spiritual point of view.

hulle gevorder word om hul mediese funksie te vervul in die belang van krygsgevangenes wat van dieselfde moondheid afhanklik is. In dié geval bly hulle krygsgevangenes maar ontvang hulle dieselfde behandeling as ooreenstemmende mediese personeel wat deur die Aanhoudingsmoondheid agtergehou word. Hulle word van enige ander werk ingevolge artikel 49 vrygestel.

HOOFSTUK IV.

MEDIESE PERSONEEL EN VELDPREDIKERS WAT AGTERGEHOU WORD OM HULP AAN KRYGSGEVANGENES TE VERLEEN.

ARTIKEL 33.

Terwyl lede van die mediese personeel en veldpredikers deur die Aanhoudingsmoondheid agtergehou word met die doel om hulp aan krygsgevangenes te verleen, word hulle nie as krygsgevangenes beskou nie. Hulle moet egter minstens die voordele en beskerming van hierdie Konvensie geniet en moet ook al die geriewe verleen word wat vir die mediese versorging en geestelike behandeling van krygsgevangenes nodig is.

Hulle moet binne die bestek van die militêre wette en regulasies van die Aanhoudingsmoondheid en onder beheer van sy bevoegde dienste ooreenkomstig hul beroepsetiket voortgaan met die nakoming van hul mediese en geestelike funksies ten behoeve van krygsgevangenes, by voorkeur dié wat ook behoort aan die gewapende magte van wie hulle afhanklik is. By die vervulling van hul mediese of geestelike funksies, moet hulle ook die volgende geriewe geniet:

(a) Hulle het die reg om krygsgevangenes in arbeiderafdelings of in hospitale buite die kamp van tyd tot tyd te besoek. Vir dié doel moet die Aanhoudingsmoondheid die nodige vervoermiddels tot hul beskikking stel.

(b) Die senior mediese offisier in elke kamp is aan die kamp se militêre owerheid verantwoordelik vir alles wat met die werksaamhede van agtergehoue mediese personeel in verband staan. Met die oog hierop moet Partye by die botsing by die uitbreek van vyandelikhede ooreenkom ten opsigte van die ooreenstemmende range van die mediese personeel, met inbegrip van dié van verenigings genoem in artikel 26 van 12 Augustus 1949 se Geneefse Konvensie insake die verligting van die Toestand van Gewondes en Siekes in Gewapende Magte te Velde. Dié senior mediese offisier, ook veldpredikers, het die reg om oor alle aangeleenthede betreffende hul pligte met die bevoegde owerheid van die kamp te onderhandel. Sodanige owerheid moet hulle alle nodige geriewe vir korrespondensie in verband met hierdie aangeleentheid verleen.

(c) Hoewel sulke personeel onderworpe is aan die interne dissipline van die kamp waar hulle agtergehou word, mag hulle nie verplig word om ander werk te verrig as dié wat by hul mediese of geestelike pligte betrokke is nie.

Gedurende vyandelikhede moet die Partye by die botsing oor die moontlike aflossing van die agtergehoue personeel ooreenkom en bepaal watter prosedure gevolg moet word.

Geeneen van bostaande bepalinge onthef die Aanhoudingsmoondheid van die mediese of geestelike sy van sy verpligtinge ten opsigte van krygsgevangenes nie.

CHAPTER V.

RELIGIOUS, INTELLECTUAL AND PHYSICAL ACTIVITIES.

ARTICLE 34.

Prisoners of war shall enjoy complete latitude in the exercise of their religious duties, including attendance at the service of their faith, on condition that they comply with the disciplinary routine prescribed by the military authorities.

Adequate premises shall be provided where religious services may be held.

ARTICLE 35.

Chaplains who fall into the hands of the enemy Power and who remain or are retained with a view to assisting prisoners of war, shall be allowed to minister to them and to exercise freely their ministry amongst prisoners of war of the same religion, in accordance with their religious conscience. They shall be allocated among the various camps and labour detachments containing prisoners of war belonging to the same forces, speaking the same language or practising the same religion. They shall enjoy the necessary facilities, including the means of transport provided for in Article 33, for visiting the prisoners of war outside their camp. They shall be free to correspond, subject to censorship, on matters concerning their religious duties with the ecclesiastical authorities in the country of detention and with international religious organizations. Letters and cards which they may send for this purpose shall be in addition to the quota provided for in Article 71.

ARTICLE 36.

Prisoners of war who are ministers of religion, without having officiated as chaplains to their own forces, shall be at liberty, whatever their denomination, to minister freely to the members of their community. For this purpose, they shall receive the same treatment as the chaplains retained by the Detaining Power. They shall not be obliged to do any other work.

ARTICLE 37.

When prisoners of war have not the assistance of a retained chaplain or of a prisoner of war minister of their faith, a minister belonging to the prisoners' or a similar denomination, or in his absence a qualified layman, if such a course is feasible from a confessional point of view, shall be appointed, at the request of the prisoners concerned, to fill this office. This appointment, subject to the approval of the Detaining Power, shall take place with the agreement of the community of prisoners concerned and, wherever necessary, with the approval of the local religious authorities of the same faith. The person thus appointed shall comply with all regulations established by the Detaining Power in the interests of discipline and military security.

ARTICLE 38.

While respecting the individual preferences of every prisoner, the Detaining Power shall encourage the practice of intellectual, educational, and recreational pursuits, sports and games amongst prisoners, and shall take the measures necessary to ensure the exercise thereof by providing them with adequate premises and necessary equipment.

HOOFSTUK V.

GEESTELIKE, INTELLEKTUELE EN LIGGAAMLIKE BEDRYWIGHED.

ARTIKEL 34.

Krygsgevangenes moet algehele vryheid geniet in die beoefening van hul godsdienste, met inbegrip van die bywoning van die eredienste van hul geloof, op voorwaarde dat hulle hul gedra volgens die dissiplinêre roetine wat deur die militêre owerhede voorgeskryf is.

Daar moet voorsiening gemaak word vir toereikende persele waar eredienste gehou kan word.

ARTIKEL 35.

Veldpredikers wat in die vyand se hande val en agterbly of agtergehou word met die doel om krygsgevangenes tot hulp te wees, moet toegelaat word om sodanige gevangenes te bearbei en om hul bediening vrylik onder krygsgevangenes van dieselfde geloof ooreenkomstig hul godsdienstige oortuiging te beoefen. Hulle moet toegewys word aan die verskillende kampe en arbeiderafdelings met krygsgevangenes wat aan dieselfde magte behoort, dieselfde taal praat of dieselfde geloof beoefen. Hulle moet die nodige geriewe, met inbegrip van die vervoermiddels vermeld in artikel 33, vir die besoek van krygsgevangenes buite hul kamp geniet. Dit staan hulle vry om onderworpe aan sensuur, met die geestelike owerheid in die land van hul aanhouding en met internasionale godsdienstige organisasies, briefwisseling in verband met hul godsdienstige pligte te voer. Briewe en poskaarte wat hulle in verband hiermee mag stuur, is bykomend by die kwota in artikel 71 bepaal.

ARTIKEL 36.

Ongeag hul kerkverband, kan krygsgevangenes wat predikante is maar nie onder hul eie magte as veldpredikers opgetree het nie, die lede van hul gemeenskap vrylik bearbei. Met die oog hierop moet hulle dieselfde behadeling geniet as die veldpredikers wat deur die Aanhoudingsmoondheid agtergehou word. Hulle mag nie verplig word om enige ander werk te verrig nie.

ARTIKEL 37.

Wanneer krygsgevangenes nie die bystand van 'n agtergehoue veldprediker of van 'n krygsgevangene-predikant van dieselfde geloof as hulself geniet nie, moet 'n predikant van dieselfde of 'n dergelike kerkverband as die krygsgevangenes of, as daar nie so iemand is nie en so 'n stap uit die oogpunt van biegeblydenis doenlik is, 'n gekwalifiseerde leek op versoek van die betrokke krygsgevangenes aangestel word om hierdie amp te beklee. Behoudens die goedkeuring van die Aanhoudingsmoondheid moet hierdie aanstelling met die toestemming van die betrokke gevangenegemeenskap en, waar nodig, met die goedkeuring van die plaaslike geestelike owerheid van dieselfde geloof plaasvind. Die aldus aangestelde persoon moet al die regulasies nakom wat in belang van dissipline en militêre veiligheid deur die Aanhoudingsmoondheid daar gestel word.

ARTIKEL 38.

Hoewel elke krygsgevangene se persoonlike voorkeur gerespekteer moet word, moet die Aanhoudingsmoondheid intellektuele, opvoedkundige en ontspanningsbedrywighede, sport en spele onder krygsgevangenes aanmoedig en die nodige stappe doen om die beoefening daarvan te verseker deur hulle van toereikende persele en die nodige uitrusting te voorsien.

Prisoners shall have opportunities for taking physical exercise, including sports and games, and for being out of doors. Sufficient open spaces shall be provided for this purpose in all camps.

CHAPTER VI.

DISCIPLINE.

ARTICLE 39.

Every prisoner of war camp shall be put under the immediate authority of a responsible commissioned officer belonging to the regular armed forces of the Detaining Power. Such officer shall have in his possession a copy of the present Convention; he shall ensure that its provisions are known to the camp staff and the guard and shall be responsible, under the direction of his government, for its application.

Prisoners of war, with the exception of officers, must salute and show to all officers of the Detaining Power the external marks of respect provided for by the regulations applying in their own forces.

Officer prisoners of war are bound to salute only officers of a higher rank of the Detaining Power; they must, however, salute the camp commander regardless of his rank.

ARTICLE 40.

The wearing of badges of rank and nationality, as well as of decorations, shall be permitted.

ARTICLE 41.

In every camp the text of the present Convention and its Annexes and the contents of any special agreement provided for in Article 6, shall be posted, in the prisoners' own language, in places where all may read them. Copies shall be supplied, on request, to the prisoners who cannot have access to the copy which has been posted.

Regulations, orders, notices and publications of every kind relating to the conduct of prisoners of war shall be issued to them in a language which they understand. Such regulations, orders and publications shall be posted in the manner described above and copies shall be handed to the prisoners' representative. Every order and command addressed to prisoners of war individually must likewise be given in a language which they understand.

ARTICLE 42.

The use of weapons against prisoners of war, especially against those who are escaping or attempting to escape, shall constitute an extreme measure, which shall always be preceded by warnings appropriate to the circumstances.

CHAPTER VII.

RANK OF PRISONERS OF WAR.

ARTICLE 43.

Upon the outbreak of hostilities, the Parties to the conflict shall communicate to one another the titles and ranks of all the persons mentioned in Article 4 of the present Convention, in order to ensure equality of treatment between prisoners of equivalent rank. Titles and ranks which are subsequently created shall form the subject of similar communications.

Gevangenes moet die geleentheid kry om aan liggaamlike oefening, met inbegrip van sport en spele, deel te neem en om in die buitlug te verkeer. In alle kampe moet voldoende oop ruimtes vir dié doel verskaf word.

HOOFSTUK VI.

DISSIPLINE.

ARTIKEL 39.

Elke krygsgevangenekamp moet geplaas word onder die onmiddellike gesag van 'n verantwoordelike offisier wat aan die gereelde gewapende magte van die Aanhoudingsmoondheid behoort. Sodanige offisier moet 'n afskrif van hierdie Konvensie in sy besit hê; hy moet seker maak dat die kamppersoneel en die wag met die bepalinge daarvan vertrou is en hy is verantwoordelik vir die toepassing daarvan volgens die aanwysings van sy regering.

Met uitsondering van offisiere moet krygsgevangenes alle offisiere van die Aanhoudingsmoondheid salueer en hulle die uiterlike eerbied betoon wat bepaal word by die regulasies wat in hul eie magte van krag is.

Offisier-krygsgevangenes hoef net offisiere van die Aanhoudingsmoondheid te salueer waar dié van 'n hoër rang is, maar hulle moet die kampkommandant salueer, wat sy rang ook al mag wees.

ARTIKEL 40.

Die dra van rang- en nasionaliteitstekens en dekorasies moet toegelaat word.

ARTIKEL 41.

Die teks van hierdie Konvensie en sy aanhangsels en die inhoud van enige spesiale ooreenkoms waarvoor in artikel 6 voorsiening gemaak word, moet in elke kamp in die gevangenes se eie taal opgeplak word op plekke waar dit deur almal gelees kan word. Afskrifte moet op versoek van gevangenes wat nie tot die opgeplakte afskrif toegang het nie, verskaf word.

Regulasies, opdragte, kennisgewings en publikasies van allerlei aard betreffende die optrede van krysgevangenes moet aan hulle uitgereik word in 'n taal wat hulle verstaan. Sulke regulasies, opdragte en publikasies moet, soos hierbo omskryf, opgeplak word en afskrifte daarvan aan die gevangenes se verteenwoordiger oorhandig word. Insgelyks moet elke bevel en opdrag wat aan individuele krygsgevangenes gerig word, opgestel word in 'n taal wat hulle verstaan.

ARTIKEL 42.

Die gebruik van wapens teen krygsgevangenes, veral teen dié wat besig is om te ontsnap of probeer ontsnap, is 'n uiterste stap wat altyd voorafgegaan moet word deur waarskuwings wat by die omstandighede pas.

HOOFSTUK VII.

DIE RANG VAN KRYGSGEVANGENES.

ARTIKEL 43.

By die uitbreek van vyandelikhede moet die Partye by die botsing mekaar van die titels en range van al die persone genoem in artikel 4 van hierdie Konvensie, in kennis stel ten einde gelykheid van behandeling tussen gevangenes van ooreenstemmende range te verseker. Titels en range wat later geskep word, moet insgelyks bekend gemaak word.

The Detaining Power shall recognize promotions in rank which have been accorded to prisoners of war and which have been duly notified by the Power on which these prisoners depend.

ARTICLE 44.

Officers and prisoners of equivalent status shall be treated with the regard due to their rank and age.

In order to ensure service in officers' camps, other ranks of the same armed forces who, as far as possible, speak the same language, shall be assigned in sufficient numbers, account being taken of the rank of officers and prisoners of equivalent status. Such orderlies shall not be required to perform any other work.

Supervision of the mess by the officers themselves shall be facilitated in every way.

ARTICLE 45.

Prisoners of war other than officers and prisoners of equivalent status shall be treated with the regard due to their rank and age.

Supervision of the mess by the prisoners themselves shall be facilitated in every way.

CHAPTER VIII.

TRANSFER OF PRISONERS OF WAR AFTER THEIR ARRIVAL IN CAMP.

ARTICLE 46.

The Detaining Power, when deciding upon the transfer of prisoners of war, shall take into account the interests of the prisoners themselves, more especially so as not to increase the difficulty of their repatriation.

The transfer of prisoners of war shall always be effected humanely and in conditions not less favourable than those under which the forces of the Detaining Power are transferred. Account shall always be taken of the climatic conditions to which the prisoners of war are accustomed and the conditions of transfer shall in no case be prejudicial to their health.

The Detaining Power shall supply prisoners of war during transfer with sufficient food and drinking water to keep them in good health, likewise with the necessary clothing, shelter and medical attention. The Detaining Power shall take adequate precautions especially in case of transport by sea or by air, to ensure their safety during transfer, and shall draw up a complete list of all transferred prisoners before their departure.

ARTICLE 47.

Sick or wounded prisoners of war shall not be transferred as long as their recovery may be endangered by the journey, unless their safety imperatively demands it.

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

Die Aanhoudingsmoondheid moet bevorderings in rang erken wat aan krygsgevangenes verleen word en waarvan behoorlik kennis gegee is deur die moondheid van wie hierdie gevangenes afhanklik is.

ARTIKEL 44.

Offisiere en gevangenes van gelykwaardige status moet behandel word met die eerbied wat aan hul rang en ouderdom verskuldig is.

Voldoende lede van ander range wat aan dieselfde gewapende magte as die offisiere en gevangenes van gelykwaardige status in offisierskampe behoort en vir sover doenlik dieselfde taal as hulle praat, moet met inagneming van die rang van sodanige offisier en gevangenes aangewys word om diens in sodanige kampe te verseker. Sodanige ordonnanse mag nie aangesê word om ander werk te doen nie.

Toesig oor die menasie deur die offisiere self moet op elke moontlike wyse vergemaklik word.

ARTIKEL 45.

Ander krygsgevangenes as offisiere of gevangenes van gelykwaardige rang moet behandel word met die eerbied wat aan hul rang en ouderdom verskuldig is.

Toesig oor die menasie deur die gevangenes self moet op elke moontlike wyse vergemaklik word.

HOOFSTUK VIII.

VERSKUIWING VAN KRYGSGEVANGENES NA HUL AANKOMS IN DIE KAMP.

ARTIKEL 46.

Wanneer die Aanhoudingsmoondheid besluit om krygsgevangenes te verskuif, moet hy met die belange van die gevangenes self rekening hou, veral met die doel om hul repatriasie nie nog moeiliker te maak nie.

Die verskuiwing van krygsgevangenes moet altyd geskied met menslikheid en onder omstandighede wat nie ongunstiger is as dié waaronder die Aanhoudingsmoondheid se magte verskuif word nie. Die klimaatstoestand waaraan krygsgevangenes gewoond is, moet altyd in aanmerking geneem word en die omstandighede van verskuiwing moet geensins vir hul gesondheid nadelig wees nie.

Die Aanhoudingsmoondheid moet krygsgevangenes gedurende verskuiwing, van voldoende voedsel en drinkwater voorsien om hulle gesond te hou, en moet ook die nodige klere, skuiling en mediese aandag verskaf. Die Aanhoudingsmoondheid moet veral in die geval van see- of lugvervoer toereikende voorsorgmaatreëls tref om hul veiligheid gedurende verskuiwing te verseker en moet vòór hul vertrek 'n volledige lys opstel van al die gevangenes wat verskuif word.

ARTIKEL 47.

Siek of gewonde krygsgevangenes moet nie verskuif word solank hul herstel deur die reis in gevaar gestel kan word nie, tensy die verskuiwing gebiedend noodsaaklik vir hul veiligheid is.

Indien die gevegsone nader aan 'n kamp kom, moet die krygsgevangenes in genoemde kamp nie verskuif word nie, tensy hul verskuiwing met voldoende veiligheid kan geskied of tensy hulle deur te bly waar hulle is, in grote gevaar sal verkeer as deur verskuif te word.

ARTICLE 48.

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

They shall be allowed to take with them their personal effects, and the correspondence and parcels which have arrived for them. The weight of such baggage may be limited, if the conditions of transfer so require, to what each prisoner can reasonably carry, which shall in no case be more than twenty-five kilograms per head.

Mail and parcels addressed to their former camp shall be forwarded to them without delay. The camp commander shall take, in agreement with the prisoners representative, any measures needed to ensure the transport of the Prisoners' community property and of the luggage they are unable to take with them in consequence of restrictions imposed by virtue of the second paragraph of this Article.

The costs of transfers shall be borne by the Detaining Power.

SECTION III.

LABOUR OF PRISONERS OF WAR.

ARTICLE 49.

The Detaining Power may utilize the labour of prisoners of war who are physically fit, taking into account their age, sex, rank and physical aptitude, and with a view particularly to maintaining them in a good state of physical and mental health.

Non-commissioned officers who are prisoners of war shall only be required to do supervisory work. Those not so required may ask for other suitable work which shall, so far as possible, be found for them.

If officers or persons of equivalent status ask for suitable work, it shall be found for them, so far as possible, but they may in no circumstances be compelled to work.

ARTICLE 50.

Besides work connected with camp administration, installation or maintenance, prisoners of war may be compelled to do only such work as is included in the following classes:

- (a) Agriculture;
- (b) industries connected with the production or the extraction of raw materials, and manufacturing industries, with the exception of metallurgical, machinery and chemical industries; public works and building operations which have no military character or purpose;
- (c) transport and handling of stores which are not military in character or purpose;
- (d) commercial business, and arts and crafts;
- (e) domestic service;
- (f) public utility services having no military character or purpose.

Should the above provisions be infringed, prisoners of war shall be allowed to exercise their right of complaint, in conformity with Article 78.

ARTIKEL 48.

In die geval van verskuiwing moet krygsgevangenes amptelik van hul vertrek en van hul nuwe posadres in kennis gestel word. Sodanige kennisgewing moet betyds geskied sodat hulle hul bagasie kan inpak en hul naasbestaendes daarvan kan verwittig.

Hulle moet toegelaat word om hul persoonlike besittings en die korrespondensie en die pakkies wat vir hulle aangekom het, saam te neem. Indien die vervoer-toestande dit vereis, kan die gewig van sodanige bagasie beperk word tot wat elke gevangene redelik kan dra, wat in geen geval meer as 25 kilogram per persoon mag wees nie.

Pos en pakkies geadresseer na hul vorige kamp, moet sonder versuim aangestuur word. Die kampkommandant moet met die instemming van die gevangenes se verteenwoordiger alle nodige maatreëls tref om die vervoer te verseker van die gevangenes se gesamentlike eiendom en die bagasie wat hulle as gevolg van die beperkings kragtens die tweede paragraaf van hierdie artikel nie in staat is om saam met hulle te neem nie.

Die verskuiwingskoste moet deur die Aanhoudingsmoondheid gedra word.

AFDELING III.

WERK DEUR KRYGSGEVANGENES.

ARTIKEL 49.

Die Aanhoudingsmoondheid kan krygsgevangenes wat liggaamlik fiks is, met inagneming van hul ouderdom, geslag, rang en liggaamlike vermoë en veral met die doel om hulle liggaamlik en geestelik gesond te hou, gebruik om te werk.

Onderoffisier-krygsgevangenes kan slegs aangesê word om toesigwerk te doen. Diegene wat nie aldus aangesê word nie, kan om ander geskikte werk vra, en dié moet sover moontlik vir hulle gegee word.

Indien offisiere of persone van gelykwaardige status om geskikte werk vra, moet dit sover moontlik aan hulle gegee word maar hulle mag in geen omstandighede verplig word om te werk nie.

ARTIKEL 50.

Behalwe werk in verband met kampadministrasie, installasie, of -onderhoud, kan krygsgevangenes slegs verplig word om werk te doen wat onder die volgende klasse ressorteer:

- (a) Landbou;
- (b) nywerhede waarby die produksie of uithaal van grondstowwe betrokke is, en vervaardigingsnywerhede met uitsondering van metallurgiese, masjien- en chemiese nywerhede; openbare werke en bouwerke van 'n nie-militêre aard of met 'n nie-militêre doel;
- (c) vervoer en hantering van voorrade van 'n nie-militêre aard of met 'n nie-militêre doel;
- (d) handelsbedrywighede, kuns en kunsvlyt;
- (e) huiswerk;
- (f) openbare nutsdienste van 'n nie-militêre aard of met 'n nie-militêre doel.

As bostaande bepalings geskend word, moet krygsgevangenes toegelaat word om hul reg van beklag ooreenkomstig artikel 78 uit te oefen.

ARTICLE 51.

Prisoners of war must be granted suitable working conditions, especially as regards accommodation, food, clothing and equipment; such conditions shall not be inferior to those enjoyed by nationals of the Detaining Power employed in similar work; account shall also be taken of climatic conditions.

The Detaining Power, in utilizing the labour of prisoners of war, shall ensure that in areas in which such prisoners are employed, the national legislation concerning the protection of labour, and, more particularly, the regulations for the safety of workers, are duly applied.

Prisoners of war shall receive training and be provided with the means of protection suitable to the work they will have to do and similar to those accorded to the nationals of the Detaining Power. Subject to the provisions of Article 52, prisoners may be submitted to the normal risks run by these civilian workers.

Conditions of labour shall in no case be rendered more arduous by disciplinary measures.

ARTICLE 52.

Unless he be a volunteer, no prisoner of war may be employed on labour which is of an unhealthy or dangerous nature.

No prisoner of war shall be assigned to labour which would be looked upon as humiliating for a member of the Detaining Power's own forces.

The removal of mines or similar devices shall be considered as dangerous labour.

ARTICLE 53.

The duration of the daily labour of prisoners of war, including the time of the journey to and fro, shall not be excessive, and must in no case exceed that permitted for civilian workers in the district, who are nationals of the Detaining Power and employed on the same work.

Prisoners of war must be allowed, in the middle of the day's work, a rest of not less than one hour. This rest will be the same as that to which workers of the Detaining Power are entitled, if the latter is of longer duration. They shall be allowed in addition a rest of twenty-four consecutive hours every week, preferably on Sunday or the day of rest in their country of origin. Furthermore, every prisoner who has worked for one year shall be granted a rest of eight consecutive days, during which his working pay shall be paid him.

If methods of labour such as piece work are employed, the length of the working period shall not be rendered excessive thereby.

ARTICLE 54.

The working pay due to prisoners of war shall be fixed in accordance with the provisions of Article 62 of the present Convention.

Prisoners of war who sustain accidents in connection with work, or who contract a disease in the course, or in consequence of their work, shall receive all the care their condition may require. The Detaining Power shall furthermore deliver to such prisoners of war a medical certificate enabling them to submit their claims to the Power on which they depend, and shall send a duplicate to the Central Prisoners of War Agency provided for in Article 123.

ARTIKEL 51.

Krygsgevangenes moet, veral wat huisvesting, voedsel, kleding en uitrusting betref, onder geskikte toestande werk; sulke toestande mag nie swakker wees as dié van burgers van die Aanhoudingsmoondheid wat vir soortgelyke werk gebruik word nie; klimaatstoestande moet ook in aanmerking geneem word.

Waar krygsgevangenes gebruik word om te werk, moet die Aanhoudingsmoondheid sorg dat die landswette betreffende die beskerming van arbeiders, en meer bepaald die regulasies tot beveiliging van werksmense, behoorlik toegepas word in gebiede waar sulke gevangenes werkzaam is.

Krygsgevangenes moet vir die werk wat hulle sal moet doen, opleiding ontvang en voorsien word van net sulke geskikte beskermmiddels as die burgers van die Aanhoudingsmoondheid. Behoudens die bepalings van artikel 52 mag gevangenes blootgestel word aan die gewone risiko's wat hierdie burgerlike werkers loop.

Werktoestande mag in geen geval deur dissiplinêre maatreëls gemaak word nie.

ARTIKEL 52.

Tensy hy hom vrywillig daarvoor aanbied, mag geen krygsgevangene vir ongesonde of gevaarlike werk gebruik word nie.

Geen krygsgevangene mag werk gegee word wat vir 'n lid van die Aanhoudingsmoondheid se eie magte as vernederend beskou sou word nie.

Die verwydering van myne of dergelyke toestelle word as gevaarlike werk beskou.

ARTIKEL 53.

Die duur van krygsgevangenes se daaglikse werk, met inbegrip van die heen- en terugreis, mag nie buitensporig en in geen geval langer wees as dié wat toegelaat word vir burgerlike werkers in die distrik wat burgers van die Aanhoudingsmoondheid is en vir dieselfde werk gebruik word nie.

Krygsgevangenes moet in die middel van die dag se werk 'n rustyd van minstens 'n uur toegestaan word. Die rustyd moet dieselfde wees as dié waarop werkers van die Aanhoudingsmoondheid geregtig is, indien dié van laasgenoemde langer duur. Daarbenewens moet hulle elke week, by voorkeur op Sondag of die rusdag van hul land van herkoms, 'n ononderbroke rustyd van 24 uur toegestaan word. Verder moet elke gevangene wat 'n jaar lank gewerk het, 'n ononderbroke rustyd van agt dae toegestaan word en gedurende dié tyd moet sy besoldiging vir werk aan hom betaal word.

Indien werkstelsels soos stukwerk toegepas word, moet die werktyd nie daardeur oormatig lank gemaak word nie.

ARTIKEL 54.

Krygsgevangenes se besoldiging vir werk moet ooreenkomstig die bepalings van artikel 62 van hierdie Konvensie vasgestel word.

Krygsgevangenes wat in verband met hul werk beserings opdoen of gedurende of as gevolg van hul werk 'n siekte kry, moet al die sorg geniet wat hul toestand vereis. Die Aanhoudingsmoondheid moet ook aan sulke krygsgevangenes 'n mediese sertifikaat uitreik wat hulle in staat sal stel om hul eise in te dien by die moondheid van wie hulle afhanklik is, en moet 'n duplikaat stuur aan die Sentrale Agentskap vir Inligting oor Krygsgevangenes waarvoor in artikel 123 voorsiening gemaak word.

ARTICLE 55.

The fitness of prisoners of war for work shall be periodically verified by medical examinations at least once a month. The examinations shall have particular regard to the nature of the work which prisoners of war are required to do.

If any prisoner of war considers himself incapable of working, he shall be permitted to appear before the medical authorities of his camp. Physicians or surgeons may recommend that the prisoners who are, in their opinion, unfit for work, be exempted therefrom.

ARTICLE 56.

The organization and administration of labour detachments shall be similar to those of prisoner of war camps.

Every labour detachment shall remain under the control of and administratively part of a prisoner of war camp. The military authorities and the commander of the said camp shall be responsible, under the direction of their government, for the observance of the provisions of the present Convention in labour detachments.

The camp commander shall keep an up-to-date record of the labour detachments dependent on his camp, and shall communicate it to the delegates of the Protecting Power, of the International Committee of the Red Cross, or of other agencies giving relief to prisoners of war, who may visit the camp.

ARTICLE 57.

The treatment of prisoners of war who work for private persons, even if the latter are responsible for guarding and protecting them, shall not be inferior to that which is provided for by the present Convention. The Detaining Power, the military authorities and the commander of the camp to which such prisoners belong shall be entirely responsible for the maintenance, care, treatment, and payment of the working pay of such prisoners of war.

Such prisoners of war shall have the right to remain in communication with the prisoners' representatives in the camps on which they depend.

SECTION IV.

FINANCIAL RESOURCES OF PRISONERS OF WAR.

ARTICLE 58.

Upon the outbreak of hostilities, and pending an arrangement on this matter with the Protecting Power, the Detaining Power may determine the maximum amount of money in cash or in any similar form, that prisoners may have in their possession. Any amount in excess, which was properly in their possession and which has been taken or withheld from them, shall be placed to their account, together with any monies deposited by them, and shall not be converted into any other currency without their consent.

If prisoners of war are permitted to purchase services or commodities outside the camp against payment in cash, such payments shall be made by the prisoner himself or by the camp administration who will charge them to the accounts of the prisoners concerned. The Detaining Power will establish the necessary rules in this respect.

ARTIKEL 55.

Krygsgevangenes se geskiktheid vir werk moet gereeld minstens een keer per maand deur 'n mediese ondersoek vasgestel word. Die ondersoek moet veral geskied met die oog op die soort werk wat krygsgevangenes moet verrig.

Indien 'n krygsgevangene homself as ongeskik vir werk beskou, moet hy toegelaat word om voor die mediese owerheid van sy kamp te verskyn. Interniste of chirurgie kan aanbeveel dat gevangenes wat volgens hul mening ongeskik vir werk is, vrystelling daarvan verleen word.

ARTIKEL 56.

Die organisasie en administrasie van arbeidsafdelings, moet met dié van krygsgevangenekampe ooreenstem.

Elke arbeidsafdeling moet onder beheer en administratief deel bly van 'n krygsgevangenekamp. Die militêre owerheid en die kommandant van genoemde kamp is daarvoor verantwoordelik dat die bepalings van hierdie Konvensie volgens die aanwysings van hul regering in die arbeidsafdeling nagekom word.

Die kampkommandant moet 'n register van die arbeidsafdelings wat van sy kamp afhanklik is, byhou en die inhoud daarvan meedeel aan die afgevaardigdes van die beskermende moondheid, die Internasionale Komitee van die Rooikruis of ander instansies vir die verligting van die omstandighede van krygsgevangenes wat die kamp kan besoek.

ARTIKEL 57.

Die behandeling van krygsgevangenes wat vir private persone werk, selfs waar laasgenoemde vir hul bewaking en beskerming verantwoordelik is, mag nie swakker wees as dié waarvoor hierdie Konvensie voorsiening maak nie. Die Aanhoudingsmoondheid, die militêre owerhede en die kommandant van die kamp waar sulke krygsgevangenes hoort, is ten volle verantwoordelik vir die onderhoud, versorging, behandeling en betaling van die werkloon van sulke krygsgevangenes.

Sodanige krygsgevangenes het die reg om in verbinding te bly met die krygsgevangenes se verteenwoordigers in die kampe van wie hulle afhanklik is.

AFDELING IV.

GELDMIDDELE VAN KRYGSGEVANGENES.

ARTIKEL 58.

By die uitbreek van vyandelikhede en in afwagting van 'n reëling met die Beskermende Moondheid betreffende hierdie saak kan die Aanhoudingsmoondheid die maksimum som geld vasstel wat gevangenes in kontant of in enige dergelike vorm in hul besit mag hê. Alles bo hierdie bedrag wat regmatig in hulle besit was en van hulle weg-geneem of teruggehou is, moet saam met geld wat deur hulle gedeponeer is, in hul rekening gestort word en mag nie sonder hul toestemming in enige ander geldsoort omgesit word nie.

Indien krygsgevangenes toegelaat word om dienste of artikels buite die kamp teen die betaling van kontant te bekom, moet sodanige betaling gedoen word deur die gevangene self of deur die kampadministrasie, wat dit op die betrokke gevangene se rekening sal debiteer. Die nodige reëls in verband hiermee sal deur die Aanhoudingsmoondheid opgestel word.

ARTICLE 59.

Cash which was taken from prisoners of war, in accordance with Article 18, at the time of their capture, and which is in the currency of the Detaining Power, shall be placed to their separate accounts, in accordance with the provisions of Article 64 of the present Section.

The amounts, in the currency of the Detaining Power, due to the conversion of sums in other currencies that are taken from the prisoners of war at the same time, shall also be credited to their separate accounts.

ARTICLE 60.

The Detaining Power shall grant all prisoners of war a monthly advance of pay, the amount of which shall be fixed by conversion, into the currency of the said Power, of the following amounts:

Category I: Prisoners ranking below sergeants: eight Swiss francs.

Category II: Sergeants and other non-commissioned officers, or prisoners of equivalent rank: twelve Swiss francs.

Category III: Warrant officers and commissioned officers below the rank of major or prisoners of equivalent rank: fifty Swiss francs.

Category IV: Majors, lieutenant-colonels, colonels or prisoners of equivalent rank: sixty Swiss francs.

Category V: General officers or prisoners of war of equivalent rank: seventy-five Swiss francs.

However, the Parties to the conflict concerned may by special agreement modify the amount of advances of pay due to prisoners of the preceding categories.

Furthermore, if the amounts indicated in the first paragraph above would be unduly high compared with the pay of the Detaining Power's armed forces or would for any reason, seriously embarrass the Detaining Power, then, pending the conclusion of a special agreement with the Power on which the prisoners depend to vary the amounts indicated above, the Detaining Power:

(a) shall continue to credit the accounts of the prisoners with the amounts indicated in the first paragraph above;

(b) may temporarily limit the amount made available from these advances of pay to prisoners of war for their own use, to sums which are reasonable, but which, for Category I, shall never be inferior to the amount that the Detaining Power gives to the members of its own armed forces.

The reasons for any limitations will be given without delay to the Protecting Power.

ARTICLE 61.

The Detaining Power shall accept for distribution as supplementary pay to prisoners of war sums which the Power on which the prisoners depend may forward to them, on condition that the sums to be paid shall be the same for each prisoner of the same category, shall be payable to all prisoners of that category depending on that Power, and shall be placed in their separate accounts, at the earliest opportunity, in accordance with the provisions of Article 64. Such supplementary pay shall not relieve the Detaining Power of any obligation under this Convention.

ARTIKEL 59.

Krygsgevangenes se individuele rekenings moet ooreenkomstig die bepalinge van artikel 64 van hierdie afdeling gekrediteer word met kontant wat ooreenkomstig artikel 18 ten tyde van hul gevangeneem van hulle weggeenem is en in die Aanhoudingsmoondheid se betaalmiddel is.

Waar terselfdertyd geld in ander betaalmiddele van krygsgevangenes verwyder word, moet die ekwivalente bedrae in die valuta van die Aanhoudingsmoondheid ook op hul afsonderlike rekening gekrediteer word.

ARTIKEL 60.

Die Aanhoudingsmoondheid moet aan alle krygsgevangenes 'n maandelikse soldyvoorskot toestaan waarvan die bedrag vasgestel moet word deur ondervermelde bedrae in genoemde moondheid se valuta om te sit:

Kategorie I.—Gevangenes met 'n laer rang as dié van sersant: Agt Switserse frank.

Kategorie II.—Sersante en ander onderoffisiere of gevangenes van gelykwaardige rang: Twaalf Switserse frank.

Kategorie III.—Adjutant-offisiere en kommissie-offisiere benede die rang van majoor of gevangenes van gelykwaardige rang: Vyftig Switserse frank.

Kategorie IV.—Majors, luitenant-kolonels, kolonels of gevangenes van gelykwaardige rang: Sestig Switserse frank.

Kategorie V.—Opperoffisiere of krygsgevangenes van gelykwaardige rang: Vyf-en-sewentig Switserse frank.

Die betrokke Partye by die botsing kan egter die soldyvoorskotte wat aan gevangenes in bovermelde kategorieë verskuldig is, by spesiale ooreenkoms wysig.

Voorts, indien die bedrae aangegee in die eerste paragraaf hierbo onnodig hoog is in vergelyking met die soldy van die Aanhoudingsmoondheid se gewapende magte of om enige rede die Aanhoudingsmoondheid in 'n ernstige verleentheid sou stel, en tot tyd en wyl met die moondheid van wie die gevangenes afhanklik is, 'n spesiale ooreenkoms tot wysiging van bovermelde bedrae gesluit is—

(a) moet die Aanhoudingsmoondheid voortgaan om die gevangenes se rekenings te krediteer met die bedrae vermeld in die eerste paragraaf hierbo.

(b) kan die Aanhoudingsmoondheid die bedrag wat uit dié soldyvoorskotte aan krygsgevangenes vir hul persoonlike gebruik beskikbaar gestel word, tydelik beperk tot bedrae wat redelik is maar in die geval van Kategorie I nooit minder mag wees as die bedrag wat die Aanhoudingsmoondheid aan die lede van sy gewapende magte betaal nie.

Die redes vir enige beperkings moet sonder versuim aan die Beskermende Moondheid meegedeel word.

ARTIKEL 61.

Somme geld wat hy van die moondheid van wie die gevangenes afhanklik is, ontvang om as aanvullende soldy onder krygsgevangenes uitgedeel te word, moet deur die Aanhoudingsmoondheid aangeneem word, op voorwaarde dat die betaalbare bedrae dieselfde is vir elke gevangene van dieselfde kategorie, betaalbaar is aan alle gevangenes van dié kategorie wat van sodanige moondheid afhanklik is, en so spoedig moontlik ooreenkomstig die bepalinge van artikel 64 in hul afsonderlike rekenings gestort word. Sodanige aanvullende soldy onthef nie die Aanhoudingsmoondheid van enige verpligting ingevolge hierdie Konvensie nie.

ARTICLE 62.

Prisoners of war shall be paid a fair working rate of pay by the detaining authorities direct. The rate shall be fixed by the said authorities, but shall at no time be less than one-fourth of one Swiss franc for a full working day. The Detaining Power shall inform prisoners of war, as well as the Power on which they depend, through the intermediary of the Protecting Power, of the rate of daily working pay that it has fixed.

Working pay shall likewise be paid by the detaining authorities to prisoners of war permanently detailed to duties or to a skilled or semi-skilled occupation in connection with the administration, installation or maintenance of camps, and to the prisoners who are required to carry out spiritual or medical duties on behalf of their comrades.

The working pay of the prisoners' representative, of his advisers, if any, and of his assistants, shall be paid out of the fund maintained by canteen profits. The scale of this working pay shall be fixed by the prisoners' representative and approved by the camp commander. If there is no such fund, the detaining authorities shall pay these prisoners a fair working rate of pay.

ARTICLE 63.

Prisoners of war shall be permitted to receive remittances of money addressed to them individually or collectively.

Every prisoner of war shall have at his disposal the credit balance of his account as provided for in the following Article, within the limits fixed by the Detaining Power, which shall make such payments as are requested. Subject to financial or monetary restrictions which the Detaining Power regards as essential prisoners of war may also have payments made abroad. In this case payments addressed by prisoners of war to dependents shall be given priority.

In any event, and subject to the consent of the Power on which they depend, prisoners may have payments made in their own country, as follows: the Detaining Power shall send to the aforesaid Power through the Protecting Power, a notification giving all the necessary particulars concerning the prisoners of war, the beneficiaries of the payments, and the amount of the sums to be paid, expressed in the Detaining Power's currency. The said notification shall be signed by the prisoners and countersigned by the camp commander. The Detaining Power shall debit the prisoners' account by a corresponding amount; the sums thus debited shall be placed by it to the credit of the Power on which the prisoners depend.

To apply the foregoing provisions, the Detaining Power may usefully consult the Model Regulations in Annex V of the present Convention.

ARTICLE 64.

The Detaining Power shall hold an account for each prisoner of war, showing at least the following:

(1) The amounts due to the prisoner or received by him as advances of pay, as working pay or derived from any other source; the sums in the currency of the

ARTIKEL 62.

Krygsgevangenes moet 'n billike werkloon regstreeks van die aanhoudingsowerheid ontvang. Die tarief moet deur genoemde owerheid vasgestel word maar mag in geen geval minder as 'n kwart van 'n Switserse frank vir 'n volle werkdag wees nie. Die Aanhoudingsmoondheid moet krygsgevangenes en ook die moondheid van wie hulle afhanklik is, deur bemiddeling van die Beskermende Moondheid verwittig van die werkloontarief per dag wat hy vasgestel het.

Insgelyks moet werkloon deur die aanhoudingsowerheid betaal word aan krygsgevangenes wat permanent vir pligte of vir geskoolde of halfgeskoolde beroep in verband met die administrasie, installasie of instandhouding van kampe aangewys word, en ook aan gevangenes wat aangesê word om geestelike of mediese pligte ten behoeve van hul medegevangenes uit te voer.

Die werkloon van die gevangenes se verteenwoordiger, van sy raadgewers (indien daar is), en van sy assistente moet betaal word uit die fonds wat deur die winkelwinst in stand gehou word. Hierdie werkloontarief moet deur die gevangenes se verteenwoordiger vasgestel en deur die kampkommandant goedgekeur word. Indien daar nie so 'n fonds bestaan nie, moet die aanhoudingsowerheid die gevangenes volgens 'n billike werkloon betaal.

ARTIKEL 63.

Krygsgevangenes moet toegelaat word om geld te ontvang wat aan hulle afsonderlik of gesamentlik gestuur word.

Binne die perke gestel deur die Aanhoudingsmoondheid, wat betalings moet doen waarom gevra word, beskik elke krygsgevangene oor die batige saldo van sy rekening soos in die volgende artikel bepaal. Behoudens finansiële of geldelike beperkings wat die Aanhoudingsmoondheid noodsaaklik ag, kan krygsgevangenes ook betalings in die buiteland laat doen. In so 'n geval moet betalings van krygsgevangenes aan afhanklikes voorrang geniet.

Gevangenes kan in elk geval behoudens die toestemming van die moondheid van wie hulle afhanklik is, soos volg betalings in hul eie land laat doen: Die Aanhoudingsmoondheid moet deur bemiddeling van die Beskermende Moondheid aan genoemde moondheid 'n mededeling stuur wat al die nodige besonderhede verstrek betreffende die krygsgevangenes, die persone aan wie die bedrae betaal moet word en die betaalbare bedrae uitgedruk in die betaalmiddel van die Aanhoudingsmoondheid. Genoemde mededeling moet deur die gevangenes onderteken en deur die kampkommandant mede-onderteken word. Die Aanhoudingsmoondheid moet die gevangenes se rekening met 'n ooreenstemmende bedrag debiteer; die rekening van die moondheid van wie die gevangenes afhanklik is, moet met die aldus gedebiteerde bedrae gekrediteer word.

By die toepassing van voorgaande bepalinge sal die Aanhoudingsmoondheid dit nuttig vind om die modelregulasies in Aanhangsel V van hierdie Konvensie te raadpleeg.

ARTIKEL 64.

Die Aanhoudingsmoondheid moet vir elke krygsgevangene 'n rekening hou wat minstens die volgende aantoon:

(1) Die bedrae aan die gevangene verskuldig of deur hom as soldyvoorskot of werkloon ontvang of uit enige ander bron verkry; die bedrae in die betaalmiddel van

Detaining Power which were taken from him; the sums taken from him and converted at his request into the currency of the said Power.

(2) The payments made to the prisoner in cash, or in any other similar form: the payments made on his behalf and at his request; the sums transferred under Article 63, third paragraph.

ARTICLE 65.

Every item entered in the account of a prisoner of war shall be countersigned or initialed by him, or by the prisoners' representative acting on his behalf.

Prisoners of war shall at all times be afforded reasonable facilities for consulting and obtaining copies of their accounts, which may likewise be inspected by the representatives of the Protecting Powers at the time of visits to the camp.

When prisoners of war are transferred from one camp to another, their personal accounts will follow them. In case of transfer from one Detaining Power to another, the monies which are their property and are not in the currency of the Detaining Power will follow them. They shall be given certificates for any other monies standing to the credit of their accounts.

The Parties to the conflict concerned may agree to notify to each other at specific intervals through the Protecting Power, the amount of the accounts of the prisoners of war.

ARTICLE 66.

On the termination of captivity, through the release of a prisoner of war or his repatriation, the Detaining Power shall give him a statement, signed by an authorized officer of that Power, showing the credit balance then due to him. The Detaining Power shall also send through the Protecting Power to the government upon which the prisoner of war depends, lists giving all appropriate particulars of all prisoners of war whose captivity has been terminated by repatriation, release, escape, death or any other means, and showing the amount of their credit balances. Such lists shall be certified on each sheet by an authorized representative of the Detaining Power.

Any of the above provisions of this Article may be varied by mutual agreement between any two Parties to the conflict.

The Power on which the prisoner of war depends shall be responsible for settling with him any credit balance due to him from the Detaining Power on the termination of his captivity.

ARTICLE 67.

Advances of pay, issued to prisoners of war in conformity with Article 60, shall be considered as made on behalf of the Power on which they depend. Such advances of pay, as well as all payments made by the said Power under Article 63, third paragraph, and Article 68, shall form the subject of arrangements between the Powers concerned, at the close of hostilities.

ARTICLE 68.

Any claim by a prisoner of war for compensation in respect of any injury or other disability arising out of work shall be referred to the Power on which he depends, through the Protecting Power. In accordance with Article

die Aanhoudingsmoondheid wat van hom weggeneem is; die bedrae wat van hom weggeneem en op sy versoek in die betaalmiddel van genoemde moondheid omgesit is.

(2) Die betalings in kontant of in 'n ander soortgelyke vorm aan die gevangene gedoen; die betalings op sy versoek namens hom gedoen; die bedrae kragtens die derde paragraaf aan artikel 63, oorgedra.

ARTIKEL 65.

Elke item wat op 'n krygsgevangene se rekening geboek word, moet deur hom of namens hom deur die gevangenes se verteenwoordiger medeonderteken of geparafeer word.

Krygsgevangenes moet te alle tye redelike geleentheid gegee word om hul rekeninge te raadpleeg of afskrifte daarvan te verkry, en sodanige rekeninge kan insgelyks deur die verteenwoordigers van die Beskermende Moondhede gedurende besoeke aan die kamp nagegaan word.

Wanneer krygsgevangenes van een kamp na 'n ander verskuif word, kom hul persoonlike rekenings agterna. In die geval van oorpasing van een Aanhoudingsmoondheid na 'n ander, kom die geld wat aan hulle behoort en nie in die betaalmiddel van die Aanhoudingsmoondheid is nie, agterna. Hulle moet sertifikate ontvang vir ander geld in krediet van hul rekeninge.

Die betrokke Partye by die botsing kan ooreenkom om mekaar by bepaalde tussenpose deur bemiddeling van die Beskermende Moondheid van die bedrae van die krygsgevangenes se rekenings te verwittig.

ARTIKEL 66.

By beëindiging van gevangenskap deur die vrylating of repatriasie van 'n krygsgevangene moet die Aanhoudingsmoondheid aan hom 'n staat verstrek wat geteken is deur 'n gemagtigde beampte van dié moondheid en die batige saldo toon wat dan aan hom verskuldig is. Die aanhoudingsmoondhede moet ook deur bemiddeling van die Beskermende Moondheid aan die regering van wie die krygsgevangene afhanklik is, lyste stuur waarin alle gepaste besonderhede van alle krygsgevangenes wie se gevangenskap deur repatriasie, vrylating, ontsnapping, die dood of op 'n ander wyse beëindig is, en die bedrae van hul batige saldo's verstrek word. Sulke lyste moet op elke vel deur 'n bevoegde verteenwoordiger van die Aanhoudingsmoondheid gesertifiseer word.

Enige van bostaande bepalings van hierdie artikel kan by onderlinge ooreenkoms tussen enige twee Partye by die botsing gewysig word.

Die moondheid van wie die krygsgevangene afhanklik is, is daarvoor verantwoordelik om aan die krygsgevangene enige batige saldo te vereffen wat die Aanhoudingsmoondheid by beëindiging van sy gevangenskap aan hom verskuldig is.

ARTIKEL 67.

Soldyvoorskotte aan krygsgevangenes ooreenkomstig artikel 60 word geag gedoen te wees namens die moondheid van wie hulle afhanklik is. Oor sulke soldyvoorskotte, asook alle betalings wat kragtens die derde paragraaf van artikel 63 en artikel 68 deur genoemde moondheid gedoen word, moet die betrokke moondhede by die beëindiging van vyandelikhede reëlins met mekaar tref.

ARTIKEL 68.

Enige eis van 'n krygsgevangene om skadevergoeding ten opsigte van 'n besering of ander vorm van ongeskiktheid wat uit werk ontstaan, moet deur tussenkoms van die Beskermende Moondheid verwys word na die moondheid van wie hy afhanklik is. Die Aanhoudingsmoondheid

54, the Detaining Power will, in all cases, provide the prisoner of war concerned with a statement showing the nature of the injury or disability, the circumstances in which it arose and particulars of medical or hospital treatment given for it. This statement will be signed by a responsible officer of the Detaining Power and the medical particulars certified by a medical officer.

Any claim by a prisoner of war for compensation in respect of personal effects, monies or valuables impounded by the Detaining Power under Article 18 and not forthcoming on his repatriation, or in respect of loss alleged to be due to the fault of the Detaining Power or any of its servants, shall likewise be referred to the Power on which he depends. Nevertheless, any such personal effects required for use by the prisoners of war whilst in captivity shall be replaced at the expense of the Detaining Power. The Detaining Power will, in all cases, provide the prisoner of war with a statement, signed by a responsible officer, showing all available information regarding the reasons why such effects, monies or valuables have not been restored to him. A copy of this statement will be forwarded to the Power on which he depends through the Central Prisoners of War Agency provided for in Article 123.

SECTION V.

RELATIONS OF PRISONERS OF WAR WITH THE EXTERIOR.

ARTICLE 69.

Immediately upon prisoners of war falling into its power, the Detaining Power shall inform them and the Powers on which they depend, through the Protecting Power, of the measures taken to carry out the provisions of the present Section. They shall likewise inform the parties concerned of any subsequent modifications of such measures.

ARTICLE 70.

Immediately upon capture, or not more than one week after arrival at a camp, even if it is a transit camp, likewise in case of sickness or transfer to hospital or to another camp, every prisoner of war shall be enabled to write direct to his family, on the one hand, and to the Central Prisoners of War Agency provided for in Article 123, on the other hand, a card similar, if possible, to the model annexed to the present Convention, informing his relatives of his capture, address and state of health. The said cards shall be forwarded as rapidly as possible and may not be delayed in any manner.

ARTICLE 71.

Prisoners of war shall be allowed to send and receive letters and cards. If the Detaining Power deems it necessary to limit the number of letters and cards sent by each prisoner of war, the said number shall not be less than two letters and four cards monthly, exclusive of the capture cards provided for in Article 70, and conforming as closely as possible to the models annexed to the present Convention. Further limitations may be imposed only if the Protecting Power is satisfied that it would be in the interests of the prisoners of war concerned to do so owing to difficulties of translation caused by the Detaining

moet in alle gevalle ooreenkomstig artikel 54 die betrokke krygsgevangene van 'n verklaring voorsien wat die aard van die besering of ongeskiktheid, die omstandighede waarin dit ontstaan het en besonderhede van mediese of hospitaalbehandeling aantoon. Hierdie verklaring moet deur 'n verantwoordelike offisier van die Aanhoudingsmoondheid onderteken en met betrekking tot die mediese besonderhede deur 'n mediese offisier gesertifiseer word.

Enige eis van 'n krygsgevangene om skadevergoeding ten opsigte van persoonlike besittings, geld of kosbaarhede waarop die Aanhoudingsmoondheid kragtens artikel 18 beslag gelê het, en wat nie by sy repatriasie terugbesorg is nie, of ten opsigte van verlies wat die Aanhoudingsmoondheid of enige van sy amptenare se skuld sou wees, moet insgelyks verwys word na die moondheid van wie hy afhanklik is. Sulke persoonlike besittings wat gedurende gevangenskap deur die krygsgevangenes gebruik moet word, moet nogtans op koste van die Aanhoudingsmoondheid vervang word. Die Aanhoudingsmoondheid moet die krygsgevangene in elke geval voorsien van 'n opgawe wat deur 'n verantwoordelike offisier onderteken is en alle beskikbare inligting verstrek oor die redes waarom sulke besittings, geld of kosbaarhede nie aan hom terugbesorg is nie. 'n Afskrif van hierdie opgawe moet deur tussenkoms van die Sentrale Agentskap vir Krygsgevangenes, waarvoor in artikel 123 voorsiening gemaak word, gestuur word aan die moondheid van wie hy afhanklik is.

AFDELING V.

BETREKKINGE TUSSEN KRYGSGEVANGENES EN DIE BUITEWERELD.

ARTIKEL 69.

Sodra krygsgevangenes in die Aanhoudingsmoondheid se hande val, moet hy hulle en die moondheid van wie hulle afhanklik is, deur bemiddeling van die Beskermende Moondheid in kennis stel van die maatreëls wat getref word om die bepalinge van hierdie Afdeling na te kom. Insgelyks moet hulle die betrokke partye van enige latere wysigings van sulke maatreëls in kennis stel.

ARTIKEL 70.

Onmiddellik na gevangeneming of hoogstens een week na sy aankoms by 'n kamp, selfs al is dit 'n deurgangskamp, en ook in die geval van siekte of verskuiwing na 'n hospitaal of na 'n ander kamp moet elke krygsgevangene in staat gestel word om enersyds regstreeks aan sy familie en andersyds aan die Sentrale Agentskap vir Krygsgevangenes waarvoor in artikel 123 voorsiening gemaak word, 'n poskaart te stuur wat, indien moontlik, soos die eksemplaar geheg aan hierdie Konvensie lyk en sy familiebetrekkinge van sy gevangeneming, adres en gesondheidstoestand verwittig. Genoemde poskaarte moet so spoedig moontlik aangestuur word en mag geensins vertraag word nie.

ARTIKEL 71.

Krygsgevangenes moet toegelaat word om briewe en poskaarte te stuur en te ontvang. Indien die Aanhoudingsmoondheid dit nodig ag om die getal briewe en poskaarte te beperk wat deur elke krygsgevangene gestuur mag word, mag genoemde getal nie minder as twee briewe en vier poskaarte per maand wees nie, die gevangenemingskaarte vermeld in artikel 70 uitgesonderd, en hulle moet so na as moontlik met die voorbeelde geheg aan hierdie Konvensie ooreenkom. Verdere beperkings mag slegs opgelê word indien die Beskermende Moondheid daarvan oortuig is dat dit in die betrokke krygsgevangenes se belang is vanweë moeilikheid in verband met vertaling

Power's inability to find sufficient qualified linguists to carry out the necessary censorship. If limitations must be placed on the correspondence addressed to prisoners of war, they may be ordered only by the Power on which the prisoners depend, possibly at the request of the Detaining Power. Such letters and cards must be conveyed by the most rapid method at the disposal of the Detaining Power; they may not be delayed or retained for disciplinary reasons.

Prisoners of war who have been without news for a long period, or who are unable to receive news from their next of kin or to give them news by the ordinary postal route, as well as those who are at a great distance from their homes, shall be permitted to send telegrams, the fees being charged against the prisoners of war's accounts with the Detaining Power or paid in the currency at their disposal. They shall likewise benefit by this measure in cases of urgency.

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

Sacks containing prisoner of war mail must be securely sealed and labelled so as clearly to indicate their contents, and must be addressed to offices of destination.

ARTICLE 72.

Prisoners of war shall be allowed to receive by post or by any other means individual parcels or collective shipments containing, in particular, foodstuffs, clothing, medical supplies and articles of a religious, educational or recreational character which may meet their needs, including books, devotional articles, scientific equipment, examination papers, musical instruments, sports outfits and materials allowing prisoners of war to pursue their studies or their cultural activities.

Such shipments shall in no way free the Detaining Power from the obligations imposed upon it by virtue of the present Convention.

The only limits which may be placed on these shipments shall be those proposed by the Protecting Power in the interest of the prisoners themselves, or by the International Committee of the Red Cross or any other organization giving assistance to the prisoners, in respect of their own shipments only, on account of exceptional strain on transport or communications.

The conditions for the sending of individual parcels and collective relief shall, if necessary, be the subject of special agreements between the Powers concerned, which may in no case delay the receipt by the prisoners of relief supplies. Books may not be included in parcels of clothing and foodstuffs. Medical supplies shall, as a rule, be sent in collective parcels.

ARTICLE 73.

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

deurdat die Aanhoudingsmoondheid nie genoeg gekwalifiseerde taalkenners kan vind om die nodige sensuur werk te doen nie. Indien daar 'n beperking op die korrespondensie gerig aan krygsgevangenes gestel moet word, mag dit slegs opgelê word, moontlik op versoek van die Aanhoudingsmoondheid, deur die moondheid van wie die gevangenes afhanklik is. Sulke briewe en poskaarte moet op die vinnigste manier tot beskikking van die Aanhoudingsmoondheid gestuur word; hulle mag nie vertraag of om dissiplinêre redes teruggehou word nie.

Krygsgevangenes wat lank geen nuus ontvang het nie, of wat nie in staat is om langs die gewone posroete nuus van hul naasbestaandes te ontvang of aan hulle te stuur nie, en ook diegene wat baie ver van hul tuis af is, moet toegelaat word om telegramme te stuur, en die koste hiervan moet op die krygsgevangenes se rekenings by die Aanhoudingsmoondheid gedebiteer word of in die geldmiddelle tot hul beskikking betaal word. Hulle moet insgelyks in dringende gevalle van hierdie fasiliteit gebruik kan maak.

In die algemeen moet krygsgevangenes se korrespondensie in hul moedertaal gevoer word. Die Partye by die botsing kan korrespondensie in ander tale toelaat.

Sakke wat krygsgevangenes se pos bevat, moet stewig verseël word, moet so geëtiketteer word dat die inhoud duidelik blyk en moet geadresseer word aan bestemmingskantore.

ARTIKEL 72.

Krygsgevangenes word toegelaat om deur die pos of op enige ander wyse individuele pakkies of gesamentlike besendings te ontvang, veral eetware, klere, mediese voorrade en artikels van 'n godsdienstige, opvoedkundige of ontspanningsaard wat in hul behoeftes kan voorsien, met inbegrip van boeke, godsdienstige artikels, wetenskaplike uitrusting, eksamen vraestelle, musiekinstrumente, sportuitrusting en materiaal wat krygsgevangenes in staat sal stel om hul studies of hul kulturele bedrywighede voort te sit.

Sulke versendings onthef die Aanhoudingsmoondheid geensins van die verpligtings wat hom by hierdie Konvensie opgelê word nie.

Die enigste beperkings wat op hierdie besendings gestel kan word, is dié wat deur die Beskermende Moondheid in die gevangenes se eie belang of deur die Internasionale Komitee van die Rooikruis of 'n ander organisasie wat hulp aan gevangenes verleen, slegs ten opsigte van hul eie besendings as gevolg van buitengewone druk op vervoer of verbinding voorgestel word.

Die voorwaardes van die stuur van individuele pakkies en gesamentlike onderstand moet, indien nodig, gereël word deur middel van spesiale ooreenkomste tussen die betrokke moondhede, wat in geen geval die ontvangs van hulpvoorrade deur die gevangenes mag vertraag nie. Boeke mag nie by pakkies klere of eetware ingesluit word nie. Mediese voorrade moet in die reël in gesamentlike pakkies versend word.

ARTIKEL 73.

Indien daar tussen die betrokke moondhede geen spesiale ooreenkoms ten opsigte van die voorwaardes vir die ontvangs en verspreiding van gesamentlike onderstandsbesendings bestaan nie, geld die reëls en regulasies betreffende gesamentlike besendings wat aan hierdie Konvensie geheg is.

The special agreements referred to above shall in no case restrict the right of prisoners' representatives to take possession of collective relief shipments intended for prisoners of war, to proceed to their distribution or to dispose of them in the interest of the prisoners.

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

ARTICLE 74.

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

Correspondence, relief shipments and authorized remittances of money addressed to prisoners of war or despatched by them through the post office, either direct or through the Information Bureaux provided for in Article 122 and the Central Prisoners of War Agency provided for in Article 123, shall be exempt from any postal dues, both in the countries of origin and destination, and in intermediate countries.

If relief shipments intended for prisoners of war cannot be sent through the post office by reason of weight or for any other cause, the cost of transportation shall be borne by the Detaining Power in all the territories under its control. The other Powers party to the Convention shall bear the cost of transport in their respective territories.

In the absence of special agreements between the Parties concerned, the costs connected with transport of such shipments, other than costs covered by the above exemption, shall be charged to the senders.

The High Contracting Parties shall endeavour to reduce, so far as possible, the rates charged for telegrams sent by prisoners of war, or addressed to them.

ARTICLE 75.

Should military operations prevent the Powers concerned from fulfilling their obligation to assure the transport of the shipments referred to in Articles 70, 71, 72 and 77, the Protecting Powers concerned, the International Committee of the Red Cross or any other organization duly approved by the Parties to the conflict may undertake to ensure the conveyance of such shipments by suitable means (railway wagons, motor vehicles, vessels or aircraft, etc.). For this purpose, the High Contracting Parties shall endeavour to supply them with such transport and to allow its circulation, especially by granting the necessary safe-conducts.

Such transport may also be used to convey—

(a) correspondence, lists and reports exchanged between the Central Information Agency referred to in Article 123 and the National Bureaux referred to in Article 122;

(b) correspondence and reports relating to prisoners of war which the Protecting Powers, the International Committee of the Red Cross or any other body assisting the prisoners, exchange either with their own delegates or with the Parties to the conflict.

Bogenoemde spesiale ooreenkomste mag in geen geval beperkings lê op die reg van die gevangenes se verteenwoordigers om gesamentlike onderstandsbesendings wat vir krygsgevangenes bestem is, in besit te neem of te begin uitdeel of om in belang van die gevangenes daarvoor te beskik nie.

Sulke ooreenkomste mag ook nie beperkings lê op die reg van verteenwoordigers van die Beskermende Moondheid, die Internasionale Komitee van die Rooikruis of 'n ander organisasie wat aan krygsgevangenes hulp verleen en vir die stuur van gesamentlike besendings verantwoordelik is, om oor die verspreiding daarvan onder die ontvangers toesig te hou nie.

ARTIKEL 74.

Alle onderstandsbesendings vir krygsgevangenes word van invoer-, docane- en ander regte vrygestel.

Korrespondensie, onderstandsbesendings en gemagtigde geldsendings wat aan krygsgevangenes geadresseer of deur hulle deur die pos versend word, hetsy regstreeks of deur bemiddeling van die Inligtingsburo's waarvoor in artikel 122 en die Sentrale Agentskap vir Krygsgevangenes waarvoor in artikel 123 voorsiening gemaak word, word posvry versend, sowel in die lande van herkoms en bestemming as in tussenlande.

Indien onderstandsbesendings wat vir krygsgevangenes bestem is, weens gewig of enige ander oorsaak nie deur die poskantoor gestuur kan word nie, moet die Aanhoudingsmoondheid die vervoerkoste in al die gebiede onder sy beheer dra. Die ander moondhede wat partye by die Konvensie is, moet die vervoerkoste in hul onderskeie gebiede dra.

Indien daar geen spesiale ooreenkomste tussen die betrokke partye bestaan nie, moet die vervoerkoste van sulke besendings, uitgesonderd die koste gedek deur bogenoemde vrystelling, van die afsenders gevorder word.

Die Hoë Kontrakterende Partye moet probeer om die tariewe vir telegramme wat deur of aan krygsgevangenes gestuur word, soveel moontlik te verminder.

ARTIKEL 75.

Indien krygsverrigtinge die betrokke moondhede verhoed om hul verpligting na te kom om die vervoer te verseker van die besendings waarvan in artikels 70, 71, 72 en 77 melding gemaak word, kan die betrokke Beskermende Moondhede, die Internasionale Komitee van die Rooikruis of enige ander organisasie wat behoorlik deur die Partye by die Botsing goedgekeur is, onderneem om die vervoer van sulke besendings op gepaste wyse (in spoorwegtrekke, motorvoertuie, vaartuie of vliegtuie, ens.) te verseker. Vir hierdie doel moet die Hoë Kontrakterende Partye probeer om hulle van sodanige vervoer te voorsien en om die sirkulering daarvan toe te laat, veral deur die nodige vrygeleide te verleen.

Sodanige vervoermiddel kan ook vir die vervoer van die volgende gebruik word:

(a) Korrespondensie, lysie en verslae wat gewissel word tussen die Sentrale Inligtingsagentskap waarvan in artikel 123 en die Nasionale Buro's waarvan in artikel 122 melding gemaak word;

(b) korrespondensie en verslae betreffende krygsgevangenes wat die Beskermende Moondhede, die Internasionale Komitee van die Rooikruis of enige ander liggaam wat hulp aan die gevangenes verleen, met hul eie afgevaardigdes of met die Partye by die botsing wissel.

These provisions in no way detract from the right of any Party to the conflict to arrange other means of transport, if it should so prefer, nor preclude the granting of safe-conducts, under mutually agreed conditions, to such means of transport.

In the absence of special agreements, the costs occasioned by the use of such means of transport shall be borne proportionally by the Parties to the conflict whose nationals are benefited thereby.

ARTICLE 76.

The censoring of correspondence addressed to prisoners of war or despatched by them shall be done as quickly as possible. Mail shall be censored only by the despatching State and the receiving State, and once only by each.

The examination of consignments intended for prisoners of war shall not be carried out under conditions that will expose the goods contained in them to deterioration; except in the case of written or printed matter, it shall be done in the presence of the addressee, or of a fellow-prisoner duly delegated by him. The delivery to prisoners of individual or collective consignments shall not be delayed under the pretext of difficulties of censorship.

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

ARTICLE 77.

The Detaining Powers shall provide all facilities for the transmission, through the Protecting Power or the Central Prisoners of War agency provided for in Article 123, of instruments, papers or documents intended for prisoners of war or despatched by them, especially powers of attorney and wills.

In all cases they shall facilitate the preparation and execution of such documents on behalf of prisoners of war; in particular, they shall allow them to consult a lawyer and shall take what measures are necessary for the authentication of their signatures.

SECTION VI.

RELATIONS BETWEEN PRISONERS OF WAR AND THE AUTHORITIES.

CHAPTER I.

COMPLAINTS OF PRISONERS OF WAR RESPECTING THE CONDITIONS OF CAPTIVITY.

ARTICLE 78.

Prisoners of war shall have the right to make known to the military authorities in whose power they are, their requests regarding the conditions of captivity to which they are subjected.

They shall also have the unrestricted right to apply to the representatives of the Protecting Powers either through their prisoner's representative or, if they consider it necessary, direct, in order to draw their attention to any points on which they may have complaints to make regarding their conditions of captivity.

These requests and complaints shall not be limited nor considered to be a part of the correspondence quota referred to in Article 71. They must be transmitted immediately. Even if they are recognized to be unfounded, they may not give rise to any punishment.

Hierdie bepalings doen geensins afbreuk aan die reg van enige Party by die botsing om, indien hy dit verkies, vir ander vervoer te reël nie en dit belet ook nie die verlening van 'n vrygeleide aan sodanige vervoer onder omstandighede waarvoor onderling ooreengekom is nie.

Indien daar geen spesiale ooreenkoms bestaan nie, moet die onkoste voortspruitende uit die gebruik van sulke vervoermiddels na verhouding gedra word deur die Partye by die botsing wie se burgers die voordeel daarvan het.

ARTIKEL 76.

Korrespondensie gerig aan of versend deur krygsgevangenes moet so gou moontlik gesensureer word. Pos mag slegs deur die Staat van versending en die Staat van ontvangs gesensureer word en wel slegs een keer deur elkeen.

Besendings bestem vir krygsgevangenes moet nie op sodanige wyse ondersoek word dat die inhoud daarvan aan bederf blootgestel word nie; behalwe in die geval van geskrewe of gedrukte materiaal moet dit geskied in die teenwoordigheid van die geadresseerde of van 'n medegevangene wat deur hom aangewys is. Die aflewering van individuele of gesamentlike besendings aan gevangenes mag nie onder voorwendsel van sensuur-moeilikhede vertraag word nie.

'n Verbod op korrespondensie wat om militêre of politieke redes deur Partye by die botsing opgelê word, mag slegs tydelik wees en moet so kort as moontlik duur.

ARTIKEL 77.

Die Aanhoudingsmoondhede moet alle geriewe verskaf sodat stukke, papiere of dokumente wat vir krygsgevangenes bestem of deur hulle versend is, veral volmakte en testamente, deur bemiddeling van die Beskermerende Moondhede of die Sentrale Agentskap vir Krygsgevangenes aangestuur kan word.

In alle gevalle moet hulle die opstel en verlyding van sulke dokumente namens krygsgevangenes vergemaklik; in die besonder moet hulle gevangenes toelaat om 'n regsgeleerde te raadpleeg en die nodige stappe vir die waarmerking van hul handtekening te doen.

AFDELING VI.

BETREKKINGE TUSSEN KRYGSGEVANGENES EN DIE OWERHEDE.

HOOFSTUK I.

KRYGSGEVANGENES SE KLAGTES BETREFFENDE OMSTANDIGHEDE IN GEVANGENSKAP.

ARTIKEL 78.

Krygsgevangenes het die reg om hul versoeke betreffende die gevangenskapsomstandighede waaraan hulle onderwerp word, bekend te maak aan die militêre owerhede in wie se mag hulle verkeer.

Hulle het ook die onbeperkte reg om hulle of deur bemiddeling van hul verteenwoordiger of, indien hulle dit nodig ag, regstreeks tot die verteenwoordigers van die Beskermerende Moondhede te wend ten einde hul aandag te vestig op enige opsigte waarin hulle oor hul gevangenskapsomstandighede te kla het.

Hierdie versoeke en besware mag nie beperk word of as deel van die korrespondensiekwota vermeld in artikel 71 beskou word nie. Hulle moet sonder versuim deurgestuurd word. Selfs waar hulle duidelik ongegrond is, mag hulle nie tot straf aanleiding gee nie.

Prisoners' representatives may send periodic reports on the situation in the camps and the needs of the prisoners of war to the representatives of the Protecting Powers.

CHAPTER II.

PRISONER OF WAR REPRESENTATIVES.

ARTICLE 79.

In all places where there are prisoners of war, except in those where there are officers, the prisoners shall freely elect by secret ballot, every six months, and also in case of vacancies, prisoners' representatives entrusted with representing them before the military authorities, the Protecting Powers, the International Committee of the Red Cross and any other organization which may assist them. These prisoners' representatives shall be eligible for re-election.

In camps for officers and persons of equivalent status or in mixed camps, the senior officer among the prisoners of war shall be recognized as the camp prisoners' representative. In camps for officers, he shall be assisted by one or more advisers chosen by the officers; in mixed camps, his assistants shall be chosen from among the prisoners of war who are not officers and shall be elected by them.

Officer prisoners of war of the same nationality shall be stationed in labour camps for prisoners of war, for the purpose of carrying out the camp administration duties for which the prisoners of war are responsible. These officers may be elected as prisoners' representatives under the first paragraph of this Article. In such a case the assistants to the prisoners' representatives shall be chosen from among those prisoners of war who are not officers.

Every representative elected must be approved by the Detaining Power before he has the right to commence his duties. Where the Detaining Power refuses to approve a prisoner of war elected by his fellow prisoners of war, it must inform the Protecting Power of the reason for such refusal.

In all cases the prisoners' representative must have the same nationality, language and customs as the prisoners of war whom he represents. Thus, prisoners of war distributed in different sections of a camp, according to their nationality, language or customs, shall have for each section their own prisoners' representative, in accordance with the foregoing paragraphs.

ARTICLE 80.

Prisoners' representatives shall further the physical, spiritual and intellectual well-being of prisoners of war.

In particular, where the prisoners decide to organize amongst themselves a system of mutual assistance, this organization will be within the province of the prisoners' representative, in addition to the special duties entrusted to him by other provisions of the present Convention.

Prisoners' representatives shall not be held responsible, simply by reason of their duties, for any offences committed by prisoners of war.

Krygsgevangenes se verteenwoordigers kan periodieke verslae oor die toestand in kampe en die krygsgevangenes se behoeftes aan die verteenwoordigers van die Beskermende Moondhede stuur.

HOOFSTUK II.

KRYGSGEVANGENES SE VERTEENWOORDIGERS.

ARTIKEL 79.

In alle plekke waar daar krygsgevangenes is, behalwe in dié waar daar offisiere is, moet die gevangenes by wyse van geheime stemming elke ses maande en wanneer daar vakatures ontstaan, verteenwoordigers kies wat daarmee belas is om hulle te verteenwoordig by die militêre owerhede, die Beskermende Moondhede, die Internasionale Komitee van die Rooikruis en enige ander organisasie wat hulp aan hulle verleen. Hierdie verteenwoordigers van gevangenes is herkiesbaar.

In kampe vir offisiere en persone van gelyke status of in gemengde kampe, word die senior offisier onder die krygsgevangenes as die verteenwoordiger van die kamp se gevangenes erken. In kampe vir offisiere word hy bygestaan deur een of meer raadgewers wat deur die offisiere gekies is; in gemengde kampe moet sy assistente gekies word uit die geledere van en deur die krygsgevangenes wat nie offisiere is nie.

Offisiërskrygsgevangenes van dieselfde nasionaliteit moet in arbeidskampe vir krygsgevangenes geplaas word ten einde die kampadministrasiepligte uit te voer waarvoor die krygsgevangenes verantwoordelik is. Hierdie offisiere kan kragtens die eerste paragraaf van hierdie artikel as krygsgevangenes se verteenwoordigers gekies word. In so 'n geval moet die verteenwoordigers se assistente gekies word uit die geledere van dié krygsgevangenes wat nie offisiere is nie.

Elke verteenwoordiger wat gekies word, moet deur die Aanhoudingsmoondheid goedgekeur word voordat hy die reg het om sy pligte te aanvaar. Waar die Aanhoudingsmoondheid weier om 'n krygsgevangene goed te keur wat deur sy medekrygsgevangenes gekies is, moet hy die Beskermende Moondheid van sy rede vir sodanige weiering verwittig.

In alle gevalle moet die krygsgevangenes se verteenwoordiger dieselfde nasionaliteit, taal en gebruike hê as die krygsgevangenes wat hy verteenwoordig. Krygsgevangenes wat volgens nasionaliteit, taal of gebruike in verskillende afdelings van 'n kamp geplaas is, moet dus ooreenkomstig bostaande paragrawe hul eie verteenwoordiger vir elke afdeling hê.

ARTIKEL 80.

Verteenwoordigers van krygsgevangenes moet die liggaamlike, geestelike en intellektuele welsyn van krygsgevangenes bevorder.

In die besonder, waar krygsgevangenes besluit om onder mekaar 'n stelsel van onderlinge hulp te organiseer, val dié organisasie bo en behalwe die spesiale pligte waarmee hy ingevolge ander bepalinge van hierdie Konvensie belas is, binne die bestek van die krygsgevangenes se verteenwoordiger.

Krygsgevangenes se verteenwoordigers mag nie bloot op grond van hul pligte vir oortredings van krygsgevangenes verantwoordelik gehou word nie.

ARTICLE 81.

Prisoners' representatives shall not be required to perform any other work, if the accomplishment of their duties is thereby made more difficult.

Prisoners' representatives may appoint from amongst the prisoners such assistants as they may require. All material facilities shall be granted them, particularly a certain freedom of movement necessary for the accomplishment of their duties (inspection of labour detachments, receipt of supplies, etc.).

Prisoners' representatives shall be permitted to visit premises where prisoners of war are detained, and every prisoner of war shall have the right to consult freely his prisoners' representative.

All facilities shall likewise be accorded to the prisoners' representatives for communication by post and telegraph with the detaining authorities, the Protecting Powers, the International Committee of the Red Cross and their delegates, the Mixed Medical Commissions and the bodies which give assistance to prisoners of war. Prisoners' representatives of labour detachments shall enjoy the same facilities for communication with the prisoners' representatives of the principal camp. Such communications shall not be restricted, nor considered as forming a part of the quota mentioned in Article 71.

Prisoners' representatives who are transferred shall be allowed a reasonable time to acquaint their successors with current affairs.

In case of dismissal, the reasons therefor shall be communicated to the Protecting Power.

CHAPTER III.

PENAL AND DISCIPLINARY SANCTIONS.

1. GENERAL PROVISIONS.

ARTICLE 82.

A prisoner of war shall be subject to the laws, regulations and orders in force in the armed forces of the Detaining Power; the Detaining Power shall be justified in taking judicial or disciplinary measures in respect of any offence committed by a prisoner of war against such laws, regulations or orders. However, no proceedings or punishments contrary to the provisions of this Chapter shall be allowed.

If any law, regulation or order of the Detaining Power shall declare acts committed by a prisoner of war to be punishable, whereas the same acts would not be punishable if committed by a member of the forces of the Detaining Power, such acts shall entail disciplinary punishments only.

ARTICLE 83.

In deciding whether proceedings in respect of an offence alleged to have been committed by a prisoner of war shall be judicial or disciplinary, the Detaining Power shall ensure that the competent authorities exercise the greatest leniency and adopt, wherever possible, disciplinary rather than judicial measures.

ARTICLE 84.

A prisoner of war shall be tried only by a military court, unless the existing laws of the Detaining Power expressly permit the civil courts to try a member of the armed forces of the Detaining Power in respect of the particular offence alleged to have been committed by the prisoner of war.

ARTIKEL 81.

Krygsgevangenes se verteenwoordigers mag nie aangesê word om ander werk te verrig indien die uitvoering van hul pligte daardeur bemoeilik word nie.

Krygsgevangenes se verteenwoordigers kan uit die gevangenes se geledere sodanige assistente aanstel as wat hulle nodig het. Hulle moet alle materiële geriewe, veral 'n sekere mate van vryheid van beweging, vir die uitvoering van hul pligte (inspeksie van arbeidsafdelings, in ontvangsneming van voorrade, ens.) geniet.

Krygsgevangenes se verteenwoordigers moet toegelaat word om persele te besoek waar krygsgevangenes aangehou word, en elke krygsgevangene het die reg om sy verteenwoordiger vrylik te raadpleeg.

Krygsgevangenes se verteenwoordigers moet ook alle fasiliteite verskaf word om deur middel van die pos- en telegraafdiens in verbinding te tree met die aanhoudingsowerhede, Beskermende Moondhede, die Internasionale Komitee van die Rooikruis en hul afgevaardigdes, die Gemengde Mediese Kommissies en die liggame wat hulp aan krygsgevangenes verleen. Arbeidsafdelings se verteenwoordigers moet dieselfde fasiliteite geniet om met die verteenwoordigers van die hoofkamp in verbinding te tree. Sodanige meedelings moet nie beperk of as deel van die kwota genoem in artikel 71 beskou word nie.

Krygsgevangenes se verteenwoordigers wat verskuif word, moet 'n redelike tyd gegee word om hul opvolgers op hoogte van sake te bring.

In geval van ontslag moet die Beskermende Moondheid van die redes daarvoor verwittig word.

HOOFSTUK III.

STRAF- EN DISSIPLINÊRE SANKSIES.

1. ALGEMENE BEPALINGS.

ARTIKEL 82.

'n Krygsgevangene is onderworpe aan die wette, regulasies en bevels wat in die Aanhoudingsmoondheid se gewapende magte van krag is; die Aanhoudingsmoondheid is daartoe geregtig om geregtelike of dissiplinêre stappe te doen waar 'n krygsgevangene teen sulke wette, regulasies of bevels oortree of verontagsaam. Stappe of strawwe wat met die bepalinge van hierdie hoofstuk strydig is, word egter nie toegelaat nie.

Indien 'n handeling van 'n krygsgevangene by 'n wet, regulasie of bevel van die Aanhoudingsmoondheid strafbaar verklaar is, terwyl dieselfde handeling nie strafbaar sou wees indien 'n lid van die Aanhoudingsmoondheid so toegeeflik as moontlik optree en, waar moontlik, eerder dissiplinêre as geregtelike maatreëls toegepas.

ARTIKEL 83.

Wanneer beslis moet word of die maatreëls ten opsigte van 'n beweerde oortreding deur 'n krygsgevangene van geregtelike of dissiplinêre aard moet wees, moet die Aanhoudingsmoondheid verseker dat die bevoegde owerheid so toegeeflik as moontlik optree en, waar moontlik, eerder dissiplinêre as geregtelike maatreëls toegepas.

ARTIKEL 84.

'n Krygsgevangene mag slegs deur 'n militêre hof verhoor word, tensy die bestaande wette van die Aanhoudingsmoondheid uitdruklik toelaat dat 'n burgerlike hof 'n lid van die Aanhoudingsmoondheid se gewapende magte verhoor ten opsigte van die bepaalde oortreding wat die krygsgevangene sou begaan het.

In no circumstances whatever shall a prisoner of war be tried by a court of any kind which does not offer the essential guarantees of independence and impartiality as generally recognized, and, in particular, the procedure of which does not afford the accused the rights and means of defence provided for in Article 105.

ARTICLE 85.

Prisoners of war prosecuted under the laws of the Detaining Power for acts committed prior to capture shall retain, even if convicted, the benefits of the present Convention.

ARTICLE 86.

No prisoner of war may be punished more than once for the same act or on the same charge.

ARTICLE 87.

Prisoners of war may not be sentenced by the military authorities and courts of the Detaining Power to any penalties except those provided for in respect of members of the armed forces of the said Power who have committed the same acts.

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

Collective punishment for individual acts, corporal punishment, imprisonment in premises without daylight and, in general, any form of torture or cruelty, are forbidden.

No prisoner of war may be deprived of his rank by the Detaining Power, or prevented from wearing his badges.

ARTICLE 88.

Officers, non-commissioned officers and men who are prisoners of war undergoing a disciplinary or judicial punishment, shall not be subjected to more severe treatment than that applied in respect of the same punishment to members of the armed forces of the Detaining Power of equivalent rank.

A woman prisoner of war shall not be awarded or sentenced to a punishment more severe, or treated whilst undergoing punishment more severely, than a woman member of the armed forces of the Detaining Power dealt with for a similar offence.

In no case may a woman prisoner of war be awarded or sentenced to a punishment more severe, or treated whilst undergoing punishment more severely, than a male member of the armed forces of the Detaining Power dealt with for a similar offence.

Prisoners of war who have served disciplinary or judicial sentences may not be treated differently from other prisoners of war.

In geen omstandighede hoegenaamd mag 'n krygsgevangene verhoor word deur 'n hof wat nie die algemeen erkende noodsaaklike waarborg van onafhanklikheid en onpartydigheid bied nie, en veral deur 'n hof waarvan die prosedure nie die beskuldigde die reg en middele van verweer verleen waarvoor in artikel 105 voorsiening gemaak word nie.

ARTIKEL 85.

Krygsgevangenes wat ingevolge die wette van die Aanhoudingsmoondheid vervolg word weens dae wat vóór hul gevangeming begaan is, geniet selfs by skuldigbevinding die voordele van hierdie Konvensie.

ARTIKEL 86.

Geen krygsgevangene mag meer as een keer vir dieselfde daad of weens dieselfde aanklag gestraf word nie.

ARTIKEL 87.

Krygsgevangenes mag nie deur die militêre owerhede en houe van die Aanhoudingsmoondheid tot ander strawwe veroordeel word as dié wat bepaal is ten opsigte van lede van genoemde moondheid se gewapende magte wat dergelike dae begaan het.

Wanneer die straf bepaal word, moet die houe of owerhede van die Aanhoudingsmoondheid sover moontlik die feit in aanmerking neem dat die beskuldigde, aangesien hy nie 'n burger van die Aanhoudingsmoondheid is nie, nie tot enige trou teenoor hom verplig is nie, en dat hy hom as gevolg van omstandighede buite sy beheer in die Aanhoudingsmoondheid se mag bevind. Dit staan genoemde houe of owerhede vry om die straf voorgeskryf vir die oortreding waarvan die krygsgevangene beskuldig is, te versag en hulle is dus nie verplig om die minimum voorgeskrewe straf op te lê nie.

Gesamentlike strawwe vir individuele handelinge, lyfstraf, gevangesetting in persele sonder daglig en enige vorm van marteling of wreedheid in die algemeen is verbode.

Geen krygsgevangene mag deur die Aanhoudingsmoondheid sy rang ontnem of verhinder word om sy kentekens te dra nie.

ARTIKEL 88.

Krygsgevangene offisiere, onderoffisiere en gewone soldate wat dissiplinêre of geregtelike straf ondergaan, mag nie aan strengere behandeling onderwerp word as dié wat ten opsigte van dergelike straf op lede van die Aanhoudingsmoondheid se gewapende magte van gelyke rang toegepas word nie.

'n Vroulike krygsgevangene mag nie 'n swaarder straf opgelê word of tot 'n swaarder straf gevonniss word of, terwyl straf ondergaan word, strengere behandeling word as wat met 'n vroulike lid van die Aanhoudingsmoondheid se gewapende magte die geval sou wees nie.

'n Vroulike krygsgevangene mag in geen geval 'n swaarder straf opgelê word of tot 'n swaarder straf gevonniss word of, terwyl straf ondergaan word, strengere behandeling word as wat met 'n manlike lid van die Aanhoudingsmoondheid se gewapende magte die geval sou wees nie.

Krygsgevangenes wat dissiplinêre of geregtelike vonnisse uitgedien het, mag nie anders as ander krygsgevangenes behandeling word nie.

II. DISCIPLINARY SANCTIONS.

ARTICLE 89.

The disciplinary punishments applicable to prisoners of war are the following:

(1) A fine which shall not exceed 50 per cent of the advances of pay and working pay which the prisoner of war would otherwise receive under the provisions of Articles 60 and 62 during a period of not more than thirty days.

(2) Discontinuance of privileges granted over and above the treatment provided for by the present Convention.

(3) Fatigue duties not exceeding two hours daily.

(4) Confinement.

The punishment referred to under (3) shall not be applied to officers.

In no case shall disciplinary punishments be inhuman, brutal or dangerous to the health of prisoners of war.

ARTICLE 90.

The duration of any single punishment shall in no case exceed thirty days. Any period of confinement awaiting the hearing of a disciplinary offence or the award of disciplinary punishment shall be deducted from an award pronounced against a prisoner of war.

The maximum of thirty days provided above may not be exceeded, even if the prisoner of war is answerable for several acts at the same time when he is awarded punishment, whether such acts are related or not.

The period between the pronouncing of an award of disciplinary punishment and its execution shall not exceed one month.

When a prisoner of war is awarded a further disciplinary punishment, a period of at least three days shall elapse between the execution of any two of the punishments, if the duration of one of these is ten days or more.

ARTICLE 91.

The escape of a prisoner of war shall be deemed to have succeeded when:

(1) he has joined the armed forces of the Power on which he depends, or those of an allied Power;

(2) he has left the territory under the control of the Detaining Power, or of an ally of the said Power;

(3) he has joined a ship flying the flag of the Power on which he depends, or of an allied Power, in the territorial waters of the Detaining Power, the said ship not being under the control of the last named Power.

Prisoners of war who have made good their escape in the sense of this Article and who are recaptured, shall not be liable to any punishment in respect of their previous escape.

ARTICLE 92.

A prisoner of war who attempts to escape and is recaptured before having made good his escape in the sense of Article 91 shall be liable only to a disciplinary punishment in respect of this act, even if it is a repeated offence.

A prisoner of war who is recaptured shall be handed over without delay to the competent military authority.

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II. DISSIPLINÊRE SANKSIES.

ARTIKEL 89.

Krygsgevangenes kan die volgende dissiplinêre strawwe opgelê word:

(1) 'n Boete van hoogstens 50 persent van die soldyvoorskotte en werkloon wat die krygsgevangene andersins kragtens artikels 60 en 62 gedurende 'n tydperk van hoogstens 30 dae sal ontvang;

(2) weerhouding van voorregte bo en behalwe die behandeling soos by hierdie Konvensie bepaal;

(3) korvee vir hoogstens twee uur per dag;

(4) opsluiting.

Die straf in (3) genoem, mag nie op offisiere toegepas word nie.

In geen geval mag dissiplinêre strawwe onmenslik, wreed of 'n gevaar vir die krygsgevangene se gesondheid wees nie.

ARTIKEL 90.

In geen geval mag 'n enkele straf langer as dertig dae duur nie. Enige tydperk van opsluiting en afwagting van verhoor op aanklag van 'n dissiplinêre oortreding of in afwagting van die oplegging van dissiplinêre straf moet afgetrek word van die straf wat 'n krygsgevangene opgelê word.

Bovermelde maksimum van dertig dae mag nie oorskry word nie, selfs nie indien die krygsgevangene, wanneer sy straf opgelê word, vir etlike handelingte tegelyk aanspreeklik is en of sulke handelingte ook al met mekaar in verband staan al dan nie.

Die tydperk tussen die oplegging van dissiplinêre straf en die uitvoering daarvan mag nie langer as 'n maand wees nie.

Wanneer 'n krygsgevangene verdere dissiplinêre straf opgelê word, moet 'n tydperk van minstens drie dae tussen die uitvoering van enige twee van die strawwe verloop indien een daarvan tien dae of langer duur.

ARTIKEL 91.

Die ontsnapping van 'n krygsgevangene word as geslaagd beskou wanneer hy—

(1) by die gewapende magte van die moondheid van wie hy afhanklik is, of by dié van 'n geallieerde moondheid aangesluit het;

(2) die gebied onder beheer van die Aanhoudingsmoondheid of 'n bondgenoot van genoemde moondheid verlaat het;

(3) in die territoriale waters van die Aanhoudingsmoondheid aan boord gegaan het van 'n skip wat die vlag van die moondheid van wie hy afhanklik is of van 'n geallieerde moondheid voer en nie onder beheer van laasgenoemde moondheid staan nie.

Krygsgevangenes wat daarin geslaag het om in die sin van hierdie artikel te ontsnap en weer gevange geneem word, is nie ten opsigte van hul vorige ontsnapping strafbaar nie.

ARTIKEL 92.

'n Krygsgevangene wat probeer ontsnap en weer gevange geneem word voordat hy in die sin van artikel 91 daarin slaag, is selfs by 'n herhaling van die oortreding slegs met dissiplinêre straf ten opsigte van hierdie daad strafbaar.

'n Krygsgevangene wat weer gevange geneem word, moet sonder versuim aan die bevoegde militêre owerheid oorhandig word.

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Article 88, fourth paragraph, notwithstanding, prisoners of war punished as a result of an unsuccessful escape may be subjected to special surveillance. Such surveillance must not affect the state of their health, must be undergone in a prisoner of war camp, and must not entail the suppression of any of the safeguards granted them by the present Convention.

ARTICLE 93.

Escape or attempt to escape, even if it is a repeated offence, shall not be deemed an aggravating circumstance if the prisoner of war is subjected to trial by judicial proceedings in respect of an offence committed during his escape or attempt to escape.

In conformity with the principle stated in Article 83, offences committed by prisoners of war with the sole intention of facilitating their escape and which do not entail any violence against life or limb, such as offences against public property, theft without intention of self-enrichment, the drawing up or use of false papers, or the wearing of civilian clothing, shall occasion disciplinary punishment only.

Prisoners of war who aid or abet an escape or an attempt to escape shall be liable on this count to disciplinary punishment only.

ARTICLE 94.

If an escaped prisoner of war is recaptured, the Power on which he depends shall be notified thereof in the manner defined in Article 122, provided notification of his escape has been made.

ARTICLE 95.

A prisoner of war accused of an offence against discipline shall not be kept in confinement pending the hearing unless a member of the armed forces of the Detaining Power would be so kept if he were accused of a similar offence, or if it is essential in the interests of camp order and discipline.

Any period spent by a prisoner of war in confinement awaiting the disposal of an offence against discipline shall be reduced to an absolute minimum and shall not exceed fourteen days.

The provisions of Articles 97 and 98 of this Chapter shall apply to prisoners of war who are in confinement awaiting the disposal of offences against discipline.

ARTICLE 96.

Acts which constitute offences against discipline shall be investigated immediately.

Without prejudice to the competence of courts and superior military authorities, disciplinary punishment may be ordered only by an officer having disciplinary powers in his capacity as camp commander, or by a responsible officer who replaces him or to whom he has delegated his disciplinary powers.

In no case may such powers be delegated to a prisoner of war or be exercised by a prisoner of war.

Before any disciplinary award is pronounced, the accused shall be given precise information regarding the offences of which he is accused, and given an opportunity of explaining his conduct and of defending himself. He shall be permitted, in particular, to call witnesses and to have recourse, if necessary, to the services of a qualified

Ongeag die vierde paragraaf van artikel 88 kan krygsgevangenes wat as gevolg van 'n mislukte ontsnapping gestraf is, onder spesiale bewaking geplaas word. Sodanige bewaking mag nie hul gesondheidstoestand nadelig beïnvloed nie, moet in 'n krygsgevangenekamp geskied en mag geensins die intrekking van enige van die waarborge wat hierdie Konvensie aan hulle verleen, meebring nie.

ARTIKEL 93.

Ontsnapping of poging tot ontsnapping, selfs by herhaling, word nie as 'n verswarende omstandigheid beskou indien die krygsgevangene op aanklag van 'n misdryf wat gedurende sy ontvlugting of gepoogde ontvlugting begaan is, volgens geregtelike proses op verhoor gestel word nie.

In ooreenstemming met die beginsel uiteengesit in artikel 83 mag oortredings wat deur krygsgevangenes begaan word met die uitsluitlike voorneme om hul ontsnapping te bevorder en wat geen geweld teen lyf of lede meebring nie, bv. oortredings teen openbare eiendom, diefstal sonder voorneme van selfverryking, die opstel of gebruik van vals dokumente of die dra van burgerlike klere, slegs tot dissiplinêre straf lei.

Krygsgevangenes wat 'n ontsnapping of poging tot ontsnapping aanhelp, is ten opsigte hiervan slegs aan dissiplinêre straf onderworpe.

ARTIKEL 94.

Indien 'n ontsnapte krygsgevangene weer gevange geneem word, moet die moondheid van wie hy afhanklik is, op die wyse vermeld in artikel 122 daarvan in kennis gestel word mits van sy ontsnapping kennis gegee is.

ARTIKEL 95.

'n Krygsgevangene wat weens 'n vergryp teen dissipline aangekla is, mag nie in afwagting van die verhoor opgesluit gehou word nie, tensy 'n lid van die Aanhoudingsmoondheid se gewapende magte, indien hy van 'n dergelyke oortreding aangekla sou word, ook so aangehou sou word of dit in belang van die kamporde en -dissipline noodsaaklik is.

Enige tydperk wat 'n krygsgevangene in afwagting van die afhandeling van 'n aanklag van 'n dissiplinêre oortreding in opsluiting deurbring, moet tot die absolute minimum beperk word en mag nie veertien dae te bowe gaan nie.

Die bepalings van artikel 97 en 98 van hierdie hoofstuk is van toepassing op krygsgevangenes wat opgesluit is in afwagting van die afhandeling van aanklagte van dissiplinêre oortredings wat teen hulle ingebring is.

ARTIKEL 96.

Handelinge wat vergrype teen dissipline uitmaak, moet onmiddellik ondersoek word.

Sonder om aan die bevoegdheid van howe en hoër militêre owerhede afbreuk te doen, kan dissiplinêre straf beveel word slegs deur 'n offisier met dissiplinêre bevoegdheid in sy hoedanigheid van kampkommandant of deur 'n verantwoordelike offisier wat hom vervang of aan wie hy sy dissiplinêre bevoegdheid oorgedra het.

In geen geval mag sulke bevoegdhede aan 'n krygsgevangene oorgedra of deur 'n krygsgevangene uitgeoefen word nie.

Voordat 'n dissiplinêre vonnis uitgespreek word, moet die beskuldigde noukeurig oor die oortredings waarvan hy aangekla word, ingelig en die geleentheid gegee word om sy gedrag te verduidelik en homself te verdedig. Hy moet veral toegelaat word om getuies op te roep en om, indien nodig, van die dienste van 'n gekwalifiseerde tolk gebruik

interpreter. The decision shall be announced to the accused prisoner of war and to the prisoners' representative.

A record of disciplinary punishments shall be maintained by the camp commander and shall be open to inspection by representatives of the Protecting Power.

ARTICLE 97.

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

All premises in which disciplinary punishments are undergone shall conform to the sanitary requirements set forth in Article 25. A prisoner of war undergoing punishment shall be enabled to keep himself in a state of cleanliness, in conformity with Article 29.

Officers and persons of equivalent status shall not be lodged in the same quarters as non-commissioned officers or men.

Women prisoners of war undergoing disciplinary punishment shall be confined in separate quarters from male prisoners of war and shall be under the immediate supervision of women.

ARTICLE 98.

A prisoner of war undergoing confinement as a disciplinary punishment, shall continue to enjoy the benefits of the provisions of this Convention except in so far as these are necessarily rendered inapplicable by the mere fact that he is confined. In no case may he be deprived of the benefits of the provisions of Articles 78 and 126.

A prisoner of war awarded disciplinary punishment may not be deprived of the prerogatives attached to his rank.

Prisoners of war awarded disciplinary punishment shall be allowed to exercise and to stay in the open air at least two hours daily.

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

They shall have permission to read and write, likewise to send and receive letters. Parcels and remittances of money however, may be withheld from them until the completion of the punishment; they shall meanwhile be entrusted to the prisoners' representative, who will hand over to the infirmary the perishable goods contained in such parcels.

III. JUDICIAL PROCEEDINGS.

ARTICLE 99.

No prisoner of war may be tried or sentenced for an act which is not forbidden by the law of the Detaining Power or by international law, in force at the time the said act was committed.

No moral or physical coercion may be exerted on a prisoner of war in order to induce him to admit himself guilty of the act of which he is accused.

No prisoner of war may be convicted without having had an opportunity to present his defence and the assistance of a qualified advocate or counsel.

te maak. Die uitspraak moet aan die beskuldigde krygsgevangene en aan die krygsgevangenes se verteenwoordiger bekend gemaak word.

'n Register van dissiplinêre strawwe moet deur die kampkommandant bygehou word en vir verteenwoordigers van die beskermende moondheid ter insae lê.

ARTIKEL 97.

In geen geval mag krygsgevangenes na strafinrigtings (gevangenis, strafgevangenis) ens. verskuif word om daar dissiplinêre straf te ondergaan nie.

Alle persele waarin dissiplinêre straf ondergaan word, moet beantwoord aan die sanitêre vereistes wat in artikel 25 uiteengesit word. 'n Krygsgevangene wat straf ondergaan, moet ooreenkomstig artikel 29 in staat gestel word om homself sindelik te hou.

Offisiere en persone van gelyke status mag nie in dieselfde kwartiere as onderoffisiere of manskappe gehuisves word nie.

Vroulike krygsgevangenes wat dissiplinêre straf ondergaan, moet in kwartiere weg van die manlike krygsgevangenes opgesluit word en onder die onmiddellike toesig van vroue staan.

ARTIKEL 98.

'n Krygsgevangene wat opsluiting as dissiplinêre straf ondergaan, moet nog steeds die voorregte van die bepalinge van hierdie Konvensie, behalwe vir sover dit onmoontlik gemaak word deur die blote feit dat hy opgesluit is. In geen geval mag die voorregte van die bepalinge van artikels 78 en 126 hom ontnem word nie. 'n Krygsgevangene wat 'n dissiplinêre straf opgelê word, mag nie die voorregte ontnem word wat aan sy rang verbonde is nie.

Krygsgevangenes wat dissiplinêre straf opgelê is, moet toegelaat word om minstens twee uur per dag oefening te neem en in die buitlug te bly.

Op hul versoek moet hulle toegelaat word om die daaglikse mediese ondersoeke by te woon. Hulle moet die aandag geniet wat hul gesondheidstoestand vereis en indien nodig na die kampsiekhuis of na 'n hospitaal verwyder word.

Hulle moet toegelaat word om te lees en te skryf en ook om briewe te versend en te ontvang. Pakkies en geldsendings kan egter tot na voltooiing van die straf van hulle teruggehou word; hulle moet intussen toevertrou word aan die gevangenes se verteenwoordiger, wat die bederfbare inhoud van sulke pakkies aan die siekhuys sal oorhandig.

III. GEREGTELIKE PROSES.

ARTIKEL 99.

Geen krygsgevangene mag verhoor of veroordeel word weens 'n daad wat nie verbied word deur die wette van die Aanhoudingsmoondheid of deur die Volkereg wat ten tyde van die pleging van genoemde daad van krag is nie.

Geen morele of fisiese dwang mag op 'n krygsgevangene uitgeoefen word ten einde hom te beweeg om te erken dat hy skuldig is aan die daad waarvan hy beskuldig word nie.

Geen krygsgevangene mag veroordeel word sonder dat hy die geleentheid gehad het om homself te verweer en die hulp van 'n gekwalifiseerde advokaat of regsadviseur tot sy beskikking gehad het nie.

ARTICLE 100.

Prisoners of war and the Protecting Powers shall be informed as soon as possible of the offences which are punishable by the death sentence under the laws of the Detaining Power.

Other offences shall not thereafter be made punishable by the death penalty without the concurrence of the Power on which the prisoners of war depend.

The death sentence cannot be pronounced on a prisoner of war unless the attention of the court has, in accordance with Article 87, second paragraph, been particularly called to the fact that since the accused is not a national of the Detaining Power, he is not bound to it by any duty of allegiance, and that he is in its power as the result of circumstances independent of his own will.

ARTICLE 101.

If the death penalty is pronounced on a prisoner of war, the sentence shall not be executed before the expiration of a period of at least six months from the date when the Protecting Power receives, at an indicated address, the detailed communication provided for in Article 107.

ARTICLE 102.

A prisoner of war can be validly sentenced only if the sentence has been pronounced by the same courts according to the same procedure as in the case of members of the armed forces of the Detaining Power, and if, furthermore, the provisions of the present Chapter have been observed.

ARTICLE 103.

Judicial investigations relating to a prisoner of war shall be conducted as rapidly as circumstances permit and so that his trial shall take place as soon as possible. A prisoner of war shall not be confined while awaiting trial unless a member of the armed forces of the Detaining Power would be so confined if he were accused of a similar offence, or if it is essential to do so in the interests of national security. In no circumstances shall this confinement exceed three months.

Any period spent by a prisoner of war in confinement awaiting trial shall be deducted from any sentence of imprisonment passed upon him and taken into account in fixing any penalty.

The provisions of Articles 97 and 98 of this Chapter shall apply to a prisoner of war whilst in confinement awaiting trial.

ARTICLE 104.

In any case in which the Detaining Power has decided to institute judicial proceedings against a prisoner of war, it shall notify the Protecting Power as soon as possible and at least three weeks before the opening of the trial. This period of three weeks shall run as from the day on which such notification reaches the Protecting Power at the address previously indicated by the latter to the Detaining Power.

The said notification shall contain the following information:

(1) Surname and first names of the prisoner of war, his rank, his army, regimental, personal or serial number, his date of birth, and his profession or trade, if any.

ARTIKEL 100.

Krygsgevangenes en die Beskermende Moondhede moet so spoedig moontlik verwittig word van die oortredings wat kragtens die wette van die Aanhoudingsmoondheid met die dood strafbaar is.

Daarna mag ander oortredings nie sonder die toestemming van die moondheid van wie die krygsgevangenes afhanklik is, met die dood strafbaar gemaak word nie.

Die doodvonnis mag nie oor 'n krygsgevangene uitgespreek word nie tensy die aandag van die hof ooreenkomstig die tweede paragraaf van artikel 87 in die besonder op die feit gevestig is dat die beskuldigde, aangesien hy nie 'n burger van die Aanhoudingsmoondheid is nie, nie tot enige trou teenoor hom verplig is nie en dat hy hom as gevolg van omstandighede buite sy beheer in die Aanhoudingsmoondheid se mag bevind.

ARTIKEL 101.

Indien die doodstraf oor 'n krygsgevangene uitgespreek word, mag die vonnis nie voltrek word voor verloop van 'n tydperk van minstens ses maande vanaf die datum waarop die Beskermende Moondheid aan 'n aangewese adres die uitvoerige mededeling ontvang waarvoor in artikel 107 voorsiening gemaak word nie.

ARTIKEL 102.

'n Vonnis oor 'n krygsgevangene is slegs geldig indien dit deur dieselfde howe volgens dieselfde prosedure as in die geval van lede van die Aanhoudingsmoondheid se gewapende magte uitgespreek en die bepalings van hierdie hoofstuk voorts nagekom is.

ARTIKEL 103.

Geregtelike ondersoeke betreffende 'n krygsgevangene moet geskied so vinnig as wat omstandighede toelaat, sodat sy verhoor so gou moontlik kan plaasvind. 'n Krygsgevangene mag nie opgesluit word terwyl hy sy verhoor afwag nie, tensy 'n lid van die Aanhoudingsmoondheid se gewapende magte aldus opgesluit sou word indien hy van 'n dergelike oortreding aangekla sou word of indien dit in belang van die landsveiligheid noodsaaklik is. Hierdie opsluiting moet in geen geval langer as drie maande duur nie.

Enige tydperk wat 'n krygsgevangene in afwagting van verhoor in opsluiting deurbring, moet van enige vonnis van gevangesetting wat oor hom uitgespreek word, afgetrek en by die vasstelling van enige straf in aanmerking geneem word.

Die bepalings van artikels 97 en 98 van hierdie hoofstuk is van toepassing op 'n krygsgevangene terwyl hy in afwagting van sy verhoor opgesluit is.

ARTIKEL 104.

In alle gevalle waar die Aanhoudingsmoondheid besluit het om geregtelike stappe teen 'n krygsgevangene te doen, moet hy die Beskermende Moondheid so spoedig moontlik en minstens drie weke voor die aanvang van die verhoor daarvan in kennis stel. Die tydperk van drie weke neem 'n aanvang op die dag waarop sodanige mededeling die Beskermende Moondheid bereik by 'n adres wat vooraf deur laasgenoemde aan die Aanhoudingsmoondheid genoem is.

Genoemde mededeling moet die volgende inligting verstrek:

(1) Familienaam en voornamen van die krygsgevangene, sy rang, sy leër-, regiments- en persoonlike opvolgnommer, sy geboortedatum en sy beroep of ambag, indien hy een het;

(2) Place of internment or confinement.

(3) Specification of the charge or charges on which the prisoner of war is to be arraigned, giving the legal provisions applicable.

(4) Designation of the court which will try the case, likewise the date and place fixed for the opening of the trial.

The same communication shall be made by the Detaining Power to the prisoners' representative.

If no evidence is submitted, at the opening of a trial, that the notification referred to above was received by the Protecting Power, by the prisoner of war and by the prisoners' representative concerned, at least three weeks before the opening of the trial, then the latter cannot take place and must be adjourned.

ARTICLE 105.

The prisoner of war shall be entitled to assistance by one of his prisoner comrades, to defence by a qualified advocate or counsel of his own choice, to the calling of witnesses and, if he deems necessary, to the services of a competent interpreter. He shall be advised of these rights by the Detaining Power in due time before the trial.

Failing a choice by the prisoner of war, the Protecting Power shall find him an advocate or counsel, and shall have at least one week at its disposal for the purpose. The Detaining Power shall deliver to the said Power, on request, a list of persons qualified to present the defence. Failing a choice of an advocate or counsel by the prisoner of war or the Protecting Power, the Detaining Power shall appoint a competent advocate or counsel to conduct the defence.

The advocate or counsel conducting the defence on behalf of the prisoner of war shall have at his disposal a period of two weeks at least before the opening of the trial, as well as the necessary facilities to prepare the defence of the accused. He may, in particular, freely visit the accused and interview him in private. He may also confer with any witnesses for the defence, including prisoners of war. He shall have the benefit of these facilities until the term of appeal or petition has expired.

Particulars of the charge or charges on which the prisoner of war is to be arraigned, as well as the documents which are generally communicated to the accused by virtue of the laws in force in the armed forces of the Detaining Power, shall be communicated to the accused prisoner of war in a language which he understands, and in good time before the opening of the trial. The same communication in the same circumstances shall be made to the advocate or counsel conducting the defence on behalf of the prisoner of war.

The representatives of the Protecting Power shall be entitled to attend the trial of the case, unless, exceptionally, this is held *in camera* in the interest of State security. In such a case the Detaining Power shall advise the Protecting Power accordingly.

(2) plek van internering of opsluiting;

(3) uiteensetting van die aanklag of aanklagte ten opsigte waarvan die krygsgevangene voorgebring gaan word, met vermelding van die toepaslike wetsbepalings;

(4) aanduiding van die hof wat die saak sal verhoor en ook van die datum en plek wat vir die aanvang van die verhoor bepaal is.

Dieselfde mededeling moet deur die Aanhoudingsmoondheid aan die verteenwoordiger van die gevangenes gedoen word.

Indien by die aanvang van die verhoor bewys gelever word dat bogenoemde mededeling die Beskermende Moondheid, die krygsgevangene en die betrokke verteenwoordiger van gevangenes minstens drie weke vòr die aanvang van die verhoor bereik het nie, kan die verhoor nie plaasvind nie en moet dit verdaag word.

ARTIKEL 105.

Die krygsgevangene het die reg om deur een van sy medegevangenes bygestaan te word, deur 'n gekwalifiseerde advokaat of regsadviseur van sy eie keuse verdedig te word, getuies op te roep en, indien hy dit nodig ag, van die dienste van 'n bevoegde tolk gebruik te maak. Hy moet vroegtydig vòr die verhoor deur die Aanhoudingsmoondheid van hierdie regte verwittig word.

Indien 'n krygsgevangene nie aldus 'n keuse doen nie, moet die Beskermende Moondheid vir hom 'n advokaat of regsadviseur verskaf en hiervoor moet sodanige moondheid minstens 'n week tyd hê. Die Aanhoudingsmoondheid moet genoemde moondheid op sy versoek voorsien van 'n lys van persone wat geskik is om die verdediging aan te bied. As die krygsgevangene of die beskermende Moondheid nie 'n advokaat of regsadviseur aanwys nie, moet die Aanhoudingsmoondheid 'n bevoegde advokaat of regsadviseur aanstel om die verdediging waar te neem.

Die advokaat of regsadviseur wat die verdediging namens die krygsgevangene waarneem, moet minstens twee weke voor die aanvang van die verhoor tyd hê en ook die nodige fasiliteite geniet om die verdediging van die beskuldigde voor te berei. Hy mag veral die beskuldigde ongehinderd besoek en privaat spreek. Hy mag ook enige getuies vir die verdediging, met inbegrip van krygsgevangenes spreek. Hy moet hierdie fasiliteite geniet totdat die tydperk vir appellering of petisionering verstryk het.

Besonderhede betreffende die aanklag of aanklagte waarop die krygsgevangene voorgebring gaan word, en ook die dokumente gewoonlik aan die beskuldigde verskaf ingevolge die wette wat in die Aanhoudingsmoondheid se gewapende magte van krag is, in 'n taal wat hy verstaan moet betyds en vroegtydig vòr die aanvang van die verhoor aan die beskuldigde krygsgevangene meegedeel en afgelewer word. Dieselfde mededelings moet in dieselfde omstandighede gedoen word aan die advokaat of regsadviseur wat die verdediging namens die krygsgevangene waarneem.

Die verteenwoordigers van die Beskermende Moondheid het die reg om die verhoor van die saak by te woon tensy dit in uitsonderlike gevalle in die belang van die landsveiligheid *in camera* gehou word. In so 'n geval moet die Aanhoudingsmoondheid die Beskermende Moondheid dienoreenkomstig in kennis stel.

ARTICLE 106.

Every prisoner of war shall have, in the same manner as the members of the armed forces of the Detaining Power, the right of appeal or petition from any sentence pronounced upon him, with a view to the quashing or revising of the sentence or the reopening of the trial. He shall be fully informed of his right to appeal or petition and of the time limit within which he may do so.

ARTICLE 107.

Any judgment and sentence pronounced upon a prisoner of war shall be immediately reported to the Protecting Power in the form of a summary communication, which shall also indicate whether he has the right of appeal with a view to the quashing of the sentence or the reopening of the trial. This communication shall likewise be sent to the prisoners' representative concerned. It shall also be sent to the accused prisoner of war in a language he understands, if the sentence was not pronounced in his presence. The Detaining Power shall also immediately communicate to the Protecting Power the decision of the prisoner of war to use or to waive his right of appeal.

Furthermore, if a prisoner of war is finally convicted or if a sentence pronounced on a prisoner of war in the first instance is a death sentence, the Detaining Power shall as soon as possible address to the Protecting Power a detailed communication containing:

- (1) the precise wording of the finding and sentence;
- (2) a summarized report of any preliminary investigation and of the trial, emphasizing in particular the elements of the prosecution and the defence;
- (3) notification, where applicable, of the establishment where the sentence will be served.

The communications provided for in the foregoing subparagraphs shall be sent to the Protecting Power at the address previously made known to the Detaining Power.

ARTICLE 108.

Sentences pronounced on prisoners of war after a conviction has become duly enforceable, shall be served in the same establishments and under the same conditions as in the case of members of the armed forces of the Detaining Power. These conditions shall in all cases conform to the requirements of health and humanity.

A woman prisoner of war on whom such a sentence has been pronounced shall be confined in separate quarters and shall be under the supervision of women.

In any case, prisoners of war sentenced to a penalty depriving them of their liberty shall retain the benefit of the provisions of Articles 78 and 126 of the present Convention. Furthermore, they shall be entitled to receive and despatch correspondence, to receive at least one relief parcel monthly, to take regular exercise in the open air, to have the medical care required by their state of health, and the spiritual assistance they may desire. Penalties to which they may be subjected shall be in accordance with the provisions of Article 87, third paragraph.

ARTIKEL 106.

Elke krygsgevangene het net soos die lede van die Aanhoudingsmoondheid se gewapende magte, die reg om teen die vonnis wat oor hom uitgespreek word, appèl aan te teken of om 'n versoekskrif daarteen in te dien met die oog op die nietigverklaring of hersiening van die vonnis of die heropening van die verhoor. Hy moet volledig ingelig word oor sy reg om appèl aan te teken of om 'n versoekskrif in te dien en oor die tydperk waarbinne hy dit kan doen.

ARTIKEL 107.

Enige veroordeling en vonnis wat oor 'n krygsgevangene uitgespreek word, moet onmiddellik aan die Beskermende Moondheid bekend gemaak word in die vorm van 'n beknopte mededeling, wat ook moet aandui of hy die reg het om met die oog op die nietigverklaring van die vonnis of die heropening van die verhoor die reg het om appèl aan te teken. Dié mededeling moet insgelyks aan die betrokke verteenwoordiger van die gevangenes gestuur word. Dit moet ook aan die beskuldigde krygsgevangene gestuur word in 'n taal wat hy verstaan, indien die vonnis nie in sy teenwoordigheid uitgespreek is nie. Die Aanhoudingsmoondheid moet ook onmiddellik die Beskermende Moondheid in kennis stel van die krygsgevangene se besluit om van sy reg van appèl gebruik te maak of afstand te doen.

Verder, indien 'n krygsgevangene finaal skuldig bevind is, of indien 'n vonnis wat in die eerste plek oor 'n krygsgevangene uitgespreek is, 'n doodvonnis is, moet die Aanhoudingsmoondheid so spoedig moontlik aan die Beskermende Moondheid met 'n uitvoerige mededeling stuur wat die volgende bevat:

- (1) Die juiste bewoording van die uitspraak en vonnis;
- (2) 'n beknopte verslag oor enige voorlopige ondersoek en oor die verhoor, met besondere nadruk op die gronde feite van die vervolging en die verdediging;
- (3) kennisgewing, waar dit van toepassing is, van die inrigting waar die vonnis uitgedien sal word.

Die mededelings in bostaande subparagrafe voorgeskryf, moet aan die Beskermende Moondheid gestuur word na die adres wat vooraf aan die Aanhoudingsmoondheid bekend gemaak is.

ARTIKEL 108.

Vonnisse wat oor 'n krygsgevangene uitgespreek is nadat skuldigbevinding behoorlik afdwingbaar geword het, moet in dieselfde inrigtings en in dieselfde omstandighede as in die geval van lede van die Aanhoudingsmoondheid se gewapende magte, uitgedien word. Dié omstandighede moet in alle gevalle aan die vereistes van gesondheid en menslikheid voldoen.

Vroulike krygsgevangenes oor wie so 'n vonnis uitgespreek is, moet in aparte kwartiere opgesluit word en onder toesig van vroue staan.

In elk geval moet krygsgevangenes wat tot 'n straf veroordeel word wat hulle hul vryheid ontnem, die voordeel van die bepalinge van artikels 78 en 126 van hierdie Konvensie steeds geniet. Verder het hulle die reg om korrespondensie te ontvang en te versend, om minstens een hulppakkie per maand te ontvang, om gereelde oefening in die buitlug te neem om mediese sorg wat hul gesondheidstoestand vereis en die geestelike hulp wat hulle mag verlang, te ontvang. Strawwe waaraan hulle onderwerp kan word, moet met die bepalinge van die derde paragraaf van artikel 87 strook.

PART IV.
TERMINATION OF CAPTIVITY.
SECTION I.

DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES.

ARTICLE 109.

Subject to the provisions of the third paragraph of this Article, Parties to the conflict are bound to send back to their own country, regardless of number or rank, seriously wounded and seriously sick prisoners of war, after having cared for them until they are fit to travel, in accordance with the first paragraph of the following Article.

Throughout the duration of hostilities, Parties to the conflict shall endeavour, with the cooperation of the neutral Powers concerned, to make arrangements for the accommodation in neutral countries of the sick and wounded prisoners of war referred to in the second paragraph of the following Article. They may, in addition, conclude agreements with a view to the direct repatriation or internment in a neutral country of able-bodied prisoners of war who have undergone a long period of captivity.

No sick or injured prisoner of war who is eligible for repatriation under the first paragraph of this Article, may be repatriated against his will during hostilities.

ARTICLE 110.

The following shall be repatriated direct:

(1) Incurably wounded and sick whose mental or physical fitness seems to have been gravely diminished.

(2) Wounded and sick who, according to medical opinion, are not likely to recover within one year, whose condition requires treatment and whose mental or physical fitness seems to have been gravely diminished.

(3) Wounded and sick who have recovered, but whose mental or physical fitness seems to have been gravely and permanently diminished.

The following may be accommodated in a neutral country:

(1) Wounded and sick whose recovery may be expected within one year of the date of the wound or the beginning of the illness, if treatment in a neutral country might increase the prospects of a more certain and speedy recovery.

(2) Prisoners of war whose mental or physical health, according to medical opinion, is seriously threatened by continued captivity, but whose accommodation in a neutral country might remove such a threat.

The conditions which prisoners of war accommodated in a neutral country must fulfil in order to permit their repatriation shall be fixed, as shall likewise their status, by agreement between the Powers concerned. In general, prisoners of war who have been accommodated in a neutral country, and who belong to the following categories, should be repatriated:

(1) Those whose state of health has deteriorated so as to fulfil the conditions laid down for direct repatriation;

(2) Those whose mental or physical powers remain, even after treatment, considerably impaired.

DEEL IV.

BEEÏNDIGING VAN GEVANGENSKAP.
AFDELING I.

REGSTREEKSE REPATRIASIE EN HUISVESTING IN NEUTRALE LANDE.

ARTIKEL 109.

Behoudens die bepaling van die derde paragraaf van hierdie artikel is Partye by die botsing verplig om krygsgevangenes wat ernstig gewond en ernstig siek is, ooreenkomstig die eerste paragraaf van die volgende artikel, ongeag getal of rang, na hul eie land terug te stuur nadat hulle versorg is totdat hulle in staat is om te reis.

Solank vyandelikhede duur, moet partye by die botsing daarna streef om met die samewerking van die betrokke neutrale moondhede reëlins te tref vir die huisvesting, in neutrale lande, van die siek en gewonde krygsgevangenes wat in die tweede paragraaf van die volgende artikel genoem word. Daarbenewens kan hulle ooreenkomste aangaan met die oog op die regstreekse repatriasie, of internering in 'n neutrale land, van liggaamlik geskikte krygsgevangenes wat 'n lang tydperk van gevangenskap deurgemaak het.

Geen siek of beseerde krygsgevangene wat kragtens die eerste paragraaf van hierdie artikel gerepatrieer kan word, mag gedurende vyandelikhede teen sy sin gerepatrieer word nie.

ARTIKEL 110.

Ondergenoemde persone moet regstreeks gerepatrieer word:

(1) Ongeneeslike gewondes en siekes wie se geestelike of liggaamlike geskiktheid skynbaar ernstig afgeneem het.

(2) Gewondes en siekes wie se herstel binne 'n jaar volgens die sienswyse van medici onwaarskynlik is, wie se toestand behandeling vereis en wie se geestelike of liggaamlike geskiktheid klaarblyklik ernstig afgeneem het.

(3) Gewondes en siekes wat herstel het maar wie se geestelike of liggaamlike geskiktheid skynbaar ernstig en permanent aangetas is.

Die volgende persone kan in neutrale lande gehuisves word:

(1) Gewondes en siekes wie se herstel binne 'n jaar met ingang van die datum van verwonding of die aanvang van die siekte verwag kan word, indien behandeling in die neutrale land herstel straks sekerder en gouer sal bewerkstellig.

(2) Krygsgevangenes wie se geestelike of liggaamlike gesondheid na die mening van medici ernstig deur voortdurende gevangenskap bedreig word, maar wie se huisvesting in 'n neutrale land sodanige bedreiging uit die weg kan ruim.

Die voorwaardes waaraan krygsgevangenes wat in 'n neutrale land gehuisves word, moet voldoen ten einde hul repatriasie moontlik te maak, asmede hul status, moet by ooreenkoms tussen die betrokke moondhede bepaal word. In die algemeen moet krygsgevangenes wat in 'n neutrale land gehuisves is en wat onder die volgende kategorieë ressorteer, gerepatrieer word:

(1) Diegene wie se gesondheidstoestand sodanig agteruitgegaan het dat dit aan die vereistes vir regstreekse repatriasie voldoen.

(2) Diegene wie se geestelike of liggaamlike kragte selfs na behandeling nog erg verswak bly.

If no special agreements are concluded between the Parties to the conflict concerned, to determine the cases of disablement or sickness entailing direct repatriation or accommodation in a neutral country, such cases shall be settled in accordance with the principles laid down in the Model Agreement concerning direct repatriation and accommodation in neutral countries of wounded and sick prisoners of war and in the Regulations concerning Mixed Medical Commissions annexed to the present Convention.

ARTICLE 111.

The Detaining Power, the Power on which the prisoners of war depend, and a neutral Power agreed upon by these two Powers, shall endeavour to conclude agreements which will enable prisoners of war to be interned in the territory of the said neutral Power until the close of hostilities.

ARTICLE 112.

Upon the outbreak of hostilities, Mixed Medical Commissions shall be appointed to examine sick and wounded prisoners of war, and to make all appropriate decisions regarding them. The appointment, duties and functioning of these Commissions shall be in conformity with the provisions of the Regulations annexed to the present Convention.

However, prisoners of war who, in the opinion of the medical authorities of the Detaining Power, are manifestly seriously injured or seriously sick, may be repatriated without having to be examined by a Mixed Medical Commission.

ARTICLE 113.

Besides those who are designated by the medical authorities of the Detaining Power, wounded or sick prisoners of war belonging to the categories listed below shall be entitled to present themselves for examination by the Mixed Medical Commissions provided for in the foregoing Article:

(1) Wounded and sick proposed by a physician or surgeon who is of the same nationality, or a national of a Party to the conflict allied with the Power on which the said prisoners depend, and who exercises his functions in the camp.

(2) Wounded and sick proposed by their prisoners' representative.

(3) Wounded and sick proposed by the Power on which they depend, or by an organization duly recognized by the said Power and giving assistance to the prisoners.

Prisoners of war who do not belong to one of the three foregoing categories may nevertheless present themselves for examination by Mixed Medical Commissions, but shall be examined only after those belonging to the said categories.

The physician or surgeon of the same nationality as the prisoners who present themselves for examination by the Mixed Medical Commission, likewise the prisoners' representative of the said prisoners, shall have permission to be present at the examination.

ARTICLE 114.

Prisoners of war who meet with accidents shall, unless the injury is self-inflicted, have the benefit of the provisions of this Convention as regards repatriation or accommodation in a neutral country.

Indien geen spesiale ooreenkomste tussen die betrokke Partye by die botsing aangegaan is om die gevalle van ongeskiktheid of siekte te identifiseer wat regstreekse repatriasie of huisvesting in 'n neutrale land noodsaak nie, moet sulke gevalle afgehandel word ooreenkomstig die beginsels uiteengesit in die modelooreenkoms betreffende regstreekse repatriasie en huisvesting in neutrale lande van gewonde en siek krygsgevangenes, en in die regulasies betreffende Gemengde Mediese Kommissies wat by die huidige Konvensie aangeheg is.

ARTIKEL 111.

Die Aanhoudingsmoondheid, die moondheid van wie die gevangenes afhanklik is en die neutrale moondheid ten opsigte waarvan dié twee moondhede ooreengekom het, moet ooreenkomste probeer bewerkstellig wat dit moontlik sal maak om krygsgevangenes tot die staking van vyandelikhede in die gebied van genoemde neutrale moondheid te interneer.

ARTIKEL 112.

By die uitbreek van vyandelikhede moet Gemengde Mediese Kommissies aangestel word om siek en gewonde krygsgevangenes te ondersoek en om alle toepaslike beslissings oor hulle te gee. Die aanstelling, pligte en werking van hierdie kommissies moet strook met die bepalings van die regulasies wat by hierdie Konvensie aangeheg is.

Krygsgevangenes wat na die mening van die mediese owerhede van die Aanhoudingsmoondheid klaarblyklik ernstig beseer of ernstig siek is, kan egter gerepatrieer word sonder dat hulle deur 'n Gemengde Mediese Kommissie ondersoek hoef te word.

ARTIKEL 113.

Behalwe diegene wat deur die mediese owerhede van die Aanhoudingsmoondheid aangewys word, het gewonde of siek krygsgevangenes wat onder ondervermelde kategorieë ressorteer, die reg om hulself aan te meld vir ondersoek deur die Gemengde Mediese Kommissie waarvoor in die vorige artikel voorsiening gemaak word:

(1) Gewondes en siekes aangewys deur 'n internis of chirurg wat sy funksies in die kamp vervul en die nasionaliteit het of 'n burger is van 'n Party by die botsing wat 'n bondgenoot is van die moondheid van wie genoemde gevangenes afhanklik is.

(2) Gewondes en siek krygsgevangenes aangewys deur hul verteenwoordiger van gevangenes.

(3) Gewondes en siekes aangewys deur die moondheid van wie hulle afhanklik is, of deur 'n organisasie wat behoorlik deur genoemde moondheid erken is en wat hulp aan die krygsgevangenes verleen.

Krygsgevangenes wat nie onder een van bovermelde drie kategorieë ressorteer nie, kan hulself nogtans vir ondersoek deur die Gemengde Mediese Kommissies aanmeld maar mag slegs ondersoek word na diegene wat wel onder genoemde kategorieë ressorteer.

Die internis of chirurg van dieselfde nasionaliteit as die gevangenes wat hulle vir ondersoek by die Gemengde Mediese Kommissies aanmeld, en ook die gevangenes se verteenwoordiger, moet toegelaat word om by die ondersoek teenwoordig te wees.

ARTIKEL 114.

Hierdie Konvensie se bepalings betreffende repatriasie of huisvesting in 'n neutrale land is van toepassing op krygsgevangenes wat ongelukke oorkom, tensy die bescerings deur hulself toegedien word.

ARTICLE 115.

No prisoner of war on whom a disciplinary punishment has been imposed and who is eligible for repatriation or for accommodation in a neutral country, may be kept back on the plea that he has not undergone his punishment.

Prisoners of war detained in connection with a judicial prosecution or conviction and who are designated for repatriation or accommodation in a neutral country, may benefit by such measures before the end of the proceedings or the completion of the punishment, if the Detaining Power consents.

Parties to the conflict shall communicate to each other the names of those who will be detained until the end of the proceedings or the completion of the punishment.

ARTICLE 116.

The cost of repatriating prisoners of war or of transporting them to a neutral country shall be borne, from the frontiers of the Detaining Power, by the Power on which the said prisoners depend.

ARTICLE 117.

No repatriated person may be employed on active military service.

SECTION II.

RELEASE AND REPATRIATION OF PRISONERS OF WAR AT THE CLOSE OF HOSTILITIES.

ARTICLE 118.

Prisoners of war shall be released and repatriated without delay after the cessation of active hostilities.

In the absence of stipulations to the above effect in any agreement concluded between the Parties to the conflict with a view to the cessation of hostilities, or failing any such agreement, each of the Detaining Powers shall itself establish and execute without delay a plan of repatriation in conformity with the principle laid down in the foregoing paragraph.

In either case, the measures adopted shall be brought to the knowledge of the prisoners of war.

The costs of repatriation of prisoners of war shall in all cases be equitably apportioned between the Detaining Power and the Power on which the prisoners depend. This apportionment shall be carried out on the following basis:

(a) If the two Powers are contiguous, the Power on which the prisoners of war depend shall bear the costs of repatriation from the frontiers of the Detaining Power.

(b) If the two Powers are not contiguous, the Detaining Power shall bear the costs of transport of prisoners of war over its own territory as far as its frontier of its port of embarkation nearest to the territory of the Power on which the prisoners of war depend. The Parties concerned shall agree between themselves as to the equitable apportionment of the remaining cost of the repatriation. The conclusion of this agreement shall in no circumstances justify any delay in the repatriation of the prisoners of war.

ARTIKEL 115.

Geen krygsgevangene wat 'n dissiplinêre straf opgelê is en in aanmerking kan kom vir repatriasie of huisvesting in 'n neutrale land, mag teruggehou word onder voorwendsel dat hy nog nie sy straf ondergaan het nie.

Krygsgevangenes wat in verband met geregtelike vervolging of skuldigbevinding aangehou word en vir repatriasie of huisvesting in 'n neutrale land aangewys word, kan voor die einde van die geding of uitdiening van die straf die voordeel van sulke maatreëls geniet indien die Aanhoudingsmoondheid daartoe inwillig.

Partye by die botsing moet mekaar in kennis stel van die name van diegene wat tot die end van die geding of die uitdiening van die straf aangehou sal word.

ARTIKEL 116.

Die koste verbonde aan die repatriasie van krygsgevangenes of hul vervoer na 'n neutrale land moet van die grens van die Aanhoudingsmoondheid gedra word deur die moondheid van wie genoemde gevangenes afhanklik is.

ARTIKEL 117.

Geen gerepatrieerde persoon mag vir aktiewe militêre diens gebruik word nie.

AFDELING II.

VRYLATING EN REPATRIASIE VAN KRYGS-GEVANGENES AAN DIE EINDE VAN VYANDELIKHEDE.

ARTIKEL 118.

Krygsgevangenes moet sonder versuim ná die beëindiging van aktiewe vyandelikhede vrygelaat en gerepatrieer word.

By ontstentenis van bepalinge met bogenoemde strekking in 'n ooreenkoms wat met die oog op die beëindiging van die vyandelikhede gesluit word tussen die Partye by die botsing, of by ontstentenis van so 'n ooreenkoms moet elke Aanhoudingsmoondheid self 'n plan vir repatriasie ooreenkomstig die beginsels vervat in voorgaande paragraaf opstel en sonder versuim ten uitvoer bring.

Die aanvaarde stappe, moet in iedere geval aan die krygsgevangenes meegedeel word.

Die koste verbonde aan die repatriasie van krygsgevangenes moet in alle gevalle billik verdeel word oor die Aanhoudingsmoondheid en die moondheid van wie die gevangenes afhanklik is. Hierdie verdeling moet op die volgende grondslag geskied:

(1) Indien die twee moondhede aan mekaar grens, moet die moondheid van wie die gevangenes afhanklik is, die repatriasiekoste vanaf die Aanhoudingsmoondheid se grense dra.

(2) Indien die twee moondhede nie aan mekaar grens nie, moet die Aanhoudingsmoondheid die koste dra van die krygsgevangenes se vervoer oor sy eie gebied tot by sy grens of sy inskeppingshawe wat die naaste is aan die gebied van die moondheid van wie die krygsgevangenes afhanklik is. Die betrokke partye moet onderling ooreenkom oor die billike verdeling van die oorblywende repatriasiekoste. Die sluiting van hierdie ooreenkoms regverdig in geen omstandighede die vertraging van die repatriasie van die krygsgevangenes nie.

ARTICLE 119.

Repatriation shall be effected in conditions similar to those laid down in Articles 46 to 48 inclusive of the present Convention for the transfer of prisoners of war, having regard to the provisions of Article 118 and to those of the following paragraphs.

On repatriation, any articles of value impounded from prisoners of war under Article 18, and any foreign currency which has not been converted into the currency of the Detaining Power, shall be restored to them. Articles of value and foreign currency which, for any reason whatever, are not restored to prisoners of war on repatriation, shall be despatched to the Information Bureau set up under Article 122.

Prisoners of war shall be allowed to take with them their personal effects, and any correspondence and parcels which have arrived for them. The weight of such baggage may be limited, if the conditions of repatriation so require, to what each prisoner can reasonably carry. Each prisoner shall in all cases be authorized to carry at least twenty-five kilograms.

The other personal effects of the repatriated prisoner shall be left in the charge of the Detaining Power which shall have them forwarded to him as soon as it has concluded an agreement to this effect, regulating the conditions of transport and the payment of the costs involved, with the Power on which the prisoner depends.

Prisoners of war against whom criminal proceedings for an indictable offence are pending may be detained until the end of such proceedings, and, if necessary, until the completion of the punishment. The same shall apply to prisoners of war already convicted for an indictable offence.

Parties to the conflict shall communicate to each other the names of any prisoners of war who are detained until the end of the proceedings or until punishment has been completed.

By agreement between the Parties to the conflict, commissions shall be established for the purpose of searching for dispersed prisoners of war and of assuring their repatriation with the least possible delay.

SECTION III.

DEATH OF PRISONERS OF WAR.

ARTICLE 120.

Wills of prisoners of war shall be drawn up so as to satisfy the conditions of validity required by the legislation of their country of origin, which will take steps to inform the Detaining Power of its requirements in this respect. At the request of the prisoner of war and, in all cases, after death, the will shall be transmitted without delay to the Protecting Power; a certified copy shall be sent to the Central Agency.

Death certificates, in the form annexed to the present Convention, or lists certified by a responsible officer, of all persons who die as prisoners of war shall be forwarded as rapidly as possible to the Prisoner of War Information Bureau established in accordance with Article 122. The death certificates or certified lists shall show particulars of identity as set out in the third paragraph of Article 17, and also the date and place of death, the cause of death, the date and place of burial and all particulars necessary to identify the graves.

ARTIKEL 119.

Repatriasie moet geskied soos in artikels 46 tot en met 48 van hierdie Konvensie vir die verskuiwing van krygsgevangenes bepaal en met inagneming van die bepalings van artikel 118 en van die volgende paragrawe.

By repatriasie moet enige waardevolle artikels van krygsgevangenes waarop kragtens artikel 18 beslag gelê is, en enige vreemde geld wat nie in die geld van die Aanhoudingsmoondheid omgesit is nie, aan hulle terugbesorg word. Waardevolle goedere en vreemde geld wat om watter rede ook al nie by repatriasie aan krygsgevangenes terugbesorg word nie, moet gestuur word na die Inligtingsburo wat kragtens artikel 122 ingestel is.

Krygsgevangenes moet toegelaat word om hul persoonlike besittings en enige korrespondensie en pakkies wat vir hulle aangekom het, saam met hulle te neem. Die gewig van sodanige bagasie kan, indien repatriasie-omstandighede dit vereis, beperk word tot wat elke gevangene redelik kan dra. Elke gevangene moet in alle gevalle toegelaat word om minstens 25 kilogram te dra.

Die ander persoonlike besittings van die gerepatrieerde gevangene moet gelaat word in die sorg van die Aanhoudingsmoondheid, wat dit aan hom moet laat aanstuur sodra hy te dien effekte met die moondheid van wie die krygsgevangene afhanklik is, 'n ooreenkoms gesluit het waarby die voorwaardes van vervoer en die betaling van die betrokke onkoste gereël word.

Krygsgevangenes ten opsigte van wie strafgedinge vir 'n aanklagwaardige misdryf hangende is, kan tot die einde van sodanige geding en, indien nodig, tot die uitdiening van die straf aangehou word. Dit geld ook vir krygsgevangenes wat reeds aan 'n aanklagwaardige misdryf skuldig bevind is.

Partye by die botsing moet aan mekaar die name verstrek van alle krygsgevangenes wat tot die einde van 'n geding of tot na uitdiening van straf aangehou word.

By ooreenkoms tussen die Partye by die botsing moet kommissies ingestel word om verspreide krygsgevangenes op te spoor en te verseker dat hulle so spoedig moontlik gerepatrieer word.

AFDELING III.

DIE AFSTERWE VAN KRYGSGEVANGENES.

ARTIKEL 120.

Die testamente van krygsgevangenes moet opgestel word om te voldoen aan die geldigheidsvereistes van die wetgewing van hul land van herkoms, wat stappe sal doen om die Aanhoudingsmoondheid van sy vereistes ten opsigte hiervan te verwittig. Op versoek en in alle gevalle na die dood van 'n krygsgevangene, moet die testament sonder versuim aan die Beskermende Moondheid besorg en 'n gewaarmerkte afskrif aan die Sentrale Agentskap gestuur word.

Sterftesertifikate, in die vorm wat by hierdie Konvensie aangeheg is, of lyste, gewaarmerk deur 'n verantwoordelike offisier, van alle persone wat as krygsgevangenes sterf, moet so spoedig moontlik gestuur word aan die Buro vir Inligting oor Krygsgevangenes, wat ooreenkomstig artikel 122 ingestel is. Die sterftesertifikate of gewaarmerkte lyste moet besonderhede ten opsigte van identiteit, soos in die derde paragraaf van artikel 17 uiteengesit, asook die sterfdatum en -plek, die oorsaak van dood, die datum en plek van begrawing en alle besonderhede nodig vir die identifikasie van die grafte verstrek.

The burial or cremation of a prisoner of war shall be preceded by a medical examination of the body with a view to confirming death and enabling a report to be made and, where necessary, establishing identity.

The detaining authorities shall ensure that prisoners of war who have died in captivity are honourably buried, if possible according to the rites of the religion to which they belonged, and that their graves are respected, suitably maintained and marked so as to be found at any time. Wherever possible, deceased prisoners of war who depended on the same Power shall be interred in the same place.

Deceased prisoners of war shall be buried in individual graves unless unavoidable circumstances require the use of collective graves. Bodies may be cremated only for imperative reasons of hygiene, on account of the religion of the deceased or in accordance with his express wish to this effect. In case of cremation, the fact shall be stated and the reasons given in the death certificate of the deceased.

In order that graves may always be found, all particulars of burials and graves shall be recorded with a Graves Registration Service established by the Detaining Power. Lists of graves and particulars of the prisoners of war interred in cemeteries and elsewhere shall be transmitted to the Power on which such prisoners of war depended. Responsibility for the care of these graves and for records of any subsequent moves of the bodies shall rest on the Power controlling the territory, if a Party to the present Convention. These provisions shall also apply to the ashes, which shall be kept by the Graves Registration Service until proper disposal thereof in accordance with the wishes of the home country.

ARTICLE 121.

Every death or serious injury of a prisoner of war caused or suspected to have been caused by a sentry, another prisoner of war, or any other person, as well as any death the cause of which is unknown, shall be immediately followed by an official enquiry by the Detaining Power.

A communication on this subject shall be sent immediately to the Protecting Power. Statements shall be taken from witnesses, especially from those who are prisoners of war, and a report including such statements shall be forwarded to the Protecting Power.

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

PART V.

INFORMATION BUREAUX AND RELIEF SOCIETIES FOR PRISONERS OF WAR.

ARTICLE 122.

Upon the outbreak of a conflict and in all cases of occupation, each of the Parties to the conflict shall institute an official Information Bureau for prisoners of war who are in its power. Neutral or non-belligerent Powers who may have received within their territory persons belonging to one of the categories referred to in Article 4, shall take the same action with respect to such persons. The Power concerned shall ensure that the Prisoners of War Information Bureau is provided with the necessary accommodation, equipment and staff to ensure

Die begrawing of verassing van 'n krygsgevangene moet voorafgegaan word deur 'n mediese ondersoek van die liggaam ten einde die dood te bevestig, die indiening van 'n verslag moontlik te maak, en waar nodig, die gevangene te identifiseer.

Die aanhoudingsowerhede moet sorg dat krygsgevangenes wat in gevangenskap sterf, eervol en, indien moontlik, volgens die gebruike van hul geloof begrawe word en dat hul grafte geëerbiedig en behoorlik in stand gehou en gemerk word sodat hulle te eniger tyd gevind kan word. Oorlede krygsgevangenes wat van dieselfde moondheid afhanklik was, moet waar moontlik, op dieselfde plek begrawe word.

Oorlede krygsgevangenes moet in individuele grafte begrawe word tensy onvermydelike omstandighede die gebruik van gesamentlike grafte vereis. Liggame mag net om gebiedend noodsaaklike gesondheidsredes, as gevolg van die oorledene se geloof of ooreenkomstig sy uitdruklike begeerte te dien effekte, veras word. In die geval van verassing moet die feit vermeld en die redes daarvoor in die oorledene se sterfetsertifikaat aangegee word.

Alle besonderhede ten opsigte van begrawings en grafte moet by die Grafregistrasiediens wat deur die Aanhoudingsmoondheid ingestel is, opgeteken word sodat grafte altyd opgespoor kan word. Lyste van grafte en besonderhede van die krygsgevangenes wat in begraafplase en elders begrawe is, moet gestuur word aan die moondheid van wie sodanige krygsgevangenes afhanklik was. Die verantwoordelikheid vir die versorging van hierdie grafte en vir die registers van enige latere verskuiwing van die liggame rus op die moondheid wat die gebied beheer, indien hy 'n party by hierdie Konvensie is. Hierdie bepaling is ook van toepassing op die asse wat, totdat daar ooreenkomstig die begeertes van die tuisland behoorlik daarvoor beskik is, deur die Grafregistrasiediens gehou moet word.

ARTIKEL 121.

Waar die dood of ernstige besering van 'n krygsgevangene werklik of vermoedelik deur 'n wag, 'n ander krygsgevangene of iemand anders veroorsaak is, en ook waar die oorsaak van die dood onbekend is, moet daar onmiddellik 'n amptelike ondersoek deur die Aanhoudingsmoondheid ingestel word. 'n Mededeling ten opsigte hiervan moet onmiddellik aan die Beskermende Moondheid gestuur word. Daar moet verklarings van getuies, veral van dié wat krygsgevangenes is, afgeneem en 'n verslag bevattende sodanige verklarings aan die beskermende moondheid gestuur word.

Indien die ondersoek aanduidings blootlê dat een of meer persone skuldig is, moet die Aanhoudingsmoondheid alle stappe doen om die verantwoordelike persoon of persone te vervolg.

DEEL V.

INLIGTINGSBURO'S EN NOODLENINGS-VERENIGINGS VIR KRYGSGEVANGENES.

ARTIKEL 122.

By die uitbreek van 'n botsing en in alle gevalle van besetting moet elke Party by die botsing 'n amptelike Inligtingsburo instel vir krygsgevangenes wat in sy mag is. Neutrale of nie-oorlogsvoerende moondhede wat binne hul gebied persone ontvang het wat onder een van die kategorieë genoem in artikel 4 ressorteer, moet dieselfde stappe ten opsigte van sodanige persone doen. Die betrokke moondheid moet sorg dat die Inligtingsburo vir Krygsgevangenes van die nodige huisvesting, uitrusting en personeel voorsien word om die doeltreffende werking

its efficient working. It shall be at liberty to employ prisoners of war in such a Bureau under the conditions laid down in the Section of the present Convention dealing with work by prisoners of war.

Within the shortest possible period, each of the Parties to the conflict shall give its Bureau the information referred to in the fourth, fifth and sixth paragraphs of this Article regarding any enemy person belonging to one of the categories referred to in Article 4, who has fallen into its power. Neutral or non-belligerent Powers shall take the same action with regard to persons belonging to such categories whom they have received within their territory.

The Bureau shall immediately forward such information by the most rapid means to the Powers concerned, through the intermediary of the Protecting Powers and likewise of the Central Agency provided for in Article 123.

This information shall make it possible quickly to advise the next of kin concerned. Subject to the provisions of Article 17, the information shall include, in so far as available to the Information Bureau, in respect of each prisoner of war, his surname, first names, rank, army, regimental, personal or serial number, place and full date of birth, indication of the Power on which he depends, first name of the father and maiden name of the mother, name and address of the person to be informed and the address to which correspondence for the prisoner may be sent.

The Information Bureau shall receive from the various departments concerned information regarding transfers, releases, repatriations, escapes, admissions to hospital, and deaths, and shall transmit such information in the manner described in the third paragraph above.

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

The Information Bureau shall also be responsible for replying to all enquiries sent to it concerning prisoners of war, including those who have died in captivity; it will make any enquiries necessary to obtain the information which is asked for if this is not in its possession.

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

The Information Bureau shall furthermore be charged with collecting all personal valuables, including sums in currencies other than that of the Detaining Power and documents of importance to the next of kin, left by prisoners of war who have been repatriated or released, or who have escaped or died, and shall forward the said valuables to the Powers concerned. Such articles shall be sent by the Bureau in sealed packets which shall be accompanied by statements giving clear and full particulars of the identity of the person to whom the articles belonged, and by a complete list of the contents of the parcel. Other personal effects of such prisoners of war shall be transmitted under arrangements agreed upon between the Parties to the conflict concerned.

ARTICLE 123.

A Central Prisoners of War Information Agency shall be created in a neutral country. The International Committee of the Red Cross shall, if it deems necessary, propose to the Powers concerned the organization of such an Agency.

daarvan te verseker. Dit staan hom vry om kragtens die bepalings van die afdeling van hierdie Konvensie wat oor werk deur krygsgevangenes handel, krygsgevangenes in sodanige buro te gebruik.

Elke party by die botsing moet so spoedig doenlik met betrekking tot enige vyandelike persoon wat onder een van die kategorieë vermeld in artikel 4 ressorteer en in sy mag beland het, dié inligting aan sy buro verstrek waarvan in die vierde, vyfde en sesde paragrawe van hierdie artikel melding gemaak word. Neutrale of nie-oorlogvoerende moondhede moet net so optree ten opsigte van persone wat onder sodanige kategorieë ressorteer en wat hulle in hul gebiede ontvang het.

Die Buro moet sodanige inligting, onmiddellik langs die vinnigste weg aan die betrokke moondhede stuur deur bemiddeling van die Beskermende Moondhede van die Sentrale Buro waarvoor in artikel 123 voorsiening gemaak word.

Dié inligting moet dit moontlik maak om die betrokke naasbestaandes spoedig in kennis te stel. Behoudens die bepalings van artikel 17 moet die inligting ten opsigte van elke krygsgevangene die volgende insluit, vir sover die Inligtingsburo daarvoor beskik, naamlik: sy familienaam, voorname, rang, leër-, regiments-, persoonlike of volgnummer, geboorteplek en volledige geboortedatum, aanduiding van die moondheid van wie hy afhanklik is, voornaam van die vader en nooiensvan van die moeder, naam en adres van die persoon wat in kennis gestel moet word en die adres waarheen korrespondensie vir die gevangene gestuur kan word.

Die Inligtingsburo moet van die verskillende betrokke departemente inligting betreffende verskuiwings, vrylatings, repatriasies, ontsappings, opnemings in die hospitaal en sterfgevälle ontvang en moet sodanige inligting aanstuur op die wyse soos hierbo in die derde paragraaf beskryf.

Insgelyks moet inligting betreffende die gesondheidstoestand van krygsgevangenes wat ernstig siek of ernstig gewond is, gereeld en, indien moontlik, elke week verstrek word.

Die Inligtingsburo is ook verantwoordelik vir die beantwoording van alle navrae wat in verband met krygsgevangenes, met inbegrip van dié wat gedurende gevangenskap oorlede is, aan hom gestuur word; hy sal alle nodige navrae doen ten einde aangevraagde inligting te verkry indien hy nie daarvoor beskik nie.

Alle skriftelike mededelings wat van die Buro uitgaan, moet met 'n handtekening of seël gewaarmerk word.

Die Inligtingsburo is ook belas met die versameling van alle waardevolle persoonlike besittings, met inbegrip van bedrae in ander geld as die van die Aanhoudingsmoondheid, en dokumente van belang vir die naasbestaandes wat agtergelaat is deur krygsgevangenes wat gerepatrieer of vrygelaat is of wat ontsnap het of oorlede is, en hy moet genoemde waardevolle artikels aan die betrokke moondhede stuur. Sulke artikels moet, vergesel van opgawes met duidelike en volledige besonderhede van die identiteit van die persoon aan wie die artikels behoort het, en ook van 'n volledige lys van die inhoud van die pakette versend word. Ander persoonlike besittings van sulke krygsgevangenes moet aangestuur word soos onderling deur die Partye by die botsing ooreengekom.

ARTIKEL 123.

Daar moet 'n Sentrale Agentskap vir Inligting oor Krygsgevangenes in 'n neutrale land ingestel word. Die Internasionale Komitee van die Rooikruis moet, indien hy dit nodig ag, die organisasie van so 'n Agenskap aan die betrokke moondhede voorstel.

The function of the Agency shall be to collect all the information it may obtain through official or private channels respecting prisoners of war, and to transmit it as rapidly as possible to the country of origin of the prisoners of war or to the Power on which they depend. It shall receive from the Parties to the conflict all facilities for effecting such transmissions.

The High Contracting Parties, and in particular those whose nationals benefit by the services of the Central Agency, are requested to give the said Agency the financial aid it may require.

The foregoing provisions shall in no way be interpreted as restricting the humanitarian activities of the International Committee of the Red Cross, or of the relief societies provided for in Article 125.

ARTICLE 124.

The national Information Bureaux and the Central Information Agency shall enjoy free postage for mail, likewise all the exemptions provided for in Article 74, and further, so far as possible, exemption from telegraphic charges or, at least, greatly reduced rates.

ARTICLE 125.

Subject to the measures which the Detaining Powers may consider essential to ensure their security or to meet any other reasonable need, the representatives of religious organizations, relief societies, or any other organization assisting prisoners of war, shall receive from the said Powers, for themselves and their duly accredited agents, all necessary facilities for visiting the prisoners, for distributing relief supplies and material, from any source, intended for religious, educational or recreative purposes, and for assisting them in organizing their leisure time within the camps. Such societies or organizations may be constituted in the territory of the Detaining Power or in any other country, or they may have an international character.

The Detaining Power may limit the number of societies and organizations whose delegates are allowed to carry out their activities in its territory and under its supervision, on condition, however, that such limitation shall not hinder the effective operation of adequate relief to all prisoners of war.

The special position of the International Committee of the Red Cross in this field shall be recognized and respected at all times.

As soon as relief supplies or material intended for the above-mentioned purposes are handed over to prisoners of war, or very shortly afterwards, receipts for each consignment, signed by the prisoners' representative, shall be forwarded to the relief society or organization making the shipment. At the same time, receipts for these consignments shall be supplied by the administrative authorities responsible for guarding the prisoners.

PART VI.

EXECUTION OF THE CONVENTION.

SECTION I.

GENERAL PROVISIONS.

ARTICLE 126.

Representatives or delegates of the Protecting Powers shall have permission to go to all places where prisoners of war may be, particularly to places of internment, imprisonment and labour, and shall have access to all

Die werk van die Buro is om alle inligting te versamel wat hy langs amptelike of private weg in verband met krygsgevangenes kan verkry, en om dit so spoedig moontlik te stuur na die land van herkoms van die krygsgevangenes of aan die moondheid van wie hulle afhanklik is. Die Partye by die botsing moet hom alle geleentheid vir die bekendmaking van dié gegewens bied.

Die Hoë Kontrakterende Partye en veral dié wie se burgers by die dienste van die Sentrale Agentskap baat, word versoek om genoemde Agentskap die geldelike steun te verleen wat hy nodig mag hê.

Voorgaande bepalinge moet geensins vertolk word as 'n inkorting van die humanitêre werksaamhede van die Internasionale Komitee van die Rooikruis of van die hulpverenigings waarvoor in artikel 125, voorsiening gemaak word nie.

ARTIKEL 124.

Die nasionale Inligtingsburo's en die Sentrale Inligtingsagentskap geniet vrystelling van posgeld, al die vrystellings bepaal in artikel 74 en vir sover moontlik, vrystelling van telegraafkoste of minstens veel goedkoper tariewe.

ARTIKEL 125.

Behoudens die maatreëls wat die Aanhoudingsmoondhede vir die versekering van hul veiligheid of vir voorsiening in 'n ander redelike behoefte nodig ag, moet die verteenwoordigers van godsdienstige organisasies, hulpverenigings of ander organisasies wat hulp aan krygsgevangenes verleen, van genoemde moondhede vir hulself en hul behoorlik geakkrediteerde verteenwoordigers alle nodige fasiliteite ontvang om gevangenes te besoek, hulpvoorrade en -materiaal uit te deel wat uit enige bron afkomstig is en vir godsdienstige, opvoedkundige of ontspanningsdoeleindes bestem is, en hulle te help om hul vrye tyd binne die kampe te organiseer. Sulke verenigings of organisasies kan in die Aanhoudingsmoondheid se gebied of in enige ander land ingestel word of hulle kan van internasionale aard wees.

Die Aanhoudingsmoondheid kan 'n beperking stel op die getal verenigings en organisasies wie se afgevaardigdes toegelaat word om hul werksaamhede in sy gebied en onder sy toesig uit te voer, maar sodanige beperking mag nie die doeltreffende besorging van voldoende noodlenigings aan alle krygsgevangenes belemmer nie.

Die besondere posisie van die Internasionale Komitee van die Rooikruis op hierdie gebied moet te alle tyd erken en geëerbiedig word.

Sodra hulpvoorrade of -materiaal wat vir bogenoemde doeleindes bestem is, aan krygsgevangenes oorhandig word, of baie kort daarna, moet vir elke besending ontvangsbewyse geteken deur die gevangenes se verteenwoordiger gestuur word aan die hulpvereniging of -organisasie deur wie dit gestuur is. Terselfdertyd moet ontvangsbewyse vir hierdie besendings verstrek word deur die administratiewe owerhede wat vir die bewaking van die gevangenes verantwoordelik is.

DEEL VI.

TOEPASSING VAN DIE KONVENSIE.

AFDELING I.

ALGEMENE BEPALINGS.

ARTIKEL 126.

Verteenwoordigers of afgevaardigdes van die Beskermende Moondhede kan alle plekke besoek waar daar gevangenes is, veral plekke van internering, gevangenhouding en arbeid, en moet toegang hê tot alle persele

premises occupied by prisoners of war; they shall also be allowed to go to the places of departure, passage and arrival of prisoners who are being transferred. They shall be able to interview the prisoners, and in particular the prisoners' representatives, without witnesses, either personally or through an interpreter.

Representatives and delegates of the Protecting Powers shall have full liberty to select the places they wish to visit. The duration and frequency of these visits shall not be restricted. Visits may not be prohibited except for reasons of imperative military necessity, and then only as an exceptional and temporary measure.

The Detaining Power and the Power on which the said prisoners of war depend may agree, if necessary, that compatriots of these prisoners of war be permitted to participate in the visits.

The delegates of the International Committee of the Red Cross shall enjoy the same prerogatives. The appointment of such delegates shall be submitted to the approval of the Power detaining the prisoners of war to be visited.

ARTICLE 127.

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

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

ARTICLE 128.

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

ARTICLE 129.

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

waar krygsgevangenes gehuisves word; hulle moet ook toegelaat word om plekke te besoek wat gebruik word vir die vertrek, deurgang of aankoms van gevangenes wat verskuif word. Hulle kan sonder getuies, hetsy persoonlik of deur bemiddeling van 'n tolk, met die gevangenes en veral met die gevangenes se verteenwoordigers onderhoude voer.

Dit staan verteenwoordigers en afgevaardigdes van die Beskermende Moondhede volkome vry om te kies watter plekke hulle wil besoek. Die duur en frekwensie van hierdie besoeke mag nie beperk word nie. Besoeke mag nie verbied word nie, behalwe om gebiedend noodsaaklike militêre redes en selfs dan slegs as 'n buitengewone en tydelike maatregel.

Die Aanhoudingsmoondheid en die moondheid van wie genoemde krygsgevangenes afhanklik is, kan indien nodig, inwillig dat landgenote van die krygsgevangenes toegelaat word om die besoeke mee te maak.

Die afgevaardigdes van die Internasionale Komitee van die Rooikruis geniet dieselfde voorregte. Die aanstelling van sulke afgevaardigdes is onderworpe aan die goedkeuring van die moondheid wat die krygsgevangenes aanhou wat besoek sal word.

ARTIKEL 127.

Die Hoë Kontrakterende Partye verbied hulle om sowel in vredes- as in oorlogstyd die teks van die huidige Konvensie sover moontlik in hul onderskeie lande bekend te maak en in die besonder om die bestudering daarvan in hul militêre en, indien moontlik, burgerlike leerplanne in te sluit sodat die beginsels daarvan aan al hul gewapende magte en aan die hele bevolking bekendgemaak kan word.

Enige militêre of ander owerheid wat gedurende oorlogstyd verantwoordelikhede ten opsigte van krygsgevangenes dra, moet die teks van hierdie Konvensie in hul besit hê en spesiaal oor die bepalings daarvan ingelig word.

ARTIKEL 128.

Die Hoë Kontrakterende Partye moet die amptelike vertaling van die huidige Konvensie en ook die wette en regulasies wat hulle mag aanneem ten einde die toepassing daarvan te verseker, deur tussenkoms van die Switserse Federale Raad en, gedurende vyandelikhede, deur tussenkoms van die Beskermende Moondhede aan mekaar stuur.

ARTIKEL 129.

Die Hoë Kontrakterende Partye verbind hulle om dié wetgewing af te kondig wat nodig is om voorsiening te maak vir die oplegging van doeltreffende straf aan persone wat enige oplegging van die ernstige oortredings van die huidige Konvensie, soos in die eersvolgende artikel omskryf, begaan of opdrag gee dat sodanige oortredings begaan word.

Elke Hoë Kontrakterende Party is verplig om persone wat, na beweer word, sodanige ernstige oortredings begaan het of opdrag gegee het dat dit begaan word, op te spoor en sodanige persone, sonder inagneming van hul nasionaliteit, voor sy eie hof te daag. Elke Hoë Kontrakterende Party kan ook, indien hy dit verkies, en ooreenkomstig die bepalings van sy eie wetgewing, sodanige persone aan 'n ander betrokke Hoë Kontrakterende Party *prima facie* 'n saak teen sodanige persoon of persone het.

Elke Hoë Kontrakterende Party moet dié maatreëls tref wat nodig is vir die onderdrukking van alle ander dade as die ernstige oortredings wat in die eersvolgende artikel omskryf word, wat strydig met die bepalings van die huidige Konvensie is.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defence, which shall not be less favourable than those provided by Article 105 and those following of the present Convention.

ARTICLE 130.

Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, compelling a prisoner of war to serve in the forces of the hostile Power, or wilfully depriving a prisoner of war of the rights of fair and regular trial prescribed in this Convention.

ARTICLE 131.

No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding Article.

ARTICLE 132.

At the request of a Party to the conflict, an enquiry shall be instituted, in a manner to be decided between the interested Parties, concerning any alleged violation of the Convention.

If agreement has not been reached concerning the procedure for the enquiry, the Parties should agree on the choice of an umpire who will decide upon the procedure to be followed.

Once the violation has been established, the Parties to the conflict shall put an end to it and shall repress it with the least possible delay.

SECTION II.

FINAL PROVISIONS.

ARTICLE 133.

The present Convention is established in English and in French. Both texts are equally authentic.

The Swiss Federal Council shall arrange for official translations of the Convention to be made in the Russian and Spanish languages.

ARTICLE 134.

The present Convention replaces the Convention of July 27, 1929, in relations between the High Contracting Parties.

ARTICLE 135.

In the relations between the Powers which are bound by the Hague Convention respecting the Laws and Customs of War on Land whether that of July 29, 1899, or that of October 18, 1907, and which are parties to the present Convention, this last Convention shall be complementary to Chapter II of the Regulations annexed to the above-mentioned Conventions of the Hague.

ARTICLE 136.

The present Convention, which bears the date of this day, is open to signature until February 12, 1950, in the name of the Powers represented at the Conference which

Onder alle omstandighede moet die beskuldigde persone die waarborge van behoorlike verhoor en verweer geniet, wat nie minder gunstig mag wees nie as dié voorgeskryf by artikel 105 en onderstaande bepalings van hierdie Konvensie voorgeskryf word.

ARTIKEL 130.

Die ernstige oortredings wat in die voorafgaande artikel bedoel word, is dié waarby enigene van die volgende daade betrokke is indien dit gepleeg word teen persone of eiendom wat deur die huidige Konvensie beskerm word: Opsetlike doodslag, marteling of onmenslike behandeling, met inbegrip van biologiese eksperimente, die opsetlike veroorsaking van groot lyding of ernstige liggaamlike besering of benadeling van die gesondheid, 'n krygsgevangene verplig om in die vyandelike Moondheid se Strydmagte diens te doen of opsetlike ontneming van 'n krygsgevangene se aanspraak op die regverdige en behoorlike verhoor wat in hierdie Konvensie voorgeskryf word.

ARTIKEL 131.

Geen Hoë Kontrakterende Party word toegelaat om homself of 'n ander Hoë Kontrakterende Party te onthef van enige aanspreeklikheid wat hy of 'n ander Hoë Kontrakterende Party ten opsigte van die oortredings genoem in die voorafgaande artikel, opgeloop het nie.

ARTIKEL 132.

Op versoek van 'n Party by die botsing, moet daar op 'n manier waaroor die belanghebbende Partye moet besluit, ondersoek ingestel word in verband met enige beweerde skending van die Konvensie.

Indien daar nie oor die prosedure vir die ondersoek ooreengekom kan word nie, moet die Partye ooreenkom oor die keuse van 'n skeidsregter wat dan sal besluit oor die prosedure wat gevolg moet word.

Sodra daar bewys van die skending gelewer is, moet die Partye by die botsing met so min versuim as moontlik 'n einde daaraan maak en dit onderdruk.

AFDELING II.

FINALE BEPALINGS.

ARTIKEL 133.

Die huidige Konvensie word in Engels en in Frans aangegaan. Beide tekste is ewe outentiek.

Die Switserse Federale Raad moet reël vir amptelike vertaling van die Konvensie in die Russiese en die Spaanse Taal.

ARTIKEL 134.

Hierdie Konvensie vervang die Konvensie van 27 Julie 1929 in betrekkinge tussen die Hoë Kontrakterende Partye.

ARTIKEL 135.

In die betrekkinge tussen die moondhede wat deur die Haagse Konvensie betreffende die Wette en Gebruike van Landoorlog, ongeag of dit die verdrag van 29 Julie 1899 of dié van 18 Oktober 1907 is, gebind en partye hy hierdie Konvensie is, dien laasgenoemde Konvensie as aanvulling van Hoofstuk II van die regulasie wat by bogenoemde Haagse Konvensies aangeheg is.

ARTIKEL 136.

Die huidige Konvensie, wat vandag se datum dra, is tot 12 Februarie 1950 beskikbaar vir ondertekening in die naam van die Moondhede wat verteenwoordig is in die konferensie wat op 21 April 1949 in Genève geopen is;

opened at Geneva on April 21, 1949; furthermore, by Powers not represented at that Conference, but which are parties to the Convention of July 27, 1929.

ARTICLE 137.

The present Convention shall be ratified as soon as possible and the ratifications shall be deposited at Berne.

A record shall be drawn up of the deposit of each instrument of ratification and certified copies of this record shall be transmitted by the Swiss Federal Council to all the Powers in whose name the Convention has been signed, or whose accession has been notified.

ARTICLE 138.

The present Convention shall come into force six months after not less than two instruments of ratification have been deposited.

Thereafter, it shall come into force for each High Contracting Party six months after the deposit of the instrument of ratification.

ARTICLE 139.

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

ARTICLE 140.

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

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

ARTICLE 141.

The situations provided for in Articles 2 and 3 shall give immediate effect to ratifications deposited and accessions notified by the Parties to the conflict before or after the beginning of hostilities or occupation. The Swiss Federal Council shall communicate by the quickest method any ratifications or accessions received from Parties to the conflict.

ARTICLE 142.

Each of the High Contracting Parties shall be at liberty to denounce the present Convention.

The denunciation shall be notified in writing to the Swiss Federal Council, which shall transmit it to the Governments of all the High Contracting Parties.

The denunciation shall take effect one year after the notification thereof has been made to the Swiss Federal Council. However, a denunciation of which notification has been made at a time when the denouncing Power is involved in a conflict shall not take effect until peace has been concluded, and until after operations connected with release and repatriation of the persons protected by the present Convention have been terminated. The denunciation shall have effect only in respect of the denouncing Power. It shall in no way impair the obligations which the Parties to the conflict shall remain bound to fulfil by virtue of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity and the dictates of the public conscience.

daarbenewens deur moondhede wat nie op daardie konferensie verteenwoordig was nie, maar wat partye by die Konvensie van 27 Julie 1929 is.

ARTIKEL 137.

Die huidige Konvensie moet sodra moontlik bekragtig word, en die bekragtignings moet te Berne gedeponeer word.

Daar moet 'n register opgestel word van die deponering van elke bekragtigningsdokument en gesertifiseerde kopieë van hierdie register moet deur die Switserse Federale Raad gestuur word aan al die Moondhede in wie se naam die Konvensie onderteken is of van wie se toetrede tot die Konvensie daar kennis gegee is.

ARTIKEL 138.

Die huidige Konvensie tree in werking ses maande nadat minstens twee bekragtigningsdokumente gedeponeer is.

Daarna word dit vir elke Hoë Kontrakterende Party van krag ses maande na die deponering van die bekragtigningsdokument.

ARTIKEL 139.

Vanaf die datum waarop die huidige Konvensie in werking tree, staan dit enige Moondheid in wie se naam die huidige Konvensie nie onderteken is nie, vry om tot hierdie Konvensie toe te tree.

ARTIKEL 140.

Toetredings moet skriftelik aan die Switserse Federale Raad bekendgemaak word en tree in werking ses maande na die datum waarop dit ontvang is.

Die Switserse Federale Raad moet al die Moondhede in wie se naam die Konvensie onderteken is of van wie se toetrede daar kennis gegee is, van sodanige toetrede verwittig.

ARTIKEL 141.

Die toestande wat in artikels 2 en 3 bedoel word, maak die bekragtignings wat gedeponeer en die toetredings waarvan die Partye by die botsing kennis gegee het voor of na die begin van vyandelikhede of besettings, onmiddellik van krag. Die Switserse Federale Raad moet op die vinnigste manier kennis gee van alle bekragtignings of toetredings wat van die Partye by die botsing ontvang word.

ARTIKEL 142.

Dit staan elkeen van die Hoë Kontrakterende Partye vry om die huidige Konvensie op te sê.

Daar moet skriftelik van die opsegging kennis gegee word aan die Switserse Federale Raad, wat dit aan die Regerings van al die Hoë Kontrakterende Partye moet deurstuur.

Die opsegging word van krag een jaar nadat kennis daarvan aan die Switserse Federale Raad gegee is. 'n Opsegging waarvan daar egter kennis gegee is terwyl die opseggende Moondheid in 'n botsing betrokke is, word nie van krag nie totdat daar vrede gesluit is en totdat die werksaamhede in verband met die vrylating en repatriasie van die persone wat deur die huidige Konvensie beskerm word, beëindig is.

Die opsegging is slegs ten opsigte van die opseggende Moondheid van krag. Dit verswak geensins die verpligtings wat die Partye by die botsing steeds moet nakom uit hoofde van die beginsels van die Volkereg soos dit voortvloei uit die gevestigde gebruike onder beskaafde volke, uit die wette van die mensheid en die stem van die openbare gewete nie.

ARTICLE 143.

The Swiss Federal Council shall register the present Convention with the Secretariat of the United Nations. The Swiss Federal Council shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to the present Convention.

IN WITNESS WHEREOF the undersigned, having deposited their respective full powers, have signed the present Convention.

DONE at Geneva this twelfth day of August, 1949, in the English and French languages. The original shall be deposited in the Archives of the Swiss Confederation. The Swiss Federal Council shall transmit certified copies thereof to each of the signatory and acceding States.

(The signatures of the Plenipotentiaries follow.)

ANNEX I.

MODEL AGREEMENT CONCERNING DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES OF WOUNDED AND SICK PRISONERS OF WAR.

(See Article 110.)

I. PRINCIPLES FOR DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES.

A. DIRECT REPATRIATION.

The following shall be repatriated direct:

(1) All prisoners of war suffering from the following disabilities as the result of trauma: loss of a limb, paralysis, articular or other disabilities, when this disability is at least the loss of a hand or a foot, or the equivalent of the loss of a hand or a foot.

Without prejudice to a more generous interpretation, the following shall be considered as equivalent to the loss of a hand or a foot:

(a) Loss of a hand or of all the fingers, or of the thumb and forefinger of one hand; loss of a foot, or of all the toes and metatarsals of one foot.

(b) Ankylosis, loss of osseous tissue, cicatricial contracture preventing the functioning of one of the large articulations or of all the digital joints of one hand.

(c) Pseudarthrosis of the long bones.

(d) Deformities due to fracture or other injury which seriously interfere with function and weight-bearing power.

(2) All wounded prisoners of war whose condition has become chronic, to the extent that prognosis appears to exclude recovery—in spite of treatment—within one year from the date of the injury, as, for example, in case of:

(a) projectile in the heart, even if the Mixed Medical Commission should fail, at the time of their examination, to detect any serious disorders;

(b) metallic splinter in the brain or the lungs, even if the Mixed Medical Commission cannot, at the time of examination, detect any local or general reaction;

ARTIKEL 143.

Die Switserse Federale Raad moet die huidige Konvensie by die Sekretariaat van die Verenigde Nasies registreer. Die Switserse Federale Raad moet die Sekretariaat van die Verenigde Nasies ook verwittig van alle bekrachtigings, toetredings en opseggings wat hy ten opsigte van die huidige Konvensie ontvang.

TEN BEWYSE WAARVAN die ondergetekendes, na deponering van hul onderskeie volmagte, die huidige Konvensie onderteken het.

ALDUS GEDOEN te Genève op hede die twaalfde dag van Augustus 1949 in die Engelse en die Franse taal. Die oorspronklike moet in die argief van die Switserse Konfederasie gedeponeer word. Die Switserse Federale Raad moet gesertifiseerde kopieë daarvan stuur aan elke Staat wat die Konvensie onderteken en daartoe toetree.

(Hierna volg die handtekening van die Gevolmagtigdes.)

AANHANGSEL I.

MODELOOREENKOMS BETREFFENDE REGSTREEKSE REPATRIASIE EN HUISVESTING IN NEUTRALE LANDE VAN GEWONDE EN SIEK KRYGSGEVANGENES.

(Kyk artikel 110.)

I. BEGINSELS VIR REGSTREEKSE REPATRIASIE EN HUISVESTING IN NEUTRALE LANDE.

A. REGSTREEKSE REPATRIASIE.

Die volgende persone moet regstreeks gerepatrieer word:

(1) Alle krygsgevangenes wat as gevolg van besering aan die volgende belemmerings ly, naamlik verlies van 'n arm of been, verlamming, gewrigs- en ander belemmerings vir sover sodanige belemmering minstens uit die verlies van 'n hand of 'n voet of die ekwivalent van sodanige verlies bestaan.

Sonder om aan 'n gunstiger vertolking afbreuk te doen, word die volgende as gelykstaande met die verlies van 'n hand of 'n voet beskou:

(a) Verlies van 'n hand, of van al die vingers of van die duim en voorvinger van een hand; verlies van 'n voet, of van al die tone en middelvoetbene van een voet;

(b) gewrigsvergroeiing, verlies van beenweefsels, littekenverkorting wat die werking van een van die groot gewrigte of van al die vingergewrigte van een hand verhinder;

(c) pseudoartrose van die pypbene;

(d) vervorming as gevolg van breuke of ander beserings wat werking en gewigdraende krag ernstig belemmer.

(2) Alle gewonde krygsgevangenes wie se toestand so chronies geword het dat die prognose blykbaar ten spyte van behandeling—herstel binne 'n jaar na die datum van besering uitsluit, soos byvoorbeeld in die geval van—

(a) 'n projektiel in die hart, selfs al sou die Gemengde Mediese Kommissie ten tyde van hul ondersoek geen ernstige steurings vind nie;

(b) 'n metaalskerf in die brein of longe, selfs al kan die Gemengde Mediese Kommissie nie ten tyde van die ondersoek enige plaaslike of algemene reaksie ontdek nie;

(c) osteomyelitis, when recovery cannot be foreseen in the course of the year following the injury, and which seems likely to result in ankylosis of a joint, or other impairments equivalent to the loss of a hand or a foot;

(d) perforating and suppurating injury to the large joints.

(e) injury to the skull, with loss or shifting of bony tissue;

(f) injury or burning of the face with loss of tissue and functional lesions;

(g) injury to the spinal cord;

(h) lesion of the peripheral nerves, the sequelae of which are equivalent to the loss of a hand or foot, and the cure of which requires more than a year from the date of injury, for example: injury to the brachial or lumbosacral plexus median or sciatic nerves, likewise combined injury to the radial and cubital nerves or to the lateral popliteal nerve (N. peroneus communis) and medial popliteal nerve (N. tibialis); etc. The separate injury of the radial (musculospiral), cubital, lateral or medial popliteal nerves shall not, however, warrant repatriation except in case of contractures or of serious neurotrophic disturbance.

(i) injury to the urinary system, with incapacitating results.

(3) All sick prisoners of war whose condition has become chronic to the extent that prognosis seems to exclude recovery—in spite of treatment—within one year from the inception of the disease, as, for example, in case of:

(a) Progressive tuberculosis of any organ which, according to medical prognosis, cannot be cured or at least considerably improved by treatment in a neutral country.

(b) Exudate pleurisy.

(c) Serious diseases of the respiratory organs of non-tubercular etiology, presumed incurable, for example: serious pulmonary emphysema, with or without bronchitis; chronic asthma*; chronic bronchitis* lasting more than one year in captivity; bronchiectasis*; etc.

(d) Serious chronic affections of the circulatory system, for example: valvular lesions and myocarditis*, which have shown signs of circulatory failure during captivity, even though the Mixed Medical Commission cannot detect any such signs at the time of examination; affections of the pericardium and the vessels (Buerger's disease, aneurisms of the large vessels); etc.

(e) Serious chronic affections of the digestive organs, for example: gastric or duodenal ulcer; sequelae of gastric operations performed in captivity; chronic gastritis, enteritis or colitis, having lasted more than one year and seriously affecting the general condition; cirrhosis of the liver; chronic cholecystopathy*; etc.

(f) Serious chronic affections of the genito-urinary organs, for example: chronic diseases of the kidney with consequent disorders; nephrectomy because of

(c) beenmurgontsteking, waar herstel nie binne 'n jaar na die besering verwag kan word nie en wat lyk of dit waarskynlik sal lei tot gewrigsvergroeiing of ander belemmerings wat met die verlies van 'n hand of 'n voet gelykstaan;

(d) deurborende en etterende beserings van die groot gewrigte;

(e) besering van die skedel, met verlies of verskuiwing van beenweefsels;

(f) besering of verbranding van die gesig, met verlies van weefsel en funksionele letsels;

(g) besering van die rugmurg;

(h) letsel van die periferiese senuwees waarvan die gevolge met die verlies van 'n hand of 'n voet gelykstaan en waarvan die genesing meer as 'n jaar na die datum van besering vereis, byvoorbeeld besering van die boarm- of lumbosakrale senuweevlegsel, middel- of heupsenuwees en ook saamgestelde besering van die speekbeen- en onderarmsenuwees of van die laterale kniekuilsenuwees (N. peroneus communis) en binnewaartse kniekuilsenuwees (N. tibialis), ens. Die afsonderlike besering van die speekbeen- (muskulospirale), onderarm-, laterale of binnewaartse kniekuilsenuwees regverdig egter nie repatriasie nie behalwe in die geval van verkortings of van ernstige neurotrofiese steuring.

(i) Besering van die urinêre stelsel wat ongeskiktheid veroorsaak.

(3) Alle siek krygsgevangenes wie se toestand so chronies geword het dat die prognose blykbaar—ten spyte van behandeling—herstel binne 'n jaar met ingang van die aanvang van die siekte uitsluit, soos byvoorbeeld in die geval van—

(a) toenemende tuberkulose van enige orgaan wat, volgens mediese prognose, nie genees of minstens deur behandeling in 'n neutrale land aansienlik verbeter kan word nie;

(b) borsvliesontsteking met afskeiding;

(c) ernstige siektes van die asemhalingsorgane van nie-teringagtige etiologie wat as ongeneeslik beskou word, byvoorbeeld: ernstige longemfiseem, met of sonder brongitis; chroniese asma (*); chroniese bronchitis (*) wat meer as 'n jaar in gevangenskap duur; lugpypverwydering (*); ens.

(d) ernstige chroniese aandoenings van die bloedsomloopstelsel, byvoorbeeld: klepletsels en hartspierontsteking (*), wat gedurende gevangenskap op storting van die bloedsomloop gedui het, alhoewel die Gemengde Mediese Kommissie geensins ten tyde van die ondersoek sulke tekens kan ontdek nie; aandoenings van die hartsak en die vate (Buerger se siekte, aneurisme van die groot vate); ens.

(e) ernstige chroniese aandoenings van die spysverteringsorgane, byvoorbeeld: maag- of duodenale sere; die gevolge van maagoperasies wat gedurende gevangenskap uitgevoer word; chroniese maagontsteking, dermontsteking of dikdermontsteking wat reeds langer as 'n jaar duur en die algemene toestand ernstig aantast; verskrompelde lewer, chroniese galblaas-siekte (*), ens.

(f) ernstige chroniese aandoenings van die urogenitale organe, byvoorbeeld: chroniese niersiektes met ongesteldhede wat daaruit voortspruit; nefrektomie as gevolg van 'n toringagtige nier; chroniese nierbekken-

* The decision of the Mixed Medical Commission shall be based to a great extent on the records kept by camp physicians and surgeons of the same nationality as the prisoners of war, or on an examination by medical specialists of the Detaining Power.

* Die Gemengde Mediese Kommissie moet sy beslissing in 'n groot mate grond op die registers bygehou deur kampgeneesher en -chirurge van dieselfde nasionaliteit as die krygsgevangenes byhou, of op 'n ondersoek deur mediese spesialiste van die Aanhoudingsmoondheid.

a tubercular kidney; chronic pyelitis or chronic cystitis; hydronephrosis or pyonephrosis; chronic grave gynaecological conditions; normal pregnancy and obstetrical disorder, where it is impossible to accommodate in a neutral country; etc.

(g) Serious chronic diseases of the central and peripheral nervous system, for example: all obvious psychoses and psychoneuroses, such as serious hysteria, serious captivity psychoneurosis, etc., duly verified by a specialist*; any epilepsy duly verified by the camp physician*; cerebral arteriosclerosis; chronic neuritis lasting more than one year; etc.

(h) Serious chronic diseases of the neuro-vegetative system, with considerable diminution of mental or physical fitness, noticeable loss of weight and general asthenia.

(i) Blindness of both eyes, or of one eye when the vision of the other is less than 1 in spite of the use of corrective glasses, diminution of visual acuity in cases where it is impossible to restore it by correction to an acuity of $\frac{1}{2}$ in at least one eye*; other grave ocular affections, for example: glaucoma, iritis, choroiditis; trachoma; etc.

(k) Auditive disorders, such as total unilateral deafness, if the other ear does not discern the ordinary spoken word at a distance of one metre*; etc.

(l) Serious affections of metabolism, for example: diabetes mellitus requiring insulin treatment; etc.

(m) Serious disorders of the endocrine glands, for example: thyrotoxicosis; hypothyrosis; Addison's disease; Simmonds' cachexia; tetany; etc.

(n) Grave and chronic disorders of the blood-forming organs.

(o) Serious cases of chronic intoxication, for example: lead poisoning, mercury poisoning, morphinism, cocaineism, alcoholism; gas or radiation poisoning, etc.

(p) Chronic affections of locomotion, with obvious functional disorders, for example: arthritis deformans; primary and secondary progressive chronic polyarthritis; rheumatism with serious clinical symptoms; etc.

(q) Serious chronic skin diseases, not amenable to treatment.

(r) Any malignant growth.

(s) Serious chronic infectious diseases, persisting for one year after their inception, for example; malaria with decided organic impairment, amoebic or bacillary dysentery with grave disorders; tertiary visceral syphilis resistant to treatment; leprosy; etc.

(t) Serious avitaminosis or serious inanition.

B. ACCOMMODATION IN NEUTRAL COUNTRIES.

The following shall be eligible for accommodation in a neutral country:

(1) All wounded prisoners of war who are not likely to recover in captivity, but who might be cured or whose condition might be considerably improved by accommodation in a neutral country.

*The decision of the Mixed Medical Commission shall be based to a great extent on the records kept by camp physicians and surgeons of the same nationality as the prisoners of war, or on an examination by medical specialists of the Detaining Power.

ontsteking of chroniese blaasontsteking; watniet of nierettersak; chroniese ernstige ginekologiese toestande; normale swangerskap- en verloskundige steuring waar daar nie in 'n neutrale land vir sulke gevalle akkommodasie is nie; ens.

(g) ernstige chroniese siektes van die sentrale en perifere senustelsel, byvoorbeeld: alle duidelike psigosies en psigoneuroses soos ernstige histerie, ernstige gevangenskapspsigoneurose, ens, wat behoorlik deur 'n spesialis (*) bevestig is; epilepsie wat behoorlik deur 'n kampgeneesheer (*) bevestig is; harsingslagaarverharding; chroniese senuweeontsteking wat langer as 'n jaar duur; ens.

(h) ernstige chroniese siektes van die neurovegetatiewe stelsel, met aansienlike afname in verstandelike of liggaamlike fiksheid, merkbare gewigsverlies en algemene swakheid;

(i) blindheid van beide oë, of van een oog waar die gesigsvermoë van die ander een, ondanks die gebruik van 'n korrektiewe bril, minder as 1 is; vermindering van gesigskerpheid in gevalle waar dit onmoontlik is om dit deur korreksie tot 'n skerpheid van $\frac{1}{2}$ in minstens een oog te herstel (*) ander ernstige oogandoenings, byvoorbeeld: glaukoom, reënboogvliesontsteking, voorvatvliesontsteking; tragoom, ens.

(k) gehoorsteurings, soos totale eensydige doofheid, indien die ander oor nie die gewone gesproke woord op 'n afstand van 1 meter kan herken nie, ens.

(l) ernstige aantastings van die metabolisme, byvoorbeeld suikersiekte wat insulienbehandeling vereis, ens.

(m) ernstige aandoenings van die buislose kliere, byvoorbeeld: skildkliervergiftiging; skildkliergebrek; Addison se siekte; Simmond se uittering; rukkramp; ens.

(n) ernstige chroniese ongesteldhede van die bloedvormende organe;

(o) ernstige gevalle van chroniese vergiftiging, byvoorbeeld: loodvergiftiging, kwikvergiftiging, morfisme, kokaïenverslaaftheid, alkoholisme, gas- of straalvergiftiging; ens.

(p) chroniese aantasting van die vermoë om voort te beweeg met duidelike funksionele storings, byvoorbeeld: misvormende gewrigsontsteking; primêre en sekondêre toenemende chroniese uitgebreide gewrigsontsteking; rumatiek met ernstige kliniese simptome; ens.

(q) ernstige chroniese velsiektes wat nie vir behandeling vatbaar is nie;

(r) enige kwaadaardige gewas;

(s) ernstige chroniese aansteeklike siektes wat langer as 'n jaar ná die aanvang daarvan aanhou, byvoorbeeld: malaria met definitiewe organiese belemmering, amebe- of basillêre disenterie met ernstige ongesteldhede; tersiêre ingewandsifilis wat weerstand bied teen behandeling; melaatsheid; ens.

(t) ernstige vitamiengebrek of ernstige uitputting.

B. HUISVESTING IN NEUTRALE LANDE.

Die volgende persone kom vir huisvesting in neutrale lande in aanmerking:

(1) Alle gewonde krygsgevangenes wat waarskynlik nie in gevangenskap sal herstel nie maar wat straks genees kan word of wie se toestand straks aansienlik sal verbeter as hulle in 'n neutrale land gehuisves sou word.

* Die Gemengde Mediese Kommissie moet sy beslissing in 'n groot mate grond op die registers bygehou deur kampgeneesheer en -chirurge van dieselfde nasionaliteit as die krygsgevangenes byhou, of op 'n ondersoek deur mediese spesialiste van die Aanhoudingsmoondheid.

(2) Prisoners of war suffering from any form of tuberculosis, of whatever organ, and whose treatment in a neutral country would be likely to lead to recovery or at least to considerable improvement, with the exception of primary tuberculosis cured before captivity.

(3) Prisoners of war suffering from affections requiring treatment of the respiratory, circulatory, digestive, nervous sensory, genito-urinary, cutaneous, locomotive organs, etc., if such treatment would clearly have better results in a neutral country than in captivity.

(4) Prisoners of war who have undergone a nephrectomy in captivity for a non-tubercular renal affection; cases of osteomyelitis, on the way to recovery or latent; diabetes mellitus not requiring insulin treatment; etc.

(5) Prisoners of war suffering from war or captivity neuroses.

Cases of captivity neurosis which are not cured after three months of accommodation in a neutral country, or which after that length of time are not clearly on the way to complete cure, shall be repatriated.

(6) All prisoners of war suffering from chronic intoxication (gases, metals, alkaloids, etc.), for whom the prospects of cure in a neutral country are especially favourable.

(7) All women prisoners of war who are pregnant or mothers with infants and small children.

The following cases shall not be eligible for accommodation in a neutral country:

(1) All duly verified chronic psychoses.

(2) All organic or functional nervous affections considered to be incurable.

(3) All contagious diseases during the period in which they are transmissible, with the exception of tuberculosis.

II. GENERAL OBSERVATIONS.

(1) The conditions given shall, in a general way, be interpreted and applied in as broad a spirit as possible.

Neuropathic and psychopathic conditions caused by war or captivity, as well as cases of tuberculosis in all stages, shall above all benefit by such liberal interpretation. Prisoners of war who have sustained several wounds, none of which, considered by itself, justifies repatriation, shall be examined in the same spirit, with due regard for the psychic traumatism due to the number of their wounds.

(2) All unquestionable cases giving the right to direct repatriation (amputation; total blindness or deafness, open pulmonary tuberculosis, mental disorder, malignant growth, etc.) shall be examined and repatriated as soon as possible by the camp physicians or by military medical commissions appointed by the Detaining Power.

(3) Injuries and diseases which existed before the war and which have not become worse, as well as war injuries which have not prevented subsequent military service, shall not entitle to direct repatriation.

(4) The provisions of this Annex shall be interpreted and applied in a similar manner in all countries party to the conflict. The Powers and authorities concerned shall grant to Mixed Medical Commissions all the facilities necessary for the accomplishment of their task.

(2) Krygsgevangenes wat aan enige vorm van tuberkulose van watter orgaan ook al ly en wie se behandeling in 'n neutrale land waarskynlik hul herstel of altans aansienlike verbetering sal bewerkstellig, met uitsondering van primêre tuberkulose wat vóór gevangenskap genees is.

(3) Krygsgevangenes wat aan aandoenings ly wat behandeling van die asemhalings-, bloedsomloop-, spysverterings-, senuwee-, gevoels-, genito-urinêre, huid- of bewegingsorgane, ens, vereis, mits sodanige behandeling ongetwyfeld met beter gevolg in 'n neutrale land as in gevangenskap toegepas sal kan word.

(4) Krygsgevangenes wat in gevangenskap nefrektomie vir 'n nie-teringagtige nieraandoening ondergaan het, gevalle van beenmurgontsteking wat aan die genees of latent is; suikersiekte wat nie insulienbehandeling vereis nie; ens.

(5) Krygsgevangenes wat aan oorlogs- of gevangenskapneurose ly.

Gevalle van gevangenskapsneurose wat nie ná drie maande in 'n neutrale land genees het nie of wat ná genoemde tydperk nie duidelik op algehele herstel afstuur nie, moet gerepatriceer word.

(6) Alle krygsgevangenes wat aan chroniese vergiftiging (gasse, metale, alkaloïde, ens) ly en vir wie die vooruitsigte op herstel in 'n neutrale land besonder gunstig is;

(7) Alle vroulike krygsgevangenes wat swanger is of moeders met babas en klein kindertjies.

Die volgende gevalle kom nie vir huisvesting in neutrale lande in aanmerking nie:

(1) Lyers aan behoorlik vasgestelde chroniese psigoses.

(2) Lyers aan organiese of funksionele senu-aandoenings wat as ongeneeslik beskou word.

(3) Lyers aan aansteeklike siektes gedurende die tydperk wanneer dié oordraagbaar is, met uitsondering van tuberkulose.

II. ALGEMENE OPMERKINGS.

(1) Die gestelde voorwaardes moet in die algemeen so ruim moontlik vertolk en toegepas word.

Liers aan neuropatiese en psigopatiese toestande wat deur oorlog of gevangenskap veroorsaak is en ook teringliers in alle stadiums moet in die besonder by sodanige vrye vertolking baat. Krygsgevangenes met verskeie wonde waarvan nie een op sigself repatriasie regverdig nie, moet in dieselfde gees en met behoorlike inagneming van die psigiese letsel as gevolg van die getal van hul wonde beoordeel word.

(2) Alle onbetwisbare gevalle wat die reg op regstreekse repatriasie verleen (amputasie, algehele blindheid of doofheid, oop longtering, geestessteuring, kwaadaardige gewasse ens.) moet so spoedig moontlik deur die kampgeneeshere of deur militêre mediese kommissies wat deur die Aanhoudingsmoondheid aangestel is, ondersoek en gerepatriceer word.

(3) Baserings en siektes wat voor die oorlog bestaan het en wat nog nie erger geword het nie, en ook oorlogsbaserings wat nie latere militêre diens verhinder het nie, verleen nie reg op regstreekse repatriasie nie.

(4) Die bepalings van hierdie aanhangsel moet in alle lande wat partye by die botsing is, eenders vertolk en toegepas word. Die betrokke moondhede en owerhede moet die Gemengde Mediese Kommissies al die nodige fasiliteite vir die uitvoering van hul taak verleen.

(5) The examples quoted under (1) above represent only typical cases. Cases which do not correspond exactly to these provisions shall be judged in the spirit of the provisions of Article 110 of the present Convention, and of the principles embodied in the present Agreement.

ANNEX II.

REGULATIONS CONCERNING MIXED MEDICAL COMMISSIONS.

(See Article 112.)

ARTICLE 1.

The Mixed Medical Commissions provided for in Article 112 of the Convention shall be composed of three members, two of whom shall belong to a neutral country, the third being appointed by the Detaining Power. One of the neutral members shall take the chair.

ARTICLE 2.

The two neutral members shall be appointed by the International Committee of the Red Cross, acting in agreement with the Protecting Power, at the request of the Detaining Power. They may be domiciled either in their country of origin, in any other neutral country, or in the territory of the Detaining Power.

ARTICLE 3.

The neutral members shall be approved by the Parties to the conflict concerned, who shall notify their approval to the International Committee of the Red Cross and to the Protecting Power. Upon such notification, the neutral members shall be considered as effectively appointed.

ARTICLE 4.

Deputy members shall also be appointed in sufficient number to replace the regular members in case of need. They shall be appointed at the same time as the regular members or, at least, as soon as possible.

ARTICLE 5.

If for any reason the International Committee of the Red Cross cannot arrange for the appointment of the neutral members, this shall be done by the Power protecting the interests of the prisoners of war to be examined.

ARTICLE 6.

So far as possible, one of the two neutral members shall be a surgeon and the other a physician.

ARTICLE 7.

The neutral members shall be entirely independent of the Parties to the conflict, which shall grant them all facilities in the accomplishment of their duties.

ARTICLE 8.

By agreement with the Detaining Power, the International Committee of the Red Cross, when making the appointments provided for in Articles 2 and 4 of the present Regulations, shall settle the terms of service of the nominees.

ARTICLE 9.

The Mixed Medical Commissions shall begin their work as soon as possible after the neutral members have been approved, and in any case within a period of three months from the date of such approval.

(5) Die voorbeelde hierbo in (1) genoem, verteenwoordig net tipiese gevalle. Gevalle wat nie presies met hierdie bepalings ooreenstem nie, moet in die gees van die bepalings van artikel 110 van hierdie Konvensie en van die beginsels beliggaam in hierdie ooreenkoms beoordeel word.

AANHANGSEL II.

REGULASIES BETREFFENDE GEMENGDE MEDIESE KOMMISSIES.

(Kyk artikel 112.)

ARTIKEL 1.

Die Gemengde Mediese Kommissies waarvoor in artikel 112 van die Konvensie voorsiening gemaak word, moet bestaan uit drie lede, van wie twee tot 'n neutrale land behoort en die derde deur die Aanhoudingsmoondheid aangestel is. Een van die neutrale lede moet as voorsitter optree.

ARTIKEL 2.

Die twee neutrale lede moet deur die Internasionale Komitee van die Rooikruis, handelende met die instemming van die Beskermende Moondheid optree, op versoek van die Aanhoudingsmoondheid aangestel word. Hulle kan of in hul land van herkoms of in 'n ander neutrale land of in die gebied van die Aanhoudingsmoondheid woonagtig wees.

ARTIKEL 3.

Die neutrale lede moet goedgekeur word deur die betrokke Partye by die botsing, wat die Internasionale Komitee van die Rooikruis en die Beskermende Moondheid van hul goedkeuring in kennis moet stel. Na sodanige kennisgewing word die neutrale lede as behoorlik aangestel beskou.

ARTIKEL 4.

Daar moet ook voldoende plaasvervangende lede aangestel word om die gewone lede, indien nodig, te vervang. Hulle moet terselfdertyd as die gereelde lede of altans so gou moontlik aangestel word.

ARTIKEL 5.

Indien die Internasionale Komitee van die Rooikruis om die een of ander rede nie die aanstelling van die neutrale lede kan reël nie, moet dit gedoen word deur die moondheid wat die belange beskerm van die krygsgevangenes wat ondersoek moet word.

ARTIKEL 6.

Sover moontlik moet een van die twee neutrale lede 'n chirurg en die ander 'n geneesheer wees.

ARTIKEL 7.

Die neutrale lede moet heeltemal onafhanklik wees van die Partye by die botsing wat hulle alle fasiliteite vir die nakoming van hul pligte moet verleen.

ARTIKEL 8.

Wanneer die Internasionale Komitee van die Rooikruis die aanstellings doen waarvoor in artikels 2 en 4 van hierdie regulasies voorsiening gemaak word, moet hy die diensvoorwaardes van die benoemdes by ooreenkoms met die Aanhoudingsmoondheid bepaal.

ARTIKEL 9.

Die Gemengde Mediese Kommissies moet so spoedig moontlik na die goedkeuring van die neutrale lede en in elk geval binne drie maande met ingang van die datum van sodanige goedkeuring met hul werk begin.

ARTICLE 10.

The Mixed Medical Commissions shall examine all the prisoners designated in Article 113 of the Convention. They shall propose repatriation, rejection, or reference to a later examination. Their decisions shall be made by a majority vote.

ARTICLE 11.

The decisions made by the Mixed Medical Commissions in each specific case shall be communicated, during the month following their visit, to the Detaining Power, the Protecting Power and the International Committee of the Red Cross. The Mixed Medical Commissions shall also inform each prisoner of war examined of the decision made, and shall issue to those whose repatriation has been proposed, certificates similar to the model appended to the present Convention.

ARTICLE 12.

The Detaining Power shall be required to carry out the decisions of the Mixed Medical Commissions within three months of the time when it receives due notification of such decisions.

ARTICLE 13.

If there is no neutral physician in a country where the services of a Mixed Medical Commission seem to be required, and if it is for any reason impossible to appoint neutral doctors who are resident in another country, the Detaining Power, acting in agreement with the Protecting Power, shall set up a Medical Commission which shall undertake the same duties as a Mixed Medical Commission, subject to the provisions of Articles 1, 2, 3, 4, 5 and 8 of the present Regulations.

ARTICLE 14.

Mixed Medical Commissions shall function permanently and shall visit each camp at intervals of not more than six months.

ANNEX III.

REGULATIONS CONCERNING
COLLECTIVE RELIEF.

(See Article 73.)

ARTICLE 1.

Prisoners' representatives shall be allowed to distribute collective relief shipments for which they are responsible, to all prisoners of war administered by their camp, including those who are in hospitals, or in prisons or other penal establishments.

ARTICLE 2.

The distribution of collective relief shipments shall be effected in accordance with the instructions of the donors and with a plan drawn up by the prisoners' representatives. The issue of medical stores shall, however, be made for preference in agreement with the senior medical officers, and the latter may, in hospitals and infirmaries, waive the said instructions, if the needs of their patients so demand. Within the limits thus defined, the distribution shall always be carried out equitably.

ARTICLE 3.

The said prisoners' representatives or their assistants shall be allowed to go to the points of arrival of relief supplies near their camps, so as to enable the prisoners'

ARTIKEL 10.

Die Gemengde Mediese Kommissies moet al die gevangenes aangedui in artikel 113 van die Konvensie ondersoek. Hulle moet repatriasie, afwysing of verwysing vir latere ondersoek voorstel. Hul beslissings geskied by meerderheidstem.

ARTIKEL 11.

Die beslissings van die Gemengde Mediese Kommissies moet in elke spesifieke geval gedurende die maand ná hul besoek aan die Aanhoudingsmoondheid, die Beskermende Moondheid en die Internasionale Komitee van die Rooikruis meegedeel word. Die Gemengde Mediese Kommissies moet ook elke krygsgevangene wat ondersoek word, van die beslissing verwittig en moet aan diegene wie se repatriasie aanbeveel word, sertifikate soortgelyk aan die voorbeeld geheg aan hierdie Konvensie uitreik.

ARTIKEL 12.

Die Aanhoudingsmoondheid moet die beslissings van die Gemengde Mediese Kommissies uitvoer binne drie maande nadat hy behoorlik daarvan in kennis gestel is.

ARTIKEL 13.

Indien daar geen neutrale geneesheer is in 'n land waar die dienste van 'n Gemengde Mediese Kommissie skynbaar nodig is nie, en indien dit om die een of ander rede onmoontlik is om neutrale dokters aan te stel wat in 'n ander land woon, moet die Aanhoudingsmoondheid met die instemming van die Beskermende Moondheid 'n Mediese Kommissie aanstel wat, behoudens die bepalings van artikel 1, 2, 3, 4, 5 en 8 van hierdie regulasies, dieselfde pligte as dié van 'n Gemengde Mediese Kommissie moet onderneem.

ARTIKEL 14.

Gemengde Mediese Kommissies moet permanent funksioneer en moet elke kamp by tussenpose van hoogstens ses maande besoek.

AANHANGSEL III.

REGULASIES BETREFFENDE GESAMENTLIKE
ONDERSTAND.

(Kyk artikel 73.)

ARTIKEL 1.

Krygsgevangenes se verteenwoordigers word toegelaat om gesamentlike onderstandsbesendings waarvoor hulle verantwoordelik is, onder alle krygsgevangenes te versprei wat deur hul kamp beheer word, met inbegrip van dié wat in hospitale of in gevangenissof of ander strafinrigtings verkeer.

ARTIKEL 2.

Die verspreiding van gesamentlike onderstandsbesendings moet geskied ooreenkomstig die opdragte van die skenkers en 'n plan wat deur die gevangenes se verteenwoordigers opgestel is. Die uitreiking van mediese voorrade moet egter by voorkeur volgens ooreenkoms met die senior mediese offisier geskied en laasgenoemde kan, indien die behoeftes van hul pasiënte dit vereis, in hospitale en siekehuse van genoemde opdragte afwyk. Die verspreiding moet altyd binne die aldus bepaalde perke billik versprei word.

ARTIKEL 3.

Genoemde verteenwoordigers van krygsgevangenes of hul assistente moet toegelaat word om na die plekke waar onderstandsvoorrade naby hul kampe aankom, te gaan

representatives or their assistants to verify the quality as well as the quantity of the goods received, and to make out detailed reports thereon for the donors.

ARTICLE 4.

Prisoners' representatives shall be given the facilities necessary for verifying whether the distribution of collective relief in all subdivisions and annexes of their camps has been carried out in accordance with their instructions.

ARTICLE 5.

Prisoners' representatives shall be allowed to fill up, and cause to be filled up by the prisoners' representatives of labour detachments or by the senior medical officers of infirmaries and hospitals, forms or questionnaires intended for the donors, relating to collective relief supplies (distribution, requirements, quantities, etc.). Such forms and questionnaires, duly completed, shall be forwarded to the donors without delay.

ARTICLE 6.

In order to secure the regular issue of collective relief to the prisoners of war in their camp, and to meet any needs that may arise from the arrival of new contingents of prisoners, prisoners' representatives shall be allowed to build up and maintain adequate reserve stocks of collective relief. For this purpose, they shall have suitable warehouses at their disposal; each warehouse shall be provided with two locks, the prisoners' representative holding the keys of one lock and the camp commander the keys of the other.

ARTICLE 7.

When collective consignments of clothing are available, each prisoner of war shall retain in his possession at least one complete set of clothes. If a prisoner has more than one set of clothes, the prisoners' representative shall be permitted to withdraw excess clothing from those with the largest number of sets, or particular articles in excess of one, if this is necessary in order to supply prisoners who are less well provided. He shall not, however, withdraw second sets of underclothing, socks or footwear, unless this is the only means of providing for prisoners of war with none.

ARTICLE 8.

The High Contracting Parties, and the Detaining Powers in particular, shall authorize, as far as possible and subject to the regulations governing the supply of the population, all purchases of goods made in their territories for the distribution of collective relief to prisoners of war. They shall similarly facilitate the transfer of funds and other financial measures of a technical or administrative nature taken for the purpose of making such purchases.

ARTICLE 9.

The foregoing provisions shall not constitute an obstacle to the right of prisoners of war to receive collective relief before their arrival in a camp or in the course of transfer, nor to the possibility of representatives of the Protecting Power, the International Committee of the Red Cross, or any other body giving assistance to prisoners which may be responsible for the forwarding of such supplies, ensuring the distribution thereof to the addressees by any other means that they may deem useful.

sodat hulle die gehalte en ook die hoeveelheid van die ontvange goedere kan nagaan en uitvoerige verslae daarvoor vir die skenkers kan opstel.

ARTIKEL 4.

Gevangenes se verteenwoordigers moet die nodige fasiliteite verskaf word om vas te stel of die uitdeling van gesamentlike onderstandsvorrade in al die onderafdelings en bygeboue van hul kampe ooreenkomstig hul opdragte uitgevoer is.

ARTIKEL 5.

Gevangenes se verteenwoordigers moet toegelaat word om vorms of vraelyste wat in verband met gesamentlike onderstandsbesendings (uitdeling, benodigdhede, hoeveelhede, ens.) vir die skenkers bestem is, in te vul en deur die gevangenes se verteenwoordigers van arbeidsafdelings of deur senior mediese offisiere van siekehuse en hospitale te laat invul. Sodanige vorms en vraelyste moet behoorlik ingevul en beantwoord en sonder versuim aan die skenkers gestuur word.

ARTIKEL 6.

Ten einde die gereelde uitreiking van gesamentlike onderstandsvorrade aan krygsgevangenes in hul kamp te verseker en in behoeftes te voorsien wat as gevolg van die aankoms van nuwe groepe krygsgevangenes kan ontstaan, moet gevangenes se verteenwoordigers toegelaat word om voldoende reserwes gesamentlike onderstandsvorrade op te bou en te handhaaf. Met dié doel moet hulle oor geskikte pakhuse beskik; elke pakhuis moet toegerus wees met twee slotte, waarvan een se sleutels deur die gevangenes se verteenwoordiger en die ander een se sleutel deur die kampkommandant gehou word.

ARTIKEL 7.

Wanneer gesamentlike besendings klere beskikbaar is, moet elke krygsgevangene minstens een volledige stel klere in sy besit hou. Indien 'n gevangene meer as een stel klere het, kan die gevangenes se verteenwoordiger van diegene met die meeste stelle klere of met meer as een van 'n bepaalde kledingstuk, oortollige klere wegneem indien dit vir minder goed uitgeruste gevangenes nodig is. Hy mag egter nie tweede stelle onderklere, sokkies of skoelise wegneem nie, tensy dit die enigste wyse is waarop krygsgevangenes wat glad niks het nie, van sulke artikels voorsien kan word.

ARTIKEL 8.

Die Hoë Kontrakterende Partye, en veral die Aanhou-dingsmoondheid, moet sover moontlik en behoudens die regulasies betreffende verskaffing van voorraad aan die bevolking alle aankope van goedere vir die uitdeling van gesamentlike onderstandsvorrade onder krygsgevangenes in hul gebiede magtig. Insgelyks moet die oorplasing van fondse en ander geldelike maatreëls van 'n tegniese of administratiewe aard wat vir sodanige aankope getref word, deur hulle vergemaklik word.

ARTIKEL 9.

Bostaande bepalinge belemmer nie die reg van krygsgevangenes om voor hul aankoms in 'n kamp of gedurende verskuiwing gesamentlike onderstandsvorrade te ontvang nie, en ook nie die moontlikheid dat verteenwoordigers van die Beskermerende Moondheid, die Internasionale Komitee van die Rooikruis of enige ander liggaam wat hulp aan krygsgevangenes verleen en vir die stuur van sulke voorrade verantwoordelik is, verseker dat dit aan geadresseerdes uitgedeel word op 'n ander wyse wat hulle nuttig ag nie.

ANNEX IV

A. IDENTITY CARD

(see Article 4)

NOTICE This identity card is issued to persons who accompany the Armed Forces of but are not part of them. The card must be carried at all times by the person to whom it is issued. If the bearer is taken prisoner, he shall at once hand the card to the Detaining Authorities, to assist in his identification.		Fingerprints (optional) (Left forefinger) _____ (Right forefinger) _____		Any other mark of identification		
Official seal imprint	Blood type	Religion				
Height	Weight	Eyes	Hair			
(Name of the country and military authority issuing this card) IDENTITY CARD FOR A PERSON WHO ACCOMPANIES THE ARMED FORCES Name First names Date and place of birth Accompanies the Armed Forces as Date of issue Signature of bearer						

Remarks. — This card should be made out for preference in two or three languages, one of which is in international use. Actual size of the card: 13 by 10 centimetres. It should be folded along the dotted line.

AANHANGSEL IV

A. IDENTIFIKASIEKAART

(Kyk artikel 4)

OPMERKING Hierdie identifikasiekaart word uitgereik aan persone wat die Gewapende Magte van vergesel maar nie 'n deel daarvan uitmaak nie. Die kaart moet te alle tye deur die persoon aan wie dit uitgereik word, gedra word. Indien die houer gevange geneem word moet hy die kaart onmiddellik aan die Aanhoudingsowerheid oorhandig om met sy uitkenning te help.		Vingerafrukke (nie verpligtend nie) Linkervoervinger		Regtervoervinger	Enige ander herkeningsteken.....	
		Bloedtype		Geloof		
Afdruk van amptelike seel	Of	Gewig	Hoogte			
(Naam van die land en militere owerheid wat hierdie kaart uitreik) IDENTIFIKASIEKAART VIR 'N PERSOON WAT DIE GEWAPENDE MAGTE VERGESEL Familienaam..... Voorname..... Geboortedatum en -plek..... Vergesel die Gewapende Magte as..... Datum van uitreiking Handtekening van houer						

Opmerkings.—Hierdie kaart moet liefst gestel word in twee of drie tale, waarvan een internasionaal gebruik word. Werklike grootte van die kaart: 13 by 10 sentimeter. Dit moet op die stippellyn langs gevou word.

ANNEX IV

B. CAPTURE CARD

(see Article 70)

1. Front

PRISONER OF WAR MAIL		Postage free
CAPTURE CARD FOR PRISONER OF WAR		
IMPORTANT This card must be completed by each prisoner immediately after being taken prisoner and each time his address is changed (by reason of transfer to a hospital or to another camp). This card is distinct from the special card which each prisoner is allowed to send to his relatives.	CENTRAL PRISONERS OF WAR AGENCY INTERNATIONAL COMMITTEE OF THE RED CROSS GENEVA SWITZERLAND	

2. Reverse side

Write legibly and in block letters		1. Power on which the prisoner depends	
2. Name	3. First names (in full)	4. First name of father	
5. Date of birth	6. Place of birth		
7. Rank			
8. Service number			
9. Address of next of kin			
*10. Taken prisoner on: (or) Coming from (Camp No., hospital, etc.)			
*11. (a) Good health—(b) Not wounded—(c) Recovered—(d) Convalescent— (e) Sick—(f) Slightly wounded—(g) Seriously wounded.			
12. My present address is: Prisoner No.			
Name of camp			
13. Date		14. Signature	
* Strike out what is not applicable—Do not add any remarks—See explanations overleaf.			

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power. Actual size: 15 by 10.5 centimetres.

AANHANGSEL IV

B. GEVANGENEMINGSKAART

(Kyk artikel 70)

1. Voorkant

<u>KRYGSGEVANGENEPOS</u>		Posvry
GEVANGENEMINGSKAART VIR KRYGSGEVANGENE		
SENTRALE AGENTSKAP VIR KRYGSGEVANGENES INTERNASIONALE KOMITEE VAN DIE ROOIKRUIS GENEVE SWITZERLAND	BELANGRIK Hierdie kaart moet onmiddellik na gevangeneming deur elke gevangene en telkens by adresverandering (as gevolg van verskuiwing na 'n hospi- taal of ander kamp) ingevul word. Hierdie kaart is iets anders as die spesiale kaart wat elke gevangene toegelaat word om aan familie te stuur.	

2. Agterkant

Skryf leesbaar en in blokletters	1. Moondheid van wie die gevangene afhanglik is.....	
2. Familiernaam	3. Voorname (voluit)	4. Voornaam van vader
.....		
5. Geboortedatum.....	6. Geboorteplek.....	
7. Rang.....		
8. Diensnommer.....		
9. Adres van naasbestaande.....		
*10. Gevangene geneem op: (of) Kom van (Kamp No., hospitaal, ens).....		
*11. (a) Goeie gesondheid—(b) Nie gewond nie—(c) Herstel (d) Sterk aan—(e) Siek—(f) Lig gewond—(g) Ernstig gewond—		
12. My huidige adres is: Gevangene No.....		
Naam van kamp.....		
13. Datum..... 14. Handtekening.....		
*Skrap wat nie van toepassing is nie—Moenie opmerkings byvoeg nie—Kyk na verduidelikings agterop.		

Opmerkings.—Hierdie vorm moet gestel word in twee of drie tale, veral in die gevangene se
eie taal en in die van die Aanhoudingsmoondheid. Werklike grootte: 15 by 10,5 sentimeter.

(see Article 71)

I. CARD.

To

Province or Department

Write on the dotted lines only and as legibly as possible.

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power.
Actual size of form: 15 by 10 centimetres.

ANNEX IV
C. CORRESPONDENCE CARD AND LETTER
(see Article 71)

2. LETTER

PRISONER OF WAR MAIL	
Postage free	
To	
Place	
Street	
Country	
Department or Province	
Name and first names	Date and place of birth
Prisoner of War No.	Name of camp
Country where posted	

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power. It should be folded along the dotted line, the tab being inserted in the slit (marked by a line of asterisks); it then has the appearance of an envelope. Overleaf, it is lined like the postcard above (*Annex IV Cr*); this space can contain about 259 words which the prisoner is free to write. Actual size of the folded form: 29 by 15 centimetres.

AANHANGSEL IV

C. KORRESPONDENSIEKAART EN -BRIEF

(Kyk artikel 71)

2. BRIEF

KRYGSGEVANGENEPOS

Posvry

Aan.....

Plek.....

Straat.....

Land.....

Distrik of Provinsie.....

Afsender.....
Familienaam en voorname.....
Geboortedatum en -plek.....
Nommer van Krygsgevangene.....
Naam van Kamp.....
Land waar gepos.....

Opmerkings.—Hierdie vorm moet gestel word in twee of drie tale, veral in die gevangene se eie taal en in die van die Aanhoudingsmoondheid. Dit moet op die stippellyn langs gevou word terwyl die klappie in die gleuf (aangedui deur 'n ry sterretjies) gestee word: dit lyk dan soos 'n koevert. Aan die ander kant is dit soos bostaande poskaart (Aanhangsel IV C 1) getel: hierdie ruimte kan omtrent 250 woorde bevat en dit staan die gevangene vry om dit vol te skryf. Werklike grootte van die gevonde vorm: 29 by 15 sentimeter.

ANNEX IV

D. NOTIFICATION OF DEATH

(see Article 120)

NOTIFICATION OF DEATH	
(Title of responsible authority)	Power on which the prisoner depended
Name and first names	
First name of father	
Place and date of birth	
Place and date of death	
Rank and service number (as given on identity disc)	
Address of next of kin	
Where and when taken prisoner	
Cause and circumstances of death	
Place of burial	
Is the grave marked and can it be found later by the relatives?	
Are the personal effects of the deceased in the keeping of the Detaining Power or are they being forwarded together with this notification?	
If forwarded, through what agency?	
Can the person who cared for the deceased during sickness or during his last moments (doctor, nurse, minister of religion, fellow prisoner) give here or on an attached sheet a short account of the circumstances of the death and burial?	
(Date, seal and signature of responsible authority.)	Signature and address of two witnesses

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power. Actual size of the form: 21 by 30 centimetres.

AANHANGSEL IV

D. STERFTEKENNISGEWING

(Kyk artikel 120)

(Titel van verantwoordelike owerheid)	STERFTEKENNISGEWING
Moondheid van wie die gevangene afhanklik was.....	
Familienaam en voorname.....	
Voorname van vader	.....
Geboorteplek en -datum	.....
Sterfplek en -datum	.....
Rang en diensnommer (soos op identifikasieplaatjie aangegee)	.....
Adres van naasbestaande	.....
Waar en wanneer gevangeneeming plaasgevind het	.....
Oorsaak en omstandighede van dood	.....
Begraafplek	.....
Is die graf gemerk en kan dit later deur familiebetrekkings gevind word?	.....
Is die persoonlike besittings van die oorledene in besit van die Aanhoudingsmoondheid of word dit met hierdie kennisgewing saamgestuur?	.....
Indien dit aangestuur word, deur watter instansie?	.....
Kan die persoon wat gedurende sy siekte of laaste oomblikke vir die oorledene gesorg het (geneesheer, verpleegster, predikant, medekrygsgevangene) hier of op 'n aangehegte vel papier kortliks die omstandighede van die dood en begrafnis vermeld?	.....
(Datum, seel en handtekening van verantwoordelikeowerheid:	Handtekening en adres van twee getuies:
.....	

Opmerkings.—Hierdie vorm moet in twee of drie tale, veral in die krygsgevangene se eie taal en in die van die Aanhoudingsmoondheid, gestel word. Werklike grootte van die vorm: 21 by 30 sentimeter.

ANNEX IV.

E. REPATRIATION CERTIFICATE.

(see Annex 11, Article 11.)

REPATRIATION CERTIFICATE.

Date:
Camp:
Hospital:
Surname:
First names:
Date of birth:
Rank:
Army Number:
P. W. Number:
Injury/Disease:
Decision of the Commission:

Chairman of the
Mixed Medical Commission

A=direct repatriation
B=accommodation in a neutral country
NC=re-examination by next Commission

ANNEX V.

MODEL REGULATIONS CONCERNING PAYMENTS SENT BY PRISONERS TO THEIR OWN COUNTRY.

(see Article 63.)

(1) The notification referred to in the third paragraph of Article 63 will show:

(a) number as specified in Article 17, rank, surname and first names of the prisoner of war who is the payer;

(b) the name and address of the payee in the country of origin;

(c) the amount to be so paid in the currency of the country in which he is detained.

(2) The notification will be signed by the prisoner of war, or his witnessed mark made upon it if he cannot write, and shall be countersigned by the prisoners' representative.

(3) The camp commander will add to this notification a certificate that the prisoner of war concerned has a credit balance of not less than the amount registered as payable.

(4) The notification may be made up in lists, each sheet of such lists being witnessed by the prisoners' representative and certified by the camp commander.

AANHANGSEL IV.

E. REPATRIASIESERTIFIKAAT.

(Kyk Aanhangsel 11, artikel 11.)

REPATRIASIESERTIFIKAAT.

Datum:
Kamp:
Hospitaal:
Familienaam:
Voornaam:
Geboortedatum:
Rang:
Leërnommer:
Krygsgevangenenommer:
Besering/Siekte:
Beslissing van Kommissie:

Voorsitter van die Gemengde
Mediese Kommissie.

A=regstreekse rapatriasie
B=huisvesting in 'n neutrale land
NC=herondersoek deur volgende Kommissie

AANHANGSEL V.

MODELREGULASIES BETREFFENDE GELD WAT GEVANGENES NA HUL EIE LAND STUUR.

(Kyk artikel 63.)

(1) Die mededeling vermeld in die derde paragraaf van artikel 63, sal die volgende verstrek:

(a) Nommer soos bepaal in artikel 17, rang, familie-naam en voorname van die krygsgevangene wat die betaler is;

(b) naam en adres van die persoon in die land van herkoms wat betaal word;

(c) die bedrag wat aldus in die geldsoort van die land waarin hy aangehou word, betaal moet word.

(2) Die mededeling sal deur die krygsgevangene onderteken word, of, indien hy nie kan skryf nie, moet sy geattesteerde merk daarop gemaak word en dit moet deur die gevangenes se verteenwoordiger medeonderteken word.

(3) Die Kampkommandant sal 'n sertifikaat by hierdie mededeling voeg om aan te toon dat die betrokke krygsgevangene oor 'n kreditsaldo beskik van minstens die bedrag wat as betaalbaar aangegee word.

(4) Die mededelings kan opgestel word in die vorm van lysie, waarvan elke bladsy deur die gevangenes se verteenwoordiger as getuie onderteken en deur die Kampkommandant gesertifiseer moet word.

No. R. 752.

3 May 1968.

GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR OF AUGUST 12, 1949.

The undersigned Plenipotentiaries of the Governments represented at the Diplomatic Conference held at Geneva from April 21 to August 12, 1949, for the purpose of establishing a Convention for the Protection of Civilian Persons in Time of War, have agreed as follows:

PART I.

GENERAL PROVISIONS.

ARTICLE 1.

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

ARTICLE 2.

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

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

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof.

ARTICLE 3.

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- (b) taking of hostages;
- (c) outrages upon personal dignity, in particular humiliating and degrading treatment;

No. R. 752.

3 Mei 1968.

DIE GENEEFSE KONVENSIE VAN 12 AUGUSTUS 1949 MET BETREKKING TOT DIE BESKERMING VAN BURGERLIKE PERSONE GEDURENDE TYD VAN OORLOG.

Die ondergetekende Gevolgmagtigdes van die Regeerings wat verteenwoordig is in die Diplomatieke Konvensie wat van 21 April tot 12 Augustus 1949 in Genève gehou is met die doel om 'n Konvensie vir die Beskerming van Burgerlike Persone in Oorlogstyd in die lewe te roep, het soos volg ooreengekom:

DEEL I.

ALGEMENE BEPALINGS.

ARTIKEL 1.

Die Hoë Kontrakterende Partye verbind hulle om die huidige Konvensie onder alle omstandighede te eerbiedig en te verseker dat dit geëerbiedig word.

ARTIKEL 2.

Benewens die bepalinge waaraan daar in vrede tyd uitvoering gegee moet word, is die huidige Konvensie van toepassing op alle gevalle waar daar oorlog verklaar is of waar 'n ander wapenbotsing ontstaan tussen twee of meer van die Hoë Kontrakterende Partye, selfs as een van hulle nie die staat van oorlog erken nie.

Die Konvensie is ook van toepassing op alle gevalle van gedeeltelike of algehele besetting van die gebied van 'n Hoë Kontrakterende Party, selfs as daar geen gewapende weerstand teen genoemde besetting is nie.

Selfs waar een van die Moondhede wat in die botsing betrokke is, nie 'n party by die huidige Konvensie is nie, bly die Moondhede wat partye daarby is, nog in hul onderlinge verhoudings daardeur gebind. Daarbenewens is hulle ten opsigte van genoemde Moondheid deur die Konvensie gebind as laasgenoemde Moondheid die bepalinge daarvan aanvaar en toepas.

ARTIKEL 3.

Ingeval 'n wapenbotsing wat nie van 'n internasionale aard is nie, in die gebied van een van die Hoë Kontrakterende Partye voorkom, is elke Party by die Botsing daartoe verbind om, as 'n minimum, die volgende bepalinge toe te pas:

(1) Persone wat nie aktief aan die vyandelikhede deelneem nie, met inbegrip van lede van die gewapende magte wat hul wapens neergelê het en dié wat weens siekte, wonde, aanhouding of om 'n ander oorsaak *hors de combat* is, moet onder alle omstandighede menslik behandel word sonder enige ongunstige verskille wat op ras, kleur, godsdiens of geloof, geslag, geboorte of rykdom of enige ander soortgelyke kriteriums gegrond is.

Met hierdie doel voor oë, word ondergenoemde dade te eniger tyd wanneer ookal, en op enige plek, waar ook al, ten opsigte van bogenoemde persone verbied en bly dit verbode:

- (a) Geweldpleging wat lewens en persone raak, in die besonder alle soorte moord, verminking, wrede behandeling en marteling;
- (b) die neem van gyselaars;
- (c) skending van persoonlike waardigheid, in die besonder vernederende en waardigheidskennende behandeling;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

ARTICLE 4.

Persons protected by the Convention are those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals.

Nationals of a State which is not bound by the Convention are not protected by it. Nationals of a neutral State who find themselves in the territory of a belligerent State, and nationals of a co-belligerent State, shall not be regarded as protected persons while the State of which they are nationals has normal diplomatic representation in the State in whose hands they are.

The provisions of Part II are, however, wider in application, as defined in Article 13.

Persons protected by the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, or by the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of August 12, 1949, or by the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949, shall not be considered as protected persons within the meaning of the present Convention.

ARTICLE 5.

Where, in the territory of a Party to the conflict, the latter is satisfied that an individual protected person is definitely suspected of or engaged in activities hostile to the security of the State, such individual person shall not be entitled to claim such rights and privileges under the present Convention as would, if exercised in the favour of such individual person, be prejudicial to the security of such State.

Where in occupied territory an individual protected person is detained as a spy or saboteur, or as a person under definite suspicion of activity hostile to the security of the Occupying Power, such person shall, in those cases where absolute military security so requires, be regarded as having forfeited rights of communication under the present Convention.

In each case, such persons shall nevertheless be treated with humanity, and in case of trial, shall not be deprived of the rights of fair and regular trial prescribed by the present Convention. They shall also be granted the full

(d) die oplegging van straf en die uitvoering van teregstellings sonder dat 'n behoorlik saamgestelde hof, wat al dié regterlike waarborge verskaf wat deur beskaafde nasies as onmisbaar erken word, vooraf uitspraak gegee het.

(2) Gewondes en siekes moet versamel en versorg word.

'n Onpartydige humanitêre liggaam, soos die Internasionale Komitee van die Rooikruis, kan sy dienste aan die Partye by die botsing aanbied.

Die Partye by die botsing moet verder poog om deur middel van spesiale ooreenkomste al die ander bepalings van die huidige Konvensie of 'n deel daarvan in werking te stel.

Die regstatus van die Partye by die botsing word nie deur die toepassing van die voorafgaande bepalings geraak nie.

ARTIKEL 4.

Persone wat deur die Konvensie beskerm word, is diegene wat hulle op 'n gegewe tydstip en op enige manier, van watter aard ook al, in die geval van 'n botsing of besetting in die hande bevind van 'n Party by die botsing of 'n Besettingsmoondheid waarvan hulle nie burgers is nie.

Burgers van 'n Staat wat nie deur die Konvensie gebind word nie, word nie daardeur beskerm nie. Burgers van 'n neutrale Staat wat hulle in die gebied van 'n oorlogvoerende Staat bevind en burgers van 'n mede-oorlogvoerende Staat word nie, terwyl die Staat waarvan hulle burgers is, gewone diplomatieke verteenwoordiging het in die Staat in wie se hande hulle is, geag beskermde persone te wees nie.

Die bepalings van deel II is egter van toepassing op 'n wyer terrein soos in artikel 13 omskryf.

Persone wat beskerm word deur die Geneefse Konvensie vir die Verligting van die Toestand van Gewondes en Siekes in Gewapende Magte te Velde, gedateer 12 Augustus 1949, of deur die Geneefse Konvensie vir die Versagting van die Toestand, ter See, van Lede van Gewapende Magte wat Gewond en Siek is en Skipbreuk Gely het, gedateer 12 Augustus 1949, of deur die Geneefse Konvensie betreffende die Behandeling van Krygsgevangenes, gedateer 12 Augustus 1949, word nie geag beskermde persone binne die betekenis van die huidige Konvensie te wees nie.

ARTIKEL 5.

Waar 'n Party by die botsing daarvan oortuig is dat 'n individuele beskermde persoon in sy gebied beslis verdink word van of betrokke is in bedrywighede wat vyandig teenoor die veiligheid van die Staat is, is sodanige individuele persoon nie daarop geregtig om dié regte en voorregte kragtens die huidige Konvensie te eis nie wat, as dit ten gunste van sodanige individuele persoon uitgeoefen sou word, nadelig vir die veiligheid van sodanige Staat sou wees.

Waar 'n individuele beskermde persoon in 'n besette gebied aangehou word as 'n spioen of saboteur of as 'n persoon wat beslis verdink word van 'n bedrywigheid wat vyandig teenoor die veiligheid van die Besettingsmoondheid is, word sodanige persoon in daardie gevalle waar absolute militêre veiligheid dit vereis, geag die regte van kommunikasie wat hy kragtens die huidige Konvensie het, te verbeur het.

In elke geval moet sodanige persone nogtans menslik behandel word en, in die geval van 'n verhoor, nie die regte verbonde aan 'n billike en reëlmatige verhoor soos deur die huidige Konvensie voorgeskryf, ontnem word

rights and privileges of a protected person under the present Convention at the earliest date consistent with the security of the State or Occupying Power, as the case may be.

ARTICLE 6.

The present Convention shall apply from the outset of any conflict or occupation mentioned in Article 2.

In the territory of Parties to the conflict, the application of the present Convention shall cease on the general close of military operations.

In the case of occupied territory, the application of the present Convention shall cease one year after the general close of military operations; however, the Occupying Power shall be bound, for the duration of the occupation, to the extent that such Power exercises the functions of government in such territory, by the provisions of the following Articles of the present Convention: 1 to 12, 27, 29 to 34, 47, 49, 51, 52, 53, 59, 61 to 77, 143.

Protected persons whose release, repatriation or re-establishment may take place after such dates shall meanwhile continue to benefit by the present Convention.

ARTICLE 7.

In addition to the agreements expressly provided for in Articles 11, 14, 15, 17, 36, 108, 109, 132, 133 and 149, the High Contracting Parties may conclude other special agreements for all matters concerning which they may deem it suitable to make separate provision. No special agreement shall adversely affect the situation of protected persons, as defined by the present Convention, nor restrict the rights which it confers upon them.

Protected persons shall continue to have the benefit of such agreements as long as the Convention is applicable to them, except where express provisions to the contrary are contained in the aforesaid or in subsequent agreements, or where more favourable measures have been taken with regard to them by one or other of the Parties to the conflict.

ARTICLE 8.

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

ARTICLE 9.

The present Convention shall be applied with the co-operation and under the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties to the conflict. For this purpose, the Protecting Powers may appoint, apart from their diplomatic or consular staff, delegates from amongst their own nationals or the nationals of other neutral Powers. The said delegates shall be subject to the approval of the Power with which they are to carry out their duties.

The Parties to the conflict shall facilitate to the greatest extent possible the task of the representatives or delegates of the Protecting Powers.

The representatives or delegates of the Protecting Powers shall not in any case exceed their mission under the present Convention. They shall, in particular, take account of the imperative necessities of security of the State wherein they carry out their duties.

nie. Hulle moet ook op die vroegste datum wat met die veiligheid van die Staat of die Besettingsmoondheid, na gelang van die geval, bestaanbaar is, die volle regte en voorregte wat 'n beskermde persoon kragtens die huidige Konvensie het, verleen word.

ARTIKEL 6.

Die huidige Konvensie is van toepassing vanaf die begin van enige botsing of besetting soos in artikel 2 bedoel.

In die gebied van die Partye by die botsing word die toepassing van die huidige Konvensie gestaak by die algemene beëindiging van krygsverrigtings.

In die geval van 'n besette gebied, word die toepassing van die huidige Konvensie gestaak na verloop van een jaar na die algemene beëindiging van krygsverrigtings; die Besettingsmoondheid word egter vir die duur van die besetting en in die mate wat sodanige moondheid die regeringsfunksies in sodanige gebied uitoefen, gebind deur die bepalings van die volgende artikels van die huidige Konvensie: 1 tot 12, 27, 29 tot 34, 47, 49, 51, 52, 53, 59, 61 tot 77, 143.

Beskermde persone wie se vrylating, repatriasie of hervestiging na sodanige datums mag plaasvind, geniet intussen nog die voordele van die huidige Konvensie.

ARTIKEL 7.

Benewens die ooreenkomste waarvoor daar uitdruklik voorsiening gemaak word in artikels 11, 14, 15, 17, 36, 108, 109, 132, 133 en 149, kan die Hoë Kontrakterende Partye ander spesiale ooreenkomste aangaan oor alle sake waarvoor daar, na hul mening, afsonderlik voorsiening gemaak moet word. Geen spesiale ooreenkoms mag die posisie van beskermde persone, soos in die huidige Konvensie omskryf, benadeel of die regte wat die huidige Konvensie aan hulle verleen inkort nie.

Beskermde persone geniet die voordeel van sodanige ooreenkomste solank die Konvensie op hulle van toepassing is, behalwe waar voornoemde of latere ooreenkomste uitdruklik andersluidende bepalings bevat of waar gunstiger maatreëls in verband met hulle getref is deur die een of ander Party by die botsing.

ARTIKEL 8.

Beskermde persone mag onder geen omstandighede gedeeltelik of geheel en al van die regte wat vir hulle verkry is deur die huidige Konvensie en die spesiale ooreenkomste bedoel in die voorafgaande artikel, as daar sodanige ooreenkomste bestaan, afstand doen nie.

ARTIKEL 9.

Die huidige Konvensie word toegepas met die samewerking en onder die toesig van die Beskermende Moondhede, wie se plig dit is om die belange van die partye by die botsing te beskerm. Vir hierdie doel kan die Beskermende Moondhede, benewens hul diplomatieke of konsulêre personeel, afgevaardigdes uit die geledere van hul eie burgers of die burgers van ander neutrale Moondhede aanstel. Genoemde afgevaardigdes is onderworpe aan die goedkeuring van die Moondheid by wie hulle hul pligte moet uitvoer.

Die Partye by die botsing moet die taak van die verteenwoordigers of afgevaardigdes van die Beskermende Moondhede vergemaklik in die grootste mate wat vir hulle moontlik is.

Die verteenwoordigers of afgevaardigdes van die Beskermende Moondhede mag in geen geval die bevoegdheid verbonde aan hul sending kragtens die huidige Konvensie, te buite gaan nie. Hulle moet in die besonder die veiligheidsvereistes wat gebiedend noodsaaklik is vir die Staat waarin hulle hul pligte uitvoer, in ag neem.

ARTICLE 10.

The provisions of the present Convention constitute no obstacle to the humanitarian activities which the International Committee of the Red Cross or any other impartial humanitarian organization may, subject to the consent of the Parties to the conflict concerned, undertake for the protection of civilian persons and for their relief.

ARTICLE 11.

The High Contracting Parties may at any time agree to entrust to an organization which offers all guarantees of impartiality and efficacy the duties incumbent on the Protecting Powers by virtue of the present Convention.

When persons protected by the present Convention do not benefit or cease to benefit, no matter for what reason, by the activities of a Protecting Power or of an organization provided for in the first paragraph above, the Detaining Power shall request a neutral State, or such an organization, to undertake the functions performed under the present Convention by a Protecting Power designated by the Parties to a conflict.

If protection cannot be arranged accordingly, the Detaining Power shall request or shall accept, subject to the provisions of this Article, the offer of the services of a humanitarian organization, such as the International Committee of the Red Cross, to assume the humanitarian functions performed by Protecting Powers under the present Convention.

Any neutral Power, or any organization invited by the Power concerned or offering itself for these purposes, shall be required to act with a sense of responsibility towards the Party to the conflict on which persons protected by the present Convention depend, and shall be required to furnish sufficient assurances that it is in a position to undertake the appropriate functions and to discharge them impartially.

No derogation from the preceding provisions shall be made by special agreements between Powers one of which is restricted, even temporarily, in its freedom to negotiate with the other Power or its allies by reason of military events, more particularly where the whole, or a substantial part, of the territory of the said Power is occupied.

Whenever in the present Convention mention is made of a Protecting Power, such mention applies to substitute organizations in the sense of the present Article.

The provisions of this Article shall extend and be adapted to cases of nationals of a neutral State who are in occupied territory or who find themselves in the territory of a belligerent State in which the State of which they are nationals has not normal diplomatic representation.

ARTICLE 12.

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

ARTIKEL 10.

Die bepalings van die huidige Konvensie belemmer nie die humanitêre bedrywighede wat die Internasionale Komitees van die Rooikruis of enige ander onpartydige humanitêre organisasie, behoudens die toestemming van die Partye by die betrokke botsing, vir die beskerming en noodleniging van burgerlike persone mag onderneem nie.

ARTIKEL 11.

Die Hoë Kontrakterende Partye kan te eniger tyd daarmee instem om aan 'n organisasie wat alle onpartydigheids- en doeltreffendheidswaarborgs bied, dié pligte toe te vertrou wat uit hoofde van die huidige Konvensie op die Beskermende Moondhede rus.

Wanneer persone wat deur die huidige Konvensie beskerm word, om enige rede, van watter aard ook al, nie by die werksaamhede van 'n Beskermende Moondheid of 'n organisasie waarvoor daar in die eerste paragraaf hierbo voorsiening gemaak word, baat nie of nie meer daarby baat nie, moet die Aanhoudingsmoondheid 'n neutrale Staat of sodanige organisasie versoek om die funksies oor te neem wat kragtens die huidige Konvensie deur 'n Beskermende Moondheid, aangewys deur die Partye by 'n botsing, uitgeoefen word.

Indien beskerming nie dienooreenkomstig gereël kan word nie, moet die Aanhoudingsmoondheid, behoudens die bepalings van hierdie artikel, die dienste wat 'n humanitêre organisasie soos die Internasionale Komitee van die Rooikruis aanbied, naamlik om die humanitêre funksies te aanvaar wat die Beskermende Moondhede kragtens die huidige Konvensies verrig, aanneem of daarom vra.

Enige neutrale Moondheid of enige organisasie wat deur die betrokke Moondheid gevra word of wat homself vir dié doel aanbied, moet met 'n verantwoordelike sin optree teenoor dié Party by die botsing van wie die persone wat deur die huidige Konvensie beskerm word, afhanklik is, en sodanige neutrale Moondheid of organisasie moet voldoende versekering gee dat hy daartoe in staat is om die betrokke funksies te onderneem en om dit op 'n onpartydige wyse uit te oefen.

Daar mag nie by wyse van spesiale ooreenkomste tussen Moondhede waarvan die een selfs tydelik vanweë militêre gebeurtenisse en veral vanweë die besetting van sy hele gebied of 'n groot deel daarvan, in sy vryheid om met die ander Moondheid of sy bondgenote te onderhandel, gestrem is, afbreuk aan die voorafgaande bepalings gedoen word nie.

Waar daar in die huidige Konvensie melding gemaak word van 'n Beskermende Moondheid, sluit sodanige melding ook plaasvervangende organisasies in soos in die huidige artikel bedoel.

Die bepalings van hierdie artikel is ook van toepassing op, en word aangepas by, die gevalle van burgers van 'n neutrale Staat wat in 'n besette gebied is of wat hulle in die gebied van 'n oorlogvoerende Staat bevind waarin die Staat waarvan hulle burgers is, nie gewone diplomatieke verteenwoordiging het nie.

ARTIKEL 12.

In gevalle waar die Beskermende Moondhede dit in die belang van beskermende persone raadsaam ag, veral in gevalle van geskille tussen die Partye by die botsing oor die toepassing of uitleg van die bepalings van die huidige Konvensie, moet sodanige Beskermende Moondhede hul vriendskaplike bemiddeling aanbied met die oog op die bylegging van die geskil.

For this purpose, each of the Protecting Powers may, either at the invitation of one Party or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for protected persons, possibly on neutral territory suitably chosen. The Parties to the conflict shall be bound to give effect to the proposals made to them for this purpose. The Protecting Powers may, if necessary, propose for approval by the Parties to the conflict, a person belonging to a neutral Power or delegated by the International Committee of the Red Cross, who shall be invited to take part in such a meeting.

PART II.

GENERAL PROTECTION OF POPULATIONS AGAINST CERTAIN CONSEQUENCES OF WAR.

ARTICLE 13.

The provisions of Part II cover the whole of the populations of the countries in conflict, without any adverse distinction based, in particular, on race, nationality, religion or political opinion, and are intended to alleviate the sufferings caused by war.

ARTICLE 14.

In time of peace, the High Contracting Parties and, after the outbreak of hostilities, the Parties thereto, may establish in their own territory and, if the need arises, in occupied areas, hospital and safety zones and localities so organized as to protect from the effects of war, wounded, sick and aged persons, children under fifteen, expectant mothers and mothers of children under seven.

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

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

ARTICLE 15.

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

(a) Wounded and sick combatants or non-combatants;

(b) civilian persons who take no part in hostilities, and who, while they reside in the zones, perform no work of a military character.

When the Parties concerned have agreed upon the geographical position, administration, food supply and supervision of the proposed neutralized zone, a written agreement shall be concluded and signed by the representatives of the Parties to the conflict. The agreement shall fix the beginning and the duration of the neutralization of the zone.

Vir hierdie doel kan elkeen van die Beskermende Moondhede of op uitnodiging van een Party of uit sy eie beweging aan die Partye by die botsing voorstel dat daar 'n vergadering van hul verteenwoordigers veral van die owerhede wat vir die beskermde persone verantwoordelik is, gehou word—waar moontlik in 'n neutrale gebied wat geskik is. Die Partye by die botsing is daartoe verbind om uitvoering te gee aan die voorstelle wat vir hierdie doel aan hulle gedoen word. Die Beskermende Moondhede kan, indien nodig, vir die goedkeuring van die Partye by die botsing 'n persoon voorstel wat tot 'n neutrale Moondheid behoort of deur die Internasionale Komitee van die Rooikruis aangewys is, en sodanige persoon moet dan uitgenooi word om aan sodanige vergadering deel te neem.

DEEL II.

ALGEMENE BESKERMING VAN BEVOLKINGS TEEN SEKERE GEVOLGE VAN OORLOG.

ARTIKEL 13.

Die bepalings van Deel II dek die hele bevolking van die lande wat in botsing is, sonder enige nadelige onderskeid wat, veral, op ras, nasionaliteit, godsdiens of politieke menings gegrond is, en is bedoel om die lyding wat deur oorlog meegebring word, te versag.

ARTIKEL 14.

In vrede tyd kan die Hoë Kontrakterende Partye en na die uitbreek van vyandelikhede kan die Partye daarby in hul eie gebiede en, indien die behoefte daaraan ontstaan, in besette gebiede, hospitaal- en veiligheidsone en -plekke aanwys wat so georganiseer is dat dit gewonde, siek en bejaarde persone, kinders onder vyftien, verwagte moeders en moeders van kinders onder sewe teen die gevolge van oorlog beskerm.

By die uitbreek en in die loop van vyandelikhede kan die betrokke Partye ooreenkomste aangaan oor die wederzijdse erkenning van die sones en plekke wat hulle aangewys het. Vir hierdie doel kan hulle uitvoering gee aan die bepalings van die Ontwerpooreenkoms wat as 'n ahangsel by die huidige Konvensie gaan, met dié wysigings wat hulle nodig ag.

Die Beskermende Moondhede en die Internasionale Komitee van die Rooikruis word om hul vriendskaplike bemiddeling gevra ten einde die instelling en erkenning van hierdie hospitaal- en veiligheidsone en -plekke te vergemaklik.

ARTIKEL 15.

'n Party by die botsing kan of regstreeks of deur tussenkoms van 'n neutrale Staat of die een of ander humanitêre organisasie, aan die teenoorgestelde Party voorstel dat daar in die streke waar oorlog gevoer word, neutrale sones gestig word wat bedoel is as plekke waar ondergenoemde persone sonder onderskeid teen die gevolg van oorlog kan skuil:

(a) Gewonde en siek oorlogvoerendes of nie-oorlogvoerendes;

(b) burgerlike persone wat nie aan die vyandelikhede deelneem nie en wat, terwyl hulle in die sones woonagtig is, geen werk van 'n militêre aard verrig nie.

Wanneer die betrokke partye ooreengekom het oor die geografiese ligging en administrasie van, voedselverskaffing aan en toesighouding oor die voorgestelde neutrale sone, moet 'n skriftelike ooreenkoms deur die verteenwoordigers van die Partye by die botsing aangegaan en onderteken word. Daar moet in die ooreenkoms bepaal word van wanneer af die neutralisering van die sone moet begin en hoe lank die neutralisasie moet voortbestaan.

ARTICLE 16.

The wounded and sick, as well as the infirm, and expectant mothers, shall be the object of particular protection and respect.

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

ARTICLE 17.

The Parties to the conflict shall endeavour to conclude local agreements for the removal from besieged or encircled areas, of wounded, sick, infirm, and aged persons, children and maternity cases, and for the passage of ministers of all religions, medical personnel and medical equipment on their way to such areas.

ARTICLE 18.

Civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be the object of attack, but shall at all times be respected and protected by the Parties to the conflict.

States which are Parties to a conflict shall provide all civilian hospitals with certificates showing that they are civilian hospitals and that the buildings which they occupy are not used for any purpose which would deprive these hospitals of protection in accordance with Article 19.

Civilian hospitals shall be marked by means of the emblem provided for in Article 38 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, but only if so authorized by the State.

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

In view of the dangers to which hospitals may be exposed by being close to military objectives, it is recommended that such hospitals be situated as far as possible from such objectives.

ARTICLE 19.

The protection to which civilian hospitals are entitled shall not cease unless they are used to commit, outside their humanitarian duties, acts harmful to the enemy. Protection may, however, cease only after due warning has been given, naming, in all appropriate cases, a reasonable time limit, and after such warning has remained unheeded.

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

ARTICLE 20.

Persons regularly and solely engaged in the operation and administration of civilian hospitals, including the personnel engaged in the search for, removal and transporting of and caring for wounded and sick civilians, the infirm and maternity cases, shall be respected and protected.

ARTIKEL 16.

Gewondes en siekes en ook kranklikes en verwagterende moeders moet veral beskerm en geëerbiedig word.

Vir sover militêre oorwegings dit moontlik maak, moet elke Party by die botsing die stappe vergemaklik wat daar gedoen word om na gesneuweldes en gewondes te soek, om skipbreukelinge en ander persone wat aan ernstige gevaar blootgestel is, te help en om hulle teen plundering en mishandeling te beskerm.

ARTIKEL 17.

Die Partye by die botsing moet probeer om plaaslike ooreenkomste aan te gaan vir die verwydering van gewondes, siekes, kranklikes en kraamgevalle, kinders en kraamgevalle uit beleërde of omsingelde gebiede en vir die deurgang van Predikers van alle gelowe, mediese personeel en mediese uitrusting op pad na sodanige gebiede.

ARTIKEL 18.

Burgerlike hospitale wat georganiseer is om gewondes en siekes, kranklikes en kraamgevalle te versorg, mag onder geen omstandighede die doelwit van 'n aanval wees nie maar moet te alle tye geëerbiedig en beskerm word deur die Partye by die botsing.

State wat Partye by 'n botsing is, moet aan alle burgerlike hospitale sertifikate uitreik wat bewys dat hulle burgerlike hospitale is en dat die geboue wat hulle okkupeer, nie vir enige doel gebruik word wat hierdie hospitale die beskerming wat ooreenkomstig artikel 19 aan hulle verleen word, sou ontnem nie.

Burgerlike hospitale moet deur middel van die embleem waarvoor daar voorsiening gemaak word in artikel 38 van die Geneefse Konvensie vir die Versagting van die Toestand van Gewondes en Siekes in Gewapende Magte te Velde, gedateer 12 Augustus 1949, gemerk word, maar slegs indien die Staat magtiging daartoe verleen.

Die Partye by die botsing moet, vir sover militêre oorwegings dit moontlik maak, die nodige stappe doen om die onderskeidende embleme waarmee burgerlike hospitale aangedui word, vir die vyand as land-, lug- en seemagte duidelik sigbaar te maak ten einde moontlike vyandelike optrede uit te skakel.

Weens die gevare waaraan hospitale blootgestel kan word as hulle naby militêre doelwitte is, word daar aanbeveel dat sodanige hospitale sover moontlik van sodanige doelwitte geleë moet wees.

ARTIKEL 19.

Die beskerming waarop burgerlike hospitale geregtig is, word nie gestaak nie tensy hulle gebruik word om, buiten hul humanitêre pligte, dade te pleeg wat vir die vyand nadelig is. Beskerming mag egter gestaak word slegs nadat daar 'n behoorlike waarskuwing gegee is waarin, in alle toepaslike gevalle, 'n redelike tydgrens gestel is en nadat sodanige waarskuwing verontagsaam is.

Die feit dat siek of gewonde lede van die gewapende magte in hierdie hospitale verpleeg word of die aanwesigheid van handvuurwapens en ammunisie wat van sodanige oorlogvoerendes afgeneem is en nog nie aan die regte diens oorhandig is nie, word nie geag dade te wees wat vir die vyand nadelig is nie.

ARTIKEL 20.

Persone wat gereeld en uitsluitlik betrokke is by die bestuur en administrasie van burgerlike hospitale, met inbegrip van die personeel wat betrokke is by die soek na, verwydering, vervoer en versorging van gewonde en siek burgerlike persone, kranklikes en kraamgevalle, moet geëerbiedig en beskerm word.

In occupied territory and in zones of military operations, the above personnel shall be recognizable by means of an identity card certifying their status, bearing the photograph of the holder and embossed with the stamp of the responsible authority, and also by means of a stamped, water-resistant armlet which they shall wear on the left arm while carrying out their duties. This armlet shall be issued by the State and shall bear the emblem provided for in Article 38 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949.

Other personnel who are engaged in the operation and administration of civilian hospitals shall be entitled to respect and protection and to wear the armlet, as provided in and under the conditions prescribed in this Article, while they are employed on such duties. The identity card shall state the duties on which they are employed.

The management of each hospital shall at all times hold at the disposal of the competent national or occupying authorities an up-to-date list of such personnel.

ARTICLE 21.

Convoys of vehicles or hospital trains on land or specially provided vessels on sea, conveying wounded and sick civilians, the infirm and maternity cases, shall be respected and protected in the same manner as the hospitals provided for in Article 18, and shall be marked, with the consent of the State, by the display of the distinctive emblem provided for in Article 38 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949.

ARTICLE 22.

Aircraft exclusively employed for the removal of wounded and sick civilians, the infirm and maternity cases, or for the transport of medical personnel and equipment, shall not be attacked, but shall be respected while flying at heights, times and on routes specifically agreed upon between all the Parties to the conflict concerned.

They may be marked with the distinctive emblem provided for in Article 38 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949.

Unless agreed otherwise, flights over enemy or enemy-occupied territory are prohibited.

Such aircraft shall obey every summons to land. In the event of a landing thus imposed, the aircraft with its occupants may continue its flight after examination, if any.

ARTICLE 23.

Each High Contracting Party shall allow the free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended only for civilians of another High Contracting Party, even if the latter is its adversary. It shall likewise permit the free

In besette gebiede en in sones waar daar krygsverrigtings aan die gang is, moet bogenoemde personeel uitgeken kan word deur middel van 'n identiteitskaart waarin hul status gesertifiseer word, wat 'n foto van die draer bevat en wat gedosseer is met die stempel van die verantwoordelike owerheid, en ook deur middel van 'n gestempelde armband wat teen water bestand is en wat hulle aan die linkerarm moet dra terwyl hulle hul pligte uitvoer.

Hierdie armband moet deur die Staat uitgereik word en moet die embleem bevat waarvoor daar in artikel 38 van die Geneefse Konvensie vir die Versagting van die Toestand van Gewondes en Siektes in die Gewapende Magte te Velde, gedateer 12 Augustus 1949, voorsiening gemaak word.

Ander personeel wat betrokke is in die bestuur en administrasie van burgerlike hospitale, is geregtig op eerbiediging en beskerming en om die armband soos verskaf in die omstandighede en op die voorwaardes wat in hierdie artikel voorgeskryf word, te dra terwyl hulle sodanige pligte verrig. Die werksaamhede waarvoor hulle in diens geneem is, moet op die identiteitskaart gemeld word.

Die bestuur van elke hospitaal moet te alle tye 'n bygewerkte lys van sodanige personeel tot die beskikking hou van die bevoegde nasionale of besettingsowerhede.

ARTIKEL 21.

Konvoeie van voertuie of hospitaaltreine op land of spesiaal beskikbaar gestelde vaartuie op see, wat gewonde en siek burgerlike persone, kranklikes en kraamgevalle vervoer, moet op dieselfde manier as hospitale geëerbiedig en beskerm word soos in artikel 18 bepaal, en moet met die toestemming van die Staat gemerk word deur die onderskeidende embleem te voer waarvoor daar in artikel 38 van die Geneefse Konvensie vir die Versagting van die Toestand van Gewondes en Siekes in Gewapende Magte te Velde, gedateer 12 Augustus 1949, voorsiening gemaak word.

ARTIKEL 22.

Vliegtuie wat uitsluitlik gebruik word vir die verwydering van gewonde en siek burgerlike persone, kranklikes en kraamgevalle of vir die vervoer van mediese personeel en uitrustings, mag nie aangeval word nie maar moet geëerbiedig word terwyl hulle op hoogtes, tye en oor roetes vlieg waarvoor al die Partye by die betrokke botsing spesifiek ooreengekom het.

Hulle kan gemerk word met die onderskeidende embleem waarvoor daar in artikel 38 van die Geneefse Konvensie vir die Versagting van die Toestand van Gewondes en Siekes in Gewapende Magte te Velde, gedateer 12 Augustus 1949, voorsiening gemaak word.

Tensy daar anders ooreengekom word, word vlugte oor die gebied van 'n vyand of die gebied wat deur 'n vyand beset word, verbied.

Sodanige vliegtuie moet elke opdrag om te land, gehoorsaam. Ingeval 'n vliegtuig aldus gelas word om te land, mag die vliegtuig met sy insittendes sy vlug voortsit nadat dit ondersoek is, indien dit gedoen word.

ARTIKEL 23.

Elke Hoë Kontrakterende Party moet toelaat dat alle besendings wat uit mediese en hospitaalvoorrade en voorwerpe wat vir godsdiensoefeninge nodig is en slegs vir die burgerlike persone van 'n ander Hoë Kontrakterende Party bedoel is, vry deurgelaat word al is laasgenoemde Hoë Kontrakterende Party ook sy teenstander. Elke Hoë

passage of all consignments of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases.

The obligation of a High Contracting Party to allow the free passage of the consignments indicated in the preceding paragraph is subject to the condition that this Party is satisfied that there are no serious reasons for fearing:

(a) that the consignments may be diverted from their destination,

(b) that the control may not be effective, or

(c) that a definite advantage may accrue to the military efforts or economy of the enemy through the substitution of the above-mentioned consignments for goods which would otherwise be provided or produced by the enemy or through the release of such material, services or facilities as would otherwise be required for the production of such goods.

The Power which allows the passage of the consignments indicated in the first paragraph of this Article may make such permission conditional on the distribution to the persons benefited thereby being made under the local supervision of the Protecting Powers.

Such consignments shall be forwarded as rapidly as possible, and the Power which permits their free passage shall have the right to prescribe the technical arrangements under which such passage is allowed.

ARTICLE 24.

The Parties to the conflict shall take the necessary measures to ensure that children under fifteen, who are orphaned or are separated from their families as a result of the war, are not left to their own resources, and that their maintenance, the exercise of their religion and their education are facilitated in all circumstances. Their education shall, as far as possible, be entrusted to persons of a similar cultural tradition.

The Parties to the conflict shall facilitate the reception of such children in a neutral country for the duration of the conflict with the consent of the Protecting Power, if any, and under due safeguards for the observance of the principles stated in the first paragraph.

They shall, furthermore, endeavour to arrange for all children under twelve to be identified by the wearing of identity discs, or by some other means.

ARTICLE 25.

All persons in the territory of a Party to the conflict, or in a territory occupied by it, shall be enabled to give news of a strictly personal nature to members of their families, wherever they may be, and to receive news from them. This correspondence shall be forwarded speedily and without undue delay.

If, as a result of circumstances, it becomes difficult or impossible to exchange family correspondence by the ordinary post, the Parties to the conflict concerned shall apply to a neutral intermediary, such as the Central Agency provided for in Article 140, and shall decide in consultation with it how to ensure the fulfilment of their obligations under the best possible conditions, in particular with the co-operation of the National Red Cross (Red Crescent, Red Lion and Sun) Societies.

Kontrakterende Party moet insgelyks alle besendings noodsaaklike voedselware, kleren en versterkniddels wat vir kinders onder vyftien jaar, verwagte moeders en kraamgevalle bedoel is, vry deurlaat.

Die plig van 'n Hoë Kontrakterende Party om die besendings genoem in die voorafgaande paragraaf, vry deur te laat, is onderworpe aan die voorwaarde dat hierdie Party daarvan oortuig is dat daar geen ernstige rede bestaan nie om te vrees—

(a) dat die besendings na 'n ander bestemming gestuur mag word,

(b) dat beheer daarvoor nie doeltreffend is nie, of

(c) dat die militêre pogings of ekonomie van die vyand beslis bevoordeel mag word omdat bogenoemde besendings dié goedere vervang wat andersins deur die vyand verskaf of geproduseer sou word, of omdat dié materiaal, dienste of fasiliteite wat andersins vir die produksie van sodanige goedere nodig sou wees, vrygestel word.

Die Moondheid wat die besendings bedoel in die eerste paragraaf van hierdie artikel, deurlaat, kan sodanige toestemming verleen op die voorwaarde dat die distribusie daarvan onder die persone wat daarby sal baat, geskied onder die plaaslike toesig van die Beskermende Moondhede.

Sodanige besendings moet so vinnig moontlik aange-stuur word, en die Moondheid wat dit vry deurlaat, het die reg om die tegniese reëlings waarvolgens sodanige deurloping toegelaat word, voor te skryf.

ARTIKEL 24.

Die Partye by die botsing moet die nodige maatreëls tref ten einde te verseker dat kinders onder vyftien jaar wat wees gelaat is of wat van hul gesinne geskei is as gevolg van die oorlog, nie aan hulself oorgelaat word nie en dat hul onderhoud, die beoefening van hul godsdienste en hul onderwys onder alle omstandighede vergemaklik word. Hul onderwys moet sover moontlik toevertrou word aan persone met 'n soortgelyke kulturele tradisie.

Die Partye by die botsing moet met die toestemming van die Beskermende Moondheid, as daar is, en met behoorlike inagneming van die beveiligingsmaatreëls vir die nakoming van die beginsels gemeld in die eerste paragraaf, die ontvangs, vir die duur van die botsing, van sodanige kinders in 'n neutrale land, vergemaklik. Daarbenewens moet hulle poog om te reël dat alle kinders onder twaalf jaar deur die dra van identiteitsplaatjies of op 'n ander manier geïdentifiseer word.

ARTIKEL 25.

Alle persone in die gebied van 'n Party by die botsing of in 'n gebied wat deur sodanige Party beset word, moet in staat gestel word om nuus van 'n bloot persoonlike aard aan lede van hul gesinne, waar hulle ook al mag wees, te stuur en om nuus van hulle te ontvang. Hierdie korrespondensie moet vinnig en sonder onnodige vertraging aangestuur word.

Indien dit as gevolg van omstandighede moeilik of onmoontlik word om gesinskorrespondensie deur middel van gewone posbesendings te wissel, moet die Partye by die betrokke botsing by 'n neutrale bemiddelaar soos die Sentrale Agentskap waarvoor daar in artikel 140 voorsiening gemaak word, aansoek doen en in oorleg met sodanige Agentskap besluit hoe om te verseker dat hul pligte op die beste manier moontlik nagekom word, veral met die samewerking van die Nasionale Rooikruis- (Rooi Halfmaan-, Rooi Leeu- en Son-) verenigings.

If the Parties to the conflict deem it necessary to restrict family correspondence, such restrictions shall be confined to the compulsory use of standard forms containing twenty-five freely chosen words, and to the limitation of the number of these forms despatched to one each month.

ARTICLE 26.

Each Party to the conflict shall facilitate enquiries made by members of families dispersed owing to the war, with the object of renewing contact with one another and of meeting, if possible. It shall encourage, in particular, the work of organizations engaged on this task provided they are acceptable to it and conform to its security regulations.

PART III.

STATUS AND TREATMENT OF PROTECTED PERSONS.

SECTION I.

PROVISIONS COMMON TO THE TERRITORIES OF THE PARTIES TO THE CONFLICT AND TO OCCUPIED TERRITORIES.

ARTICLE 27.

Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity.

Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.

Without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the Party to the conflict in whose power they are, without any adverse distinction based, in particular, on race, religion or political opinion.

However, the Parties to the conflict may take such measures of control and security in regard to protected persons as may be necessary as a result of the war.

ARTICLE 28.

The presence of a protected person may not be used to render certain points or areas immune from military operations.

ARTICLE 29.

The Party to the conflict in whose hands protected persons may be, is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred.

ARTICLE 30.

Protected persons shall have every facility for making application to the Protecting Powers, the International Committee of the Red Cross, the National Red Cross (Red Crescent, Red Lion and Sun) Society of the country where they may be, as well as to any organization that might assist them.

Indien die Partye by die botsing dit nodig ag om gesinskorrespondensie in te kort, moet sodanige inkorting beperk word tot die verpligte gebruik van standaardvorme wat vyf-en-twintig vry gekose woorde bevat, en tot die beperking van die getal vorms wat versend mag word, tot een elke maand.

ARTIKEL 26.

Elke Party by die botsing moet navrae deur gesinslede wat weens die oorlog uitmekaar geraak het, vergemaklik sodat hulle opnuut kontak met mekaar kan maak en, waar moontlik, mekaar kan ontmoet. Sodanige Party moet in die besonder die werk van organisasies wat hierdie taak verrig, aanmoedig mits sodanige organisasies vir hom aanneemlik is en aan sy veiligheidsregulasies voldoen.

DEEL III.

STATUS EN BEHANDELING VAN BESKERMDE PERSONE.

AFDELING I.

BEPALINGS VAN TOEPASSING OP BEIDE DIE GEBIEDE VAN DIE PARTYE BY DIE BOTSING EN DIE BESETTE GEBIEDE.

ARTIKEL 27.

Beskermde persone is onder alle omstandighede geregtig op die eerbiediging van hul persoon, hul eer, hul gesinsregte, hul godsdienstige oortuigings en praktyke, en hul gebruike en gewoontes. Hulle moet te alle tye menslik behandel word en moet veral beskerm word teen geweldpleging of dreigemente van geweldpleging en teen beledigings en openbare nuuskierigheid.

Vrouens moet veral beskerm word teen enige aanslag op hul eer en in die besonder teen verkragting, gedwonge prostitutie of enige vorm van onsedelike aanranding.

Sonder om afbreuk te doen aan die bepalings betreffende die gesondheidstoestand, ouderdom en geslag van beskermde persone, moet die Party by die botsing in wie se mag hulle is, alle beskermde persone met dieselfde sorgsaamheid behandel, sonder enige nadelige onderskeid wat veral op ras, godsdienste of politieke oortuiging gegrond is.

Die Partye by die botsing kan egter dié beheer- en veiligheidsmaatreëls in verband met beskermde persone tref wat as gevolg van die oorlog nodig mag wees.

ARTIKEL 28.

Die aanwesigheid van 'n beskermde persoon mag nie gebruik word om sekere punte of gebiede immuun teen krygsoperasies te maak nie.

ARTIKEL 29.

Die Party by die botsing in wie se hande beskermde persone mag wees, is verantwoordelik vir die behandeling wat hulle van sy agente ontvang, afgesien van enige aanspreeklikheid wat 'n individu hom op die hals mag haal.

ARTIKEL 30.

Daar moet aan beskermde persone alle fasiliteite verleen word om aansoek te doen by die Beskermende Moondhede, die Internasionale Komitee van die Rooikruis, die Nasionale Rooikruis-, (Rooi Halfmaan-, Rooi Leeu- en Son-) vereniging van die land waarin hulle mag wees, asook by enige organisasie wat vir hulle tot hulp mag wees.

These several organizations shall be granted all facilities for that purpose by the authorities, within the bounds set by military or security considerations.

Apart from the visits of the delegates of the Protecting Powers and of the International Committee of the Red Cross, provided for by Article 143, the Detaining or Occupying Powers shall facilitate as much as possible visits to protected persons by the representatives of other organizations whose object is to give spiritual aid or material relief to such persons.

ARTICLE 31.

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

ARTICLE 32.

The High Contracting Parties specifically agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. This prohibition applies not only to murder, torture, corporal punishment, mutilation and medical or scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents.

ARTICLE 33.

No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.

Pillage is prohibited.

Reprisals against protected persons and their property are prohibited.

ARTICLE 34.

The taking of hostages is prohibited.

SECTION II.

ALIENS IN THE TERRITORY OF A PARTY TO THE CONFLICT.

ARTICLE 35.

All protected persons who may desire to leave the territory at the outset of, or during a conflict, shall be entitled to do so, unless their departure is contrary to the national interests of the State. The applications of such persons to leave shall be decided in accordance with regularly established procedures and the decision shall be taken as rapidly as possible. Those persons permitted to leave may provide themselves with the necessary funds for their journey and take with them a reasonable amount of their effects and articles of personal use.

If any such person is refused permission to leave the territory, he shall be entitled to have such refusal reconsidered as soon as possible by an appropriate court or administrative board designated by the Detaining Power for that purpose.

Upon request, representatives of the Protecting Power shall, unless reasons of security prevent it, or the persons concerned object, be furnished with the reasons for

Die owerhede moet, binne die perke van militêre of veiligheidsoorwegings, hierdie verskillende organisasies alle fasiliteite vir sodanige doel verleen.

Benewens die besoeke van die afgevaardigdes van die Beskermende Moondhede en van die Internasionale Komitee van die Rooikruis, waarvoor daar in artikel 143 voorsiening gemaak word, moet die Aanhoudings- of Besettingsmoondhede besoeke aan beskermde persone deur die verteenwoordigers van ander organisasies wie se doel dit is om geestelike hulp of materiële verligting aan sodanige persone te verleen, sover moontlik vergemaklik.

ARTIKEL 31.

Geen fisiese of morele dwang mag op beskermde persone uitgeoefen word nie, en veral nie met die doel om inligting van hulle of van derde partye te verkry nie.

ARTIKEL 32.

Die Hoë Kontrakterende Partye kom spesifiek ooreen dat elkeen van hulle verbied word om enige maatregel van so 'n aard te tref dat dit fisiese lyding vir of die uitwissing van beskermde persone wat in hul hande is, meebring. Hierdie verbodsbepaling is nie net op moord, marteling, liggaamstraf, verminking en mediese of wetenskaplike proefnemings wat nie deur die mediese behandeling van 'n beskermde persoon genoodsaak word nie, van toepassing nie maar ook op alle ander maatreëls wat onmenslik is, afgesien daarvan of dit deur burgerlike of militêre agente toegepas word.

ARTIKEL 33.

Geen beskermde persoon mag vir 'n oortreding wat hy of sy nie persoonlik begaan het nie, gestraf word nie. Kollektiewe strawwe en insgelyks alle intimidasiemaatreëls of terrorisme word verbied.

Plundering word verbied.

Weerwraak teen beskermde persone en hul eiendom word verbied.

ARTIKEL 34.

Die neem van gyselaars word verbied.

AFDELING II.

VREEMDELING IN DIE GEBIED VAN 'N PARTY BY DIE BOTSING.

ARTIKEL 35.

Alle beskermde persone wat die gebied by die uitbreek van of gedurende 'n botsing wil verlaat, is geregtig om dit te doen tensy hul vertrek strydig is met die nasionale belange van die Staat. Die aansoeke van sodanige persone om die gebied te verlaat, moet beslis word ooreenkomstig reëlmatig gevestigde prosedures, en daar moet so gou moontlik oor sodanige aansoeke beslis word. Persone wat toegelaat word om te vertrek, kan hulself voorsien van die nodige fondse vir hul reis en kan 'n redelike hoeveelheid van hul besittings en artikels vir persoonlike gebruik met hulle saamneem.

Indien sodanige persoon toestemming om die gebied te verlaat, geweier word, is hy daarop geregtig om sodanige weiering so gou moontlik te laat heroorweeg deur 'n geskikte hof of administratiewe raad wat die Aanhoudingsmoondheid vir daardie doel aangewys het.

Die verteenwoordigers van die Beskermende Moondheid moet, tensy veiligheidsoorwegings dit onmoontlik maak of die betrokke persone beswaar daarteen aanteken, op versoek voorsien word van die redes waarom enige

refusal of any request for permission to leave the territory and be given, as expeditiously as possible, the names of all persons who have been denied permission to leave.

ARTICLE 36.

Departures permitted under the foregoing Article shall be carried out in satisfactory conditions as regards safety, hygiene, sanitation and food. All costs in connection therewith, from the point of exit in the territory of the Detaining Power, shall be borne by the country of destination, or, in the case of accommodation in a neutral country, by the Power whose nationals are benefited. The practical details of such movements may, if necessary, be settled by special agreements between the Powers concerned.

The foregoing shall not prejudice such special agreements as may be concluded between Parties to the conflict concerning the exchange and repatriation of their nationals in enemy hands.

ARTICLE 37.

Protected persons who are confined pending proceedings or serving a sentence involving loss of liberty, shall during their confinement be humanely treated.

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

ARTICLE 38.

With the exception of special measures authorized by the present Convention, in particular by Articles 27 and 41 thereof, the situation of protected persons shall continue to be regulated, in principle, by the provisions concerning aliens in time of peace. In any case, the following rights shall be granted to them:

- (1) They shall be enabled to receive the individual or collective relief that may be sent to them.
- (2) They shall, if their state of health so requires, receive medical attention and hospital treatment to the same extent as the nationals of the State concerned.
- (3) They shall be allowed to practise their religion and to receive spiritual assistance from ministers of their faith.
- (4) If they reside in an area particularly exposed to the dangers of war, they shall be authorised to move from that area to the same extent as the nationals of the State concerned.
- (5) Children under fifteen years, pregnant women and mothers of children under seven years shall benefit by any preferential treatment to the same extent as the nationals of the State concerned.

ARTICLE 39.

Protected persons who, as a result of the war, have lost their gainful employment, shall be granted the opportunity to find paid employment. That opportunity shall, subject to security considerations and to the provisions of Article 40, be equal to that enjoyed by the nationals of the Power in whose territory they are.

Where a Party to the conflict applies to a protected person methods of control which result in his being unable to support himself, and especially if such a person

versoek om toestemming om die gebied te verlaat, geweier is en moet so gou moontlik voorsien word van die name van alle persone wat toestemming om die gebied te verlaat, geweier is.

ARTIKEL 36.

Waar persone kragtens die voorafgaande artikel toegelaat word om te vertrek, moet dit gedoen word in bevredigende toestande wat betref veiligheid, higiëne, sanitasie en voedsel. Alle koste in verband daarmee moet vanaf die uitgangspunt in die gebied van die Aanhoudingsmoondheid deur die land van bestemming of, in die geval van akkommodasie in 'n neutrale land, deur die Moondheid wie se burgers daardeur bevoordeel word, gedra word. Die praktiese besonderhede van sodanige bewegings kan, indien nodig, gereël word by wyse van spesiale ooreenkomste tussen die betrokke Moondhede.

Die voorafgaande bepalinge doen geen afbreuk nie aan die spesiale ooreenkomste wat tussen die Partye by die botsing aangegaan mag word in verband met die uitruiling en repatriasie van hul burgers wat in die hande van die vyand is.

ARTIKEL 37.

Beskermd persone wat in afwagting van geregtelike stappe teen hulle aangehou word of wat 'n vonnis uitdien wat verlies aan vryheid meebring, moet gedurende hul opsluiting menslik behandel word.

Hulle kan, sodra hulle vrygelaat word, vra om die gebied ooreenkomstig die bepalinge van die voorafgaande artikels te verlaat.

ARTIKEL 38.

Met uitsondering van die spesiale maatreëls wat by die huidige Konvensie gemagtig word, veral by artikel 27 en artikel 41 daarvan, moet die posisie van beskermd persone in beginsel nog gereël word volgens die bepalinge betreffende vreemdelinge in vrede tyd. In elk geval moet die volgende regte aan hulle verleen word:

- (1) Hulle moet in staat gestel word om die individuele of kollektiewe noodlenigingsgoedere wat aan hulle gestuur word, te ontvang.
- (2) Hulle moet, indien hul gesondheidstoestand dit vereis, mediese aandag en hospitaalbehandeling in dieselfde mate ontvang as die burgers van die betrokke Staat.
- (3) Hulle moet toegelaat word om hul godsdienste te beoefen en om geestelike hulp van Predikers van hul geloof te ontvang.
- (4) Indien hulle woonagtig is in 'n gebied wat besonder blootgestel is aan die gevare van oorlog, moet hulle in dieselfde mate as die burgers van die betrokke Staat toegelaat word om daardie gebied te verlaat.
- (5) Kinders onder vyftien jaar, swanger vroue en moeders van kinders onder sewe jaar moet in dieselfde mate as die burgers van die betrokke Staat voordeel uit enige voorkeurbehandeling trek.

ARTIKEL 39.

Beskermd persone wat as gevolg van die oorlog hul besoldigde werk verloor het, moet die geleentheid gestel word om besoldigde werk te vind. Daardie geleentheid moet, behoudens veiligheidsoorwegings en die bepalinge van artikel 40, gelyk staan met dié wat geniet word deur die burgers van die Moondheid in wie se gebied hulle is.

Waar 'n party by die botsing op 'n beskermende persoon beheermaatreëls toepas wat daartoe lei dat hy nie in staat is om homself te onderhou nie, en veral as sodanige persoon om veiligheidsredes verhinder word om

is prevented for reasons of security from finding paid employment on reasonable conditions, the said Party shall ensure his support and that of his dependents.

Protected persons may in any case receive allowances from their home country, the Protecting Power, or the relief societies referred to in Article 30.

ARTICLE 40.

Protected persons may be compelled to work only to the same extent as nationals of the Party to the conflict in whose territory they are.

If protected persons are of enemy nationality, they may only be compelled to do work which is normally necessary to ensure the feeding, sheltering, clothing, transport and health of human beings and which is not directly related to the conduct of military operations.

In the cases mentioned in the two preceding paragraphs, protected persons compelled to work shall have the benefit of the same working conditions and of the same safeguards as national workers, in particular as regards wages, hours of labour, clothing and equipment, previous training and compensation for occupational accidents and diseases.

If the above provisions are infringed, protected persons shall be allowed to exercise their right of complaint in accordance with Article 30.

ARTICLE 41.

Should the Power in whose hands protected persons may be consider the measures of control mentioned in the present Convention to be inadequate, it may not have recourse to any other measure of control more severe than that of assigned residence or internment, in accordance with the provisions of Articles 42 and 43.

In applying the provisions of Article 39, second paragraph, to the cases of persons required to leave their usual places of residence by virtue of a decision placing them in assigned residence elsewhere, the Detaining Power shall be guided as closely as possible by the standards of welfare set forth in Part III, Section IV of this Convention.

ARTICLE 42.

The internment or placing in assigned residence of protected persons may be ordered only if the security of the Detaining Power makes it absolutely necessary.

If any person, acting through the representatives of the Protecting Power, voluntarily demands internment, and if his situation renders this step necessary, he shall be interned by the Power in whose hands he may be.

ARTICLE 43.

Any protected person who has been interned or placed in assigned residence shall be entitled to have such action reconsidered as soon as possible by an appropriate court or administrative board designated by the Detaining Power for that purpose. If the internment or placing in assigned residence is maintained, the court or administrative board shall periodically, and at least twice yearly, give consideration to his or her case with a view to the favourable amendment of the initial decision, if circumstances permit.

Unless the protected persons concerned object, the Detaining Power shall, as rapidly as possible, give the Protecting Power the names of any protected persons who

besoldigde werk op redelike voorwaardes te vind, moet genoemde Party sy onderhoud en dié van sy afhanklikes verseker.

Beskermd persone kan in elk geval toelaes van hul tuisland, die Beskermdende Moondheid of die noodlenigingsverenigings bedoel in artikel 30, ontvang.

ARTIKEL 40.

Beskermd persone kan verplig word om te werk maar alleenlik in dieselfde mate as wat burgers van die Party by die botsing in wie se gebied hulle is, aldus verplig word.

Indien beskermd persone vyandelike burgers is, kan hulle verplig word om alleenlik dié werk te doen wat gewoonlik nodig is om die voeding, beskutting, kleding, vervoer en gesondheid van mense te verseker en wat nie regstreeks met die krygsverrigtings in verband staan nie.

In die gevalle genoem in die twee voorafgaande paragrawe, moet beskermd persone wat verplig word om te werk, dieselfde werktostande en dieselfde beveiligingsmaatreëls geniet as die burgerlike werkers, in die besonder wat betref lone, werkure, klere en uitrusting, vorige opleiding en vergoeding vir beroepsongelukke en -siektes.

As bostaande bepalings geskend word, moet beskermd persone toegelaat word om hul reg op klagte ooreenkomstig artikel 30 uit te oefen.

ARTIKEL 41.

Indien die Moondheid in wie se hande beskermd persone is, van mening is dat die beheermaatreëls genoem in die huidige Konvensie, ontoereikend is, mag hy nie sy toevlug tot ander beheermaatreëls wat strawwer as die aanwysing van 'n woonplek of internering ooreenkomstig die bepalings van artikel 42 en 43 is, neem nie.

Waar die Aanhoudingsmoondheid die bepalings van die tweede paragraaf van artikel 39 toepas in die geval van persone van wie daar vereis word om hul gewone woonplekke te verlaat vanweë 'n besluit om hulle elders op 'n aangewese woonplek te laat woon, moet sodanige Aanhoudingsmoondheid hom soveel moontlik laat lei deur die welsynstandaarde soos uiteengesit in Deel III, Afdeling IV, van hierdie Konvensie.

ARTIKEL 42.

Die internering van beskermd persone of hul plasing op aangewese woonplekke mag alleenlik gelas word as die veiligheid van die Aanhoudingsmoondheid dit absoluut noodsaaklik maak. Indien enigeen, handelende deur tussenkoms van die verteenwoordigers van die Beskermdende Moondheid, uit eie beweging op internering aandrang en as sy posisie hierdie stap nodig maak, moet hy geïnterneer word deur die Moondheid in wie se hande hy mag wees.

ARTIKEL 43.

'n Beskermd persoon wat geïnterneer of op 'n aangewese woonplek geplaas is, is daarop geregtig om sodanige stap so gou moontlik te laat heroorweeg deur 'n geskikte hof of administratiewe raad wat die Aanhoudingsmoondheid vir daardie doel ingestel het. As die internering of die plasing op 'n aangewese woonplek gehandhaaf word, moet die hof of administratiewe raad periodiek, en minstens twee maal elke jaar, oorweging aan sy of haar geval skenk met die doel om 'n wysiging van die aanvanklike beslissing gunstig te oorweeg as omstandighede dit moontlik maak.

Tensy die betrokke beskermd persone beswaar daarteen aanteken, moet die Aanhoudingsmoondheid die Beskermdende Moondheid so gou moontlik voorsien van die name van alle beskermd persone wat geïnterneer is

have been interned or subjected to assigned residence, or who have been released from internment or assigned residence. The decisions of the courts or boards mentioned in the first paragraph of the present Article shall also, subject to the same conditions, be notified as rapidly as possible to the Protecting Power.

ARTICLE 44.

In applying the measures of control mentioned in the present Convention, the Detaining Power shall not treat as enemy aliens exclusively on the basis of their nationality *de jure* of an enemy State, refugees who do not, in fact, enjoy the protection of any government.

ARTICLE 45.

Protected persons shall not be transferred to a Power which is not a party to the Convention.

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

Protected persons may be transferred by the Detaining Power only to a Power which is a party to the present Convention and after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the present Convention. If protected persons are transferred under such circumstances, responsibility for the application of the present Convention rests on the Power accepting them, while they are in its custody. Nevertheless, if that Power fails to carry out the provisions of the present Convention in any important respect, the Power by which the protected persons were transferred shall, upon being so notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the protected persons. Such request must be complied with.

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

The provisions of this Article do not constitute an obstacle to the extradition, in pursuance of extradition treaties concluded before the outbreak of hostilities, of protected persons accused of offences against ordinary criminal law.

ARTICLE 46.

In so far as they have not been previously withdrawn, restrictive measures taken regarding protected persons shall be cancelled as soon as possible after the close of hostilities.

Restrictive measures affecting their property shall be cancelled, in accordance with the law of the Detaining Power, as soon as possible after the close of hostilities.

SECTION III.

OCCUPIED TERRITORIES.

ARTICLE 47.

Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of the said territory,

of verplig is om op 'n aangewese woonplek te woon of wat vrygelaat is uit internering of 'n aangewese woonplek. Die beslissings van die houe of rade genoem in die eerste paragraaf van hierdie artikel, moet ook, behoudens dieselfde voorwaardes, so gou moontlik aan die Beskermdende Moondheid bekendgemaak word.

ARTIKEL 44.

By die toepassing van die beheermaatreëls genoem in die huidige Konvensie, mag die Aanhoudingsmoondheid nie vlugtelinge wat inderdaad nie die beskerming van enige regering geniet nie, bloot op grondslag van hul *de jure*-burgerskap van 'n vyandelike staat as vyandelike vreemdelinge behandel nie.

ARTIKEL 45.

Beskermd persone mag nie aan 'n Moondheid wat nie 'n party by die Konvensie is nie, oorhandig word nie.

Hierdie bepaling mag hoegenaamd nie die uitwerking hê dat dit die repatriasie van beskermd persone of hul terugkeer na die land waarin hulle gewoon het, na die staking van vyandelikhede belemmer nie.

Die Aanhoudingsmoondheid kan beskermd persone alleenlik na 'n Moondheid wat 'n party by die huidige Konvensie is, oorplaas en dan alleenlik nadat die Aanhoudingsmoondheid daarvan oortuig is dat die Moondheid na wie hulle oorgeplaas word, gewillig en daartoe in staat is om die huidige Konvensie toe te pas. As beskermd persone onder sodanige omstandighede oorgeplaas word, rus die verantwoordelikheid vir die toepassing van die huidige Konvensie op die Moondheid wat hulle aanneem, terwyl hulle in sy bewaring is. Nogtans, as daardie Moondheid versuim om die bepalings van die huidige Konvensie in enige belangrike opsig uit te voer, moet die Moondheid wat die beskermd persone aldus oorgeplaas het, sodra hy deur die Beskermdende Moondheid daarvan in kennis gestel word, doeltreffende maatreëls tref om die toestand te verhelp of versoek dat die beskermd persone aan hom teruggestuur word. Daar moet aan so 'n versoek voldoen word.

'n Beskermd persoon mag onder geen omstandighede na 'n land oorgeplaas word nie waar hy of sy rede het om te vrees dat hy of sy vanweë sy of haar politieke menings of godsdienstige oortuigings vervolgd sal word.

Die bepalings van hierdie artikel mag nie dié uitwerking hê dat die uitlewering, ingevolge uitleweringsverdrae wat voor die uitbreek van vyandelikhede aangegaan is, van beskermd persone wat van oortredings ingevolge die gewone strafreg beskuldig word, daardeur belemmer word nie.

ARTIKEL 46.

Beperkende maatreëls wat in verband met beskermd persone getref is, moet so gou moontlik na die beëindiging van vyandelikhede ingetrek word vir sover dit nie alreeds voorheen gedoen is nie.

Beperkende maatreëls wat hul eiendom raak, moet so gou moontlik na die beëindiging van vyandelikhede ooreenkomstig die wette van die Aanhoudingsmoondheid ingetrek word.

AFDELING III.

BESETTE GEBIEDE.

ARTIKEL 47.

Beskermd persone wat in 'n besette gebied is, mag in geen geval of op geen manier hoegenaamd, as gevolg van enige verandering wat weens die besetting van 'n gebied in die instellings of regering van genoemde gebied ingevoer word, en ook nie as gevolg van enige ooreenkoms

nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory.

ARTICLE 48.

Protected persons who are not nationals of the Power whose territory is occupied, may avail themselves of the right to leave the territory subject to the provisions of Article 35, and decisions thereon shall be taken according to the procedure which the Occupying Power shall establish in accordance with the said Article.

ARTICLE 49.

Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.

Nevertheless, the Occupying Power may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand. Such evacuations may not involve the displacement of protected persons outside the bounds of the occupied territory except when for material reasons it is impossible to avoid such displacement. Persons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased.

The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated.

The Protecting Power shall be informed of any transfers and evacuations as soon as they have taken place.

The Occupying Power shall not detain protected persons in an area particularly exposed to the dangers of war unless the security of the population or imperative military reasons so demand.

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

ARTICLE 50.

The Occupying Power shall, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children.

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

Should the local institutions be inadequate for the purpose, the Occupying Power shall make arrangements for the maintenance and education, if possible by persons of their own nationality, language and religion, of children who are orphaned or separated from their parents as a result of the war and who cannot be adequately cared for by a near relative or friend.

wat tussen die owerhede van die besette gebiede en die besettingsmoondheid aangegaan word, en ook nie as gevolg van enige anneksasie, deur sodanige Besettingsmoondheid, van die hele besette gebied of 'n deel daarvan, die voordele van die huidige Konvensie ontnem word nie.

ARTIKEL 48.

Beskermd persone wat nie burgers van die Moondheid wie se gebied beset word, is nie, kan gebruik maak van die reg om die gebied behoudens die voorwaardes van artikel 35 te verlaat, en beslissings in daardie verband moet gevel word ooreenkomstig die prosedure wat die Besettingsmoondheid ingevolge genoemde artikel moet invoer.

ARTIKEL 49.

Individuele of grootskaalse oorplasings onder dwang, en ook die deportasie van beskermd persone uit 'n besette gebied na die gebied van die Besettingsmoondheid of na dié van 'n ander land, of dit beset is of nie, word sonder inagneming van die motief verbied.

Nogtans kan die Besettingsmoondheid die gedeeltelike of algehele ontruiming van 'n bepaalde gebied onderneem indien die veiligheid van die bevolking of gebiedende militêre redes dit vereis. Sodanige ontruimings mag nie die ontworteling van beskermd persone deur hulle na gebiede buite die grense van die besette gebied oor te plaas meebring nie tensy dit om wesenlike redes onmoontlik is om sodanige ontworteling te voorkom. Persone wat aldus ontruim is, moet so gou moontlik nadat vyandelikhede in die betrokke gebied gestaak is, na hul wonings teruggestuur word.

Die Besettingsmoondheid wat sodanige oorplasings of ontruimings onderneem, moet in die grootste mate wat prakties moontlik is, verseker dat behoorlike akkommodasie verskaf word vir die ontvangs van die beskermd persone, dat die verwyderings onder bevredigende toestande uitgevoer word wat higiëne, gesondheid, veiligheid en voeding betref en dat lede van dieselfde gesinne nie van mekaar geskei word nie.

Die Beskermdende Moondheid moet van alle oorplasings en ontruimings verwittig word sodra dit plaasgevind het.

Die Besettingsmoondheid mag nie beskermd persone in 'n gebied wat besonder blootgestel is aan die gevare van oorlog, aanhou nie tensy die veiligheid van die bevolking of gebiedende noodsaaklike militêre oorwegings dit vereis.

Die Besettingsmoondheid mag nie gedeeltes van sy eie burgerlike bevolking na die gebied wat hy beset, deporteer of oorplaas nie.

ARTIKEL 50.

Die Besettingsmoondheid moet, met die samewerking van die nasionale en plaaslike owerhede, die behoorlike werking van alle instellings wat op die versorging en opvoeding van kinders toegespits is, vergemaklik.

Die Besettingsmoondheid moet al die nodige stappe doen om die identifikasie van kinders en die registrasie van hul ouers te vergemaklik. Hy mag in geen geval hul persoonlike status verander nie en hulle ook nie by instelling of organisasies wat aan hom ondergeskik is, inskakel nie.

As die plaaslike inrigtings ontoereikend vir die doel is, moet die Besettingsmoondheid maatreëls tref vir die onderhoud en onderwys, indien moontlik deur persone van hul eie nasionaliteit, taal en geloof, van kinders wat wees is of wat van hul ouers geskei geraak het as gevolg van die oorlog en wat nie op 'n doeltreffende wyse deur 'n familielid of vriend versorg kan word nie.

A special section of the Bureau set up in accordance with Article 136 shall be responsible for taking all necessary steps to identify children whose identity is in doubt. Particulars of their parents or other near relatives should always be recorded if available.

The Occupying Power shall not hinder the application of any preferential measures in regard to food, medical care and protection against the effects of war, which may have been adopted prior to the occupation in favour of children under fifteen years, expectant mothers, and mothers of children under seven years.

ARTICLE 51.

The Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pressure or propaganda which aims at securing voluntary enlistment is permitted.

The Occupying Power may not compel protected persons to work unless they are over eighteen years of age, and then only on work which is necessary either for the needs of the army of occupation, or for the public utility services, or for the feeding, sheltering, clothing, transportation or health of the population of the occupied country. Protected persons may not be compelled to undertake any work which would involve them in the obligation of taking part in military operations. The Occupying Power may not compel protected persons to employ forcible means to ensure the security of the installations where they are performing compulsory labour.

The work shall be carried out only in the occupied territory where the persons whose services have been requisitioned are. Every such person shall, so far as possible, be kept in his usual place of employment. Workers shall be paid a fair wage and the work shall be proportionate to their physical and intellectual capacities. The legislation in force in the occupied country concerning working conditions, and safeguards as regards, in particular, such matters as wages, hours of work, equipment, preliminary training and compensation for occupational accidents and diseases, shall be applicable to the protected persons assigned to the work referred to in this Article.

In no case shall requisition of labour lead to a mobilization of workers in an organization of a military or semi-military character.

ARTICLE 52.

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

All measures aiming at creating unemployment or at restricting the opportunities offered to workers in an occupied territory, in order to induce them to work for the Occupying Power, are prohibited.

ARTICLE 53.

Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations.

'n Spesiale afdeling van die Buro wat ooreenkomstig artikel 136 gestig is, moet daarvoor verantwoordelik wees om al die nodige stappe te doen om kinders te identifiseer wie se identiteit betwyfel word. Besonderhede van hul ouers of ander familieleden moet altyd aangeteken word as dit beskikbaar is.

Die Besettingsmoondheid mag nie die toepassing van enige voorkeurmaatreëls in verband met voedsel, mediese versorging en beskerming teen die gevolge van oorlog, wat voor die besetting ten gunste van kinders onder die leeftyd van vyftien jaar, verwagte moeders en moeders van kinders onder sewe jaar getref is, belemmer nie.

ARTIKEL 51.

Die Besettingsmoondheid mag nie beskermde persone verplig om in sy gewapende of hulpmagte diens te doen nie. Geen druk of propaganda waarmee vrywillige aansluiting beoog word, word toegelaat nie.

Die Besettingsmoondheid mag nie beskermde persone dwing om te werk nie tensy hulle ouer as agtien jaar is, en dan kan hulle gedwing word om alleenlik dié werk te doen wat nodig is vir óf die behoeftes van die besettingsleër of die openbare utiliteitsdienste óf die voeding, beskutting, kleding, vervoer of gesondheid van die bevolking van die besette land. Beskermde persone mag nie gedwing word om enige werk te onderneem nie wat sal meebring dat hulle verplig word om aan militêre verrigtings deel te neem. Die Besettingsmoondheid mag nie beskermde persone verplig om die veiligheid van die installasies waar hulle verpligte arbeid verrig, met geweld te verseker nie.

Die werk moet uitgevoer word slegs in die besette gebied waar die persone wie se dienste gekommandeer word, hulle bevind. Elke sodanige persoon moet, sover moontlik, op sy gewone werkplek gehou word. Werkers moet 'n billike loon betaal word en die werk moet eweredig wees met hul fisiese en intellektuele vermoë. Wetgewing wat in die besette land van krag is in verband met werktoustande, en beveiligingsmaatreëls in verband met, in die besonder, sulke sake soos lone, werkure, uitrusting, voorlopige opleiding en vergoeding vir beroepsongelukke en -siektes, is van toepassing op die beskermde persone aan wie werk toegewys word soos in hierdie artikel bedoel.

Die kommandering van arbeid mag in geen geval tot 'n mobilisasie van werkers in 'n organisasie van 'n militêre of halfmilitêre aard lei nie.

ARTIKEL 52.

Geen kontrak, ooreenkoms of regulasie mag die reg van 'n werker, hetsy hy vrywillig werk al dan nie, en waar hy ook al mag wees, om by die verteenwoordigers van die Beskermde Moondheid aansoek om genoemde Moondheid se tussenkoms te doen, benadeel nie.

Alle maatreëls wat daarop gemik is om werkloosheid te veroorsaak of om die werkgeleenthede van werkers in 'n besette gebied in te kort ten einde hulle oor te haal om vir die Besettingsmoondheid te werk, word verbied.

ARTIKEL 53.

Die vernietiging, deur die Besettingsmoondheid, van onroerende of persoonlike eïendom wat individueel of kollektief aan private persone of aan die Staat of aan ander openbare owerhede of aan sosiale of koöperatiewe organisasies behoort, word verbied behalwe waar krygsoperasies sodanige vernietiging absoluut noodsaaklik maak.

ARTICLE 54.

The Occupying Power may not alter the status of public officials or judges in the occupied territories, or in any way apply sanctions to or take any measures of coercion or discrimination against them, should they abstain from fulfilling their functions for reasons of conscience.

This prohibition does not prejudice the application of the second paragraph of Article 51. It does not affect the right of the Occupying Power to remove public officials from their posts.

ARTICLE 55.

To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate.

The Occupying Power may not requisition foodstuffs, articles or medical supplies available in the occupied territory, except for use by the occupation forces and administration personnel, and then only if the requirements of the civilian population have been taken into account. Subject to the provisions of other international Conventions, the Occupying Power shall make arrangements to ensure that fair value is paid for any requisitioned goods.

The Protecting Power shall, at any time, be at liberty to verify the state of the food and medical supplies in occupied territories, except where temporary restrictions are made necessary by imperative military requirements.

ARTICLE 56.

To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory, with particular reference to the adoption and application of the prophylactic and preventive measures necessary to combat the spread of contagious diseases and epidemics. Medical personnel of all categories shall be allowed to carry out their duties.

If new hospitals are set up in occupied territory and if the competent organs of the occupied State are not operating there, the occupying authorities shall, if necessary, grant them the recognition provided for in Article 18. In similar circumstances, the occupying authorities shall also grant recognition to hospital personnel and transport vehicles under the provisions of Articles 20 and 21.

In adopting measures of health and hygiene and in their implementation, the Occupying Power shall take into consideration the moral and ethical susceptibilities of the population of the occupied territory.

ARTICLE 57.

The Occupying Power may requisition civilian hospitals only temporarily and only in cases of urgent necessity for the care of military wounded and sick, and then on condition that suitable arrangements are made in due time for the care and treatment of the patients and for the needs of the civilian population for hospital accommodation.

ARTIKEL 54.

Die Besettingsmoondheid mag nie die status van openbare amptenare of regters in die besette gebiede verander of op enige manier sanksies toepas of enige maatreëls vir dwang op of diskriminasie teen hulle tref nie indien hulle hulle weens gewetensbeswaar daarvan weerhou om hul funksies te verrig.

Hierdie verbodsbepaling doen geen afbreuk nie aan die toepassing van die tweede paragraaf van artikel 51. Dit raak nie die reg van die Besettingsmoondheid om openbare amptenare uit hul poste te verwyder nie.

ARTIKEL 55.

Dit is die plig van die Besettingsmoondheid om, met die middele tot sy beskikking, die voedsel- en mediese voorrade van die bevolking in die volste mate te verseker; sodanige Besettingsmoondheid moet in die besonder die nodige voedsel, mediese voorrade en ander artikels van elders inbring as die hulpbronne van die besette gebied ontoereikend is.

Die Besettingsmoondheid mag nie voedsel, artikels of mediese voorrade wat in die besette gebied beskikbaar is, kommandeer nie behalwe vir gebruik deur die besettingsmagte en administratiewe personeel, en dan alleenlik as die behoeftes van die burgerlike bevolking in ag geneem is. Behoudens die bepaling van ander internasionale Konvensies, moet die Besettingsmoondheid reëlings tref om te verseker dat 'n billike waarde vir gekommandeerde goedere betaal word.

Dit staan die Beskermd Moondheid te eniger tyd vry om die toestand van die voedsel- en mediese voorrade in besette gebiede te verifieer behalwe waar tydelike beperkings weens gebiedend noodsaaklike militêre vereistes ingevoer is.

ARTIKEL 56.

Dit is die plig van Besettingsmoondheid om, met die middele tot sy beskikking, in die volste mate en in samewerking met nasionale en plaaslike owerhede, die mediese en hospitaalinrigtings en -dienste, openbare gesondheid en higiëne in die besette gebied te verseker en in stand te hou, met spesiale verwysing na die aanvaarding en toepassing van dié profilaktiewe en voorkomingsmaatreëls wat nodig is om die verspreiding van aansteeklike siektes en epidemies te bestry. Die mediese personeel van alle kategorieë moet toegelaat word om hul pligte uit te voer.

As daar nuwe hospitale in 'n besette gebied opgerig word en as die bevoegde organe van die besette Staat nie aldaar in werking is nie, moet die besettingsowerhede, waar nodig, aan hulle die erkenning verleen waarvoor daar in artikel 18 voorsiening gemaak word. Onder soortgelyke omstandighede moet die besettingsowerhede ook ingevolge die bepaling van artikels 20 en 21 erkenning aan hospitaalpersoneel en voertuie verleen.

By die aanvaarding van gesondheids- en higiëne maatreëls en by die uitvoering daarvan, moet die Besettingsmoondheid die morele en etiese gevoelens van die bevolking van die besette gebied in aanmerking neem.

ARTIKEL 57.

Die Besettingsmoondheid kan burgerlike hospitale slegs tydelik, en dan alleenlik in gevalle van dringende noodsaaklikheid, kommandeer vir die versorging van militêre gewondes en siekes, en wel op voorwaarde dat geskikte maatreëls ter bestender tyd getref word vir die versorging en behandeling van die pasiënte en vir die behoeftes van die burgerlike bevolking aan hospitaalakkommodasie.

The material and stores of civilian hospitals cannot be requisitioned so long as they are necessary for the needs of the civilian population.

ARTICLE 58.

The Occupying Power shall permit ministers of religion to give spiritual assistance to the members of their religious communities.

The Occupying Power shall also accept consignments of books and articles required for religious needs and shall facilitate their distribution in occupied territory.

ARTICLE 59.

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

Such schemes, which may be undertaken either by States or by impartial humanitarian organizations such as the International Committee of the Red Cross, shall consist, in particular, of the provision of consignments of foodstuffs, medical supplies and clothing.

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

A Power granting free passage to consignments on their way to territory occupied by an adverse Party to the conflict shall, however, have the right to search the consignments, to regulate their passage according to prescribed times and routes, and to be reasonably satisfied through the Protecting Power that these consignments are to be used for the relief of the needy population and are not to be used for the benefit of the Occupying Power.

ARTICLE 60.

Relief consignments shall in no way relieve the Occupying Power of any of its responsibilities under Articles 55, 56 and 59. The Occupying Power shall in no way whatsoever divert relief consignments from the purpose for which they are intended, except in cases of urgent necessity, in the interests of the population of the occupied territory and with the consent of the Protecting Power.

ARTICLE 61.

The distribution of the relief consignments referred to in the foregoing Articles shall be carried out with the cooperation and under the supervision of the Protecting Power. This duty may also be delegated, by agreement between the Occupying Power and the Protecting Power, to a neutral Power, to the International Committee of the Red Cross or to any other impartial humanitarian body.

Such consignments shall be exempt in occupied territory from all charges, taxes or customs duties unless these are necessary in the interests of the economy of the territory. The Occupying Power shall facilitate the rapid distribution of these consignments.

All Contracting Parties shall endeavour to permit the transit and transport, free of charge, of such relief consignments on their way to occupied territories.

ARTICLE 62.

Subject to imperative reasons of security, protected persons in occupied territories shall be permitted to receive the individual relief consignments sent to them.

Die materiaal en voorrade van burgerlike hospitale mag nie gekommandeer word nie solank hulle vir die behoeftes van die burgerlike bevolking nodig is.

ARTIKEL 58.

Die Besettingsmoondheid moet Predikers toelaat om geestelike hulp aan lede van hul godsdienstige gemeenskappe te verleen.

Die Besettingsmoondheid moet ook besendings boeke en artikels wat vir godsdienstige doeleindes nodig is, aanneem en die verspreiding daarvan in die besette gebied vergemaklik.

ARTIKEL 59.

Indien die hele bevolking van 'n besette gebied of 'n gedeelte daarvan nie toereikende voorrade het nie, moet die Besettingsmoondheid toestem tot noodleningskemas ten behoeve van genoemde bevolking en moet hy sodanige skemas vergemaklik in die volste mate waartoe hy in staat is.

Sodanige skemas, wat of deur State of deur onpartydige humanitêre organisasies soos die Internasionale Komitee van die Rooikruis onderneem kan word, moet in die besonder bestaan uit die verskaffing van besendings voedsel, mediese voorrade en klere.

Alle Kontrakterende Partye moet hierdie besendings vry deurlaat en die beskerming daarvan waarborg.

'n Moondheid wat besendings op pad na 'n gebied deur 'n teenparty by die botsing beset word, vry deurlaat, het egter die reg om sodanige besendings te deursoek, die deurgang daarvan te reguleer volgens voorgeskrewe tye en roetes en om die redelike versekering deur tussenkoms van die Beskermende Moondheid te verkry dat hierdie besendings vir die noodleniging van die behoeftige bevolking gebruik sal word en nie tot voordeel van die Besettingsmoondheid aangewend sal word nie.

ARTIKEL 60.

Noodlenigingsbesendings mag op geen manier hoegenaamd die Besettingsmoondheid van sy verpligtings ingevolge artikels 55, 56 en 59 onthef nie. Die Besettingsmoondheid mag op geen manier hoegenaamd noodlenigingsbesendings vir 'n ander doel aanwend as dié waarvoor dit bedoel is nie, behalwe in gevalle van dringende noodsaaklikheid, in die belang van die bevolking van die besette gebied en met die toestemming van die Beskermende Moondheid.

ARTIKEL 61.

Die distribusie van die noodlenigingsbesendings soos in die voorafgaande artikels bedoel, moet met die samewerking en onder die toesig van die Beskermende Moondheid uitgevoer word. Hierdie plig kan ook, by ooreenkoms tussen die Besettingsmoondheid en die Beskermende Moondheid, toevertrou word aan 'n neutrale Moondheid, aan die Internasionale Komitee van die Rooikruis of aan enige ander onpartydige humanitêre liggaam.

Sodanige besendings moet in die besette gebied vrygestel wees van alle koste, belasting of invoerreg tensy dit in die belang van die ekonomie van die gebied nodig is. Die Besettingsmoondheid moet die vinnige distribusie van hierdie besendings vergemaklik.

Alle Kontrakterende Partye moet poog om sodanige besendings op pad na besette gebiede kosteloos deur te laat en te vervoer.

ARTIKEL 62.

Behoudens gebiedend noodsaaklike veiligheidsoorwagings, moet beskermde persone in besette gebiede toegelaat word om die individuele noodlenigingsbesendings wat aan hulle gestuur word, te ontvang.

ARTICLE 63.

Subject to temporary and exceptional measures imposed for urgent reasons of security by the Occupying Power:

(a) recognized National Red Cross (Red Crescent, Red Lion and Sun) Societies shall be able to pursue their activities in accordance with Red Cross principles, as defined by the International Red Cross Conferences. Other relief societies shall be permitted to continue their humanitarian activities under similar conditions;

(b) the Occupying Power may not require any changes in the personnel or structure of these societies, which would prejudice the aforesaid activities.

The same principles shall apply to the activities and personnel of special organizations of a non-military character, which already exist or which may be established, for the purpose of ensuring the living conditions of the civilian population by the maintenance of the essential public utility services, by the distribution of relief and by the organization of rescues.

ARTICLE 64.

The penal laws of the occupied territory shall remain in force, with the exception that they may be repealed or suspended by the Occupying Power in cases where they constitute a treat to its security or an obstacle to the application of the present Convention. Subject to the latter consideration and to the necessity for ensuring the effective administration to justice, the tribunals of the occupied territory shall continue to function in respect of all offences covered by the said laws.

The Occupying Power may, however, subject the population of the occupied territory to provisions which are essential to enable the Occupying Power to fulfil its obligations under the present Convention, to maintain the orderly government of the territory, and to ensure the security of the Occupying Power, of the members and property of the occupying forces or administration, and likewise of the establishments and lines of communication used by them.

ARTICLE 65.

The penal provisions enacted by the Occupying Power shall not come into force before they have been published and brought to the knowledge of the inhabitants in their own language. The effect of these penal provisions shall not be retroactive.

ARTICLE 66.

In case of a breach of the penal provisions promulgated by it by virtue of the second paragraph of Article 64, the Occupying Power may hand over the accused to its properly constituted, non-political military courts, on condition that the said courts sit in the occupied country. Courts of appeal shall preferably sit in the occupied country.

ARTICLE 67.

The courts shall apply only those Provisions of Law which were applicable prior to the offence, and which are in accordance with general principles of law, in particular the principle that the penalty shall be proportionate to the offence. They shall take into consideration the fact that the accused is not a national of the Occupying Power.

ARTIKEL 63.

Behoudens dié tydelike en buitengewone maatreëls wat die Besettingsmoondheid om dringende veiligheidsredes opleë—

(a) moet erkende nasionale Rooikruis- (Rooi Halfmaan-, Rooi Leeu- en Son-) verenigings in staat wees om hul werksaamhede ooreenkomstig Rooikruisbeginsels soos op die Internasionale Rooikruiskonferensies omskryf, uit te voer. Ander noodlenigingsverenigings moet toegelaat word om hul humanitêre werksaamhede op soortgelyke voorwaardes voort te sit;

(b) mag die Besettingsmoondheid nie vereis dat dié veranderings in die personeel of struktuur van hierdie verenigings wat voornoemde werksaamhede sal benadeel, aangebring word nie.

Dieselfde beginsels is van toepassing op die werksaamhede en personeel van spesiale organisasies van 'n nie-militêre aard wat alreeds bestaan of wat gestig mag word met die doel om die lewenstoestande van die burgerlike bevolking te verseker deur die instandhouding van noodsaaklike openbare utiliteitsdienste, die distribusie van noodlenigingsgoedere en die organisasie van reddingswerk.

ARTIKEL 64.

Die strafreg van die besette gebied moet van krag bly, met dié uitsondering dat dit deur die Besettingsmoondheid herroep of opgeskort kan word in gevalle waar dit 'n bedreiging van sy veiligheid uitmaak of die toepassing van die huidige Konvensie belemmer. Behoudens laasgenoemde oorweging en die noodsaaklikheid om doeltreffende regspraak te verseker, moet die regbanke van die besette gebied aanhou funksioneer ten opsigte van alle oortredings wat deur genoemde strafreg gedek word.

Die Besettingsmoondheid kan egter die bevolking van die besette gebied onderwerp aan bepalings wat noodsaaklik is ten einde die Besettingsmoondheid in staat te stel om sy verpligtings ingevolge die huidige Konvensie na te kom, om die ordelike bestuur van die gebied te handhaaf en om die veiligheid van die Besettingsmoondheid, van die lede en eiendom van die besettingsmagte of -administrasie en insgelyks van die kommunikasie-instellings en -kanale wat deur hulle gebruik word, te verseker.

ARTIKEL 65.

Die strafregtelike bepalings wat deur die Besettingsmoondheid afgekondig word, mag nie van krag word nie voordat dit gepubliseer en aan die inwoners in hul eie taal bekendgemaak is. Hierdie strafregtelike bepalings mag nie van terugwerkende krag wees nie.

ARTIKEL 66.

Waar die strafregtelike bepalings wat die Besettingsmoondheid uit hoofde van die tweede paragraaf van artikel 64 afgekondig het, oortree word, kan sodanige Besettingsmoondheid die beskuldigde aan sy behoorlik saamgestelde nie-politieke militêre howe oorhandig op voorwaarde dat genoemde howe in die besette gebied sitting moet hou. Appêlhowe moet by voorkeur in die besette land sitting hou.

ARTIKEL 67.

Die howe moet alleenlik daardie bepalings van die Wet toepas wat voor die oortreding van toepassing was en wat met die algemene regsbeginnsels strook, veral die beginsel dat die straf eweredig aan die oortreding moet wees. Die howe moet die feit dat die beskuldigde nie 'n burger van die Besettingsmoondheid is nie, in aanmerking neem.

ARTICLE 68.

Protected persons who commit an offence which is solely intended to harm the Occupying Power, but which does not constitute an attempt on the life or limb of members of the occupying forces or administration, nor a grave collective danger, nor seriously damage the property of the occupying forces or administration or the installations used by them, shall be liable to internment or simple imprisonment, provided the duration of such internment or imprisonment is proportionate to the offence committed. Furthermore, internment or imprisonment shall, for such offences, be the only measure adopted for depriving protected persons of liberty. The courts provided for under Article 66 of the present Convention may at their discretion convert a sentence of imprisonment to one of internment for the same period.

The penal provisions promulgated by the Occupying Power in accordance with Articles 64 and 65 may impose the death penalty on a protected person only in cases where the person is guilty of espionage, of serious acts of sabotage against the military installations of the Occupying Power or of intentional offences which have caused the death of one or more persons, provided that such offences were punishable by death under the law of the occupied territory in force before the occupation began.

The death penalty may not be pronounced against a protected person unless the attention of the court has been particularly called to the fact that since the accused is not a national of the Occupying Power, he is not bound to it by any duty of allegiance.

In any case, the death penalty may not be pronounced against a protected person who was under eighteen years of age at the time of the offence.

ARTICLE 69.

In all cases, the duration of the period during which a protected person accused of an offence is under arrest awaiting trial or punishment shall be deducted from any period of imprisonment awarded.

ARTICLE 70.

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

Nationals of the occupying Power who, before the outbreak of hostilities, have sought refuge in the territory of the occupied State, shall not be arrested, prosecuted, convicted or deported from the occupied territory, except for offences committed after the outbreak of hostilities, or for offences under common law committed before the outbreak of hostilities which, according to the law of the occupied State, would have justified extradition in time of peace.

ARTICLE 71.

No sentence shall be pronounced by the competent courts of the Occupying Power except after a regular trial.

Accused persons who are prosecuted by the Occupying Power shall be promptly informed, in writing, in a language which they understand, of the particulars of the charges preferred against them, and shall be brought

ARTIKEL 68.

Beskermde persone wat 'n oortreding begaan wat alleenlik daarop gemik is om die Besettingsmoondheid te benadeel maar wat nie 'n aanslag op die lewe of ledemate van lede van die besettingsmagte of die administrasie of nie 'n ernstige kollektiewe gevaar uitmaak nie en ook nie die eiendom van die besettingsmagte of -administrasie of die installasies wat deur hulle gebruik word, ernstig beskadig het nie, kan geïnterneer of eenvoudig opgesluit word; met dien verstande dat die duur van sodanige internering of opsluiting eweredig moet wees aan die oortreding wat begaan is. Daarenbove moet internering of opsluiting weens sodanige oortredings die enigste maatregel wees waarvolgens beskermde persone hul vryheid ontnem kan word. Die howe waarvoor daar by artikel 66 van die huidige Konvensie voorsiening gemaak word, kan na hul goedvinde gevangenisstraf verander in internering vir dieselfde tydperk.

Die strafregtelike bepalings wat die Besettingsmoondheid afkondig ooreenkomstig artikels 64 en 65, kan 'n beskermde persoon die doodstraf opleë alleenlik in gevalle waar die persoon skuldig is aan spioenasie, ernstige sabotasie teen die militêre installasies van die Besettingsmoondheid of 'n opsetlike oortreding wat die dood van een of meer persone veroorsaak het, mits sodanige oortredings ingevolge die wet van die besette gebied met die dood strafbaar was voordat die besetting begin het.

'n Beskermde persoon mag nie tot die dood veroordeel word nie tensy die aandag van die hof in die besonder gevestig is op die feit dat, aangesien die beskuldigde nie 'n burger van die Besettingsmoondheid is nie, hy nie 'n getrouheidspilg teenoor sodanige Besettingsmoondheid het nie.

'n Beskermde persoon wat jonger as agtien jaar ten tyde van die oortreding was, mag in elk geval nie tot die dood veroordeel word nie.

ARTIKEL 69.

Die tydperk wat 'n beskermde persoon wat van 'n oortreding aangekla is, gevange gehou is in afwagting van verhoor of straf, moet in alle gevalle afgetrek word van enige tydperk van gevangenisstraf wat opgelê word.

ARTIKEL 70.

Beskermde persone mag nie weens dade gepleeg of menings uitgespreek voor die besetting of gedurende 'n tydelike onderbreking daarvan, deur die Besettingsmoondheid gearresteer, vervolg of veroordeel word nie behalwe in gevalle waar sodanige beskermde persone die wette en gebruike in verband met oorlogvoering oortree het.

Die burgers van die Besettingsmoondheid wat voor die uitbreek van vyandelikhede na die gebied van die besette Staat gevlug het, mag nie gearresteer, vervolg, veroordeel of uit die besette gebied gedeporteer word nie behalwe in die geval van oortredings wat na die uitbreek van vyandelikhede begaan is of in die geval van oortredings, ingevolge die gemene reg, wat voor die uitbreek van vyandelikhede begaan is en wat, volgens die wet van die besette Staat, uitlewering in vredestryd sou geregverdig het.

ARTIKEL 71.

Die bevoegde howe van die Besettingsmoondheid mag alleenlik na 'n reëlmatige verhoor vonnis vel.

Beskuldigde persone wat deur die Besettingsmoondheid vervolg word, moet onverwyld skriftelik en in 'n taal wat hulle verstaan, verwittig word van die besonderhede van die klagtes wat teen hulle ingebring word en moet so gou

to trial as rapidly as possible. The Protecting Power shall be informed of all proceedings instituted by the Occupying Power against protected persons in respect of charges involving the death penalty or imprisonment for two years or more; it shall be enabled, at any time, to obtain information regarding the state of such proceedings. Furthermore, the Protecting Power shall be entitled, on request, to be furnished with all particulars of these and of any other proceedings instituted by the Occupying Power against protected persons.

The notification to the Protecting Power, as provided for in the second paragraph above, shall be sent immediately, and shall in any case reach the Protecting Power three weeks before the date of the first hearing. Unless, at the opening of the trial, evidence is submitted that the provisions of this Article are fully complied with, the trial shall not proceed. The notification shall include the following particulars:

- (a) Description of the accused;
- (b) place of residence or detention;
- (c) specification of the charge or charges (with mention of the penal provisions under which it is brought);
- (d) designation of the court which will hear the case;
- (e) place and date of the first hearing.

ARTICLE 72.

Accused persons shall have the right to present evidence necessary to their defence and may, in particular, call witnesses. They shall have the right to be assisted by a qualified advocate or counsel of their own choice, who shall be able to visit them freely and shall enjoy the necessary facilities for preparing the defence.

Failing a choice by the accused, the Protecting Power may provide him with an advocate or counsel. When an accused person has to meet a serious charge and the Protecting Power is not functioning, the Occupying Power, subject to the consent of the accused, shall provide an advocate or counsel.

Accused persons shall, unless they freely waive such assistance, be aided by an interpreter, both during preliminary investigation and during the hearing in court. They shall have the right at any time to object to the interpreter and to ask for his replacement.

ARTICLE 73.

A convicted person shall have the right of appeal provided for by the laws applied by the court. He shall be fully informed of his right to appeal or petition and of the time limit within which he may do so.

The penal procedure provided in the present Section shall apply, as far as it is applicable, to appeals. Where the laws applied by the Court make no provision for appeals, the convicted person shall have the right to petition against the finding and sentence to the competent authority of the Occupying Power.

ARTICLE 74.

Representatives of the Protecting Power shall have the right to attend the trial of any protected person, unless the hearing has, as an exceptional measure, to be held

moontlik verhoor word. Die Beskernde Moondheid moet verwittig word van alle geregtelike stappe wat die Besettingsmoondheid teen beskernde persone doen ten opsigte van aanklagte waarby die doodvonnis of gevangenisstraf vir twee jaar of langer betrokke is, en die Beskernde Moondheid moet te eniger tyd in staat gestel word om inligting in verband met sodanige geregtelike stappe te verkry. Daarbenewens is die Beskernde Moondheid daarop geregtig om, op versoek, voorsien te word van alle besonderhede van hierdie en alle ander geregtelike stappe wat die Besettingsmoondheid teen beskernde persone doen.

Die kennisgewing aan die Beskernde Moondheid, waarvoor daar in die tweede paragraaf hierbo voorsiening gemaak word, moet onmiddellik gestuur word en moet in elk geval die Beskernde Moondheid drie weke voor die datum van die eerste verhoor bereik. Tensy daar by die aanvang van die verhoor getuienis gelewer word dat die bepalings van hierdie artikel ten volle nagekom is, mag daar nie met die verhoor voortgegaan word nie. Die kennisgewing moet die volgende besonderhede bevat:

- (a) 'n Beskrywing van die beskuldigde;
- (b) die plek waar hy woonagtig is of aangehou word;
- (c) 'n uiteensetting van die aanklag of aanklagte (met vermelding van die strafregtelike bepalings waarkragtens dit ingestel word);
- (d) die naam van die hof wat die saak sal verhoor;
- (e) die plek en datum van die eerste verhoor.

ARTIKEL 72.

Beskuldigde persone het die reg om getuienis wat vir hul verweer nodig is, aan te bied en kan, in die besonder, getuies roep. Hulle het die reg om bygestaan te word deur 'n gekwalifiseerde advokaat of raadgewer van hul eie keuse, en sodanige advokaat of raadgewer het die reg om hulle vrylik te besoek en moet die nodige fasiliteite vir die opstelling van hul verweer geniet.

Waar die beskuldigde nie 'n keuse uitoefen nie, kan die Beskernde Moondheid 'n advokaat of raadgewer vir hom aanstel. Wanneer 'n beskuldigde persoon van 'n ernstige oortreding aangekla word en die Beskernde Moondheid nie funksioneer nie, moet die Besettingsmoondheid 'n advokaat of raadgewer verskaf mits die beskuldigde daarmee instem.

Beskuldigde persone moet beide gedurende die voorlopige ondersoek en gedurende die verhoor van die saak in die hof deur 'n tolk bygestaan word tensy hulle uit eie beweging sodanige hulp van die hand wys. Hulle het te eniger tyd die reg om beswaar teen die tolk te maak en te vra dat hy vervang word.

ARTIKEL 73.

'n Veroordeelde persoon het die reg om appèl aan te teken volgens die wette wat deur die hof toegepas word. Hy moet volledig ingelig word omtrent sy reg om appèl aan te teken of 'n versoekskrif in te stuur en omtrent die tydgrens waarbinne hy dit kan doen.

Die strafregtelike prosedure waarvoor daar in hierdie Afdeling voorsiening gemaak word, moet sover moontlik op appèlsake toegepas word. Waar die wette wat deur die hof toegepas word, geen voorsiening vir appèl maak nie, het die veroordeelde persoon die reg om 'n versoekskrif teen die bevinding en vonnis aan die bevoegde owerheid van die Besettingsmoondheid te rig.

ARTIKEL 74.

Verteenwoordigers van die Beskernde Moondheid het die reg om die verhoor van 'n beskernde persoon by te woon tensy die verhoor, as 'n buitengewone maatregel,

in camera in the interests of the security of the Occupying Power, which shall then notify the Protecting Power. A notification in respect of the date and place of trial shall be sent to the Protecting Power.

Any judgment involving a sentence of death, or imprisonment for two years or more, shall be communicated, with the relevant grounds, as rapidly as possible to the Protecting Power. The notification shall contain a reference to the notification made under Article 71, and, in the case of sentences of imprisonment, the name of the place where the sentence is to be served. A record of judgments other than those referred to above shall be kept by the court and shall be open to inspection by representatives of the Protecting Power. Any period allowed for appeal in the case of sentences involving the death penalty, or imprisonment of two years or more, shall not run until notification of judgment has been received by the Protecting Power.

ARTICLE 75.

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

No death sentence shall be carried out before the expiration of a period of at least six months from the date of receipt by the Protecting Power of the notification of the final judgment confirming such death sentence, or of an order denying pardon or reprieve.

The six months period of suspension of the death sentence herein prescribed may be reduced in individual cases in circumstances of grave emergency involving an organized threat to the security of the Occupying Power or its forces, provided always that the Protecting Power is notified of such reduction and is given reasonable time and opportunity to make representations to the competent occupying authorities in respect of such death sentences.

ARTICLE 76.

Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein. They shall, if possible, be separated from other detainees and shall enjoy conditions of food and hygiene which will be sufficient to keep them in good health, and which will be at least equal to those obtaining in prisons in the occupied country.

They shall receive the medical attention required by their state of health.

They shall also have the right to receive any spiritual assistance which they may require.

Women shall be confined in separate quarters and shall be under the direct supervision of women.

Proper regard shall be paid to the special treatment due to minors.

Protected persons who are detained shall have the right to be visited by delegates of the Protecting Power and of the International Committee of the Red Cross, in accordance with the provisions of Article 143.

Such persons shall have the right to receive at least one relief parcel monthly.

ter wille van die veiligheid van die Besettingsmoondheid *in camera* gehou moet word, en in so 'n geval moet die Beskermde Moondheid daarvan in kennis gestel word. 'n Kennisgewing ten opsigte van die datum en plek van verhoor moet aan die Beskermende Moondheid gestuur word.

Enige uitspraak waarby die doodvonnis of gevangenisstraf vir twee jaar of langer betrokke is, moet so gou moontlik en met vermelding van die relevante gronde aan die Beskermende Moondheid bekendgemaak word. Die kennisgewing moet 'n verwysing bevat na die kennisgewing wat ingevolge artikel 71 gestuur is, en in die geval van gevangenisstraf moet die naam van die plek gemeld word waar die vonnis uitgedien sal word. 'n Oorkonde van ander uitsprake as dié hierbo bedoel, moet deur die hof gehou word en moet beskikbaar wees vir insae deur verteenwoordigers van die Beskermende Moondheid. Enige tydperk wat vir appél toegelaat word in gevalle waarby die doodvonnis of gevangenisstraf vir twee jaar of langer betrokke is, mag nie begin nie totdat die Beskermende Moondheid 'n kennisgewing van die uitspraak ontvang het.

ARTIKEL 75.

Persone wat tot die dood veroordeel is, mag in geen geval die reg ontnem word om 'n versoekskrif vir begenadiging of grasië in te dien nie.

Geen doodvonnis mag voltrek word nie voordat 'n tydperk van minstens ses maande verstryk het vanaf die datum waarop die Beskermende Moondheid die kennisgewing van die finale uitspraak waarby sodanige doodvonnis bekragtig word of van 'n bevel waarby begenadiging of grasië geweier word, ontvang het.

Die tydperk van ses maande wat die doodvonnis opgeskort moet word soos hierin voorgeskryf, kan in individuele gevalle verkort word onder omstandighede van ernstige nood waarby 'n georganiseerde bedreiging van die veiligheid van die Besettingsmoondheid of van sy magte betrokke is, maar altyd met dien verstande dat die Beskermende Moondheid van sodanige verkorting in kennis gestel en 'n redelike tyd en geleentheid gegee word om verhoë in verband met sodanige doodvonnisse tot die bevoegde besettingsowerhede te rig.

ARTIKEL 76.

Beskermende persone wat van oortredings aangekla word, moet in die besette land aangehou word, en as hulle skuldig bevind word, moet hulle hul vonnisse in daardie land uitdien. Hulle moet, waar moontlik, van ander aangehoudenes geskei word en moet, wat voedsel en higiëne betref, toestande geniet wat voldoende is om hulle in goeie gesondheid te hou en wat minstens gelyk is aan dié wat in gevangenis in die land gehandhaaf word.

Hulle moet dié geneeskundige behandeling ontvang wat hul gesondheidstoestand vereis.

Hulle het ook die reg om dié geestelike hulp te verkry wat hulle nodig mag hê.

Vrouens moet in afsonderlike kwartiere aangehou word en moet regstreeks onder die toesig van vrouens wees.

Daar moet behoorlik ag geslaan word op die spesiale behandeling waarop minderjariges geregtig is.

Beskermende persone wat aangehou word, het die reg om besoeke van afgevaardigdes van die Beskermende Moondheid en van die Internasionale Komitee van die Rooikruis te ontvang ooreenkomstig die bepalings van artikel 143.

Sodanige persone het die reg om minstens een noodlenigingspakket per maand te ontvang.

ARTICLE 77.

Protected persons who have been accused of offences or convicted by the courts in occupied territory, shall be handed over at the close of occupation, with the relevant records, to the authorities of the liberated territory.

ARTICLE 78.

If the Occupying Power considers it necessary, for imperative reasons of security, to take safety measures concerning protected persons, it may, at the most, subject them to assigned residence or to internment.

Decisions regarding such assigned residence or internment shall be made according to a regular procedure to be prescribed by the Occupying Power in accordance with the provisions of the present Convention. This procedure shall include the right of appeal for the parties concerned. Appeals shall be decided with the least possible delay. In the event of the decision being upheld, it shall be subject to periodical review, if possible every six months, by a competent body set up by the said Power.

Protected persons made subject to assigned residence and thus required to leave their homes shall enjoy the full benefit of Article 39 of the present Convention.

SECTION IV.

REGULATIONS FOR THE TREATMENT OF INTERNEES.

CHAPTER I.

GENERAL PROVISIONS.

ARTICLE 79.

The Parties to the conflict shall not intern protected persons, except in accordance with the provisions of Articles 41, 42, 43, 68 and 78.

ARTICLE 80.

Internees shall retain their full civil capacity and shall exercise such attendant rights as may be compatible with their status.

ARTICLE 81.

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

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

The Detaining Power shall provide for the support of those dependent on the internees, if such dependents are without adequate means of support or are unable to earn a living.

ARTICLE 82.

The Detaining Power shall, as far as possible, accommodate the internees according to their nationality, language and customs. Internees who are nationals of the same country shall not be separated merely because they have different languages.

ARTIKEL 77.

Beskernde persone wat van oortredings aangekla is of wat deur die houe in 'n besette gebied gevonniss is, moet by die beëindiging van die besetting saam met die relevante oorkondes aan die owerhede van die bevryde gebied oorhandig word.

ARTIKEL 78.

Indien die Besettingsmoondheid dit om gebiedend noodsaaklike veiligheidsredes nodig ag om veiligheidsmaatreëls in verband met beskernde persone te tref, kan hy, as 'n uiterste maatregel, hulle dwing om op 'n aangewese plek te woon of hulle interneer.

Beslissings in verband met sodanige aangewese woonplek of internering moet gevel word volgens 'n reëlmatige prosedure wat ooreenkomstig die bepalings van die huidige Konvensie deur die Besettingsmoondheid voorgeskryf word. Hierdie prosedure moet ook voorsiening maak vir die betrokke partye se reg om appèl. Appèlle moet met so min vertraging moontlik beslis word. Waar 'n beslissing gehandhaaf word, moet dit onderworpe wees aan periodieke hersiening, elke ses maande indien moontlik, deur 'n bevoegde liggaam wat deur genoemde Moondheid in die lewe geroep is.

Beskernde persone wat gedwing word om op aangewese plekke te woon en dus hul wonings moet verlaat, geniet die volle voordele van artikel 39 van die huidige Konvensie.

AFDELING IV.

REGULASIES VIR DIE BEHANDELING VAN GEÏNTERNEERDES.

HOOFSTUK I.

ALGEMENE BEPALINGS.

ARTIKEL 79.

Die Partye by die botsing mag nie beskernde persone interneer nie, behalwe ooreenkomstig die bepalings van artikels 41, 42, 43, 68 en 78.

ARTIKEL 80.

Geïnterneerdes moet hulle volle burgerlike hoedanigheid behou en moet dié regte wat daarmee gepaard gaan en wat met hul status bestaanbaar is, uitoefen.

ARTIKEL 81.

Partye by die botsing wat beskernde persone interneer, moet sodanige persone gratis van die nodige onderhoud voorsien en ook aan hulle dié mediese behandeling gee wat hul gesondheidstoestand vereis.

Daar mag van die toelaes, salarisse of kredietbedrae wat aan die geïnterneerdes verskuldig is, geen bedrag ter terugbetaling van hierdie koste afgetrek word nie.

Die Aanhoudingsmoondheid moet vir die onderhoud van die afhanklikes van geïnterneerdes voorsiening maak as sodanige afhanklikes sonder toereikende onderhoudsmiddels is of nie in staat is om 'n bestaan te maak nie.

ARTIKEL 82.

Die Aanhoudingsmoondheid moet die geïnterneerde sover moontlik huisves volgens hul nasionaliteit, taal en gewoontes. Die geïnterneerdes wat burgers van dieselfde land is, mag nie van mekaar geskei word bloot omdat hulle verskillende tale praat nie.

Throughout the duration of their internment, members of the same family, and in particular parents and children, shall be lodged together in the same place of internment, except when separation of a temporary nature is necessitated for reasons of employment or health or for the purposes of enforcement of the provisions of Chapter IX of the present Section. Internees may request that their children who are left at liberty without parental care shall be interned with them.

Wherever possible, interned members of the same family shall be housed in the same premises and given separate accommodation from other internees, together with facilities for leading a proper family life.

CHAPTER II.

PLACES OF INTERNMENT.

ARTICLE 83.

The Detaining Power shall not set up places of internment in areas particularly exposed to the dangers of war.

The Detaining Power shall give the enemy Powers, through the intermediary of the Protecting Powers, all useful information regarding the geographical location of places of internment.

Whenever military considerations permit, internment camps shall be indicated by the letters IC, placed so as to be clearly visible in the daytime from the air. The Powers concerned may, however, agree upon any other system of marking. No place other than an internment camp shall be marked as such.

ARTICLE 84.

Internees shall be accommodated and administered separately from prisoners of war and from persons deprived of liberty for any other reason.

ARTICLE 85.

The Detaining Power is bound to take all necessary and possible measures to ensure that protected persons shall, from the outset of their internment, be accommodated in buildings or quarters which afford every possible safeguard as regards hygiene and health, and provide efficient protection against the rigours of the climate and the effects of the war. In no case shall permanent places of internment be situated in unhealthy areas, or in districts the climate of which is injurious to the internees. In all cases where the district, in which a protected person is temporarily interned, is in an unhealthy area or has a climate which is harmful to his health, he shall be removed to a more suitable place of internment as rapidly as circumstances permit.

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

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

Lede van dieselfde gesin, en veral ouers en kinders, moet vir die hele tydperk van hul internering saam op dieselfde interneringsplek gehuisves word, behalwe wanneer hul tydelike skeiding genoodsaak word deur hul werk of gesondheid of wanneer dit gedoen moet word om uitvoering aan die bepalings van Hoofstuk IX van die huidige Afdeling te gee. Geïnterneerdes kan versoek dat hul kinders wat sonder ouerlike sorg in vryheid verkeer, saam met hulle geïnterneer moet word.

Waar moontlik moet geïnterneerde lede van dieselfde gesin in dieselfde perseel gehuisves word en moet daar akkommodasie wat van ander geïnterneerdes afgesonder is, tesame met fasiliteite vir 'n behoorlike gesinslewe, aan hulle gegee word.

HOOFSTUK II.

INTERNERINGSPLEKKE.

ARTIKEL 83.

Die Aanhoudingsmoondheid mag nie interneringsplekke wat besonder blootgestel is aan oorlogsgevaar, oprit of open nie.

Die Aanhoudingsmoondheid moet die vyandelike Moondhede deur tussenkoms van die Beskermende Moondhede voorsien van alle nuttige inligting in verband met die geografiese ligging van interneringsplekke.

Waar militêre oorwegings dit toelaat, moet interneringskampe aangedui word deur die letter IC wat so geplaas moet word dat dit gedurende die dag duidelik uit die lug sigbaar is. Die betrokke Moondhede kan egter ooreenkom oor enige ander merkstelsel. Geen ander plek as 'n interneringskamp mag as sodanig gemerk word nie.

ARTIKEL 84.

Geïnterneerdes moet afsonderlik van krygsgevangenes en van persone wat om 'n ander rede hul vryheid ontnem is, gehuisves en geadministreer word.

ARTIKEL 85.

Die Aanhoudingsmoondheid moet alle nodige en moontlike maatreëls tref ten einde te verseker dat beskermde persone van die begin van hul internering af gehuisves word in geboue of kwartiere waarin alle moontlike veiligheidsmaatreëls in verband met higiëne en gesondheid getref is en wat voldoende beskerming bied teen die strafheid van die klimaat en die gevolge van die oorlog. In geen geval mag permanente interneringsplekke in ongesonde streke of in distrikte waarvan die klimaat vir die geïnterneerdes nadelig is, geleë wees nie. In alle gevalle waar die distrik waarin 'n beskermde persoon tydelik geïnterneer word, in 'n gesonde streek geleë is of 'n klimaat het wat sy gesondheid benadeel, moet hy so gou as omstandighede dit moontlik maak, na 'n geskikter interneringsplek verwyder word.

Die persele moet ten volle beskut wees teen klammigheid, moet op 'n doeltreffende wyse verwarm word en van doeltreffende ligte voorsien word, veral gedurende die tydperk tussen skemer en „ligte dood“. Die slaapplekke moet groot genoeg en goed geventileer wees en die geïnterneerdes moet met inagneming van die klimaat, hul ouderdom, geslag en gesondheidstoestand van geskikte beddegoed en voldoende komberse voorsien wees.

Sanitêre geriewe wat aan die gesondheidsreëls voldoen en wat gedurig in 'n skoon toestand gehou moet word, moet dag en nag vir die gebruik van geïnterneerdes beskikbaar wees. Die geïnterneerdes moet voorsien word van genoeg water en seep vir hul daaglikse persoonlike toilet en vir hul persoonlike wasgoed; installasies en fasiliteite wat vir hierdie doel nodig is, moet aan hulle verskaf word.

sary for this purpose shall be granted to them. Showers or baths shall also be available. The necessary time shall be set aside for washing and for cleaning.

Whenever it is necessary, as an exceptional and temporary measure, to accommodate women internees who are not members of a family unit in the same place of internment as men, the provision of separate sleeping quarters and sanitary conveniences for the use of such women internees shall be obligatory.

ARTICLE 86.

The Detaining Power shall place at the disposal of interned persons, of whatever denomination, premises suitable for the holding of their religious services.

ARTICLE 87.

Canteens shall be installed in every place of internment, except where other suitable facilities are available. Their purpose shall be to enable internees to make purchases, at prices not higher than local market prices, of food-stuffs and articles of everyday use, including soap and tobacco, such as would increase their personal well-being and comfort.

Profits made by canteens shall be credited to a welfare fund to be set up for each place of internment, and administered for the benefit of the internees attached to such place of internment. The Internee Committee provided for in Article 102 shall have the right to check the management of the canteen and of the said fund.

When a place of internment is closed down, the balance of the welfare fund shall be transferred to the welfare fund of a place of internment for internees of the same nationality, or, if such a place does not exist, to a central welfare fund which shall be administered for the benefit of all internees remaining in the custody of the Detaining Power. In case of a general release, the said profits shall be kept by the Detaining Power, subject to any agreement to the contrary between the Powers concerned.

ARTICLE 88.

In all places of internment exposed to air raids and other hazards of war, shelters adequate in number and structure to ensure the necessary protection shall be installed. In case of alarms, the internees shall be free to enter such shelters as quickly as possible, excepting those who remain for the protection of their quarters against the aforesaid hazards. Any protective measures taken in favour of the population shall also apply to them.

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

CHAPTER III.

FOOD AND CLOTHING.

ARTICLE 89.

Daily food rations for internees shall be sufficient in quantity, quality and variety to keep internees in a good state of health and prevent the development of nutritional deficiencies. Account shall also be taken of the customary diet of the internees.

Baddens of stortbaddens moet ook beskikbaar wees. Die nodige tyd moet vir was- en skoonmaakdoeleindes afgesonder word.

Wanneer dit as 'n buitengewone en tydelike maatreef nodig is om vroulike geïnterneerdes wat nie lede van 'n gesinseenheid is nie, op dieselfde interneringsplek as mans te huisves, is dit verpligtend om afsonderlike slaapplekke en sanitêre geriewe vir die gebruik van sodanige vroulike geïnterneerdes te verskaf.

ARTIKEL 86.

Die Aanhoudingsmoondheid moet persele wat vir godsdiensoefeninge geskik is, tot die beskikking van geïnterneerdes, van watter kerkverband ook al, plaas.

ARTIKEL 87.

Kampwinkels moet op elke interneringsplek opgerig word behalwe waar ander geskikte fasiliteite beskikbaar is. Die doel hiervan is om geïnterneerdes in staat te stel om dié voedsel en artikels vir daaglikse gebruik, met inbegrip van seep en tabak, wat hul persoonlike welsyn en gerief sal bevorder, aan te koop teen pryse wat nie hoër as die plaaslike markpryse is nie.

'n Welsynsfonds wat vir elke interneringsplek ingestel en tot voordeel van die geïnterneerdes verbonde aan sodanige interneringsplek, aangewend moet word, moet met die winste van die kampwinkel gekrediteer word. Die Komitee van Geïnterneerdes waarvoor daar in artikel 102 voorsiening gemaak word, het die reg om die oog te hou op die bestuur van die kampwinkel en genoemde fonds na te gaan.

Wanneer 'n interneringsplek gesluit word, moet die saldo van die welsynsfonds oorgedra word na die welsynsfonds van 'n interneringsplek vir geïnterneerdes van dieselfde nasionaliteit of, as daar nie so 'n plek bestaan nie, na 'n sentrale welsynsfonds wat ge-administreer moet word tot voordeel van alle geïnterneerdes wat nog in die bewaring van die Aanhoudingsmoondheid is. Ingeval van 'n algemene vrylating, moet genoemde winste, behoudens 'n andersluidende ooreenkoms tussen die betrokke Moondhede, deur die Aanhoudingsmoondheid gehou word.

ARTIKEL 88.

By alle interneringsplekke wat aan lugaanvalle en ander oorlogsgevaare blootgestel is, moet daar voldoende skuilings opgerig word wat toereikend is om die nodige beskerming te verseker. In geval van alarms, moet die geïnterneerdes, uitgesonderd diegene wat agterbly ten einde hul eie kwartiere teen voornoemde gevaare te beskerm, vry wees om sodanige skuilings so gou moontlik binne te gaan. Alle beskermingsmaatreëls wat ten gunste van die bevolking getref word, moet ook op hulle van toepassing wees.

Alle behoorlike voorsorgmaatreëls teen brandgevaar moet op interneringsplekke getref word.

HOOFSTUK III.

VOEDSEL EN KLEDING.

ARTIKEL 89.

Die daaglikse voedselrantsoene van geïnterneerdes moet, wat hoeveelheid, gehalte en verskeidenheid betref, voldoende wees om die geïnterneerdes in 'n goeie gesondheidstoestand te hou en die ontwikkeling van gebreke as gevolg van wanvoeding te voorkom. Daar moet rekening gehou word met die gebruikelike dieet van die geïnterneerdes.

Internees shall also be given the means by which they can prepare for themselves any additional food in their possession.

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

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

Expectant and nursing mothers, and children under fifteen years of age, shall be given additional food, in proportion to their physiological needs.

ARTICLE 90.

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

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

Workers shall receive suitable working outfits, including protective clothing, whenever the nature of their work so requires.

CHAPTER IV.

HYGIENE AND MEDICAL ATTENTION.

ARTICLE 91.

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

Maternity cases and internees suffering from serious diseases, or whose condition requires special treatment, a surgical operation or hospital care, must be admitted to any institution where adequate treatment can be given and shall receive care not inferior to that provided for the general population.

Internees shall, for preference, have the attention of medical personnel of their own nationality.

Internees may not be prevented from presenting themselves to the medical authorities for examination. The medical authorities of the Detaining Power shall, upon request, issue to every internee who has undergone treatment an official certificate showing the nature of his illness or injury, and the duration and nature of the treatment given. A duplicate of this certificate shall be forwarded to the Central Agency provided for in Article 140.

Treatment, including the provision of any apparatus necessary for the maintenance of internees in good health, particularly dentures and other artificial appliances and spectacles, shall be free of charge to the internee.

Geïnterneerdes moet ook van die middele voorsien word wat hulle in staat stel om vir hulself addisionele voedsel te berei wat in hul besit is.

Daar moet genoeg drinkwater aan geïnterneerdes verskaf word. Die gebruik van tabak moet toegelaat word.

Geïnterneerdes wat werk, moet addisionele rantsoene ontvang wat in verhouding is tot die soort arbeid wat hulle verrig.

Verwagte en sogende moeders en kinders onder vyftien jaar moet addisionele voedsel ontvang wat in verhouding is tot hul fisiologiese behoeftes.

ARTIKEL 90.

Wanneer geïnterneerdes in bewaring geneem word, moet daar aan hulle alle fasiliteite gegee word om hulself te voorsien van die nodige klere, skoeisel en verskoning van onderklere, en lateraan moet hulle in die geleentheid gestel word om verdere voorrade te verkry indien hulle dit nodig het. Indien geïnterneerdes, met inagneming van die klimaat, nie genoeg klere het nie en nie daartoe in staat is om dit te verkry nie, moet die Aanhoudingsmoondheid dit gratis aan hulle verskaf.

Die klere wat die Aanhoudingsmoondheid aan geïnterneerdes verskaf en die buitemerke wat op hul eie klere aangebring word, mag nie ontrend wees nie en hulle ook nie bespotlik maak nie.

Werkers moet geskikte werkkuitrustings, met inbegrip van beskermende klere, ontvang wanneer die aard van hul werk dit vereis.

HOOFSTUK IV.

HIGIËNE EN MEDIESE BEHANDELING.

ARTIKEL 91.

Elke interneringsplek moet 'n toereikende sieke-afdeling onder die bestuur van 'n gekwalifiseerde dokter hê waar geïnterneerdes die behandeling wat hulle nodig het, asook 'n geskikte dieet kan kry. Afsonderingsafdelings moet opgerig word vir gevalle van aansteeklike of siel-siektes.

Kraamgevalle en geïnterneerdes wat aan ernstige siektes ly of wie se toestand spesiale behandeling, 'n chirurgiese operasie of hospitaalbehandeling vereis, moet opgeneem word in enige inrigting waar toereikende behandeling gegee kan word en moet behandeling ontvang wat nie swakker is nie as dié wat aan die algemene bevolking gegee word.

Geïnterneerdes moet by voorkeur behandeling ontvang van mediese personeel van hul eie nasionaliteit.

Geïnterneerdes mag nie verhinder word om hulle by die mediese owerhede vir ondersoek aan te meld nie. Die mediese owerhede van die Aanhoudingsmoondheid moet op versoek aan elke geïnterneerde wat behandeling ondergaan het, 'n amptelike sertifikaat uitreik wat die aard van sy siekte of besering en die duur en aard van die behandeling wat gegee is, meld. 'n Duplikaat van hierdie sertifikaat moet aan die Sentrale Agentskap waarvoor daar in artikel 140 voorsiening gemaak word, gestuur word.

Behandeling, met inbegrip van die verskaffing van enige apparaat wat nodig is om geïnterneerdes in 'n goeie gesondheidstoestand te hou, veral kunstande en ander kunsmatige hulpmiddels en brille, moet gratis aan die geïnterneerde gegee word.

ARTICLE 92.

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

CHAPTER V.

RELIGIOUS, INTELLECTUAL AND PHYSICAL ACTIVITIES.

ARTICLE 93.

Internees shall enjoy complete latitude in the exercise of their religious duties, including attendance at the services of their faith, on condition that they comply with the disciplinary routine prescribed by the detaining authorities.

Ministers of religion who are interned shall be allowed to minister freely to the members of their community. For this purpose, the Detaining Power shall ensure their equitable allocation amongst the various places of internment in which there are internees speaking the same language and belonging to the same religion. Should such ministers be too few in number, the Detaining Power shall provide them with the necessary facilities, including means of transport, for moving from one place to another, and they shall be authorized to visit any internees who are in hospital. Ministers of religion shall be at liberty to correspond on matters concerning their ministry with the religious authorities in the country of detention and, as far as possible, with the international religious organizations of their faith. Such correspondence shall not be considered as forming a part of the quota mentioned in Article 107. It shall, however, be subject to the provisions of Article 112.

When internees do not have at their disposal the assistance of ministers of their faith, or should these latter be too few in number, the local religious authorities of the same faith may appoint, in agreement with the Detaining Power, a minister of the internees' faith or, if such a course is feasible from a denominational point of view, a minister of similar religion or a qualified layman. The latter shall enjoy the facilities granted to the ministry he has assumed. Persons so appointed shall comply with all regulations laid down by the Detaining Power in the interests of discipline and security.

ARTICLE 94.

The Detaining Power shall encourage intellectual, educational and recreational pursuits, sports and games amongst internees, whilst leaving them free to take part in them or not. It shall take all practicable measures to ensure the exercise thereof, in particular by providing suitable premises.

All possible facilities shall be granted to internees to continue their studies or to take up new subjects. The education of children and young people shall be ensured; they shall be allowed to attend schools either within the place of internment or outside.

ARTIKEL 92.

Geïnterneerdes moet minstens een maal per maand medies geïnspekteer word. Die doel van hierdie mediese inspeksies moet veral wees om toesig te hou oor die algemene gesondheidstoestand, voeding en sielike van geïnterneerdes en om aansteeklike siektes, veral tuberkulose, malaria en veneriese siektes, te bespeur. Sodanige inspeksies moet, onder andere, veral bestaan uit die nagaan van die gewig van elke geïnterneerde en, minstens een maal per jaar, 'n radioskopiese ondersoek.

HOOFSTUK V.

GODSDIENSTIGE, INTELLEKTUELE EN FISIESE BEDRYWIGHED.

ARTIKEL 93.

Geïnterneerdes moet algehele vryheid in die uitoefening van hul godsdienstige pligte, met inbegrip van die bywoning van eredienste van hul geloof, geniet op voorwaarde dat hulle voldoen aan die dissiplinêre roetine wat deur die aanhoudingsowerhede voorgeskryf word.

Predikers wat geïnterneer is, moet toegelaat word om die lede van hul gemeenskap vrylik te dien. Vir hierdie doel moet die Aanhoudingsmoondheid verseker dat hulle op 'n billike wyse toegewys word aan die verskillende interneringsplekke waarin daar geïnterneerdes is wat dieselfde taal praat en dieselfde geloof aanhang. Indien daar te min van hierdie Predikers is moet die Aanhoudingsmoondheid hulle van die nodige fasiliteite, met inbegrip van vervoermiddels, voorsien om van die een plek na die ander te beweeg en moet hulle gemagtig word om geïnterneerdes wat in die hospitaal is, te besoek. Geestelikes moet die vryheid hê om met die geestelike owerhede in die aanhoudingsland en, sover moontlik, met die internasionale godsdienstige organisasies van hul geloof te korrespondeer oor sake in verband met hul bediening. Sodanige korrespondensie word nie geag deel van die kwota genoem in artikel 107, uit te maak nie. Dit is egter onderworpe aan die bepalings van artikel 112.

Wanneer geïnterneerdes nie die hulp van Predikers van hul geloof tot hul beskikking het nie of as daar te min van dieselfde geloof met die instemming van die Aanhoudingsmoondheid 'n Prediker van die geïnterneerdes se geloof of, as so 'n stap uit 'n kerklike oogpunt doenlik is. 'n Prediker van 'n ooreenstemmende geloof of 'n gekwalifiseerde leek aanstel. Laasgenoemde moet die fasiliteite geniet wat verleen word aan die bediening wat hy aanvaar het. Persone wat aldus aangestel word, moet al die regulasies nakom wat die Aanhoudingsmoondheid ter wille van dissipline en veiligheid voorgeskryf het.

ARTIKEL 94.

Die Aanhoudingsmoondheid moet intellektuele, opvoedkundige en ontspanningsbedrywighede, sport en spele onder geïnterneerdes aanmoedig maar dit aan hulle oorlaat om daaraan deel te neem of nie. Sodanige Aanhoudingsmoondheid moet alle praktiese maatreëls tref om die uitvoering hiervan te verseker, veral deur geskikte persele te verskaf.

Alle moontlike fasiliteite moet aan geïnterneerdes verleen word om hul studies voort te sit of nuwe vakke te bestudeer. Die onderwys van kinders en jong mense moet verseker word; hulle moet toegelaat word om skole of binne of buite die interneringsplek by te woon.

Internees shall be given opportunities for physical exercise, sports and outdoor games. For this purpose, sufficient open spaces shall be set aside in all places of internment. Special playgrounds shall reserved for children and young people.

ARTICLE 95.

The Detaining Power shall not employ internees as workers, unless they so desire. Employment which, if undertaken under compulsion by a protected person not in internment, would involve a breach of Articles 40 or 51 of the present Convention, and employment on work which is of a degrading or humiliating character are in any case prohibited.

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

These provisions constitute no obstacle to the right of the Detaining Power to employ interned doctors, dentists and other medical personnel in their professional capacity on behalf of their fellow internees, or to employ internees for administrative and maintenance work in places of internment and to detail such persons for work in the kitchens or for other domestic tasks, or to require such persons to undertake duties connected with the protection of internees against aerial bombardment or other war risks. No internee may, however, be required to perform tasks for which he is, in the opinion of a medical officer, physically unsuited.

The Detaining Power shall take entire responsibility for all working conditions, for medical attention, for the payment of wages, and for ensuring that all employed internees receive compensation for occupational accidents and diseases. The standards prescribed for the said working conditions and for compensation shall be in accordance with the national laws and regulations, and with the existing practice; they shall in no case be inferior to those obtaining for work of the same nature in the same district. Wages for work done shall be determined on an equitable basis by special agreements between the internees, the Detaining Power, and, if the case arises, employers other than the Detaining Power, due regard being paid to the obligation of the Detaining Power to provide for free maintenance of internees and for the medical attention which their state of health may require. Internees permanently detailed for categories of work mentioned in the third paragraph of this Article, shall be paid fair wages by the Detaining Power. The working conditions and the scale of compensation for occupational accidents and diseases to internees thus detailed, shall not be inferior to those applicable to work of the same nature in the same district.

ARTICLE 96.

All labour detachments shall remain part of and dependent upon a place of internment. The competent authorities of the Detaining Power and the commandant of a place of internment shall be responsible for the observance in a labour detachment of the provisions of the present Convention. The commandant shall keep an up-to-date list of the labour detachments subordinate to him and shall communicate it to the delegates of the Protecting Power, of the International Committee of the Red Cross and of other humanitarian organizations who may visit the places of internment.

Geïnterneerdes moet geleenthede gegee word vir liggaams oefening, sport en buitenshuise spele. Vir hierdie doel moet voldoende oop ruimtes in alle interneringsplekke afgesonder word. Spesiale speelterreine moet vir kinders en jong mense gereserveer word.

ARTIKEL 95.

Die Aanhoudingsmoondheid mag nie geïnterneerdes as werker in diens neem nie tensy hulle dit verlang. Werk wat, indien dit onder dwang onderneem word deur 'n beskermde persoon wat nie geïnterneer is nie, 'n oortreding van artikel 40 of 51 van die huidige Konvensie sou meebring en werk van 'n vernederende aard word in elk geval verbied.

Na 'n werktermyn van ses weke, moet dit geïnterneerdes vry staan om, na kennisgewing van agt dae, hul werk te enige tyd te laat vaar.

Hierdie bepalinge belemmer nie die reg van die Aanhoudingsmoondheid om geïnterneerde dokters, tandartse en ander mediese personeel in hul professionele hoedanigheid ten behoeve van hul medegeïnterneerdes te gebruik of om geïnterneerdes vir administratiewe en instandhoudingswerk in interneringsplekke te gebruik of om sodanige persone vir werk in die kombuise of vir ander huishoudelike take te gebruik of om van sodanige persone te vereis om pligte in verband met die beskerming van geïnterneerdes teen lugaanvalle of ander oorlogsgevaar te onderneem nie. Daar mag egter van geen geïnterneerde vereis word om take te verrig waarvoor hy, na die mening van 'n geneeskundige beampte, nie fisies geskik is nie.

Die Aanhoudingsmoondheid moet algehele aanspreeklikheid aanvaar vir alle werktoestande, vir mediese behandeling, vir die betaling van lone en vir die versekering dat alle geïnterneerdes vergoeding ontvang vir beroepsongelukke en -siektes. Die standaard voor- geskryf vir genoemde werktoestande en vir vergoeding, moet ooreenkom met die nasionale wette en regulasies en met die bestaande gebruik; dit moet in geen geval swakker as dié vir werk van dieselfde aard in dieselfde distrik wees nie. Die lone vir werk wat verrig word, moet op 'n regverdige grondslag bepaal word by wyse van spesiale ooreenkomste tussen die geïnterneerdes, die Aanhoudingsmoondheid en, indien die geval sou ontstaan, ander werkgewers as die Aanhoudingsmoondheid, en daar moet behoorlik ag geslaan word op die verpligting van die Aanhoudingsmoondheid om voorsiening te maak vir die kostelose onderhoud van geïnterneerdes en vir die mediese behandeling wat hul gesondheidstoestand mag vereis. Geïnterneerdes wat permanent toegewys word vir dié kategorieë werk wat in die derde paragraaf van hierdie artikel genoem word, moet billike lone van die Aanhoudingsmoondheid ontvang. Die werktoestande en die skaal vir vergoeding vir beroepsongelukke en -siektes in die geval van geïnterneerdes wat aldus toegewys is, mag nie swakker wees nie as dié wat van toepassing is op werk van dieselfde aard in dieselfde distrik.

ARTIKEL 96.

Alle arbeidsafdelings bly deel van en afhanklik van 'n interneringsplek. Die bevoegde owerhede van die Aanhoudingsmoondheid en die kommandant van 'n interneringsplek is verantwoordelik vir die nakoming van die huidige konvensie in die geval van 'n arbeidsafdeling. Die kommandant moet 'n bygewerkte lys hou van die arbeidsafdelings wat onder hom is en moet dit beskikbaar stel vir die afgevaardigdes van die Beskermende Moondheid, die Internasionale Komitee van die Rooikruis en ander humanitêre organisasies wat die interneringsplek mag besoek.

CHAPTER VI.

PERSONAL PROPERTY AND FINANCIAL RESOURCES.

ARTICLE 97.

Internees shall be permitted to retain articles of personal use. Monies, cheques, bonds, etc., and valuables in their possession may not be taken from them except in accordance with established procedure. Detailed receipts shall be given therefor.

The amounts shall be paid into the account of every internee as provided for in Article 98. Such amounts may not be converted into any other currency unless legislation in force in the territory in which the owner is interned so requires or the internee gives his consent.

Articles which have above all a personal or sentimental value may not be taken away.

A woman internee shall not be searched except by a woman.

On release or repatriation, internees shall be given all articles, monies or other valuables taken from them during internment and shall receive in currency the balance of any credit to their accounts kept in accordance with Article 98, with the exception of any articles or amounts withheld by the Detaining Power by virtue of its legislation in force. If the property of an internee is so withheld, the owner shall receive a detailed receipt.

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

Internees may keep on their persons a certain amount of money, in cash or in the shape of purchase coupons, to enable them to make purchases.

ARTICLE 98.

All internees shall receive regular allowances, sufficient to enable them to purchase goods and articles, such as tobacco, toilet requisites, etc. Such allowances may take the form of credits or purchase coupons.

Furthermore, internees may receive allowances from the Power to which they owe allegiance, the Protecting Powers, the organizations which may assist them, or their families, as well as the income on their property in accordance with the law of the Detaining Power. The amount of allowances granted by the Power to which they owe allegiance shall be the same for each category of internees (infirm, sick, pregnant women, etc.), but may not be allocated by that Power or distributed by the Detaining Power on the basis of discriminations between internees which are prohibited by Article 27 of the present Convention.

The Detaining Power shall open a regular account for every internee, to which shall be credited the allowances named in the present Article, the wages earned and the remittances received, together with such sums taken from him as may be available under the legislation in force in

HOOFSTUK VI.

PERSOONLIKE EIENDOM EN FINANSIËLE HULP-MIDDELS.

ARTIKEL 97.

Geïnterneerdes moet toegelaat word om artikels vir persoonlike gebruik te behou. Geld, tjeks, skuldbriewe, ens., en waardevolle artikels wat in hul besit is, mag nie van hulle weggeneem word nie behalwe ooreenkomstig gevestigde prosedure. Gedetailleerde ontvangsbewyse moet daarvoor gegee word.

Die bedrae moet op die rekening van elke geïnterneerde gestort word soos in artikel 98 bepaal. Sodanige bedrae mag nie in 'n ander betaalmiddel omgeskep word nie tensy die wetgewing wat van krag is in die gebied waarin die eienaar geïnterneer is, dit vereis of tensy die geïnterneerde sy toestemming daartoe verleen.

Artikels wat veral persoonlike of sentimentele waarde het, mag nie weggeneem word nie.

'n Vroulike geïnterneerde moet alleenlik deur 'n vrou gevisenteer word.

By hul ontslag of repatriasie moet alle artikels, geld of ander waardevolle artikels wat gedurende hul internering van hulle weggeneem is, aan geïnterneerdes teruggegee word en moet hulle die saldo van enige krediet in hul rekenings wat ooreenkomstig artikel 98 gehou is, in kontant ontvang, met uitsondering van dié artikels of bedrae wat die Aanhoudingsmoondheid terughou uit hoofde van sy wetgewing wat dan van krag is. Indien die eiendom van 'n geïnterneerde aldus teruggehou word, moet 'n gedetailleerde ontvangsbewys aan die eienaar uitgereik word.

Gesins- of identiteitsdokumente wat in die besit van geïnterneerdes is, mag nie weggeneem word nie tensy 'n ontvangsbewys daarvoor uitgereik word. Geïnterneerdes mag te gener tyd sonder identiteitsdokumente gelaat word nie. Indien hulle nie sodanige dokumente het nie, moet spesiale dokumente wat deur die Aanhoudingsowerhede opgestel is en wat tot aan die einde van hul internering as hul identiteitsdokumente sal dien, aan hulle uitgereik word.

Geïnterneerdes kan 'n sekere bedrag aan geld, in kontant of in die vorm van aankoopkoepons, by hulle hou ten einde hulle in staat te stel om inkope te doen.

ARTIKEL 98.

Alle geïnterneerdes moet gereelde toelaes ontvang wat groot genoeg is om hulle in staat te stel om goedere en artikels soos tabak, toiletbenodigdhede, ens., te koop. Sodanige toelaes kan in die vorm van krediet of aankoopkoepons wees.

Daarbenewens kan geïnterneerdes toelaes van die Moondheid aan wie hulle trou verskuldig is, van die Beskermende Moondhede, van die organisasies wat hulp aan hulle mag verleen of van hul gesinne, asook die inkomste uit hul eiendom ooreenkomstig die wet van die Aanhoudingsmoondheid ontvang. Die bedrag aan toelaes toegeken deur die Moondheid aan wie hulle trou verskuldig is, moet dieselfde vir geïnterneerdes van dieselfde kategorie wees (kranklikes, siekes, swanger vrouens, ens.) maar mag nie op 'n diskriminasiegrondslag wat by artikel 27 van die huidige Konvensie verbied word, deur daardie Moondheid toegewys of deur die Aanhoudingsmoondheid onder geïnterneerdes verdeel word nie.

Die Aanhoudingsmoondheid moet 'n gereelde rekening vir elke geïnterneerde open waarin hy gekrediteer moet word met die toelaes genoem in die huidige artikel, die loon wat hy verdien en die geldsendings wat hy ontvang, tesame met dié bedrae wat ingevolge die wetgewing wat

the territory in which he is interned. Internees shall be granted all facilities consistent with the legislation in force in such territory to make remittances to their families and to other dependants. They may draw from their accounts the amounts necessary for their personal expenses, within the limits fixed by the Detaining Power. They shall at all times be afforded reasonable facilities for consulting and obtaining copies of their accounts. A statement of accounts shall be furnished to the Protecting Power on request, and shall accompany the internee in case of transfer.

CHAPTER VII.

ADMINISTRATION AND DISCIPLINE.

ARTICLE 99.

Every place of internment shall be put under the authority of a responsible officer, chosen from the regular military forces or the regular civil administration of the Detaining Power. The officer in charge of the place of internment must have in his possession a copy of the present Convention in the official language, or one of the official languages, of his country and shall be responsible for its application. The staff in control of internees shall be instructed in the provisions of the present Convention and of the administrative measures adopted to ensure its application.

The text of the present Convention and the texts of special agreements concluded under the said Convention shall be posted inside the place of internment, in a language which the internees understand, or shall be in the possession of the Internee Committee.

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

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

ARTICLE 100.

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

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

ARTICLE 101.

Internees shall have the right to present to the authorities in whose power they are, any petition with regard to the conditions of internment to which they are subjected.

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

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

van krag is in die gebied waarin hy geïnterneer is, beskikbaar mag wees en wat van hom weggeneem is. Daar moet aan geïnterneerdes alle fasiliteite wat bestaanbaar is met die wetgewing wat in sodanige gebied van krag is, verleen word om geld aan hul gesinne of ander afhanklikes te stuur. Hulle kan uit hul rekenings dié bedrae opvra wat vir hul persoonlike uitgawes, binne die perke wat deur die Aanhoudingsmoondheid gestel word, nodig is. Hulle moet te alle tye redelike fasiliteite gegee word om hul rekenings te ondersoek en kopieë daarvan te verkry. 'n Rekeningstaat moet op versoek aan die Beskermende Moondheid verstrek word en moet die geïnterneerde vergesel ingeval hy oorgeplaas word.

HOOFSTUK VII.

ADMINISTRASIE EN DISSIPLINE.

ARTIKEL 99.

Elke interneringsplek moet onder die gesag staan van 'n verantwoordelike offisier of amptenaar wat uit die gereelde militêre magte of die gereelde burgerlike administrasie van die Aanhoudingsmoondheid gekies is. Die offisier of amptenaar wat vir die interneringsplek verantwoordelik is, moet 'n kopie van die huidige Konvensie in die amptelike taal of in een van die amptelike tale van sy land in sy besit hê en is verantwoordelik vir die toepassing daarvan. Die personeel wat beheer oor geïnterneerdes uitoefen, moet ingelig word omtrent die bepalings van die huidige Konvensie en omtrent die administratiewe maatreëls wat getref is om die toepassing daarvan te verseker.

Die teks van die huidige Konvensie en die tekste van spesiale coreenkomste wat ingevolge genoemde Konvensie aangegaan is, moet in 'n taal wat die geïnterneerdes verstaan, in die interneringsplek opgeplak word of moet in die besit van die Komitee van Geïnterneerdes wees.

Regulasies, bevels, kennisgewings en publikasies van enige aard moet in 'n taal wat die geïnterneerdes verstaan, aan hulle meegedeel en in die interneringsplekke opgeplak word.

Elke opdrag of bevel wat aan individuele geïnterneerdes gerig word, moet insgelyks gegee word in 'n taal wat hulle verstaan.

ARTIKEL 100.

Die dissipline in interneringsplekke moet bestaanbaar wees met humanitêre beginsels en mag onder geen omstandighede regulasies insluit waarkragtens geïnterneerdes gevonnissen word tot fisiese inspanning wat hul gesondheid in gevaar stel of wat fisiese of morele viktimisasie meebring nie. Identifisering deur tekens of merke op die liggaam te tatoeër of af te stempel, word verbied.

In die besonder word 'n langdurige gestaan en die aflees van presensielyste, appêlle, strafdril, militêre dril en maneuvres of die inkorting van voedselrantsoene verbied.

ARTIKEL 101.

Geïnterneerdes het die reg om aan die owerhede in wie se mag hulle is, versoekskrifte voor te lê in verband met die interneringstoestand waaraan hulle onderwerp word.

Hulle het ook die reg om hulle sonder enige beperking of deur tussenkoms van die Komitee van Geïnterneerdes of, as hulle dit nodig ag, regstreeks tot die verteenwoordigers van die Beskermende Moondheid te wend ten einde die aandag te vestig op punte in verband met die interneringstoestand waarvoor hulle klagtes het.

Sodanige versoekskrifte en klagtes moet onverwyld en sonder enige verandering aangestuur word, en selfs al sou daar besef word dat sodanige klagtes ongegrond is, mag dit nie aanleiding tot straf gee nie.

Periodic reports on the situation in places of internment and as to the needs of the internees, may be sent by the Internee Committees to the representatives of the Protecting Powers.

ARTICLE 102.

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

Internees so elected shall enter upon their duties after their election has been approved by the detaining authorities. The reasons for any refusals or dismissals shall be communicated to the Protecting Powers concerned.

ARTICLE 103.

The Internee Committees shall further the physical, spiritual and intellectual well-being of the internees.

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

ARTICLE 104.

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

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

All facilities shall likewise be accorded to members of Internee Committees for communication by post and telegraph with the detaining authorities, the Protecting Powers, the International Committee of the Red Cross and their delegates, and with the organizations which give assistance to internees. Committee members in labour detachments shall enjoy similar facilities for communication with their Internee Committee in the principal place of internment. Such communications shall not be limited nor considered as forming a part of the quota mentioned in Article 107.

Members of Internee Committees who are transferred shall be allowed a reasonable time to acquaint their successors with current affairs.

CHAPTER VIII.

RELATIONS WITH THE EXTERIOR.

ARTICLE 105.

Immediately upon interning protected persons, the Detaining Powers shall inform them, the Power to which they owe allegiance and their Protecting Power of the measures taken for executing the provisions of the present

Periodieke verslae oor die toestand in interneringsplekke en oor die behoeftes van die geïnterneerdes kan deur die Komitee van Geïnterneerdes aan die verteenwoordigers van die Beskermende Moondhede gestuur word.

ARTIKEL 102.

Op elke interneringsplek moet die geïnterneerdes die lede van 'n Komitee wat bevoeg is om hulle voor die Aanhoudings- en die Beskermende Moondhede, die Internasionale Komitee van die Rooikruis en enige ander organisasie wat hulp aan hulle mag verleen, te verteenwoordig, elke ses maande vrylik kies deur middel van geheime stembriefies. Die lede van die Komitee is herkiesbaar.

Die geïnterneerdes wat aldus verkies is, moet hul pligte aanvaar nadat hul verkiesing deur die aanhoudingsowerhede goedgekeur is. Redes vir enige weiering of ontslag moet aan die betrokke Beskermende Moondhede verstrekkend word.

ARTIKEL 103.

Die Komitees van Geïnterneerdes moet die fisiese, geestelike en intellektuele welsyn van die geïnterneerdes bevorder.

Ingeval die geïnterneerdes, in die besonder, besluit om 'n stelsel van wedersydse hulp onder mekaar te organiseer is sodanige organisasie, benewens die spesiale pligte wat kragtens ander bepalinge van die huidige Konvensie aan hulle toevertrou word, binne die bevoegdheid van die Komitees.

ARTIKEL 104.

Daar mag nie van lede van die Komitee van Geïnterneerdes vereis word om enige ander werk te verrig nie indien die uitvoering van hul pligte daardeur moeiliker gemaak word.

Lede van die Komitee van Geïnterneerdes mag uit die geledere van die geïnterneerdes dié assistente aanstel wat hulle nodig mag hê. Alle materiële fasiliteite moet aan hulle verleen word, veral 'n sekere mate van vryheid van beweging wat nodig is vir die uitvoering van hul pligte (besoeke aan arbeidsafdelings, ontvangs van voorrade, ens.)

Insiglyks moet daar aan lede van die Komitees van Geïnterneerdes alle fasiliteite verleen word om per pos en telegraaf met die aanhoudingsowerhede, die Beskermende Moondhede, die Internasionale Komitee van die Rooikruis en hul afgevaardigdes en met die organisasies wat hulp aan geïnterneerdes verleen, in verbinding te tree. Komiteelede in arbeidsafdelings moet soortgelyke fasiliteite geniet om in verbinding te tree met hul Komitee van Geïnterneerdes by die vernaamste interneringsplek. Sodanige kommunikasies mag nie beperk word of geag word deel van die kwota genoem in artikel 107, uit te maak nie.

Lede van Komitees van Geïnterneerdes wat oorgeplaas word, moet 'n redelike tyd gegee word om hul opvolgers vertrouwd te maak met die sake van die dag.

HOOFSTUK VIII.

VERHOUDINGS MET DIE BUITELAND.

ARTIKEL 105.

By die internering van beskermde persone moet die Aanhoudingsmoondhede sodanige geïnterneerdes, die Moondheid waaraan hulle trou verskuldig is en hul Beskermende Moondheid onverwyld in kennis stel van

Chapter. The Detaining Powers shall likewise inform the Parties concerned of any subsequent modifications of such measures.

ARTICLE 106.

As soon as he is interned, or at the latest not more than one week after his arrival in a place of internment, and likewise in cases of sickness or transfer to another place of internment or to a hospital, every internee shall be enabled to send direct to his family, on the one hand, and to the Central Agency provided for by Article 140, on the other, an internment card similar, if possible, to the model annexed to the present Convention, informing his relatives of his detention, address and state of health. The said cards shall be forwarded as rapidly as possible and may not be delayed in any way.

ARTICLE 107.

Internees shall be allowed to send and receive letters and cards. If the Detaining Power deems it necessary to limit the number of letters and cards sent by each internee, the said number shall not be less than two letters and four cards monthly; these shall be drawn up so as to conform as closely as possible to the models annexed to the present Convention. If limitations must be placed on the correspondence addressed to internees, they may be ordered only by the Power to which such internees owe allegiance, possibly at the request of the Detaining Power. Such letters and cards must be conveyed with reasonable despatch; they may not be delayed or retained for disciplinary reasons.

Internees who have been a long time without news, or who find it impossible to receive news from their relatives, or to give them news by the ordinary postal route, as well as those who are at a considerable distance from their homes, shall be allowed to send telegrams, the charges being paid by them in the currency at their disposal. They shall likewise benefit by this provision in cases which are recognized to be urgent.

As a rule, internees' mail shall be written in their own language. The Parties to the conflict may authorize correspondence in other languages.

ARTICLE 108.

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

Should military necessity require the quantity of such shipments to be limited, due notice thereof shall be given to the Protecting Power and to the International Committee of the Red Cross, or to any other organization giving assistance to the internees and responsible for the forwarding for such shipments.

die maatreëls wat getref is om uitvoering aan die bepalings van die huidige Hoofstuk te gee. Die Aanhoudingsmoondhede moet die betrokke Partye insgelyks verwittig van alle latere wysigings van sodanige maatreëls.

ARTIKEL 106.

Elke geïnterneerde moet, sodra hy geïnterneer word of nie later nie as een week nadat hy op 'n interneringsplek aangekom het, en insgelyks in gevalle van siekte of oorpasing na 'n ander interneringsplek of 'n hospitaal, in staat gestel word om regstreeks aan sy familie, aan die een kant, en aan die Sentrale Agentskap waarvoor daar in artikel 140 voorsiening gemaak word, aan die ander kant, 'n interneringskaart te stuur wat, indien moontlik, ooreenkom met die model wat by die huidige Konvensie aangeheg word en waarby sy familiebetrekkings verwittig word van sy aanhouding, adres en gesondheidstoestand. Genoemde kaarte moet so vinnig moontlik aangestuur word en mag op geen wyse vertraag word nie.

ARTIKEL 107.

Geïnterneerdes moet toegelaat word om briewe en kaarte te stuur en te ontvang. Indien die Aanhoudingsmoondheid dit nodig ag om die getal briewe en kaarte wat deur elke geïnterneerde gestuur word, te beperk, mag genoemde getal nie minder as twee briewe en vier kaarte per maand wees nie, en sodanige briewe en kaarte moet so opgestel word dat dit soveel moontlik ooreenkom met die modelle wat aan die huidige Konvensie geheg is. As daar beperkings geplaas moet word op die korrespondensie wat aan geïnterneerdes gerig is, mag dit alleenlik deur die Moondheid waaraan die geïnterneerdes trou verskuldig is, gelas word—moontlik op versoek van die Aanhoudingsmoondheid. Sodanige briewe en kaarte moet redelik vinnig aangestuur word en mag nie om dissiplinêre redes vertraag of teruggehou word nie.

Geïnterneerdes wat lank sonder nuus was of wat dit onmoontlik vind om nuus van hul familiebetrekkings te kry of om nuus aan hulle te stuur met die gewone posroete, en ook diegene wat ver van hul tuistes af is, moet toegelaat word om telegramme te stuur waarvan die koste deur hulle betaal moet word in die geld wat hulle tot hul beskikking het. Hulle moet insgelyks voordeel uit hierdie bepaling trek in gevalle wat erken word as dringend.

In die reël, moet geïnterneerdes se pos geskryf word in hul eie taal. Die Partye by die botsing kan magtiging verleen vir die wisseling van korrespondensie in ander tale.

ARTIKEL 108.

Geïnterneerdes moet toegelaat word om per pos of op enige ander manier individuele pakkette of gesamentlike besendings te ontvang wat veral voedsel, kleding, mediese voorrade en ook boeke en voorwerpe van 'n godsdienstige of opvoedkundige aard of vir ontspanningsdoeleindes bevat en wat in hul behoeftes mag voorsien. Sodanige besendings onthef hoegenaamd nie die Aanhoudingsmoondheid van die verpligtings wat ingevolge die huidige Konvensie op hom gelê word nie.

Indien militêre vereistes dit noodsaaklik maak om die hoeveelheid van sodanige besendings te beperk, moet behoorlik kennis daarvan gegee word aan die Beskermende Moondheid en aan die Internasionale Komitee van die Rooikruis of aan enige ander organisasie wat hulp aan die geïnterneerdes verleen en vir die aanstuur van sodanige besendings verantwoordelik is.

The conditions for the sending of individual parcels and collective shipments shall, if necessary, be the subject of special agreements between the Powers concerned, which may in no case delay the receipt by the internees of relief supplies. Parcels of clothing and foodstuffs may not include books. Medical relief supplies shall, as a rule, be sent in collective parcels.

ARTICLE 109.

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

The special agreements provided for above shall in no case restrict the right of Internee Committees to take possession of collective relief shipments intended for internees, to undertake their distribution and to dispose of them in the interests of the recipients.

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

ARTICLE 110.

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

All matter sent by mail, including relief parcels sent by parcel post and remittances of money, addressed from other countries to internees or despatched by them through the post office, either direct or through the Information Bureaux provided for in Article 136 and the Central Information Agency provided for in Article 140, shall be exempt from all postal dues both in the countries of origin and destination and in intermediate countries. To this end, in particular, the exemption provided by the Universal Postal Convention of 1947 and by the agreements of the Universal Postal Union in favour of civilians of enemy nationality detained in camps or civilian prisons, shall be extended to the other interned persons protected by the present Convention. The countries not signatory to the above-mentioned agreements shall be bound to grant freedom from charges in the same circumstances.

The cost of transporting relief shipments which are intended for internees and which, by reason of their weight or any other cause, cannot be sent through the post office, shall be borne by the Detaining Power in all the territories under its control. Other Powers which are Parties to the present Convention shall bear the cost of transport in their respective territories.

Costs connected with the transport of such shipments, which are not covered by the above paragraphs, shall be charged to the senders.

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

Die voorwaardes vir die versending van individuele pakkette en gesamentlike besending moet, indien nodig, die onderwerp uitmaak van spesiale ooreenkomste tussen die betrokke Moondhede, wat in elk geval nie die ontvangs, deur die geïnterneerdes, van noodlenigingsvoorrade mag vertraag nie. Pakkette wat klerasie en voedsel bevat, mag nie ook boeke insluit nie. Mediese noodlenigingsvoorrade moet in die reël in gesamentlike pakkette gestuur word.

ARTIKEL 109.

Waar daar geen spesiale ooreenkomste in verband met die voorwaardes vir die ontvangs en distribusie van gesamentlike noodlenigingsbesendings tussen die Partye by die Botsing bestaan nie, is die regulasies betreffende kollektiewe noodleniging, wat by die huidige Konvensie aangeheg word, van toepassing.

Die spesiale ooreenkomste waarvoor daar hierbo voorsiening gemaak word, beperk hoegenaamd nie die reg van Komitees van Geïnterneerdes om gesamentlike noodlenigingsbesendings wat vir geïnterneerdes bedoel is, in besit te neem, die distribusie daarvan te onderneem en om in die belang van die ontvangers daarvoor te beskik nie.

Sodanige ooreenkomste beperk ook nie die reg van verteenwoordigers van die Beskermende Moondhede, die Internasionale Komitee van die Rooikruis of enige ander organisasie wat hulp aan geïnterneerdes verleen en wat vir die aanstuur van gesamentlike besending verantwoordelik is, om toesig oor die distribusie daarvan onder die ontvangers te hou nie.

ARTIKEL 110.

Alle noodlenigingsbesendings aan geïnterneerdes is vrygestel van invoer-, doean- en ander belastinge.

Alle stukke wat deur die pos gestuur word, met inbegrip van noodlenigingspakkette wat per pakketpos gestuur word en geldsendings, wat uit ander lande aan geïnterneerdes geadresseer is of wat die geïnterneerdes deur middel van die poskantoor versend, hetsy regstreeks of deur tussenkoms van die Inligtingsburo's waarvoor daar in artikel 136 voorsiening gemaak word en die Sentrale Inligtingsagentskap waarvoor daar in artikel 140 voorsiening gemaak word, is vrygestel van alle posgelde in beide die lande van herkoms en bestemming en ook in die tussenliggende lande. Vir hierdie doel, in die besonder, moet die vrystelling wat by die Wêreldposkonvensie van 1947 en by die ooreenkomste van die Wêreldposunie verleen word ten gunste van burgerlike persone wat burgers van 'n vyandelike land is en in kampe of in burgerlike gevangnisse aangehou word, ook tot ander geïnterneerde persone wat deur die huidige Konvensie beskerm word, uitgebrei word. Lande wat nie bogenoemde ooreenkomste onderteken het nie, is verplig om onder dieselfde omstandighede vrystelling van koste te verleen.

Die koste verbonde aan die vervoer van noodlenigingsbesendings wat bedoel is vir geïnterneerdes en wat, vanweë hul gewig of om 'n ander rede, nie deur die pos gestuur kan word nie, moet deur die Aanhoudingsmoondheid gedra word in al die gebiede onder sy beheer. Ander Moondhede wat Partye by die huidige Konvensie is, moet die vervoerkoste in hul onderskeie gebiede dra.

Die koste wat aan die vervoer van sodanige besendings verbonde is en wat nie deur bostaande paragrawe gedek word nie, moet deur die afsenders betaal word.

Die Hoë Kontrakterende Partye moet probeer om die koste van telegramme wat deur geïnterneerdes gestuur of aan hulle geadresseer word, sover moontlik te verlaag.

ARTICLE 111.

Should military operations prevent the Powers concerned from fulfilling their obligation to ensure the conveyance of the mail and relief shipments provided for in Articles 106, 107, 108 and 113, the Protecting Powers concerned, the International Committee of the Red Cross or any other organization duly approved by the Parties to the conflict may undertake the conveyance of such shipments by suitable means (rail, motor vehicles, vessels or aircraft, etc.). For this purpose, the High Contracting Parties shall endeavour to supply them with such transport, and to allow its circulation, especially by granting the necessary safe-conducts.

Such transport may also be used to convey:

(a) correspondence, lists and reports exchanged between the Central Information Agency referred to in Article 140 and the National Bureaux referred to in Article 136;

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

These provisions in no way detract from the right of any Party to the conflict to arrange other means of transport if it should so prefer, nor preclude the granting of safe-conducts, under mutually agreed conditions, to such means of transport.

The costs occasioned by the use of such means of transport shall be borne, in proportion to the importance of the shipments, by the Parties to the conflict whose nationals are benefited thereby.

ARTICLE 112.

The censoring of correspondence addressed to internees or despatched by them shall be done as quickly as possible.

The examination of consignments intended for internees shall not be carried out under conditions that will expose the goods contained in them to deterioration. It shall be done in the presence of the addressee, or of a fellow-internee duly delegated by him. The delivery to internees of individual or collective consignments shall not be delayed under the pretext of difficulties of censorship.

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

ARTICLE 113.

The Detaining Powers shall provide all reasonable facilities for the transmission, through the Protecting Power or the Central Agency provided for in Article 140, or as otherwise required, of wills, powers of attorney, letters of authority, or any other documents intended for internees or despatched by them.

In all cases the Detaining Powers shall facilitate the execution and authentication in due legal form of such documents on behalf of internees, in particular by allowing them to consult a lawyer.

ARTIKEL 111.

Indien krygsoperasies die betrokke Moondhede verhin- der om uitvoering te gee aan hul verpligting om die vervoer van die pos en noodlenigingsbesendings waarvoor daar in artikels 106, 107, 108 en 113 voorsiening gemaak word, te verseker, kan die betrokke Beskermde Moond- hede, die Internasionale Komitee van die Rooikruis of enige ander organisasie wat behoorlik deur die Partye by die botsing goedgekeur is, onderneem om die vervoer van sodanige besendings, op 'n geskikte manier (per spoor, motorvoertuig, skip of vliegtuig, ens.) te verseker. Vir hierdie doel, moet die Hoë Kontrakterende Partye poog om hulle van sodanige vervoer te voorsien en om die sirkulasie daarvan toe te laat, veral deur die nodige versekerde geleide te verleen.

Sodanige vervoer kan ook gebruik word vir die vervoer—

(a) van korrespondensie, lyste en verslae wat tussen die Sentrale Inligtingsagentskap soos bedoel in artikel 140 en die Nasionale Buro's soos bedoel in artikel 136, gewissel word;

(b) van korrespondensie en verslae in verband met geïnterneerdes, wat die Beskermende Moondhede, die Internasionale Komitee van die Rooikruis of enige ander organisasie wat hulp aan die geïnterneerdes ver- leen, of met hul eie afgevaardigdes of met die Partye by die botsing wissel.

Hierdie bepalinge doen hoegenaamd geen afbreuk nie aan die reg van 'n Party by die botsing om reëlins vir ander vervoermiddels te tref indien hy dit verkies, en belet ook nie die verlening van versekerde geleide op voor- waarde waarvoor daar wedersyds ooreengekom is, aan sodanige vervoermiddels nie.

Die koste meegebring deur die gebruik van sodanige vervoermiddels, moet in verhouding tot die belangrikheid van die besendings, gedra word deur die Partye by die botsing wie se burgers voordeel daaruit trek.

ARTIKEL 112.

Die sensorering van korrespondensie wat aan geïnter- neerdes geadresseer of deur hulle versend word, moet so gou moontlik uitgevoer word.

Besendings wat vir geïnterneerdes bedoel is mag nie onder sulke toestande ondersoek word dat die goedere wat daarin is, aan bederf blootgestel word nie. Dit moet gedoen word in die teenwoordigheid van die geadres- seerde of 'n mede-geïnterneerde wat behoorlik deur hom daartoe gemagtig is. Die aflewering van individuele of gesamentlike besendings aan geïnterneerdes mag nie onder voorwendsel dat die sensorering moeilikheid oplewer, vertraag word nie.

Enige verbod wat om of militêre of politieke redes deur die Partye by die botsing op korrespondensie geplaas word, moet slegs tydelik wees en die duur daarvan moet so kort moontlik wees.

ARTIKEL 113.

Die Aanhoudingsmoondhede moet alle redelike fasilit- eite verskaf vir die deursending, deur tussenkoms van die Beskermende Moondheid of die Sentrale Agentskap waarvoor daar in artikel 140 voorsiening gemaak word of op 'n ander manier soos vereis mag word, van testamente, prokurasies, magtigingsbriewe of ander dokumente wat vir geïnterneerdes bedoel is of deur hulle versend word.

Die Aanhoudingsmoondhede moet in alle gevalle die verlyding en waarmerking, volgens die vereistes van die wet, van sodanige dokumente namens geïnterneerdes vergemaklik, veral deur hulle toe te laat om 'n prokureur te raadpleeg.

ARTICLE 114.

The Detaining Power shall afford internees all facilities to enable them to manage their property, provided this is not incompatible with the conditions of internment and the law which is applicable. For this purpose, the said Power may give them permission to leave the place of internment in urgent cases and if circumstances allow.

ARTICLE 115.

In all cases where an internee is a party to proceedings in any court, the Detaining Power shall, if he so requests, cause the court to be informed of his detention and shall, within legal limits, ensure that all necessary steps are taken to prevent him from being in any way prejudiced, by reason of his internment, as regards the preparation and conduct of his case or as regards the execution of any judgment of the court.

ARTICLE 116.

Every internee shall be allowed to receive visitors, especially near relatives, at regular intervals and as frequently as possible.

As far as is possible, internees shall be permitted to visit their homes in urgent cases, particularly in cases of death or serious illness of relatives.

CHAPTER IX.

PENAL AND DISCIPLINARY SANCTIONS.

ARTICLE 117.

Subject to the provisions of the present Chapter, the laws in force in the territory in which they are detained will continue to apply to internees who commit offences during internment.

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

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

ARTICLE 118.

The courts or authorities shall in passing sentence take as far as possible into account the fact that the defendant is not a national of the Detaining Power. They shall be free to reduce the penalty prescribed for the offence with which the internee is charged and shall not be obliged, to this end, to apply the minimum sentence prescribed.

Imprisonment in premises without daylight and, in general, all forms of cruelty without exception are forbidden.

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

The duration of preventive detention undergone by an internee shall be deducted from any disciplinary or judicial penalty involving confinement to which he may be sentenced.

Internee Committees shall be informed of all judicial proceedings instituted against internees whom they represent, and of their result.

ARTIKEL 114.

Die Aanhoudingsmoondheid moet aan geïnterneerdes alle fasiliteite verleen wat hulle in staat stel om hul eien- dom te bestuur, mits dit nie met die interneringsvoorwaar- des of die wet wat van toepassing is, onbestaanbaar is nie. Vir hierdie doel kan genoemde Moondheid aan hulle verlof verleen om die interneringsplek in dringende gevalle en as omstandighede dit moontlik maak, te verlaat.

ARTIKEL 115.

In alle gevalle waar 'n geïnterneerde 'n party is by 'n geding in enige hof, moet die Aanhoudingsmoondheid, indien die geïnterneerde dit versoek, die hof laat verwittig van sy aanhouding en binne die perke van die reg verseker dat alle nodige stappe gedoen word om te voor- kom dat hy op enige manier vanweë sy internering benadeel word vir sover dit die voorbereiding en voering van sy saak of die tenuitvoerlegging van 'n uitspraak van die hof betref.

ARTIKEL 116.

Elke geïnterneerde moet toegelaat word om besoekers, veral nabestaandes, by gereëde tussenpose en so dikwels moontlik te ontvang.

Geïnterneerdes moet sover moontlik toegelaat word om hul tuistes in dringende gevalle te besoek, veral in die geval van die dood of ernstige siekte van familiebetrek- kings.

HOOFSTUK IX.

STRAF- EN DISSIPLINÊRE SANKSIES.

ARTIKEL 117.

Behoudens die bepalings van die huidige Hoofstuk, bly die wette wat van krag is in die gebied waarin hulle aangehou word, van toepassing op geïnterneerdes wat oortredings gedurende hul internering begaan.

Indien algemene wette, regulasies of bevels bepaal dat daad wat deur geïnterneerdes gepleeg word, strafbaar is terwyl dieselfde daad nie strafbaar is nie wanneer dit gepleeg word deur persone wat nie geïnterneerdes is nie, moet sodanige daad slegs dissiplinêre strawwe meebring.

Geen geïnterneerde mag meer as een maal vir dieselfde daad of weens dieselfde aanklag gestraf word nie.

ARTIKEL 118.

Waar vonnis gevel word, moet die houe of owerhede sover moontlik die feit in aanmerking neem dat die verweerde nie 'n burger van die Aanhoudingsmoondheid is nie. Dit staan hulle vry om die straf wat voorgeskryf is vir die oortreding waarvan die geïnterneerde aangekla word, te verminder, en hulle is, met hierdie doel voor oë nie verplig om die minimum straf wat voorgeskryf word, op te lê nie.

Gevangenisstraf in persele sonder daglig en, in die algemeen, alle vorms van wreedheid word sonder uitson- dering verbied.

Geïnterneerdes wat dissiplinêre straf of 'n vonnis deur 'n hof opgelê, uitgedien het, mag nie anders as die ander geïnterneerdes behandel word nie.

Die duur van preventiewe aanhouding wat 'n geïnter- neerde ondergaan het, moet afgetrek word van enige dissiplinêre of regterlike straf wat opgelê word en wat sy opsluiting mag meebring.

Komitees van Geïnterneerdes moet van alle regterlike stappe teen die geïnterneerdes wat deur hulle verteen- woordig word en van die uitslag van sodanige stappe verwittig word.

ARTICLE 119.

The disciplinary punishments applicable to internees shall be the following:

(1) A fine which shall not exceed 50 per cent of the wages which the internee would otherwise receive under the provisions of Article 95 during a period of not more than thirty days.

(2) Discontinuance of privileges granted over and above the treatment provided for by the present Convention.

(3) Fatigue duties, not exceeding two hours daily, in connection with the maintenance of the place of internment.

(4) Confinement.

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

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

ARTICLE 120.

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

Article 118, paragraph 3, notwithstanding, internees punished as a result of escape or attempt to escape, may be subjected to special surveillance, on condition that such surveillance does not affect the state of their health, that it is exercised in a place of internment and that it does not entail the abolition of any of the safeguards granted by the present Convention.

Internees who aid and abet an escape or attempt to escape, shall be liable on this count to disciplinary punishment only.

ARTICLE 121.

Escape, or attempt to escape, even if it is a repeated offence, shall not be deemed an aggravating circumstance in cases where an internee is prosecuted for offences committed during his escape.

The Parties to the conflict shall ensure that the competent authorities exercise leniency in deciding whether punishment inflicted for an offence shall be of a disciplinary or judicial nature, especially in respect of acts committed in connection with an escape, whether successful or not.

ARTICLE 122.

Acts which constitute offences against discipline shall be investigated immediately. This rule shall be applied, in particular, in cases of escape or attempt to escape. Recaptured internees shall be handed over to the competent authorities as soon as possible.

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

ARTIKEL 119.

Die dissiplinêre strawwe wat op geïnterneerdes van toepassing is, is soos volg:

(1) 'n Boete van hoogstens 50 persent van die loon wat die geïnterneerde andersins kragtens die bepalings van artikel 95 gedurende 'n tydperk van hoogstens dertig dae sou ontvang het.

(2) Die staking van dié voorregte wat benewens die behandeling waarvoor daar by die huidige Konvensie voorsiening gemaak word, verleen is.

(3) Kampdiens van hoogstens twee uur daaglik in verband met die onderhoud van die interneringsplek.

(4) Opsluiting.

Dissiplinêre strawwe mag in geen geval onmenslik, wreed of gevaarlik vir die gesondheid van geïnterneerdes wees nie. Die geïnterneerde se ouderdom, geslag en gesondheidstoestand moet in aanmerking geneem word.

'n Enkele straf mag in geen geval langer as 'n maksimum van dertig agtereenvolgende dae duur nie, selfs al is die geïnterneerde vir verskeie dissiplinêre oortredings aanspreeklik wanneer sy geval behandel word en afgesien daarvan of sodanige oortredings met mekaar in verband staan of nie.

ARTIKEL 120.

Geïnterneerdes wat gevang word nadat hulle ontsnap het of terwyl hulle poog om te ontsnap, kan ten opsigte van hierdie daad alleenlik dissiplinêr gestraf word al is dit ook 'n oortreding wat by herhaling gepleeg is.

Ondanks die bepalings van paragraaf 3 van artikel 118, kan geïnterneerdes wat as gevolg van ontsnapping of 'n poging tot ontsnapping gestraf word, aan spesiale bewaking onderwerp word op voorwaarde dat sodanige bewaking nie hul gesondheidstoestand benadeel nie, dat dit in 'n interneringsplek uitgevoer word en dat dit nie die afskaffing van enigeen van die beskermingsmaatreëls waarvoor die huidige Konvensie voorsiening maak, meebring nie.

Geïnterneerdes wat hulp en bystand by 'n ontsnapping of 'n poging tot ontsnapping verleen, kan op hierdie aanklag slegs aan dissiplinêre straf onderwerp word.

ARTIKEL 121.

Ontsapping of 'n poging tot ontsnapping, al is dit ook 'n herhaalde oortreding, word nie geag verswarende omstandighede te wees nie in gevalle waar 'n geïnterneerde aangekla word van oortredings wat hy gedurende sy ontsnapping begaan het.

Die Partye by die botsing moet verseker dat die beoogde owerhede toegeeflik handel wanneer daar besluit word op straf wat weens 'n oortreding opgelê word, van 'n dissiplinêre of 'n regterlike aard is, veral ten opsigte van dade wat in verband met 'n ontsnapping, hetsy suksesvol al dan nie, gepleeg is.

ARTIKEL 122.

Dade wat dissiplinêre oortredings uitmaak, moet onmiddellik ondersoek word. Hierdie reël moet in die besonder toegepas word in gevalle van ontsnapping of poging tot ontsnapping. Geïnterneerdes wat weer gevang word, moet so gou moontlik aan die bevoegde owerhede oorhandig word.

In gevalle van dissiplinêre oortredings, moet opsluiting in afwagting van verhoor in die geval van alle geïnterneerdes tot 'n absolute minimum beperk word en mag dit nie langer as veertien dae duur nie. Die duur van sodanige opsluiting moet in elk geval afgetrek word van die opsluitingsstraf wat opgelê word.

The provisions of Articles 124 and 125 shall apply to internees who are in confinement awaiting trial for offences against discipline.

ARTICLE 123.

Without prejudice to the competence of courts and higher authorities, disciplinary punishment may be ordered only by the commandant of the place of internment, or by a responsible officer or official who replaces him, or to whom he has delegated his disciplinary powers.

Before any disciplinary punishment is awarded, the accused internee shall be given precise information regarding the offences of which he is accused, and given an opportunity of explaining his conduct and of defending himself. He shall be permitted, in particular, to call witnesses and to have recourse, if necessary, to the services of a qualified interpreter. The decision shall be announced in the presence of the accused and of a member of the Internee Committee.

The period elapsing between the time of award of a disciplinary punishment and its execution shall not exceed one month.

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

A record of disciplinary punishments shall be maintained by the commandant of the place of internment and shall be open to inspection by representatives of the Protecting Power.

ARTICLE 124.

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

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

Women internees undergoing disciplinary punishment shall be confined in separate quarters from male internees and shall be under the immediate supervision of women.

ARTICLE 125.

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

They shall be allowed, if they so request, to be present at the daily medical inspections. They shall receive the attention which their state of health requires and, if necessary, shall be removed to the infirmary of the place of internment or to a hospital.

They shall have permission to read and write, likewise to send and receive letters. Parcels and remittances of money, however, may be withheld from them until the completion of their punishment; such consignments shall meanwhile be entrusted to the Internee Committee, who will hand over to the infirmary the perishable goods contained in the parcels.

No internee given a disciplinary punishment may be deprived of the benefit of the provisions of Articles 107 and 143 of the present Convention.

Die bepalings van artikels 124 en 125 is van toepassing op geïnterneerdes wat opgesluit word in afwagting van verhoor weens dissiplinêre oortredings.

ARTIKEL 123.

Dissiplinêre straf mag, sonder om afbreuk te doen aan die bevoegdheid van die howe en hoër owerhede, opgelê word deur alleenlik die kommandant van die interneringsplek of deur 'n verantwoordelike offisier of amptenaar wat hom vervang of aan wie hy sy dissiplinêre bevoegdheid gedelegeer het.

Voordat dissiplinêre straf opgelê word, moet die beskuldigde geïnterneerde presies ingelig word omtrent die oortredings waarvan hy aangekla word en 'n geleentheid gegee word om sy gedrag te verduidelik en hom te verweer. In die besonder, moet hy toegelaat word om getuies te roep en, indien nodig, gebruik van die dienste van 'n gekwalifiseerde tolk te maak. Die uitspraak moet aangekondig word in die teenwoordigheid van die beskuldigde en 'n lid van die Komitee van Geïnterneerdes.

Die tydperk tussen die tyd waarop dissiplinêre straf opgelê word en die tyd waarop dit uitgevoer word, mag nie langer as een maand duur nie.

Waar 'n geïnterneerde verdere dissiplinêre straf opgelê word, moet 'n tydperk van minstens drie dae tussen die uitvoering van enige twee strawwe verloop as die duur van een van hulle tien dae of meer is.

'n Register van dissiplinêre strawwe moet deur die kommandant van die interneringsplek gehou word en moet beskikbaar wees vir insae deur verteenwoordigers van die Beskermdede Moondheid.

ARTIKEL 124.

Geïnterneerdes mag in geen geval na strafinrigtings (gevangenis, strafgevangenis, bandiettronke ens.) oorgeplaas word om dissiplinêre straf daarin uit te dien nie.

Die persele waarin dissiplinêre straf uitgedien word, moet aan sanitêre vereistes voldoen; in die besonder, moet toereikende beddegoed daarin verskaf word. Geïnterneerdes wat straf ondergaan, moet in staat gestel word om hulself skoon te hou.

Vroulike geïnterneerdes wat dissiplinêre straf ondergaan, moet in kwartiere afsonderlik van manlike geïnterneerdes opgesluit word en moet onder die onmiddellike toesig van vrouens staan.

ARTIKEL 125.

Geïnterneerdes wat dissiplinêre straf ondergaan, moet toegelaat word om liggaamsoefeninge te doen en om minstens twee uur per dag in die opelug te wees.

Indien hulle dit versoek, moet hulle toegelaat word om by die daaglikse mediese inspeksies teenwoordig te wees. Hulle moet dié aandag ontvang wat hul gesondheidstoestand vereis, en indien nodig, moet hulle na die siekeafdeling van die interneringsplek of na 'n hospitaal verwyder word.

Hulle moet toegelaat word om te lees en te skryf en ook om briewe te stuur en te ontvang. Pakkette en geldsendings kan egter teruggehou word totdat hulle hul straf uitgedien het; sodanige besendings moet intussen aan die Komitee van Geïnterneerdes toevertrou word, en sodanige Komitee moet die bederfbare goedere in sodanige pakkette aan die siekeafdeling oorhandig.

Die voordele vervat in die bepalings van artikels 107 en 143 van die huidige Konvensie, mag nie geïnterneerdes wat dissiplinêre straf ondergaan, ontnem word nie.

ARTICLE 126.

The provisions of Articles 71 to 76 inclusive shall apply, by analogy, to proceedings against internees who are in the national territory of the Detaining Power.

CHAPTER X.

TRANSFERS OF INTERNEES.

ARTICLE 127.

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

The Detaining Power shall supply internees during transfer with drinking water and food sufficient in quantity, quality and variety to maintain them in good health, and also with the necessary clothing, adequate shelter and the necessary medical attention. The Detaining Power shall take all suitable precautions to ensure their safety during transfer, and shall establish before their departure a complete list of all internees transferred.

Sick, wounded or infirm internees and maternity cases shall not be transferred if the journey would be seriously detrimental to them, unless their safety imperatively so demands.

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

When making decisions regarding the transfer of internees, the Detaining Power shall take their interests into account and, in particular, shall not do anything to increase the difficulties of repatriating them or returning them to their own homes.

ARTICLE 128.

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

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

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

The commandant of the place of internment shall take, in agreement with the Internee Committee, any measures needed to ensure the transport of the internees' community

ARTIKEL 126.

Die bepalinge van artikels 71 tot en met 76 is by wyse van analogie van toepassing op stappe wat gedoen word teen geïnterneerdes wat in die nasionale gebied van die Aanhoudingsmoondheid is.

HOOFSTUK X.

OORPLASING VAN GEÏNTERNEERDES.

ARTIKEL 127.

Die oorpasing van geïnterneerdes moet altyd op 'n menslike manier uitgevoer word. As 'n algemene reël, moet dit uitgevoer word deur middel van die spoorweg of ander vervoermiddels en onder toestande wat minstens gelyk is aan dié waaronder die magte van die Aanhoudingsmoondheid oorgeplaas word. Waar sodanige oorpasinge, as 'n buitengewone maatregel, te voet uitgevoer moet word, mag dit nie geskied nie tensy die geïnterneerdes in 'n geskikte gesondheidstoestand is, en hulle mag in elk geval nie aan buitensporige vermoënis blootgestel word nie.

Die Aanhoudingsmoondheid moet gedurende die oorpasing van geïnterneerdes sodanige geïnterneerdes voorsien van drinkwater en voedsel wat toereikend is, vir sover dit hoeveelheid, gehalte en verskeidenheid betref, om hulle in 'n goeie gesondheidstoestand te hou, en moet hulle ook voorsien van die nodige klere, toereikende skuiling en die nodige mediese behandeling. Die Aanhoudingsmoondheid moet alle geskikte voorsorgmaatreëls tref ten einde hul veiligheid gedurende die oorpasing te verseker en moet voor hul vertrek 'n volledige lys opstel van alle geïnterneerdes wat oorgeplaas word.

Geïnterneerdes wat siek, gewond of swak is en kraamgevalle mag nie, indien die reis hulle ernstig sal benadeel, oorgeplaas word nie tensy hul veiligheid sodanige oorpasing gebiedend noodsaaklik maak.

Wanneer daar al nader en nader aan 'n interneringsplek geveg word, mag die geïnterneerdes op sodanige plek nie oorgeplaas word nie tensy hul oorpasing in 'n toereikende mate van veiligheid kan geskied of tensy hulle, deur op die betrokke plek te bly, aan groter gevare blootgestel word as wanneer hulle oorgeplaas word.

Wanneer daar besluite in verband met die oorpasing van geïnterneerdes geneem word, moet die Aanhoudingsmoondheid hul belange in ag neem en, in die besonder, niks doen wat dit moeiliker sal maak om hulle te repatrieer of na hul eie tuistes terug te stuur nie.

ARTIKEL 128.

Geïnterneerdes moet by oorpasing amptelik van hul vertrek en van hul nuwe posadres verwittig word. Waar hulle aldus verwittig word, moet hulle genoeg tyd gegee word om hul bagasie te pak en hul nabestaandes in kennis te stel.

Hulle moet toegelaat word om hul persoonlike besittings en die korrespondensie en pakkette wat vir hulle aangekom het, met hulle saam te neem. Die gewig van sodanige bagasie kan beperk word indien die toestande waaronder die oorpasing geskied, dit vereis, maar in geen geval mag dit tot minder as 25 kilogram per geïnterneerde beperk word nie.

Posstukke en pakkette wat aan hul vorige interneringsplek geadresseer is, moet sonder versuim aan hulle gestuur word.

Die kommandant van die interneringsplek moet met die instemming van die Komitee van Geïnterneerdes alle maatreëls tref wat nodig is om die geïnterneerdes se

property and of the luggage the internees are unable to take with them in consequence of restrictions imposed by virtue of the second paragraph.

CHAPTER XI.

DEATHS.

ARTICLE 129.

The wills of internees shall be received for safe-keeping by the responsible authorities; and in the event of the death of an internee his will shall be transmitted without delay to a person whom he has previously designated.

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

An official record of the death, duly registered, shall be drawn up in accordance with the procedure relating thereto in force in the territory where the place of internment is situated, and a duly certified copy of such record shall be transmitted without delay to the Protecting Power as well as to the Central Agency referred to in Article 140.

ARTICLE 130.

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

Deceased internees shall be buried in individual graves unless unavoidable circumstances require the use of collective graves. Bodies may be cremated only for imperative reasons of hygiene, on account of the religion of the deceased or in accordance with his expressed wish to this effect. In case of cremation, the fact shall be stated and the reasons given in the death certificate of the deceased. The ashes shall be retained for safe-keeping by the detaining authorities and shall be transferred as soon as possible to the next of kin on their request.

As soon as circumstances permit, and not later than the close of hostilities, the Detaining Power shall forward lists of graves of deceased internees to the Powers on whom the deceased internees depended, through the Information Bureaux provided for in Article 136. Such lists shall include all particulars necessary for the identification of the deceased internees, as well as the exact location of their graves.

ARTICLE 131.

Every death or serious injury of an internee, caused or suspected to have been caused by a sentry, another internee or any other person, as well as any death the cause of which is unknown, shall be immediately followed by an official enquiry by the Detaining Power.

A communication on this subject shall be sent immediately to the Protecting Power. The evidence of any witnesses shall be taken, and a report including such evidence shall be prepared and forwarded to the said Protecting Power.

gemeenskaplike eiendom en ook dié bagasie wat die geïnterneerdes as gevolg van die beperkings wat kragtens die tweede paragraaf opgelê is, nie met hulle kan saamneem nie, te vervoer.

HOOFSTUK XI.

STERFGEVALLE.

ARTIKEL 129.

Die testamente van geïnterneerdes moet deur die verantwoordelike owerhede vir veilige bewaring in ontvangs geneem word, en ingeval van die dood van 'n geïnterneerde moet sy testament onverwyld gestuur word aan 'n persoon wat hy voorheen aangewys het.

Die dood van 'n geïnterneerde moet in elke geval deur 'n dokter gesertifiseer word, en daar moet 'n sterftesertifikaat uitgereik word wat die oorsake van die dood en die omstandighede waaronder dit plaasgevind het, meld.

'n Amptelike relaas van die sterfgeval, behoorlik geregistreer, moet opgestel word volgens die prosedure wat in daardie verband van krag is in die gebied waar die interneringsplek geleë is, en 'n behoorlik gesertifiseerde afskrif van sodanige relaas moet sonder versuim aan die Beskermende Moondheid en ook aan die Sentrale Agentskap bedoel in artikel 140, gestuur word.

ARTIKEL 130.

Die aanhoudingsowerhede moet verseker dat geïnterneerdes wat te sterwe kom terwyl hulle geïnterneer is, op 'n eervolle manier begrawe word—indien moontlik, volgens die ritus van die geloof waaraan hulle behoort het—en dat hul grafte geëerbiedig, behoorlik in stand gehou en gemerk word op so 'n manier dat dit altyd uitgekien kan word.

Afgestorwe geïnterneerdes moet in individuele grafte begrawe word tensy onvermydelike omstandighede die gebruik van gesamentlike grafte vereis. Liggame kan alleenlik om dringende gesondheidsredes, vanweë die geloof van die oorledene of ooreenkomstig sy uitdruklike wens veras word. Waar 'n liggaam veras word, moet hierdie feit en die redes daarvoor in die sterftesertifikaat van die oorledene gemeld word. Die asse moet deur die aanhoudingsowerhede veilig bewaar word en moet so gou moontlik aan die nabestaandes besorg word wanneer hulle dit versoek.

Sodra omstandighede dit moontlik maak, maar nie later as die beëindiging van vyandelikhede nie, moet die Aanhoudingsmoondheid lyste van die grafte van afgestorwe geïnterneerdes deur tussenkoms van die Inligtingsburo's waarvoor daar in artikel 136 voorsiening gemaak word, stuur aan die Moondhede van wie die afgestorwe geïnterneerdes afhanklik was. Sodanige lyste moet alle besonderhede bevat wat nodig is vir die identifisering van die afgestorwe geïnterneerdes en moet ook presies meld waar hul grafte geleë is.

ARTIKEL 131.

Elke geval waar die dood of ernstige besering van 'n geïnterneerde veroorsaak of vermoedelik veroorsaak is deur 'n wag, 'n ander geïnterneerde of enige ander persoon, asook enige sterfgeval waarvan die oorsaak onbekend is, moet onmiddellik deur die Aanhoudingsmoondheid amptelik ondersoek word.

'n Mededeling in hierdie verband moet onmiddellik aan die Beskermende Moondheid gestuur word. Die getuienis van enige getuie moet afgeneem word en 'n verslag waarby sodanige getuienis ingesluit is, moet opgestel en aan genoemde Beskermende Moondheid gestuur word.

If the enquiry indicates the guilt of one or more persons, the Detaining Power shall take all necessary steps to ensure the prosecution of the person or persons responsible.

CHAPTER XII.

RELEASE, REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES.

ARTICLE 132.

Each interned person shall be released by the Detaining Power as soon as the reasons which necessitated his internment no longer exist.

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

ARTICLE 133.

Internment shall cease as soon as possible after the close of hostilities.

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

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

ARTICLE 134.

The High Contracting Parties shall endeavour, upon the close of hostilities or occupation, to ensure the return of all internees to their last place of residence, or to facilitate their repatriation.

ARTICLE 135.

The Detaining Power shall bear the expense of returning released internees to the places where they were residing when interned, or, if it took them into custody while they were in transit or on the high seas, the cost of completing their journey or of their return to their point of departure.

Where a Detaining Power refuses permission to reside in its territory to a released internee who previously had his permanent domicile therein, such Detaining Power shall pay the cost of the said internee's repatriation. If, however, the internee elects to return to his country on his own responsibility or in obedience to the Government of the Power to which he owes allegiance, the Detaining Power need not pay the expenses of his journey beyond the point of his departure from its territory. The Detaining Power need not pay the costs of repatriation of an internee who was interned at his own request.

Indien die ondersoek daarop dui dat een of meer persone skuldig is, moet die Aanhoudingsmoondheid al die nodige stappe doen om te verseker dat die verantwoordelike persoon of persone vervolgd word.

HOOFSTUK XII.

VRYLATING, REPATRIASIE EN HUISVESTING IN NEUTRALE LANDE.

ARTIKEL 132.

Elke geïnterneerde persoon moet deur die Aanhoudingsmoondheid vrygelaat word sodra die redes wat sy internering noodsaaklik gemaak het, nie meer bestaan nie.

Die Partye by die botsing moet daarbenewens probeer om in die loop van vyandelikhede ooreenkomste aan te gaan vir die vrylating, repatriasie, terugkeer na hul woonplekke of die huisvesting, in 'n neutrale land, van sekere klasse geïnterneerdes, in die besonder kinders, swanger vroue en moeders met babas en jong kinders, gewondes en siekes, en geïnterneerdes wat vir 'n lang tyd aangehou is.

ARTIKEL 133.

Internering moet so gou moontlik na die beëindiging van vyandelikhede gestaak word.

Geïnterneerdes wat in die gebied van 'n Party by die botsing is en teen wie strafregtelike gedinge staan ingestel te word weens oortredings wat nie uitsluitlik aan dissiplinêre strawwe onderworpe is nie, kan aangehou word tot na afhandeling van sodanige gedinge, en as omstandighede dit vereis, tot na uitdienting van die straf. Dieselfde bepaling is van toepassing op geïnterneerdes wat reeds gevonnissen is tot 'n straf waarby hul vryheid ontnem is.

By wyse van ooreenkoms tussen die Aanhoudingsmoondheid en die betrokke Moondhede, kan daar na die beëindiging van vyandelikhede of die besetting van die gebiede, komitees in die lewe geroep word om na vermiste geïnterneerdes te soek.

ARTIKEL 134.

Die Hoë Kontrakterende Partye moet probeer om, nadat vyandelikhede of die besetting gestaak is, te verseker dat alle geïnterneerdes na hul laaste woonplekke terugkeer of dat hul repatriasie vergemaklik word.

ARTIKEL 135.

Die Aanhoudingsmoondheid moet die koste dra wat verbonde is aan die terugstuur van vrygelate geïnterneerdes na die plekke waar hulle woonagtig was toe hulle geïnterneer is of, as die Aanhoudingsmoondheid hulle gevange geneem het terwyl hulle onderweg of op die oop see was, die koste verbonde aan die voltooiing van hul reis of hul terugkeer na die punt vanwaar hulle vertrek het.

Wanneer 'n Aanhoudingsmoondheid weier om 'n vrygelate geïnterneerde wat voorheen permanent in die gebied van die Aanhoudingsmoondheid gedomisileer was, toe te laat om in sy gebied te woon, moet sodanige Aanhoudingsmoondheid die koste van genoemde geïnterneerde se repatriasie betaal. Indien die geïnterneerde egter verkies om uit eie beweging of in opdrag van die Regering van die Moondheid aan wie hy trou verskuldig is, na sy land terug te keer, hoef die Aanhoudingsmoondheid nie die uitgawes verbonde aan sy reis verder as die punt waar hy die gebied van die Aanhoudingsmoondheid verlaat, te betaal nie. Die Aanhoudingsmoondheid hoef nie die koste verbonde aan die repatriasie van 'n geïnterneerde wat op sy eie versoek geïnterneer is, te betaal nie.

If internees are transferred in accordance with Article 45, the transferring and receiving Powers shall agree on the portion of the above costs to be borne by each.

The foregoing shall not prejudice such special agreements as may be concluded between Parties to the conflict concerning the exchange and repatriation of their nationals in enemy hands.

SECTION V.

INFORMATION BUREAUX AND CENTRAL AGENCY.

ARTICLE 136.

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

Each of the Parties to the conflict shall, within the shortest possible period, give its Bureau information of any measure taken by it concerning any protected persons who are kept in custody for more than two weeks, who are subjected to assigned residence or who are interned. It shall, furthermore, require its various departments concerned with such matters to provide the aforesaid Bureau promptly with information concerning all changes pertaining to these protected persons, as, for example, transfers, releases, repatriations, escapes, admittances to hospitals, births and deaths.

ARTICLE 137.

Each national Bureau shall immediately forward information concerning protected persons by the most rapid means to the Powers of whom the aforesaid persons are nationals, or to Powers in whose territory they resided, through the intermediary of the Protecting Powers and likewise through the Central Agency provided for in Article 140. The Bureaux shall also reply to all inquiries which may be received regarding protected persons.

Information Bureaux shall transmit information concerning a protected person unless its transmission might be detrimental to the person concerned or to his or her relatives. Even in such a case, the information may not be withheld from the Central Agency which, upon being notified of the circumstances, will take the necessary precautions indicated in Article 140.

All communications in writing made by any Bureau shall be authenticated by a signature or a seal.

ARTICLE 138.

The information received by the national Bureau and transmitted by it shall be of such a character as to make it possible to identify the protected person exactly and to advise his next of kin quickly. The information in respect of each person shall include at least his surname, first names, place and date of birth, nationality, last residence and distinguishing characteristics, the first name of the father and the maiden name of the mother, the date, place and nature of the action taken with regard to the individual, the address at which correspondence may be sent to him and the name and address of the person to be informed.

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

Wanneer geïnterneerdes oorgeplaas word ooreenkomstig die bepalings van artikel 45, moet die Moondhede wat hulle oorplaas en ontvang, ooreenkom oor dié gedeelte van bogenoemde koste wat deur elkeen betaal moet word.

Die voorafgaande bepalings doen nie afbreuk nie aan dié spesiale ooreenkomste wat tussen die Partye by die botsing aangegaan mag word in verband met die uitruil en repatriasie van hul burgers in vyandelike hande.

AFDELING V.

INLIGTINGSBURO'S EN SENTRALE AGENTSKAP.

ARTIKEL 136.

By die uitbreek van 'n botsing en in alle gevalle van besetting, moet elkeen van die Partye by die botsing 'n amptelike Inligtingsburo stig wat verantwoordelik is vir die ontvangs en versending van inligting ten opsigte van die beskermde persone wat in sy mag is.

Elkeen van die Partye by die botsing moet so gou moontlik aan sy Buro inligting verstrek oor alle maatreëls wat hy getref het in verband met beskermde persone wat vir meer as twee weke in bewaring gehou word, wat verplig is om op aangewese plekke te woon of wat geïnterneer is. Daarbenewens moet hy van sy verskillende departemente wat met sulke sake te doen het, vereis om voornoemde Buro onmiddellik te voorsien van inligting omtrent alle veranderings wat op hierdie beskermde persone betrekking het, soos byvoorbeeld oorplasings, vrylatings, repatriasies, ontsnappings, opname in hospitale, geboortes en sterfgevälle.

ARTIKEL 137.

Elke nasionale Buro moet onmiddellik inligting in verband met beskermde persone deur tussenkoms van die Beskermende Moondhede en insgelyks deur tussenkoms van die Sentrale Agentskap waarvoor daar in artikel 140 voorsiening gemaak word, op die vinnigste manier deurstuur aan die Moondhede van wie voornoemde persone burgers is of aan die Moondhede in wie se gebied hulle woonagtig was. Die Buro's moet ook antwoord op alle navrae wat in verband met beskermde persone ontvang mag word.

Inligtingsburo's moet inligting omtrent 'n beskermde persoon deurstuur tensy die deursending daarvan nadelig vir die betrokke persoon of vir sy of haar familiebetrekkings mag wees. Selfs in so 'n geval, mag die inligting nie van die Sentrale Agentskap weerhou word nie, en sodanige agentskap moet, wanneer hy van die omstandighede verwittig word, die nodige voorsorgmaatreëls tref soos in artikel 140 voorgeskryf.

Alle skriftelike mededelings deur 'n Buro moet gewaarmerk word deur 'n handtekening of 'n seël.

ARTIKEL 138.

Die inligting wat deur die Nasionale Buro ontvang en deur hom deurgestuur word, moet van so 'n aard wees dat dit moontlik is om die beskermende persoon presies te identifiseer en sy nabestaandes sonder oponthoud in kennis te stel. Die inligting ten opsigte van elke persoon moet minstens die volgende insluit: Sy van, eerste name, plek en datum van geboorte, nasionaliteit, laaste woonplek en kenmerkende eienskappe, die eerste naam van die vader en die nooiensvan van die moeder, die datum, plek en aard van die stappe wat in verband met die individu gedoen is, die adres waarheen korrespondensie aan hom gestuur kan word en die naam en adres van die persoon wat die inligting moet ontvang.

Insgelyks moet inligting omtrent die gesondheidstoestand van geïnterneerdes wat ernstig siek of ernstig gewond is, gereëld, en indien moontlik elke week, verstrek word.

ARTICLE 139.

Each national Information Bureau shall, furthermore, be responsible for collecting all personal valuables left by protected persons mentioned in Article 136, in particular those who have been repatriated or released, or who have escaped or died; it shall forward the said valuables to those concerned, either direct, or, if necessary, through the Central Agency. Such articles shall be sent by the Bureau in sealed packets which shall be accompanied by statements giving clear and full identity particulars of the person to whom the articles belonged, and by a complete list of the contents of the parcel. Detailed records shall be maintained of the receipt and despatch of all such valuables.

ARTICLE 140.

A Central Information Agency for protected persons, in particular for internees, shall be created in a neutral country. The International Committee of the Red Cross shall, if it deems necessary, propose to the Powers concerned the organization of such an Agency, which may be the same as that provided for in Article 123 of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949.

The function of the Agency shall be to collect all information of the type set forth in Article 136 which it may obtain through official or private channels and to transmit it as rapidly as possible to the countries of origin or of residence of the persons concerned, except in cases where such transmissions might be detrimental to the persons whom the said information concerns, or to their relatives. It shall receive from the Parties to the conflict all reasonable facilities for effecting such transmissions.

The High Contracting Parties, and in particular those whose nationals benefit by the services of the Central Agency, are requested to give the said Agency the financial aid it may require.

The foregoing provisions shall in no way be interpreted as restricting the humanitarian activities of the International Committee of the Red Cross and of the relief societies described in Article 142.

ARTICLE 141.

The national Information Bureaux and the Central Information Agency shall enjoy free postage for all mail, likewise the exemptions provided for in Article 110, and further, so far as possible exemption from telegraphic charges or, at least, greatly reduced rates.

PART IV.

EXECUTION OF THE CONVENTION.

SECTION I.

GENERAL PROVISIONS.

ARTICLE 142.

Subject to the measures which the Detaining Powers may consider essential to ensure their security or to meet any other reasonable need, the representatives of religious organizations, relief societies, or any other organizations

ARTIKEL 139.

Elke nasionale Inligtingsburo is daarbenewens verantwoordelik vir die bymekaarmaak van alle persoonlike waardevolle artikels wat agtergelaat is deur die beskermende persone wat in artikel 136 bedoel word, veral diegene wat gerepatrieer of vrygelaat is of wat ontsnap of te sterwe gekom het. Sodanige Inligtingsburo moet genoemde waardevolle artikels of regstreeks of, indien nodig, deur tussenkoms van die Sentrale Agentskap aan die betrokke stuur. Die Buro moet sodanige artikels in verseelde pakkette stuur wat vergesel gaan van verklarings wat duidelike en volledige identiteitsbesonderhede bevat van die persoon aan wie die artikels behoort het en ook van 'n volledige lys van die inhoud van die pakket. Daar moet breedvoerige registers gehou word van die ontvangs en versending van al sodanige waardevolle artikels.

ARTIKEL 140.

'n Sentrale Inligtingsagentskap vir beskermde persone, in die besonder vir geïnterneerdes moet in 'n neutrale land gestig word. Die Internasionale Komitee van die Rooikruis moet, indien hy dit nodig ag, by die betrokke Moondhede aanbeveel dat so 'n Agentskap georganiseer word, wat dieselfde mag wees as dié waarvoor daar voorsiening gemaak word in artikel 123 van die Geneefse Konvensie betreffende die Behandeling van Krygsgevangenes, gedateer 12 Augustus 1949.

Die funksie van die Agentskap is om alle inligting in te win van die tipe genoem in artikel 136, wat hy deur middel van amptelike of private kanale mag verkry, en om sodanige inligting so gou moontlik deur te stuur aan die lande vanwaar die betrokke persone afkomstig is of waar hulle gewoon het, behalwe in gevalle waar sodanige deursendings nadelig vir die persone waarop genoemde inligting betrekking het of vir hul familiebetrekkings mag wees. Die Agentskap moet van die Partye by die botsing alle redelike fasiliteite ontvang vir die deursending van sodanige inligting.

Die Hoë Kontrakterende Partye, en in die besonder diegene wie se burgers by die dienste van die Sentrale Agentskap baat, word versoek om aan genoemde Agentskap dié finansiële hulp te gee wat hy nodig mag hê.

Die voorafgaande bepalings mag nie so uitgelê word dat dit die humanitêre werksaamhede van die Internasionale Komitee van die Rooikruis en die noodlenigingsverenigings genoem in artikel 142, beperk nie.

ARTIKEL 141.

Die posstukke van die nasionale Inligtingsburo's en die Sentrale Inligtingsagentskap moet posvry deurgestuurd word, en sodanige buro's en agentskap moet insgelyks die vrystellings geniet waarvoor daar in artikel 110 voorsiening gemaak word, en daarbenewens moet hulle sover moontlik van telegraafkoste vrygestel word of ten minste toegelaat word om telegramme teen 'n baie laer tarief te stuur.

DEEL IV.

UITVOERING VAN DIE KONVENSIË.

AFDELING I.

ALGEMENE BEPALINGS.

ARTIKEL 142.

Behoudens die maatreëls wat die Aanhoudingsmoondhede noodsaaklik ag vir die versekering van hul veiligheid of vir die voorsiening in enige ander redelike behoefte, moet die verteenwoordigers van godsdienstige organisasies, noodlenigingsverenigings of enige ander

assisting the protected persons, shall receive from these Powers, for themselves or their duly accredited agents, all facilities for visiting the protected persons for distributing relief supplies and material from any source, intended for educational, recreational or religious purposes, or for assisting them in organizing their leisure time within the places of internment. Such societies or organizations may be constituted in the territory of the Detaining Power, or in any other country, or they may have an international character.

The Detaining Power may limit the number of societies and organizations whose delegates are allowed to carry out their activities in its territory and under its supervision, on condition, however, that such limitation shall not hinder the supply of effective and adequate relief to all protected persons.

The special position of the International Committee of the Red Cross in this field shall be recognized and respected at all times.

ARTICLE 143.

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

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

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

Such representatives and delegates shall have full liberty to select the places they wish to visit. The Detaining or Occupying Power, the Protecting Power and when occasion arises the Power of origin of the persons to be visited, may agree that compatriots of the internees shall be permitted to participate in the visits.

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

ARTICLE 144.

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

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

ARTICLE 145.

The High Contracting Parties shall communicate to one another through the Swiss Federal Council and, during hostilities, through the Protecting Powers, the

organisasies wat hulp aan die beskermde persone verleen, van hierdie Moondhede alle fasiliteite vir hulself en vir hul behoorlik gemagtigde agente ontvang om die beskermde persone te besoek, noodlenigingsvoorrade en materiaal, afkomstig van enige bron, wat vir opvoedkundige, ontspannings- of godsdienstige doeleindes bedoel is, te distribueer of om hulle te help om hul vry tyd binne die interneringsplekke te organiseer. Sodanige verenigings of organisasies kan in die gebied van die Aanhoudingsmoondheid of in enige ander land gekonstitueer word of hulle mag van 'n internasionale aard wees.

Die Aanhoudingsmoondheid kan die getal verenigings en organisasies wie se afgevaardigdes toegelaat word om hul werksaamhede in sy gebied en onder sy toesig uit te voer, beperk op voorwaarde dat sodanige beperking nie die verskaffing van doeltreffende en toereikende noodleniging aan alle beskermde persone belemmer nie.

Die spesiale posisie van die Internasionale Komitee van die Rooikruis op hierdie terrein moet te alle tye erken en geëerbiedig word.

ARTIKEL 143.

Verteenwoordigers of afgevaardigdes van die Beskermende Moondhede moet toegelaat word om alle plekke te besoek waar daar beskermde persone is, veral interneringsplekke, aanhoudingsplekke en werkplekke.

Hulle moet toegang hê tot alle persele wat deur beskermde persone geokkupeer word en moet in staat gestel word om persoonlik of met behulp van 'n tolk, maar sonder getuies, onderhoude met laasgenoemde persone te voer.

Sodanige besoeke mag nie verbied word nie, behalwe waar militêre redes dit gebiedend noodsaaklik maak en dan alleenlik as 'n buitengewone en tydelike maatregel. Sodanige besoeke mag nie, wat hul duur of getal binne 'n bepaalde tydskedule betref, beperk word nie.

Dit moet sodanige verteenwoordigers en afgevaardigdes heeltemal vry staan om te besluit watter plekke hulle wil besoek. Die Aanhoudings- of Besettingsmoondheid, die Beskermende Moondheid en, wanneer die geleentheid hom voordoen, die Moondheid van herkoms van die persone wat besoek moet word, kan ooreenkom dat landgenote van die geïnterneerdes toegelaat word om aan die besoeke deel te neem.

Die afgevaardigdes van die Internasionale Komitee van die Rooikruis moet ook bogenoemde prerogatiwe geniet. Die aanstelling van sodanige afgevaardigdes moet vir goedkeuring voorgelê word aan die Moondheid wat die gebiede wat hulle wil besoek, regeer.

ARTIKEL 144.

Die Hoë Kontrakterende Partye verbind hulle om sowel in vredes- as in oorlogstyd die teks van die huidige Konvensie sover moontlik in hul onderskeie lande bekend te maak en in die besonder om die bestudering daarvan in hul militêre en, indien moontlik, burgerlike leerplanne in te sluit sodat die hele bevolking met die beginsels daarvan vertrouwd kan raak.

Alle burgerlike, militêre, polisie- of ander owerhede wat in oorlogstyd verantwoordelikheid ten opsigte van beskermde persone aanvaar, moet in besit van die teks van die Konvensie wees en spesiaal in die bepalings daarvan onderrig word.

ARTIKEL 145.

Die Hoë Kontrakterende Partye moet die amptelike vertalings van die huidige Konvensie en ook die wette en regulasies wat hulle mag aanneem ten einde die toepassing daarvan te verseker, deur tussenkoms van die

official translations of the present Convention, as well as the laws and regulations which they may adopt to ensure the application thereof.

ARTICLE 146.

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defence, which shall not be less favourable than those provided by Article 105 and those following of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949.

ARTICLE 147.

Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

ARTICLE 148.

No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding Article.

ARTICLE 149.

At the request of a Party to the conflict, an enquiry shall be instituted, in a manner to be decided between the interested Parties, concerning any alleged violation of the Convention.

If agreement has not been reached concerning the procedure for the enquiry, the Parties should agree on the choice of an umpire who will decide upon the procedure to be followed.

Switserse Federale Raad en, gedurende vyandelikhede, deur tussenkoms van die Beskermende Moondhede aan mekaar stuur.

ARTIKEL 146.

Die Hoë Kontrakterende Partye verbind hulle om dié wetgewing af te kondig wat nodig is om voorsiening te maak vir die oplegging van doeltreffende straf aan persone wat enigeen van die ernstige oortredings van die huidige Konvensie, soos in die eersvolgende artikel omskryf, begaan of opdrag gee dat sodanige oortredings begaan word.

Elke Hoë Kontrakterende Party is verplig om persone wat, na beweer word, sodanige ernstige oortredings begaan het of opdrag gegee het dat dit begaan word, op te spoor en sodanige persone, sonder inagneming van hul nasionaliteit voor sy eie hof te daag. Elke Hoë Kontrakterende Party kan ook, indien hy dit verkies, en ooreenkomstig die bepalings van sy eie wetgewing, sodanige persone aan 'n ander betrokke Hoë Kontrakterende Party oorhandig vir verhoor mits sodanige Hoë Kontrakterende Party *prima facie* 'n saak teen sodanige persoon of persone het.

Elke Hoë Kontrakterende Party moet dié maatreëls tref wat nodig is vir die onderdrukking van alle ander dade as die ernstige oortredings wat in die eersvolgende artikel omskryf word, wat strydig met die bepalings van die huidige Konvensie is.

Onder alle omstandighede moet die beskuldigde persone die waarborge van behoorlike verhoor en verweer geniet, wat nie minder gunstig mag wees nie as dié voorgeskryf by artikel 105 en dié ooreenkomstig die Geneefse Konvensie betreffende die Behandeling van Krygsgevangenes, gedateer 12 Augustus 1949.

ARTIKEL 147.

Die ernstige oortredings wat in die voorafgaande paragraaf bedoel word, is dié waarby enigeen van die volgende dade betrokke is indien dit gepleeg word teen persone of eiendom wat deur die huidige Konvensie beskerm word: Opsetlike doodslag, marteling of onmenslike behandeling, met inbegrip van biologiese eksperimente, die opsetlike veroorsaking van groot lyding of ernstige liggaamlike besering of benadeling van die gesondheid, onwettige deportasie of oorpasing of onwettige opsluiting van 'n beskermde persoon, die uitoefening van dwang op 'n beskermde persoon om in die magte van 'n vyandelike Moondheid te dien of die opsetlike ontneming van 'n beskermde persoon se regte op 'n billike en reëlmatige verhoor soos in die huidige Konvensie voorgeskryf, die neem van gyselaars en die vernietiging en toeëiening van eiendom op 'n uitgebreide skaal wat nie deur militêre noodsaaklikheid geregverdig word nie en wat onwettiglik en rockeloos uitgevoer word.

ARTIKEL 148.

Geen Hoë Kontrakterende Party word toegelaat om homself of 'n ander Hoë Kontrakterende Party te onthef van enige aanspreeklikheid wat hy of 'n ander Hoë Kontrakterende Party ten opsigte van die oortredings genoem in die voorafgaande artikel, opgevolg het nie.

ARTIKEL 149.

Op versoek van 'n Party by die botsing, moet daar op 'n manier waaroor die belanghebbende Partye moet besluit, ondersoek ingestel word in verband met enige beweerde skending van die Konvensie.

Indien daar nie oor die prosedure vir die ondersoek ooreengekom kan word nie, moet die Partye ooreenkom oor die keuse van 'n skeidsregter wat dan sal besluit oor die prosedure wat gevolg moet word.

Once the violation has been established, the Parties to the conflict shall put an end to it and shall repress it with the least possible delay.

SECTION II. FINAL PROVISIONS.

ARTICLE 150.

The present Convention is established in English and in French. Both texts are equally authentic.

The Swiss Federal Council shall arrange for official translations of the Convention to be made in the Russian and Spanish languages.

ARTICLE 151.

The present Convention, which bears the date of this day, is open to signature until February 12, 1950, in the name of the Powers represented at the Conference which opened at Geneva on April 21, 1949.

ARTICLE 152.

The present Convention shall be ratified as soon as possible and the ratifications shall be deposited at Berne.

A record shall be drawn up of the deposit of each instrument of ratification and certified copies of this record shall be transmitted by the Swiss Federal Council to all the Powers in whose name the Convention has been signed, or whose accession has been notified.

ARTICLE 153.

The present Convention shall come into force six months after not less than two instruments of ratification have been deposited.

Thereafter, it shall come into force for each High Contracting Party six months after the deposit of the instrument of ratification.

ARTICLE 154.

In the relations between the Powers who are bound by The Hague Conventions respecting the Laws and Customs of War on Land, whether that of July 29, 1899, or that of October 18, 1907, and who are parties to the present Convention, this last Convention shall be supplementary to Sections II and III of the Regulations annexed to the above-mentioned Conventions of The Hague.

ARTICLE 155.

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

ARTICLE 156.

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

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

ARTICLE 157.

The situations provided for in Articles 2 and 3 shall give immediate effect to ratifications deposited and accessions notified by the Parties to the conflict before or after the beginning of hostilities or occupation. The

Sodra daar bewys van die skending gelewer is, moet die Partye by die botsing met so min versuim as moontlik 'n einde daaraan maak en dit onderdruk.

AFDELING II. FINALE BEPALINGS.

ARTIKEL 150.

Die huidige Konvensie word in Engels en in Frans aangegaan. Beide tekse is ewe outentiek.

Die Switserse Federale Raad moet reël vir amptelike vertalings van die Konvensie in die Russiese en die Spaanse taal.

ARTIKEL 151.

Die huidige Konvensie, wat vandag se datum dra, is tot 12 Februarie 1950 beskikbaar vir ondertekening in die naam van die Moondhede wat verteenwoordig is in die Konferensie wat op 21 April 1949 in Genève geopen is.

ARTIKEL 152.

Die huidige Konvensie moet so gou moontlik bekragtig word en die bekragtighings moet te Berne gedeponeer word.

Daar moet 'n register opgestel word van die deponering van elke bekragtighingsdokument en gesertifiseerde kopieë van hierdie register moet deur die Switserse Federale Raad gestuur word aan al die Moondhede in wie se naam die Konvensie onderteken is of van wie se toetrede tot die Konvensie daar kennis gegee is.

ARTIKEL 153.

Die huidige Konvensie tree in werking ses maande nadat twee bekragtighingsdokumente gedeponeer is. Daarna word dit vir elke Hoë Kontrakterende Party van krag ses maande na die deponering van die bekragtighingsdokument.

ARTIKEL 154.

In die verhoudings tussen die Moondhede wat gebind word deur die Haagse Konvensies in verband met die Wette en Gebruike van Oorlog op Land, hetsy dié van 29 Julie 1899 of dié van 18 Oktober 1907, en wat partye by die huidige Konvensie is, is laasgenoemde Konvensie aanvullend by Afdelings II en III van die Regulasies wat aan bogenoemde Haagse Konvensies geheg is.

ARTIKEL 155.

Vanaf die datum waarop die huidige Konvensie in werking tree, staan dit enige Moondheid in wie se naam die huidige Konvensie nie onderteken is nie, vry om tot hierdie Konvensie toe te tree.

ARTIKEL 156.

Toetredings moet skriftelik aan die Switserse Federale Raad bekendgemaak word en tree in werking ses maande na die datum waarop dit ontvang is.

Die Switserse Federale Raad moet al die Moondhede in wie se naam die Konvensie onderteken is of van wie se toetrede daar kennis gegee is, van sodanige toetrede verwittig.

ARTIKEL 157.

Die toestande wat in artikels 2 en 3 bedoel word, maak die bekragtighings wat gedeponeer en die toetredings waarvan die Partye by die botsing kennis gegee het voor of na die begin van vyandelikhede of besetting, onmiddellik van krag. Die Switserse Federale Raad moet

Swiss Federal Council shall communicate by the quickest method any ratifications or accessions received from Parties to the conflict.

ARTICLE 158.

Each of the High Contracting Parties shall be at liberty to denounce the present Convention.

The denunciation shall be notified in writing to the Swiss Federal Council, which shall transmit it to the Governments of all the High Contracting Parties.

The denunciation shall take effect one year after the notification thereof has been made to the Swiss Federal Council. However, a denunciation of which notification has been made at a time when the denouncing Power is involved in a conflict shall not take effect until peace has been concluded, and until after operations connected with the release repatriation and re-establishment of the persons protected by the present Convention have been terminated.

The denunciation shall have effect only in respect of the denouncing Power. It shall in no way impair the obligations which the Parties to the conflict shall remain bound to fulfil by virtue of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity and the dictates of the public conscience.

ARTICLE 159.

The Swiss Federal Council shall register the present Convention with the Secretariat of the United Nations. The Swiss Federal Council shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to the present Convention.

IN WITNESS WHEREOF the undersigned, having deposited their respective full powers, have signed the present Convention.

DONE at Geneva this twelfth day of August, 1949, in the English and French languages. The original shall be deposited in the Archives of the Swiss Confederation. The Swiss Federal Council shall transmit certified copies thereof to each of the signatory and acceding States.

(The signatures of the Plenipotentiaries follow.)

ANNEX I.

DRAFT AGREEMENT RELATING TO HOSPITAL AND SAFETY ZONES AND LOCALITIES.

ARTICLE 1.

Hospital and safety zones shall be strictly reserved for the persons mentioned in Article 23 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, and in Article 14 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of August 12, 1949, and for the personnel entrusted with the organization and administration of these zones and localities and with the care of the persons therein assembled.

Nevertheless, persons whose permanent residence is within such zones shall have the right to stay there.

op die vinnigste manier kennis gee van alle bekrachtigings of toetredings wat van die Partye by die botsing ontvang word.

ARTIKEL 158.

Dit staan elkeen van die Hoë Kontrakterende Partye vry om die huidige Konvensie op te sê

Daar moet skriftelik van die opsegging kennis gegee word aan die Switserse Federale Raad, wat dit aan die Regerings van al die Hoë Kontrakterende Partye moet deurstuur.

Die opsegging word van krag een jaar nadat kennis daarvan aan die Switserse Federale Raad gegee is. 'n Opsegging waarvan daar egter kennis gegee is terwyl die opseggende Moondheid in 'n botsing betrokke is, word nie van krag nie totdat daar vrede gesluit is en totdat die werksaamhede in verband met die vrylating, repatriasie en hervestiging van die persone wat deur die huidige Konvensie beskerm word, beëindig is.

Die opsegging is slegs ten opsigte van die opseggende Moondheid van krag. Dit verswak geensins die verpligtings wat die Partye by die botsing steeds moet nakom uit hoofde van die beginsels van die Volkereg soos dit voortvloei uit die gevestigde gebruike onder beskaafde volke, uit die wette van die mensheid en die stem van die openbare gewete nie.

ARTIKEL 159.

Die Switserse Federale Raad moet die huidige Konvensie by die Sekretariaat van die Verenigde Nasies registreer. Die Switserse Federale Raad moet die Sekretariaat van die Verenigde Nasies ook verwittig van alle bekrachtigings, toetredings en opseggings wat hy ten opsigte van die huidige Konvensie ontvang.

TEN BEWYSE WAARVAN die ondergetekendes, na deponering van hul onderskeie volmagte, die huidige Konvensie onderteken het.

ALDUS te Genève gedoen op hede die twaalfde dag van Augustus 1949 in die Engelse en die Franse taal. Die oorspronklike moet in die argief van die Switserse Konfederasie gedeponeer word. Die Switserse Federale Raad moet gesertifiseerde kopieë daarvan stuur aan elke Staat wat die Konvensie onderteken en daartoe toetree.

(Hierna volg die handtekening van die Gevolmagtigdes.)

BYLAE I.

ONTWERPOOREENKOMS TEN OPSIGTE VAN HOSPITAAL- EN VEILIGHEIDSONES EN -PLEKKE.

ARTIKEL 1.

Hospitaal- en veiligheidsone moet streng gereserveer word vir die persone genoem in artikel 23 van die Geneefse Konvensie van 12 Augustus 1949 vir die Verligting van die Toestand van Gewondes en Siekes van die Gewapende Magte te Velde, en in artikel 14 van die Geneefse Konvensie van 12 Augustus 1949 met betrekking tot die Beskerming van Burgerlike Persone in Oorlogstyd, en vir die personeel wat belas is met die organisasie en administrasie van daardie sones en plekke en die versorging van persone wat daarin byeengebring is.

Nietemin het persone wat permanent in sodanige sones woonagtig is, die reg om daarin te bly.

ARTICLE 2.

No persons residing, in whatever capacity, in a hospital and safety zone shall perform any work, either within or without the zone, directly connected with military operations or the production of war material.

ARTICLE 3.

The Power establishing a hospital and safety zone shall take all necessary measures to prohibit access to all persons who have no right of residence or entry therein.

ARTICLE 4.

Hospital and safety zones shall fulfil the following conditions:

(a) They shall comprise only a small part of the territory governed by the Power which has established them.

(b) They shall be thinly populated in relation to the possibilities of accommodation.

(c) They shall be far removed and free from all military objectives, or large industrial or administrative establishments.

(d) They shall not be situated in areas which, according to every probability, may become important for the conduct of the war.

ARTICLE 5.

Hospital and safety zones shall be subject to the following obligations:

(a) The lines of communication and means of transport which they possess shall not be used for the transport of military personnel or material, even in transit.

(b) They shall in no case be defended by military means.

ARTICLE 6.

Hospital and safety zones shall be marked by means of oblique red bands on a white ground, placed on the buildings and outer precincts.

Zones reserved exclusively for the wounded and sick may be marked by means of the Red Cross (Red Crescent, Red Lion and Sun) emblem on a white ground.

They may be similarly marked at night by means of appropriate illumination.

ARTICLE 7.

The Powers shall communicate to all the High Contracting Parties in peacetime or on the outbreak of hostilities, a list of the hospital and safety zones in the territories governed by them. They shall also give notice of any new zones set up during hostilities.

As soon as the adverse Party has received the above-mentioned notification, the zone shall be regularly established.

If, however, the adverse Party considers that the conditions of the present agreement have not been fulfilled, it may refuse to recognize the zone by giving immediate notice thereof to the Party responsible for the said zone, or may make its recognition of such zone dependent upon the institution of the control provided for in Article 8.

ARTICLE 8.

Any Power having recognized one or several hospital and safety zones instituted by the adverse Party shall be entitled to demand control by one or more Special

ARTIKEL 2.

Niemand wat in 'n hospitaal- en veiligheidsone woonagtig is, in watter hoedanigheid ook al, mag enige werk wat regstreeks met militêre operasies of die produksie van oorlogsmateriaal in verband staan, binne of buite die sone verrig nie.

ARTIKEL 3.

Die Moondheid wat 'n hospitaal- en veiligheidsone instel, moet al die nodige maatreëls tref om die toegang van persone wat daarin geen woonreg of reg van toegang het nie, te verbied.

ARTIKEL 4.

Hospitaal- en veiligheidsones moet aan die volgende voorwaardes voldoen: Hulle moet—

(a) slegs 'n klein gedeelte van die grondgebied onder die bestuur van die Moondheid wat hulle ingestel het, beslaan;

(b) in verhouding tot die moontlikhede van huisvesting, dun bevolk wees;

(c) ver verwyder wees en los staan van militêre doelwitte of groot nywerheids- of administratiewe inrigtings;

(d) nie in gebiede wat, na alle waarskynlikheid, vir die oorlogvoering belangrik mag word, geleë wees nie.

ARTIKEL 5.

Hospitaal- en veiligheidsones is onderworpe aan die volgende verpligtings:

(a) Die verbindingslyne en vervoermiddels van die sones mag nie vir die vervoer van militêre personeel of materiaal of selfs vir die deurvoer daarvan gebruik word nie.

(b) Hulle mag in geen geval militêrgewyse verdedig word nie.

ARTIKEL 6.

Hospitaal- en veiligheidsones moet gemerk word met skuins rooi bande op 'n wit veld, wat op die geboue en die buitenste omgewing daarvan aangebring moet word.

Sones wat uitsluitlik vir gewondes en siekes uitgehou word, kan met die Rooikruis- (Rooi Halfmaan-, Rooi Leeu- en Son-) embleem op 'n wit veld gemerk word.

Hulle kan op soortgelyke wyse gedurende die nag deur middel van geskikte verligting gemerk word.

ARTIKEL 7.

Die Moondhede moet in vredestryd of by die uitbreek van vyandelikhede aan al die Hoë Kontrakterende Partye 'n lys stuur van die hospitaal- en veiligheidsones in die grondgebiede onder hul bestuur. Hulle moet ook kennis gee van nuwe sones wat gedurende vyandelikhede ingestel word.

Sodra die teenparty bovermelde kennisgewing ontvang het, is die sone op reëlmatige wyse ingestel.

As die teenparty egter van mening is dat daar nie aan die voorwaardes van die huidige ooreenkoms voldoen is nie, kan hy, deur die Party wat vir die sone verantwoordelik is, onmiddellik daarvan in kennis te stel, weier om genoemde sone te erken; of hy kan sodanige sone erken op voorwaarde dat die beheer waarvoor daar in artikel 8 voorsiening gemaak word, ingestel word.

ARTIKEL 8.

Nadat 'n moondheid een of meer hospitaal- en veiligheidsones wat deur die teenparty ingestel is, erken het, kan hy eis dat een of meer spesiale komitees beheer daaroor

Commissions, for the purpose of ascertaining if the zones fulfil the conditions and obligations stipulated in the present agreement.

For this purpose, members of the Special Commissions shall at all times have free access to the various zones and may even reside there permanently. They shall be given all facilities for their duties of inspection.

ARTICLE 9.

Should the Special Commissions note any facts which they consider contrary to the stipulations of the present agreement, they shall at once draw the attention of the Power governing the said zone to these facts, and shall fix a time limit of five days within which the matter should be rectified. They shall duly notify the Power who has recognized the zone.

If, when the time limit has expired, the Power governing the zone has not complied with the warning, the adverse Party may declare that it is no longer bound by the present agreement in respect of the said zone.

ARTICLE 10.

Any Power setting up one or more hospital and safety zones, and the adverse Parties to whom their existence has been notified, shall nominate or have nominated by the Protecting Powers or by other neutral Powers, persons eligible to be members of the Special Commissions mentioned in Articles 8 and 9.

ARTICLE 11.

In no circumstances may hospital and safety zones be the object of attack. They shall be protected and respected at all times by the Parties to the conflict.

ARTICLE 12.

In the case of occupation of a territory, the hospital and safety zones therein shall continue to be respected and utilized as such.

Their purpose may, however, be modified by the Occupying Power, on condition that all measures are taken to ensure the safety of the persons accommodated.

ARTICLE 13.

The present agreement shall also apply to localities which the Powers may utilize for the same purposes as hospital and safety zones.

ANNEX II.

DRAFT REGULATIONS CONCERNING COLLECTIVE RELIEF.

ARTICLE 1.

The Internee Committees shall be allowed to distribute collective relief shipments for which they are responsible, to all internees who are dependent for administration on the said Committee's place of internment, including those internees who are in hospitals, or in prisons or other penitentiary establishments.

ARTICLE 2.

The distribution of collective relief shipments shall be effected in accordance with the instructions of the donors and with a plan drawn up by the Internee Committees. The issue of medical stores shall, however, be made for preference in agreement with the senior medical officers,

uitoefen ten einde vas te stel of die voorwaardes en verpligtings soos in die huidige ooreenkoms beding, in die sones nagekom word.

Te dien einde het die lede van die spesiale komitees te alle tye vrye toegang tot die verskillende sones en kan hulle selfs permanent daar woonagtig wees. In verband met hul inspeksiedienste moet alle fasiliteite aan hulle verleen word.

ARTIKEL 9.

As die spesiale Komitees sake opmerk wat na hul mening strydig is met die bepalings van die huidige ooreenkoms, moet hulle dadelik die aandag van die Moondheid wat die sone beheer, op daardie sake vestig en 'n tydsgrens van vyf dae bepaal waarbinne die saak in die reïne gebring moet word. Hulle moet die Moondheid wat die sone erken het, behoorlik daarvan verwittig.

As die Moondheid wat die sone beheer, nie binne die bepaalde tydsgrens aan die waarskuwing gehoor gegee het nie, kan die teenparty verklaar dat hy hom ten opsigte van genoemde sone nie meer deur die huidige ooreenkoms gebonde ag nie.

ARTIKEL 10.

Nadat enige Moondheid een of meer hospitaal en veiligheidszones ingestel en die teenparty daarvan verwittig het, moet sodanige Moondheid persone wat geskik is om lede te wees van die spesiale komitees in artikels 8 en 9 genoem, benoem of deur die Beskermende Moondhede of deur ander neutrale Moondhede laat benoem.

ARTIKEL 11.

Hospitaal- en veiligheidszones mag onder geen omstandighede die doelwit van 'n aanval wees nie. Hulle moet te alle tye deur die botsende Partye beskerm en geëerbiedig word.

ARTIKEL 12.

Waar 'n gebied beset word, moet die hospitaal- en veiligheidszones daarin nog as sodanig geëerbiedig en gebruik word.

Hulle doel kan egter deur die Besettingsmoondheid gewysig word op voorwaarde dat alle maatreëls getref word om die veiligheid van die persone wat daarin gehuisves is, te verseker.

ARTIKEL 13.

Die huidige ooreenkoms is ook van toepassing op plekke wat die Moondhede vir dieselfde doel as hospitaal- en veiligheidszones gebruik.

BYLAE II.

ONTWERPREGULASIES IN VERBAND MET GESAMENTLIKE NOODLENIGING.

ARTIKEL 1.

Die Komitees van Geïnterneerdes moet toegelaat word om gesamentlike noodlenigingsbesendings waarvoor hulle verantwoordelik is, uit te deel aan alle geïnterneerdes wat vir administrasiedoeleindes van genoemde Komitee se interneringsplek afhanklik is, insluitende daardie geïnterneerdes wat in hospitale of in gevangenis of ander strafinrigtings is.

ARTIKEL 2.

Die gesamentlike noodlenigingsbesendings moet ooreenkomstig die opdragte van die skenkers en 'n plan wat deur die Komitees van Geïnterneerdes opgestel is, uitge-deel word. Mediese voorrade moet egter volgens die voorkeur waarmee die senior mediese beamptes instem,

and the latter may, in hospitals and infirmaries, waive the said instructions, if the needs of their patients so demand. Within the limits thus defined, the distribution shall always be carried out equitably.

ARTICLE 3.

Members of Internee Committees shall be allowed to go to the railway stations or other points of arrival of relief supplies near their places of internment so as to enable them to verify the quantity as well as the quality of the goods received and to make out detailed reports thereon for the donors.

ARTICLE 4.

Internee Committees shall be given the facilities necessary for verifying whether the distribution of collective relief in all subdivisions and annexes of their places of internment has been carried out in accordance with their instructions.

ARTICLE 5.

Internee Committees shall be allowed to complete, and to cause to be completed by members of the Internee Committees in labour detachments or by the senior medical officers of infirmaries and hospitals, forms or questionnaires intended for the donors, relating to collective relief supplies (distribution, requirements, quantities, etc.). Such forms and questionnaires, duly completed, shall be forwarded to the donors without delay.

ARTICLE 6.

In order to secure the regular distribution of collective relief supplies to the internees in their place of internment, and to meet any needs that may arise through the arrival of fresh parties of internees, the Internee Committees shall be allowed to create and maintain sufficient reserve stocks of collective relief. For this purpose, they shall have suitable warehouses at their disposal; each warehouse shall be provided with two locks, the Internee Committee holding the keys of one lock, and the commandant of the place of internment the keys of the other.

ARTICLE 7.

The High Contracting Parties, and the Detaining Powers in particular, shall, so far as is in any way possible and subject to the regulations governing the food supply of the population, authorize purchases of goods to be made in their territories for the distribution of collective relief to the internees. They shall likewise facilitate the transfer of funds and other financial measures of a technical or administrative nature taken for the purpose of making such purchases.

ARTICLE 8.

The foregoing provisions shall not constitute an obstacle to the right of internees to receive collective relief before their arrival in a place of internment or in the course of their transfer, nor to the possibility of representatives of the Protecting Power, or of the International Committee of the Red Cross or any other humanitarian organization giving assistance to internees and responsible for forwarding such supplies, ensuring the distribution thereof to the recipients by any other means they may deem suitable.

uitgereik word, en sodanige beamptes kan in hospitale en siekehuse van genoemde opdragte afsien as die behoeftes van hul pasiënte dit vereis. Binne die perke aldus omskryf moet die uitdeling altyd op 'n billike wyse geskied.

ARTIKEL 3.

Lede van die Komitees van Geïnterneerdes moet toegelaat word om na spoorwegstasies of na ander punte naby hul interneringsplekke waar noodlenigingsbesendings aankom, te gaan sodat hulle die hoeveelheid asook die gehalte van die goedere wat ontvang word, kan nagaan en volledige verslae daarvoor vir die skenkers kan opstel.

ARTIKEL 4.

Die nodige fasiliteite moet aan Komitees van Geïnterneerdes verleen word om na te gaan of die gesamentlike noodlenigingsvoorrade in alle onderafdelings en bygeboue van hul interneringsplekke ooreenkomstig hul opdragte uitgedeel is.

ARTIKEL 5.

Komitees van Geïnterneerdes moet toegelaat word om vorms of vraelyste wat vir skenkers bedoel is en handel oor gesamentlike noodlenigingsvoorrade (verdeling, vereistes, hoeveelhede, ens.) in te vul of te laat invul, deur lede van die komitees van Geïnterneerdes in arbeidsafdelings of deur mediese beamptes van siekehuse en hospitale. Sodanige vorms en vraelyste, behoorlik ingevul, moet sonder versuim aan die skenkers gestuur word.

ARTIKEL 6.

Ten einde die gereelde uitdeling van gesamentlike noodlenigingsvoorrade onder die geïnterneerdes in interneringsplek te verseker en in die behoeftes wat deur die aankoms van nuwe geïnterneerdes mag ontstaan, te voorsien, moet die Komitee van Geïnterneerdes toegelaat word om 'n voldoende reserwe aan gesamentlike noodlenigingsvoorrade op te bou en in stand te hou. Vir dié doel moet daar geskikte pakhuise tot hul beskikking wees; elke pakhuys moet van twee slotte voorsien wees, waarvan die Komitee van Geïnterneerdes die sleutels van een slot en die kommandant van die interneringsplek die sleutels van die ander slot moet hou.

ARTIKEL 7.

Die Hoë Kontrakterende Partye, en veral die Aanhoudingsmoondhede moet, vir sover dit enigszins moontlik is en behoudens die regulasies aangaande die voedselvoorraad van die bevolking, magtiging verleen dat goedere in hul gebiede aangekoop word vir uitdeling as gesamentlike noodleniging aan die geïnterneerdes. Hulle moet insgelyks die oordrag van fondse en ander geldelike maatreëls van 'n tegniese of administratiewe aard wat getref word met die doel om sodanige aankope te doen, vergemaklik.

ARTIKEL 8.

Die voorgaande bepalinge belemmer nie die reg van geïnterneerdes om voor hul aankoms in 'n interneringsplek of in die loop van hul verplasing, gesamentlike noodleniging ontvang nie, en belemmer ook nie die moontlikheid dat verteenwoordigers van die Beskermende Moondheid of van die Internasionale Komitee van die Rooikruis of enige ander mensliëwende organisasie wat aan geïnterneerdes hulp verleen en vir die aanstuur van sodanige voorrade verantwoordelik is, die uitdeling daarvan aan die ontvangers op enige ander manier wat hulle geskik mag ag, verseker nie.

ANNEX III

I. INTERNMENT CARD

1. Front

CIVILIAN INTERNEE MAIL		Postage free
POST CARD		
IMPORTANT This card must be completed by each internee immediately on being interned and each time his address is altered by reason of transfer to another place of internment or to a hospital. This card is not the same as the special card which each internee is allowed to send to his relatives.	CENTRAL INFORMATION AGENCY FOR PROTECTED PERSONS INTERNATIONAL COMMITTEE OF THE RED CROSS	

2. Reverse side

Write legibly and in block letters—I. Nationality		
2. Surname	3. First names (<i>in full</i>)	4. First name of father
.....		
5. Date of birth	6. Place of birth	
7. Occupation		
8. Address before detention		
9. Address of next of kin		
.....		
*10. Interned on : (or) Coming from (hospital, etc.) on : *11. State of health		
.....		
12. Present address		14. Signature
13. Date		
*Strike out what is not applicable—Do not add any remarks — See explanations on other side of card		

(Size of internment card—10×15 cm.)

BYLAE III

1. Voorkant

<u>POSSTUK VAN BURGERLIKE GEINTERNEERDE</u>		Posvry
POSKAART		
BELANGRIK Hierdie kaart moet deur elke geïnterneerde onmiddellik by sy internering ingevul word, asook elke keer wanneer sy adres weens verplasing na 'n ander interneringsplek of na 'n hospitaal verander word. Hierdie kaart is nie dieselfde as die spesiale kaart wat elke geïnterneerde aan sy bloedverwante mag stuur nie.	SENTRALE INLIGTINGSAGENTSAP VIR BESKERMDE PERSONE INTERNASIONALE KOMITEE VAN DIE ROOIKRUIS	

2. Agterkant

Skryf duidelik in blokletters—1. Nasionaliteit	
2. Van	3. Voorname (voluit)
.....	
4. Voornaam van vader.....	
5. Geboortedatum	6. Geboorteplek
7. Beroep	
8. Adres voor aanhouding	
9. Adres van naasbestaande	
*10. Geïnterneer op: (of) Ontslaan uit (Hospitaal, ens.) op	
*11. Gesondheidstoestand	
11. Huidige adres	
13. Datum	14. Handtekening
*Skrap wat nie van toepassing is nie. Moenie iets byvoeg nie sien verduidelikings op ander kant van kaart.	

(Grootte van interneringskaart 10 × 15 cm)

ANNEX III

II. LETTER

CIVILIAN INTERNET SERVICE

Postage free

To

Street and number

Place of destination (*in block capitals*)

Province or Department

Country (*in block capitals*)

Internment address

Date and place of birth

Surname and first names

Sender:

(Size of letter—29 × 15 cm.)

BYLAE III

II Brief

DIENS VIR BURGERLIKE GEINTERNEERDES

Posvry

Aan

Straat en nommer

Plek van bestemming (*blokletters*)

Provinsie of Departement

Land (*Blokletters*)

Interneeringsadres

Geboorteplek en -datum

Van en Voornamen

Afsender:

(Grootte van brief—29 × 15 cm.)

III. CORRESPONDENCE CARD

CIVILIAN INTERNEE MAIL

Postage free

POST CARD

To

Street and number

Place of destination (in block capitals)

Province or Department

Country (in block capitals)

Sender:

Surname and first names

Place and date of birth

Internment address

Date :

2. Reverse side

Write on the dotted lines only and as legibly as possible.

(Size of correspondence card—10 × 15 cm.)

III Briefkaart.

POSSTUK VAN BURGERLIKE GEINTERNEERDES

Posvry

Aan

Plek van bestemming (Blokletters)

Land (Blokletters)

Afsender:

Van en Voornamen

Geboortedatum en -plek

Intereringsadres

Datum:

2. Agterkant

Skryf slegs op die stippellyne en so leesbaar moontlik.

(Grootte van briefkaart—(10 x 15 cm.)

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